
SUBSTITUTE SENATE BILL 6335

State of Washington

69th Legislature

2026 Regular Session

By Senate Transportation (originally sponsored by Senators King and Llias)

READ FIRST TIME 02/10/26.

1 AN ACT Relating to revising the responsibilities of the state
2 transportation commission; amending RCW 47.01.051, 47.04.280,
3 47.06.020, 47.26.170, 47.01.250, 47.12.330, 47.06.040, 36.70A.085,
4 47.05.030, and 47.80.070; adding a new section to chapter 47.01 RCW;
5 and repealing RCW 47.01.071, 47.01.075, and 47.26.440.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.01
8 RCW to read as follows:

9 The commission shall have the following functions, powers, and
10 duties:

11 (1) To propose policies to be adopted by the governor and the
12 legislature designed to assure the development and maintenance of a
13 comprehensive and balanced statewide transportation system that will
14 meet the needs of the people of this state for safe and efficient
15 transportation services. Wherever appropriate, the policies shall
16 provide for the use of integrated, intermodal transportation systems.
17 The policies must be aligned with the goals established in RCW
18 47.04.280;

19 (2) To provide for public involvement designed to elicit the
20 public's views with respect to statewide transportation system needs
21 and to provide a summary report of the public's views to the

1 transportation committees of the legislature by January 1st of each
2 year;

3 (3) To propose to the governor and the legislature prior to the
4 convening of each regular session held in an odd-numbered year a
5 recommended budget for the operations of the commission as required
6 by RCW 47.01.061;

7 (4) To adopt such rules as may be necessary to carry out
8 reasonably and properly those functions expressly vested in the
9 commission by statute;

10 (5) To contract with the office of financial management or other
11 appropriate state agencies for administrative support, accounting
12 services, computer services, and other support services necessary to
13 carry out its other statutory duties;

14 (6) To conduct transportation-related studies and policy analysis
15 to the extent directed by the legislature or governor in the biennial
16 transportation appropriations act, or as otherwise provided in law,
17 and subject to the availability of amounts appropriated for this
18 specific purpose; and

19 (7) To exercise such other specific powers and duties as may be
20 vested in the commission by this or any other provision of law.

21 **Sec. 2.** RCW 47.01.051 and 2006 c 334 s 1 are each amended to
22 read as follows:

23 (1) There is hereby created a transportation commission, which
24 shall consist of seven voting members appointed by the governor, with
25 the consent of the senate. The present five members of the highway
26 commission shall serve as five initial members of the transportation
27 commission until their terms of office as highway commission members
28 would have expired. The additional two members provided herein for
29 the transportation commission shall be appointed for initial terms to
30 expire on June 30, 1982, and June 30, 1983. Thereafter all terms
31 shall be for six years. No elective state official, state officer, or
32 state employee shall be a member of the commission. At the time of
33 appointment or thereafter during their respective terms of office,
34 four members of the commission shall reside in the western part of
35 the state and three members shall reside in the eastern part of the
36 state as divided north and south by the summit of the Cascade
37 mountains. No more than two members of the commission shall reside in
38 the same county; however, the governor, or his or her designee, shall
39 serve as a nonvoting member of the commission. Commission

1 appointments should reflect both a wide range of transportation
2 interests and a balanced statewide geographic representation.
3 Commissioners may be removed from office by the governor before the
4 expiration of their terms for cause. No member shall be appointed for
5 more than two consecutive terms.

6 (2) The commission shall also consist of the following nonvoting
7 members:

8 (a) One representative of cities, appointed by the association of
9 Washington cities;

10 (b) One representative of counties, appointed by the Washington
11 state association of counties;

12 (c) One representative of port districts, appointed by the
13 Washington public ports association;

14 (d) One member of the freight mobility strategic investment
15 board, appointed by the board;

16 (e) One member of the county road administration board, appointed
17 by the board;

18 (f) One member of the transportation improvement board, appointed
19 by the board;

20 (g) One representative of transit agencies, appointed by the
21 Washington state transit association;

22 (h) One representative of the local programs division of the
23 department, appointed by the secretary; and

24 (i) Two representatives of regional transportation planning
25 organizations, one from the west of the Cascade mountains and one
26 from the east of the Cascade mountains, appointed by the metropolitan
27 planning organization, regional transportation planning organization,
28 and the department coordinating committee.

29 **Sec. 3.** RCW 47.04.280 and 2021 c 153 s 1 are each amended to
30 read as follows:

31 (1) It is the intent of the legislature to establish policy goals
32 for the planning, operation, performance of, and investment in, the
33 state's transportation system. Public investments in transportation
34 should support achievement of these policy goals:

35 (a) Preservation: To maintain, preserve, and extend the life and
36 utility of prior investments in transportation systems and services,
37 including the state ferry system;

38 (b) Safety: To provide for and improve the safety and security of
39 transportation customers and the transportation system;

1 (c) Stewardship: To continuously improve the quality,
2 effectiveness, resilience, and efficiency of the transportation
3 system;

4 (d) Mobility: To improve the predictable movement of goods and
5 people throughout Washington state, including congestion relief and
6 improved freight mobility;

7 (e) Economic vitality: To promote and develop transportation
8 systems that stimulate, support, and enhance the movement of people
9 and goods to ensure a prosperous economy; and

10 (f) Environment: To enhance Washington's quality of life through
11 transportation investments that promote energy conservation, enhance
12 healthy communities, and protect the environment.

13 (2) The powers, duties, and functions of state transportation
14 agencies must be performed in a manner consistent with the policy
15 goals set forth in subsection (1) of this section with preservation
16 and safety being priorities.

17 (3) These policy goals are intended to be the basis for
18 establishing detailed and measurable objectives and related
19 performance measures.

20 (4) It is the intent of the legislature that the office of
21 financial management(~~(, in consultation with the transportation~~
22 ~~commission,)) establish objectives and performance measures for the
23 department and other state agencies with transportation-related
24 responsibilities to ensure transportation system performance at
25 local, regional, and state government levels progresses toward the
26 attainment of the policy goals set forth in subsection (1) of this
27 section. The office of financial management shall submit objectives
28 and performance measures to the legislature for its review (~~and~~
29 ~~shall provide copies of the same to the commission)) during each
30 regular session of the legislature during an even-numbered year
31 thereafter.~~~~

32 (5) A local or regional agency engaging in transportation
33 planning may voluntarily establish objectives and performance
34 measures to demonstrate progress toward the attainment of the policy
35 goals set forth in subsection (1) of this section or any other
36 transportation policy goals established by the local or regional
37 agency. A local or regional agency engaging in transportation
38 planning is encouraged to provide local and regional objectives and
39 performance measures to be included with the objectives and

1 performance measures submitted to the legislature pursuant to
2 subsection (4) of this section.

3 (6) This section does not create a private right of action.

4 **Sec. 4.** RCW 47.06.020 and 2007 c 516 s 9 are each amended to
5 read as follows:

6 The specific role of the department in transportation planning
7 must be, consistent with the policy goals described under RCW
8 47.04.280: (1) Ongoing coordination and development of statewide
9 transportation policies that guide all Washington transportation
10 providers; (2) ongoing development of a statewide multimodal
11 transportation plan that includes both state-owned and state-interest
12 facilities and services; (3) coordinating the state high capacity
13 transportation planning and regional transportation planning
14 programs; and (4) conducting special transportation planning studies
15 that impact state transportation facilities or relate to
16 transportation facilities and services of statewide significance(~~(=~~
17 ~~and (5) assisting the transportation commission in the development of~~
18 ~~the statewide transportation plan required under RCW 47.01.071(4))~~).
19 Specific requirements for each of these state transportation planning
20 components are described in this chapter.

21 **Sec. 5.** RCW 47.26.170 and 2005 c 319 s 131 are each amended to
22 read as follows:

23 Each county having within its boundaries an urban area and cities
24 and towns shall prepare and submit to the transportation improvement
25 board arterial inventory data required to determine the long-range
26 arterial construction needs. The counties, cities, and towns shall
27 revise the arterial inventory data every four years to show the
28 current arterial construction needs through the advanced planning
29 period, and as revised shall submit them to the transportation
30 improvement board during the first week of January every four years
31 beginning in 1996. The inventory data shall be prepared pursuant to
32 guidelines established by the transportation improvement board. (~~As~~
33 ~~information is updated, it shall be made available to the~~
34 ~~commission.~~)

35 **Sec. 6.** RCW 47.01.250 and 1998 c 245 s 92 are each amended to
36 read as follows:

1 (~~The chief of the Washington state patrol, the director of the~~
2 ~~traffic safety commission, the executive director of the county road~~
3 ~~administration board, and the director of licensing are designated as~~
4 ~~official consultants to the transportation commission so that the~~
5 ~~goals and activities of their respective agencies which relate to~~
6 ~~transportation are fully coordinated with other related~~
7 ~~responsibilities of the department of transportation. In this~~
8 ~~capacity, the chief of the Washington state patrol, the director of~~
9 ~~the traffic safety commission, the executive director of the county~~
10 ~~road administration board, and the director of licensing shall~~
11 ~~consult with the transportation commission and the secretary of~~
12 ~~transportation on the implications and impacts on the transportation~~
13 ~~related functions and duties of their respective agencies of any~~
14 ~~proposed comprehensive transportation plan, program, or policy.))~~

15 In order to develop fully integrated, balanced, and coordinated
16 transportation plans, programs, and budgets the chief of the
17 Washington state patrol, the director of the traffic safety
18 commission, the executive director of the county road administration
19 board, and the director of licensing shall consult with the secretary
20 of transportation on the matter of relative priorities during the
21 development of their respective agencies' plans, programs, and
22 budgets as they pertain to transportation activities.

23 **Sec. 7.** RCW 47.12.330 and 1998 c 181 s 2 are each amended to
24 read as follows:

25 For the purpose of environmental mitigation of transportation
26 projects, the department may acquire or develop, or both acquire and
27 develop, environmental mitigation sites in advance of the
28 construction of programmed projects. The term "advanced environmental
29 mitigation" means mitigation of adverse impacts upon the environment
30 from transportation projects before their design and construction.
31 Advanced environmental mitigation consists of the acquisition of
32 property; the acquisition of property, water, or air rights; the
33 development of property for the purposes of improved environmental
34 management; engineering costs necessary for such purchase and
35 development; and the use of advanced environmental mitigation sites
36 to fulfill project environmental permit requirements. Advanced
37 environmental mitigation must be conducted in a manner that is
38 consistent with the definition of mitigation found in the council of
39 environmental quality regulations (40 C.F.R. Sec. 1508.20) and the

1 governor's executive order on wetlands (EO 90-04). Advanced
2 environmental mitigation is for projects (~~approved by the~~
3 ~~transportation commission as part of the state's six-year plan or~~)
4 included in the state highway system plan. Advanced environmental
5 mitigation must give consideration to activities related to fish
6 passage, fish habitat, wetlands, and flood management. Advanced
7 environmental mitigation may also be conducted in partnership with
8 federal, state, or local government agencies, tribal governments,
9 interest groups, or private parties. Partnership arrangements may
10 include joint acquisition and development of mitigation sites,
11 purchasing and selling mitigation bank credits among participants,
12 and transfer of mitigation site title from one party to another.
13 Specific conditions of partnership arrangements will be developed in
14 written agreements for each applicable environmental mitigation site.

15 **Sec. 8.** RCW 47.06.040 and 2002 c 189 s 4 are each amended to
16 read as follows:

17 The department shall develop a statewide multimodal
18 transportation plan (~~under RCW 47.01.071(3) and~~), that functions as
19 a comprehensive and balanced statewide transportation plan, in
20 conformance with federal requirements, to ensure the continued
21 mobility of people and goods within regions and across the state in a
22 safe, cost-effective manner. The department may consult with the
23 transportation commission as it develops the plan. The department
24 shall periodically update the plan every four years, or as frequently
25 as practicable consistent with federal requirements. The statewide
26 multimodal transportation plan shall consist of:

27 (1) A state-owned facilities component, which shall guide state
28 investment for state highways including bicycle and pedestrian
29 facilities, and state ferries; and

30 (2) A state-interest component, which shall define the state
31 interest in aviation, marine ports and navigation, freight rail,
32 intercity passenger rail, bicycle transportation and pedestrian
33 walkways, and public transportation, and recommend actions in
34 coordination with appropriate public and private transportation
35 providers to ensure that the state interest in these transportation
36 modes is met.

37 The plans developed under each component must be consistent
38 (~~with the state transportation policy plan and~~) with each other,
39 reflect public involvement, be consistent with regional

1 transportation planning, high capacity transportation planning, and
2 local comprehensive plans prepared under chapter 36.70A RCW, and
3 include analysis of intermodal connections and choices. A primary
4 emphasis for these plans shall be the relief of congestion, the
5 preservation of existing investments and downtowns, ability to
6 attract or accommodate planned population, and employment growth, the
7 improvement of traveler safety, the efficient movement of freight and
8 goods, and the improvement and integration of all transportation
9 modes to create a seamless intermodal transportation system for
10 people and goods.

11 In the development of the statewide multimodal transportation
12 plan, the department shall identify and document potential affected
13 environmental resources((~~r~~)) including, but not limited to, wetlands,
14 stormwater runoff, flooding, air quality, fish passage, and wildlife
15 habitat. The department shall conduct its environmental
16 identification and documentation in coordination with all relevant
17 environmental regulatory authorities((~~r~~)) including, but not limited
18 to, local governments. The department shall give the relevant
19 environmental regulatory authorities an opportunity to review the
20 department's environmental plans. The relevant environmental
21 regulatory authorities shall provide comments on the department's
22 environmental plans in a timely manner. Environmental identification
23 and documentation as provided for in RCW 47.01.300 and this section
24 is not intended to create a private right of action or require an
25 environmental impact statement as provided in chapter 43.21C RCW.

26 **Sec. 9.** RCW 36.70A.085 and 2023 c 470 s 2018 are each amended to
27 read as follows:

28 (1) Comprehensive plans of cities that have a marine container
29 port with annual operating revenues in excess of (~~sixty million~~
30 ~~dollars~~)) \$60,000,000 within their jurisdiction must include a
31 container port element.

32 (2) Comprehensive plans of cities that include all or part of a
33 port district with annual operating revenues in excess of (~~twenty~~
34 ~~million dollars~~)) \$20,000,000 may include a marine industrial port
35 element. Prior to adopting a marine industrial port element under
36 this subsection (2), the commission of the applicable port district
37 must adopt a resolution in support of the proposed element.

38 (3) Port elements adopted under subsections (1) and (2) of this
39 section must be developed collaboratively between the city, the

1 applicable port, and the applicable tribe, which shall comply with
2 RCW 36.70A.040(8), and must establish policies and programs that:

3 (a) Define and protect the core areas of port and port-related
4 industrial uses within the city;

5 (b) Provide reasonably efficient access to the core area through
6 freight corridors within the city limits; and

7 (c) Identify and resolve key land use conflicts along the edge of
8 the core area, and minimize and mitigate, to the extent practicable,
9 incompatible uses along the edge of the core area.

10 (4) Port elements adopted under subsections (1) and (2) of this
11 section must be:

12 (a) Completed and approved by the city according to the schedule
13 specified in RCW 36.70A.130; and

14 (b) Consistent with the economic development, transportation, and
15 land use elements of the city's comprehensive plan, and consistent
16 with the city's capital facilities plan.

17 (5) In adopting port elements under subsections (1) and (2) of
18 this section, cities and ports must: Ensure that there is consistency
19 between the port elements and the port comprehensive scheme required
20 under chapters 53.20 and 53.25 RCW; and retain sufficient planning
21 flexibility to secure emerging economic opportunities.

22 (6) In developing port elements under subsections (1) and (2) of
23 this section, a city may utilize one or more of the following
24 approaches:

25 (a) Creation of a port overlay district that protects container
26 port uses;

27 (b) Use of industrial land banks;

28 (c) Use of buffers and transition zones between incompatible
29 uses;

30 (d) Use of joint transportation funding agreements;

31 (e) Use of policies to encourage the retention of valuable
32 warehouse and storage facilities;

33 (f) Use of limitations on the location or size, or both, of
34 nonindustrial uses in the core area and surrounding areas; and

35 (g) Use of other approaches by agreement between the city and the
36 port.

37 (7) The department of commerce must provide matching grant funds
38 to cities meeting the requirements of subsection (1) of this section
39 to support development of the required container port element.

1 (8) Any planned improvements identified in port elements adopted
2 under subsections (1) and (2) of this section must be transmitted by
3 the city to the department of transportation (~~(commission)~~) for
4 consideration of inclusion in the statewide multimodal transportation
5 plan required under RCW (~~(47.01.071)~~) 47.06.040.

6 **Sec. 10.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to
7 read as follows:

8 (1) The office of financial management shall propose a
9 comprehensive (~~(ten-year)~~) 10-year investment program for the
10 preservation and improvement programs defined in this section,
11 consistent with the policy goals described under RCW 47.04.280. The
12 proposed (~~(ten-year)~~) 10-year investment program must be forwarded as
13 a recommendation by the office of financial management to the
14 legislature, and must be based upon the needs identified in the
15 statewide multimodal transportation plan established under RCW
16 (~~(47.01.071(4))~~) 47.06.040.

17 (2) The preservation program consists of those investments
18 necessary to preserve the existing state highway system and to
19 restore existing safety features, giving consideration to lowest
20 life-cycle costing.

21 (3) The improvement program consists of investments needed to
22 address identified deficiencies on the state highway system to meet
23 the goals established in RCW 47.04.280.

24 **Sec. 11.** RCW 47.80.070 and 1994 c 158 s 5 are each amended to
25 read as follows:

26 In order to ensure statewide consistency in the regional
27 transportation planning process, the state department of
28 transportation, in conformance with chapter 34.05 RCW, shall:

29 (1) In cooperation with regional transportation planning
30 organizations, establish minimum standards for development of a
31 regional transportation plan;

32 (2) Facilitate coordination between regional transportation
33 planning organizations; and

34 (3) Through the regional transportation planning process, and
35 through state planning efforts as required by RCW (~~(47.01.071)~~)
36 47.06.040, identify and jointly plan improvements and strategies
37 within those corridors important to moving people and goods on a
38 regional or statewide basis.

1 NEW SECTION. **Sec. 12.** The following acts or parts of acts are
2 each repealed:
3 (1) RCW 47.01.071 (Commission—Functions, powers, and duties) and
4 2022 c 186 s 702, 2016 c 35 s 1, 2007 c 516 s 4, 2006 c 334 s 3, 2005
5 c 319 s 5, 1981 c 59 s 2, 1980 c 87 s 45, & 1977 ex.s. c 151 s 7;
6 (2) RCW 47.01.075 (Transportation policy development) and 2007 c
7 516 s 5, 2006 c 334 s 4, & 2005 c 319 s 6; and
8 (3) RCW 47.26.440 (Budget for expenditures from funds
9 administered by board—Estimate of revenues) and 1994 c 179 s 25, 1988
10 c 167 s 32, 1984 c 7 s 163, & 1967 ex.s. c 83 s 54.

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