

VETO MESSAGE ON HB 2343-S

March 28, 1996

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 202(5); 202(6); 206(2); 215(6); 502(lines 9-16); and 505(lines 3-9), Engrossed Substitute House Bill No. 2343 entitled:

"AN ACT Relating to transportation funding and appropriations;"

This 1996 Transportation Supplemental Budget is similar to the one that I proposed in that it provides funding for several important initiatives in economic development, safety, and mobility. At the same time, however, this budget also assumes an unfortunate shift in policy regarding fund sources. While this funding is necessary to maintain a number of important transportation programs, I cannot approve it without expressing reservations about certain provisions.

My first concern is that this budget continues to move funding away from multimodal transportation solutions and focuses mainly on highway construction. This, I believe, is a short-sighted approach that will only add to problems of traffic congestion in the future. Our local transit agencies are a vital link in any successful long-term solution to mobility and congestion. Yet, the legislature used fund balances from two local transit grant accounts to construct highway projects. Unfortunately, without these transit account appropriations, several high capacity improvement projects will not be constructed as planned. It is important that use of these local transit accounts be considered a one-time shift and not a long-term policy change. It is essential that revenue sources for transit not be eroded further.

I am also concerned that this budget starts several new highway projects even though there are no specific future revenues to finish the work in the next biennium. Using other funds to complete the work could jeopardize the existing programming and prioritization process which provides a coordinated approach to long-term system planning.

Finally, I disagree with the legislature's designation of one-third of the federal enhancement grant money for projects outside the citizen project selection process. This competitive process has proved to be a successful tool in funding alternative modes of transportation. While I strongly support the trail development project and the stormwater grants designated by the legislature, I must state my objection to the fund source selected for these projects.

Despite its shortcomings, this budget contains funding critical to the continuation of important agency operations in the second year of the biennium and provides assistance to state and local agencies to repair damage from the February floods. These projects must go forward despite my disagreement with the funding sources used and the policy shift away from multimodal solutions.

In order to protect specific local transit funding sources and clarify legislative direction, I am vetoing six provisions in this budget. My reasons for these vetoes are as follows:

**Section 202(5), lines 31-34, page 3, Regional Transit Authority (Transportation Improvement Board)**

This proviso prohibits the Regional Transit Authority (RTA) from receiving any grants in Fiscal Year 1997 from the Central Puget Sound Public Transportation Account established specifically to provide support for regional transit projects. I am vetoing this proviso because it is overly restrictive. The RTA needs the flexibility to apply for these grant funds should this organization be successful in receiving approval for its multimodal regional transportation plan at the ballot this fall. The RTA should not be singled out as the only regional transit authority prohibited from applying for funds that it may otherwise be qualified to receive.

**Section 202(6), lines 35-38, page 3, Transit Planning Funds (Transportation Improvement Board)**

This proviso specifies that an \$800,000 increase in appropriations for the Public Transportation System Account (PTSA) cannot be used for grants to pay for studies or planning activities by local transit agencies. I am vetoing this proviso because it is overly restrictive and inconsistent with the current policies regarding the use of PTSA funds. Local transit agencies need the flexibility to apply for these grant funds within consistent guidelines set by the project selection committee. Without access to these funds for planning, transit agencies would lose an important source of funding needed to complete system planning efforts in a timely and efficient manner.

**Section 206(2), lines 4-9, page 8, Driver's License Information (Washington State Patrol)**

This proviso language is unclear and could be interpreted to require access to driver's license data by the private sector in addition to requiring the Washington State Patrol (WSP) to conduct a study regarding such access. I have concerns about the issue of privacy and other matters regarding the use of driver's license data that need to be addressed prior to implementation. For this reason, I am vetoing this proviso, but I will direct the WSP and the Department of Licensing to conduct a study regarding the feasibility and privacy implications of providing driver's license data to private entities. I expect this study to be reported to the Office of Financial Management and the Legislative Transportation Committee no later than September 1, 1996.

**Section 215(6), lines 36-38, page 20, Grant County Noxious Weed Demonstration Project (Department of Transportation-Highway Maintenance--Program M)**

This proviso directs the Department of Transportation to participate with the Grant County Noxious Weed Board in a demonstration project to examine weed control methods on state road rights of way. I am not opposed to a demonstration project of this type. However, I am vetoing this proviso because cooperative

development of such a pilot project has not yet occurred among all the affected parties. Also, there is confusion regarding how this pilot project is to be undertaken within the parameters of current civil service law.

**Section 502, lines 9-16, page 47, and section 505, lines 3-9, page 49, Appropriations in Unallotted Reserve (Department of Transportation--Program M)**

Section 502 appropriates \$2,000,000 in savings from the passenger rail program and section 505 appropriates \$2,000,000 in the highway maintenance program to provide contingency funds for snow and ice removal. Both sections include provisos requiring that the appropriations be placed in reserve. They also state that the Department of Transportation is not allowed to spend the funds until approval is given from the Legislative Transportation Committee. I am vetoing these provisos because they are not in accordance with established allotment practices. I will direct the Department of Transportation to place these two appropriations in reserve status and if and when expenditure is necessary, seek a recommendation from the Legislative Transportation Committee before bringing the request to the Office of Financial Management for approval of an allotment revision.

For these reasons, I am vetoing sections 202(5); 202(6); 206(2); 215(6); 502 (lines 9-16); and 505 (lines 3-9), Engrossed Substitute House Bill No. 2343.

With the exception of sections 202(5); 202(6); 206(2); 215(6); 502 (lines 9-16); and 505 (lines 3-9), Engrossed Substitute House Bill No. 2343 is approved.

Respectfully submitted,  
Mike Lowry  
Governor