

2 **SHB 2304 - H AMD 003 FAILED 1/18/02**
3 By Representative

4

5 Strike everything after the enacting clause and insert the
6 following:

7

"PART I

8

ESTABLISHMENT OF TRANSPORTATION

9

PERFORMANCE MEASURES

10 NEW SECTION. **Sec. 101.** LEGISLATIVE INTENT. The legislature finds
11 that the efficient operation of the transportation system in Washington
12 is of the utmost importance, and that the maximum return should be
13 achieved for every taxpayer dollar invested. It is the intent of the
14 legislature to establish policy goals for the operation of, performance
15 of, and investment in, the state's transportation system. The policy
16 goals will consist of the following benchmark categories. In addition
17 to improving safety, public investments in transportation must support
18 achievement of these and other priority goals:

19 No interstate highways, state routes, and local arterials may be in
20 poor condition; no bridges may be structurally deficient, and safety
21 retrofits must be performed on those state bridges at the highest
22 seismic risk levels; traffic congestion on urban state highways must be
23 significantly reduced and be no worse than the national mean; delay per
24 driver must be significantly reduced and no worse than the national
25 mean; per capita vehicle miles traveled will increase at a rate no
26 greater than the increase in Washington's per capita income;
27 administrative costs as a percentage of transportation spending must
28 achieve the most efficient quartile nationally; and the state's public
29 transit agencies shall achieve the median cost per vehicle revenue hour
30 of peer transit agencies, adjusting for the regional cost-of-living.

31 These policy goals are the basis for establishment of detailed and
32 measurable performance benchmarks.

33 It is the intent of the legislature that the transportation
34 commission establish performance measures to ensure transportation
35 system performance at local, regional, and state government levels, and

1 the transportation commission should work with appropriate government
2 entities to accomplish this.

3 NEW SECTION. **Sec. 102.** Section 101 of this act takes effect July
4 1, 2002.

5 **PART II**

6 **ALTERNATIVE DELIVERY PROCEDURES FOR CONSTRUCTION SERVICES**

7 NEW SECTION. **Sec. 201.** The legislature finds that there is a
8 pressing need for additional transportation projects to meet the
9 mobility needs of Washington citizens. With major new investments
10 approved to meet these pressing needs, additional work force assistance
11 is necessary to ensure and enhance project delivery timelines.
12 Implementing new and innovative procedures for delivering these
13 transportation projects in the most efficient manner possible is
14 required to accomplish them on a timely basis that best serves the
15 public.

16 **Sec. 202.** RCW 41.06.380 and 1979 ex.s. c 46 s 2 are each amended
17 to read as follows:

18 (1) Nothing contained in this chapter ((shall)) prohibits any
19 department, as defined in RCW 41.06.020, from purchasing services by
20 contract with individuals or business entities if such services were
21 regularly purchased by valid contract by such department prior to April
22 23, 1979((:— PROVIDED, That no such)).

23 (2) No contract referred to in subsection (1) of this section may
24 be executed or renewed if it would have the effect of terminating
25 classified employees or classified employee positions existing at the
26 time of the execution or renewal of the contract except as provided in
27 subsection (3) of this section.

28 (3) This chapter does not prohibit the department of transportation
29 until January 1, 2003, from purchasing services for highway
30 maintenance, including services that have customarily and historically
31 been provided by employees in the classified service under this
32 chapter, by contracting with individuals, nonprofit organizations,
33 businesses, or other entities. After January 1, 2003, this chapter
34 does not prohibit the department of transportation from purchasing
35 services, including services that have customarily and historically

1 been provided by employees in the classified service under this
2 chapter, by contracting with individuals, nonprofit organizations,
3 businesses, or other entities.

4 NEW SECTION. **Sec. 203.** Provisions of a collective bargaining
5 agreement adopted under chapter 41.06 RCW that are in effect on the
6 effective date of this section and that conflict with RCW 41.06.380, as
7 amended by section 202 of this act, will continue in effect until
8 contract expiration, unless a superseding agreement resolving the
9 conflict is executed by the parties before expiration. After
10 expiration, any new agreement executed between the parties must be
11 consistent with RCW 41.06.380.

12 NEW SECTION. **Sec. 204.** On or before January 1, 2003, the
13 secretary of transportation will report to the transportation
14 committees of the house of representatives and senate on the current
15 use of contracting out by the department and on further opportunities
16 for contracting out within the department. In recommending programs
17 that might be performed by the private sector, the secretary will place
18 emphasis on programs that could be undertaken at a lower cost by the
19 private sector than by state employees, and programs in which the use
20 of the private sector could augment the department's work force in
21 order to increase the department's capacity to complete projects as
22 quickly as possible. The secretary may issue the report electronically
23 by publishing it on the department's web site and by transmitting the
24 report electronically to all members of the house of representatives
25 and senate transportation committees.

26 **PART III**

27 **APPRENTICESHIP AND ADJUSTMENTS TO PREVAILING WAGE PROVISIONS**

28 NEW SECTION. **Sec. 301.** (1) The legislature finds that a skilled
29 technical work force is necessary for maintaining, preserving, and
30 improving Washington's transportation system. The Blue Ribbon
31 Commission on Transportation found that state and local transportation
32 agencies are showing signs of a work force that is insufficiently
33 skilled to operate the transportation system at its highest level.

34 (2) It is the intent of the legislature that the state prevailing
35 wage process operate efficiently, that the process allow contractors

1 and workers to be paid promptly, and that new technologies and
2 innovative outreach methods be used to enhance wage surveys in order to
3 better reflect current wages in counties across the state.

4 (3) To accomplish the intent of this section and in order to
5 enhance the response of businesses and labor representatives to the
6 prevailing wage survey process, the department shall undertake the
7 following activities:

8 (a) Establish a goal of conducting surveys for each trade every
9 three years;

10 (b) Actively promote increased response rates from all survey
11 recipients in every county both urban and rural. The department shall
12 provide public education and technical assistance to businesses, labor
13 representatives, and public agencies in order to promote a better
14 understanding of prevailing wage laws and increased participation in
15 the prevailing wage survey process;

16 (c) Actively work with businesses, labor representatives, public
17 agencies, and others to ensure the integrity of information used in the
18 development of prevailing wage rates, and ensure uniform compliance
19 with statutory requirements;

20 (d) Maintain a timely processing of intents and affidavits, with a
21 target processing time no greater than seven working days from receipt
22 of completed forms;

23 (e) Develop and implement electronic processing of intents and
24 affidavits and promote the efficient and effective use of technology to
25 improve the services provided by the prevailing wage program.

26 NEW SECTION. **Sec. 302.** A new section is added to chapter 49.04
27 RCW to read as follows:

28 The apprenticeship council shall work with the department of
29 transportation, local transportation jurisdictions, local and state
30 joint apprenticeships, representatives of transportation labor groups,
31 and representatives of the state's universities and community and
32 vocational colleges to establish technical apprenticeship opportunities
33 specific to the needs of transportation. The council shall issue a
34 report of findings and recommendations to the transportation committees
35 of the legislature by December 1, 2002. The report must include, but
36 not be limited to, findings and recommendations regarding the
37 establishment of transportation technical training programs within the
38 community and vocational college system and in the state universities.

1 NEW SECTION. **Sec. 303.** A new section is added to chapter 47.01
2 RCW to read as follows:

3 The department of transportation shall work with local
4 transportation jurisdictions and representatives of transportation
5 labor groups to establish a human resources skills bank of
6 transportation professionals. The skills bank must be designed to
7 allow all transportation authorities to draw from it when needed. The
8 department shall issue a report of findings and recommendations to the
9 transportation committees of the legislature by December 1, 2002. The
10 report must include, but not be limited to, identification of any
11 statutory or administrative rule changes necessary to create the skills
12 bank and allow it to function in the manner described.

13 NEW SECTION. **Sec. 304.** A new section is added to chapter 47.06
14 RCW to read as follows:

15 The state-interest component of the statewide multimodal
16 transportation plan must include a plan for enhancing the skills of the
17 existing technical transportation work force.

18 **Sec. 305.** RCW 47.80.030 and 1998 c 171 s 9 are each amended to
19 read as follows:

20 (1) Each regional transportation planning organization shall
21 develop in cooperation with the department of transportation, providers
22 of public transportation and high capacity transportation, ports, and
23 local governments within the region, adopt, and periodically update a
24 regional transportation plan that:

25 (a) Is based on a least cost planning methodology that identifies
26 the most cost-effective facilities, services, and programs;

27 (b) Identifies existing or planned transportation facilities,
28 services, and programs, including but not limited to major roadways
29 including state highways and regional arterials, transit and
30 nonmotorized services and facilities, multimodal and intermodal
31 facilities, marine ports and airports, railroads, and noncapital
32 programs including transportation demand management that should
33 function as an integrated regional transportation system, giving
34 emphasis to those facilities, services, and programs that exhibit one
35 or more of the following characteristics:

36 (i) Crosses member county lines;

1 (ii) Is or will be used by a significant number of people who live
2 or work outside the county in which the facility, service, or project
3 is located;

4 (iii) Significant impacts are expected to be felt in more than one
5 county;

6 (iv) Potentially adverse impacts of the facility, service, program,
7 or project can be better avoided or mitigated through adherence to
8 regional policies;

9 (v) Transportation needs addressed by a project have been
10 identified by the regional transportation planning process and the
11 remedy is deemed to have regional significance; and

12 (vi) Provides for system continuity;

13 (c) Establishes level of service standards for state highways and
14 state ferry routes, with the exception of transportation facilities of
15 statewide significance as defined in RCW 47.06.140. These regionally
16 established level of service standards for state highways and state
17 ferries shall be developed jointly with the department of
18 transportation, to encourage consistency across jurisdictions. In
19 establishing level of service standards for state highways and state
20 ferries, consideration shall be given for the necessary balance between
21 providing for the free interjurisdictional movement of people and goods
22 and the needs of local commuters using state facilities;

23 (d) Includes a financial plan demonstrating how the regional
24 transportation plan can be implemented, indicating resources from
25 public and private sources that are reasonably expected to be made
26 available to carry out the plan, and recommending any innovative
27 financing techniques to finance needed facilities, services, and
28 programs;

29 (e) Assesses regional development patterns, capital investment and
30 other measures necessary to:

31 (i) Ensure the preservation of the existing regional transportation
32 system, including requirements for operational improvements,
33 resurfacing, restoration, and rehabilitation of existing and future
34 major roadways, as well as operations, maintenance, modernization, and
35 rehabilitation of existing and future transit, railroad systems and
36 corridors, and nonmotorized facilities; and

37 (ii) Make the most efficient use of existing transportation
38 facilities to relieve vehicular congestion and maximize the mobility of
39 people and goods;

1 (f) Sets forth a proposed regional transportation approach,
2 including capital investments, service improvements, programs, and
3 transportation demand management measures to guide the development of
4 the integrated, multimodal regional transportation system; ((and))

5 (g) Where appropriate, sets forth the relationship of high capacity
6 transportation providers and other public transit providers with regard
7 to responsibility for, and the coordination between, services and
8 facilities; and

9 (h) Provides for training that enhances the skills of the existing
10 technical transportation work force.

11 (2) The organization shall review the regional transportation plan
12 biennially for currency and forward the adopted plan along with
13 documentation of the biennial review to the state department of
14 transportation.

15 (3) All transportation projects, programs, and transportation
16 demand management measures within the region that have an impact upon
17 regional facilities or services must be consistent with the plan and
18 with the adopted regional growth and transportation strategies.

19 **Sec. 306.** RCW 39.12.015 and 1965 ex.s. c 133 s 2 are each amended
20 to read as follows:

21 (1) All determinations of the prevailing rate of wage shall be made
22 by the industrial statistician of the department of labor and
23 industries. By January 1, 2003, the industrial statistician shall
24 determine the prevailing rate of wage using a stratified random
25 sampling method.

26 (2)(a) A stratified random sampling method must be used to the
27 broadest extent possible.

28 (b) If it is determined by the industrial statistician, in
29 consultation with the prevailing wage advisory committee established in
30 subsection (4) of this section, that sample size, strata size, or other
31 factors do not permit the effective use of a stratified random sampling
32 method, an equally reliable statistical method may be used.

33 (3) In order to ensure a fair and scientifically accurate
34 stratified random sampling survey, the industrial statistician shall
35 consult with the prevailing wage advisory committee established in
36 subsection (4) of this section regarding the necessary scientific
37 methods, implementation parameters, and resource allocations.

1 (4) The director shall appoint a prevailing wage advisory committee
2 composed of eleven members: Four members representing subject workers,
3 each of whom must be appointed from a list of names submitted by a
4 recognized statewide organization of employees, representing a majority
5 of employees in a cross-section of state industries; four members
6 representing subject employers, each of whom must be appointed from a
7 list of names submitted by a recognized statewide organization of
8 employers, representing a majority of employers in a cross-section of
9 state industries; and three ex officio members, without a vote, two of
10 whom will represent the counties, and the other representing the
11 department. The member representing the department shall serve as
12 chairperson. Labor, business, and county representatives must include
13 representatives from both large and small entities. The committee
14 shall, as necessary, report to the legislative committees dealing with
15 commerce and labor regarding the implementation of this section.

16 (5) Subsections (2), (3), and (4) of this section expire December
17 31, 2003.

18 **NEW SECTION. Sec. 307.** A new section is added to chapter 39.12
19 RCW to read as follows:

20 (1) In establishing the prevailing rate of wage under RCW
21 39.12.010, 39.12.015, and 39.12.020, all data collected by the
22 department may be used only in the county for which the work was
23 performed.

24 (2) This section applies only to prevailing wage surveys initiated
25 on or after August 1, 2002.

26 **PART IV**
27 **TRANSPORTATION PLANNING AND EFFICIENCY**

28 **Sec. 401.** RCW 47.05.010 and 1993 c 490 s 1 are each amended to
29 read as follows:

30 The legislature finds that solutions to state highway deficiencies
31 have become increasingly complex and diverse and that anticipated
32 transportation revenues will fall substantially short of the amount
33 required to satisfy all transportation needs. Difficult investment
34 trade-offs will be required.

35 It is the intent of the legislature that investment of state
36 transportation funds to address deficiencies on the state highway

1 system be based on a policy of priority programming having as its basis
2 the rational selection of projects and services according to factual
3 need and an evaluation of life cycle costs and benefits (~~(and which)~~)
4 that are systematically scheduled to carry out defined objectives
5 within available revenue. The state must develop analytic tools to use
6 a common methodology to measure benefits and costs for all modes.

7 The priority programming system (~~(shall)~~) must ensure preservation
8 of the existing state highway system, relieve congestion, provide
9 mobility for people and goods, support the state's economy, and promote
10 environmental protection and energy conservation.

11 The priority programming system (~~(shall)~~) must implement the state-
12 owned highway component of the statewide (~~(multimodal)~~) transportation
13 plan, consistent with local and regional transportation plans, by
14 targeting state transportation investment to appropriate multimodal
15 solutions (~~(which)~~) that address identified state highway system
16 deficiencies.

17 The priority programming system for improvements (~~(shall)~~) must
18 incorporate a broad range of solutions that are identified in the
19 statewide (~~(multimodal)~~) transportation plan as appropriate to address
20 state highway system deficiencies, including but not limited to highway
21 expansion, efficiency improvements, nonmotorized transportation
22 facilities, high occupancy vehicle facilities, transit facilities and
23 services, rail facilities and services, and transportation demand
24 management programs.

25 **Sec. 402.** RCW 47.05.030 and 1998 c 171 s 6 are each amended to
26 read as follows:

27 The transportation commission shall adopt a comprehensive six-year
28 investment program specifying program objectives and performance
29 measures for the preservation and improvement programs defined in this
30 section. In the specification of investment program objectives and
31 performance measures, the transportation commission, in consultation
32 with the Washington state department of transportation, shall define
33 and adopt standards for effective programming and prioritization
34 practices including a needs analysis process. The (~~(needs)~~) analysis
35 process (~~(shall)~~) must ensure the identification of problems and
36 deficiencies, the evaluation of alternative solutions and trade-offs,
37 and estimations of the costs and benefits of prospective projects. The
38 investment program (~~(shall)~~) must be revised biennially, effective on

1 July 1st of odd-numbered years. The investment program (~~shall~~) must
2 be based upon the needs identified in the state-owned highway component
3 of the statewide (~~multimodal~~) transportation plan as defined in RCW
4 47.01.071(3).

5 (1) The preservation program (~~shall~~) consists of those
6 investments necessary to preserve the existing state highway system and
7 to restore existing safety features, giving consideration to lowest
8 life cycle costing. The preservation program must require use of the
9 most cost-effective pavement surfaces, considering:

- 10 (a) Life-cycle cost analysis;
- 11 (b) Traffic volume;
- 12 (c) Subgrade soil conditions;
- 13 (d) Environmental and weather conditions;
- 14 (e) Materials available; and
- 15 (f) Construction factors.

16 The comprehensive six-year investment program for preservation
17 (~~shall~~) must identify projects for two years and an investment plan
18 for the remaining four years.

19 (2) The improvement program (~~shall~~) consists of investments
20 needed to address identified deficiencies on the state highway system
21 to increase mobility, address congestion, and improve (~~mobility,~~)
22 safety, support for the economy, and protection of the environment.
23 The six-year investment program for improvements (~~shall~~) must
24 identify projects for two years and major deficiencies proposed to be
25 addressed in the six-year period giving consideration to relative
26 benefits and life cycle costing. The transportation commission shall
27 give higher priority for correcting identified deficiencies on those
28 facilities classified as facilities of statewide significance as
29 defined in RCW 47.06.140. Project prioritization must be based
30 primarily upon cost-benefit analysis, where appropriate.

31 The transportation commission shall approve and present the
32 comprehensive six-year investment program to the legislature in support
33 of the biennial budget request under RCW 44.40.070 and 44.40.080.

34 **Sec. 403.** RCW 47.05.035 and 1993 c 490 s 4 are each amended to
35 read as follows:

36 (1) The department and the commission shall use the transportation
37 demand modeling tools developed under subsection (2) of this section to
38 evaluate investments based on the best mode or improvement, or mix of

1 modes and improvements, to meet current and future long-term demand
2 within a corridor or system for the lowest cost. The end result of
3 these demand modeling tools is to provide a cost-benefit analysis by
4 which the department and the commission can determine the relative
5 mobility improvement and congestion relief each mode or improvement
6 under consideration will provide and the relative investment each mode
7 or improvement under consideration will need to achieve that relief.

8 (2) The department will participate in the refinement, enhancement,
9 and application of existing transportation demand modeling tools to be
10 used to evaluate investments. This participation and use of
11 transportation demand modeling tools will be phased in. The first
12 phase will build upon the modeling work initiated by the four-county
13 Puget Sound Regional Council, if modeling work is found by the
14 department to satisfactorily predict demand and account for actual
15 levels of usage by the public of various transportation modes.

16 (3) In developing program objectives and performance measures, the
17 transportation commission shall evaluate investment trade-offs between
18 the preservation and improvement programs. In making these investment
19 trade-offs, the commission shall evaluate, using cost-benefit
20 techniques, roadway and bridge maintenance activities as compared to
21 roadway and bridge preservation program activities and adjust those
22 programs accordingly.

23 (4) The commission shall allocate the estimated revenue between
24 preservation and improvement programs giving primary consideration to
25 the following factors:

26 ~~((1))~~ (a) The relative needs in each of the programs and the
27 system performance levels that can be achieved by meeting these needs;

28 ~~((2))~~ (b) The need to provide adequate funding for preservation
29 to protect the state's investment in its existing highway system;

30 ~~((3))~~ (c) The continuity of future transportation development
31 with those improvements previously programmed; and

32 ~~((4))~~ (d) The availability of dedicated funds for a specific type
33 of work.

34 NEW SECTION. Sec. 404. A new section is added to chapter 47.05
35 RCW to read as follows:

36 Before the department begins using the analytic tools developed to
37 use a common methodology to measure benefits and costs for all modes
38 referred to in RCW 47.05.010 and before the department begins using the

1 demand modeling tools referred to in RCW 47.05.035, the department
2 shall present these cost/benefit and demand modeling tools to the
3 legislature for review and approval.

4 **Sec. 405.** RCW 47.06.130 and 1993 c 446 s 13 are each amended to
5 read as follows:

6 (1) The department may carry out special transportation planning
7 studies to resolve specific issues with the development of the state
8 transportation system or other statewide transportation issues.

9 (2) The department shall conduct multimodal corridor analyses on
10 major congested corridors where needed improvements are likely to cost
11 in excess of one hundred million dollars. Analysis will include the
12 cost-effectiveness of all feasible strategies in addressing congestion
13 or improving mobility within the corridor, and must recommend the most
14 effective strategy or mix of strategies to address identified
15 deficiencies. A long-term view of corridors must be employed to
16 determine whether an existing corridor should be expanded, a city or
17 county road should become a state route, and whether a new corridor is
18 needed to alleviate congestion and enhance mobility based on travel
19 demand. To the extent practicable, full costs of all strategies must
20 be reflected in the analysis. At a minimum, this analysis must
21 include:

22 (a) The current and projected future demand for total person trips
23 on that corridor;

24 (b) The impact of making no improvements to that corridor;

25 (c) The daily cost per added person served for each mode or
26 improvement proposed to meet demand;

27 (d) The cost per hour of travel time saved per day for each mode or
28 improvement proposed to meet demand; and

29 (e) How much of the current and anticipated future demand will be
30 met and left unmet for each mode or improvement proposed to meet
31 demand.

32 The end result of this analysis will be to provide a cost-benefit
33 analysis by which policymakers can determine the most cost-effective
34 improvement or mode, or mix of improvements and modes, for increasing
35 mobility and reducing congestion.

36 NEW SECTION. Sec. 406. The legislature intends that funding for
37 transportation mobility improvements be allocated to the worst traffic

1 chokepoints in the state. Furthermore, the legislature intends to fund
2 projects that provide systemic relief throughout a transportation
3 corridor, rather than spot improvements that fail to improve overall
4 mobility within a corridor.

5 **Sec. 407.** RCW 47.05.051 and 1998 c 175 s 12 are each amended to
6 read as follows:

7 (1) The comprehensive six-year investment program shall be based
8 upon the needs identified in the state-owned highway component of the
9 statewide multimodal transportation plan as defined in RCW 47.01.071(3)
10 and priority selection systems that incorporate the following criteria:

11 ~~((1))~~ (a) Priority programming for the preservation program shall
12 take into account the following, not necessarily in order of
13 importance:

14 ~~((a))~~ (i) Extending the service life of the existing highway
15 system, including using the most cost-effective pavement surfaces,
16 considering:

17 (A) Life-cycle cost analysis;

18 (B) Traffic volume;

19 (C) Subgrade soil conditions;

20 (D) Environmental and weather conditions;

21 (E) Materials available; and

22 (F) Construction factors;

23 ~~((b))~~ (ii) Ensuring the structural ability to carry loads imposed
24 upon highways and bridges; and

25 ~~((e))~~ (iii) Minimizing life cycle costs. The transportation
26 commission in carrying out the provisions of this section may delegate
27 to the department of transportation the authority to select
28 preservation projects to be included in the six-year program.

29 ~~((2))~~ (b) Priority programming for the improvement program
30 ~~((shall take into account))~~ must be based primarily upon the following:

31 ~~((a))~~ (i) Traffic congestion, delay, and accidents;

32 (ii) Location within a heavily traveled transportation corridor;

33 (iii) Synchronization with other potential transportation projects,
34 including transit and multimodal projects, within the heavily traveled
35 corridor; and

36 (iv) Use of benefit/cost analysis wherever feasible to determine
37 the value of the proposed project.

1 (c) Priority programming for the improvement program may also take
2 into account:

3 (i) Support for the state's economy, including job creation and job
4 preservation;

5 ~~((b))~~ (ii) The cost-effective movement of people and goods;

6 ~~((e))~~ (iii) Accident and accident risk reduction;

7 ~~((d))~~ (iv) Protection of the state's natural environment;

8 ~~((e))~~ (v) Continuity and systematic development of the highway
9 transportation network;

10 ~~((f))~~ (vi) Consistency with local comprehensive plans developed
11 under chapter 36.70A RCW;

12 ~~((g))~~ (vii) Consistency with regional transportation plans
13 developed under chapter 47.80 RCW;

14 ~~((h))~~ (viii) Public views concerning proposed improvements;

15 ~~((i))~~ (ix) The conservation of energy resources;

16 ~~((j))~~ (x) Feasibility of financing the full proposed improvement;

17 ~~((k))~~ (xi) Commitments established in previous legislative
18 sessions;

19 ~~((l))~~ (xii) Relative costs and benefits of candidate
20 programs~~((r))~~.

21 ~~((m))~~ (d) Major projects addressing capacity deficiencies which
22 prioritize allowing for preliminary engineering shall be reprioritized
23 during the succeeding biennium, based upon updated project data.
24 Reprioritized projects may be delayed or canceled by the transportation
25 commission if higher priority projects are awaiting funding~~((i-and))~~.

26 ~~((n))~~ (e) Major project approvals which significantly increase a
27 project's scope or cost from original prioritization estimates shall
28 include a review of the project's estimated revised priority rank and
29 the level of funding provided. Projects may be delayed or canceled by
30 the transportation commission if higher priority projects are awaiting
31 funding.

32 ~~((3))~~ (2) The commission may depart from the priority programming
33 established under subsection~~((s))~~ (1) ~~((and-2))~~ of this section: (a)
34 To the extent that otherwise funds cannot be utilized feasibly within
35 the program; (b) as may be required by a court judgment, legally
36 binding agreement, or state and federal laws and regulations; (c) as
37 may be required to coordinate with federal, local, or other state
38 agency construction projects; (d) to take advantage of some substantial
39 financial benefit that may be available; (e) for continuity of route

1 development; or (f) because of changed financial or physical conditions
2 of an unforeseen or emergent nature. The commission or secretary of
3 transportation shall maintain in its files information sufficient to
4 show the extent to which the commission has departed from the
5 established priority.

6 ~~((4))~~ (3) The commission shall identify those projects that yield
7 freight mobility benefits or that alleviate the impacts of freight
8 mobility upon affected communities.

9 NEW SECTION. **Sec. 408.** The department of transportation shall
10 report the results of its priority programming under RCW 47.05.051 to
11 the transportation committees of the senate and house of
12 representatives by December 1, 2003, and December 1, 2005.

13 NEW SECTION. **Sec. 409.** The legislature finds that roads, streets,
14 bridges, and highways in the state represent public assets worth over
15 one hundred billion dollars. These investments require regular
16 maintenance and preservation, or rehabilitation, to provide cost-
17 effective transportation services. Many of these facilities are in
18 poor condition. Given the magnitude of public investment and the
19 importance of safe, reliable roadways to the motoring public, the
20 legislature intends to create stronger accountability to ensure that
21 cost-effective maintenance and preservation is provided for these
22 transportation facilities.

23 **Sec. 410.** RCW 35.84.060 and 1969 ex.s. c 281 s 26 are each amended
24 to read as follows:

25 Every municipal corporation which owns or operates an urban public
26 transportation system as defined in RCW 47.04.082 within its corporate
27 limits, may acquire, construct, extend, own, or operate such urban
28 public transportation system to any point or points not to exceed
29 fifteen miles outside of its corporate limits: PROVIDED, That no
30 municipal corporation shall extend its urban public transportation
31 system beyond its corporate limits to operate in any territory already
32 served by a privately operated auto transportation company holding a
33 certificate of public convenience and necessity from the utilities and
34 transportation commission.

35 As a condition of receiving state funding, the municipal
36 corporation shall submit a maintenance management plan for

1 certification by the transportation commission or its successor entity.
2 The plan must inventory all transportation system assets within the
3 direction and control of the municipality, and provide a preservation
4 plan based on lowest life cycle cost methodologies.

5 NEW SECTION. Sec. 411. A new section is added to chapter 36.56
6 RCW to read as follows:

7 As a condition of receiving state funding, a county that has
8 assumed the transportation functions of a metropolitan municipal
9 corporation shall submit a maintenance and preservation management plan
10 for certification by the transportation commission or its successor
11 entity. The plan must inventory all transportation system assets
12 within the direction and control of the county, and provide a
13 preservation plan based on lowest life cycle cost methodologies.

14 NEW SECTION. Sec. 412. A new section is added to chapter 36.57A
15 RCW to read as follows:

16 As a condition of receiving state funding, a public transportation
17 benefit area authority shall submit a maintenance and preservation
18 management plan for certification by the transportation commission or
19 its successor entity. The plan must inventory all transportation
20 system assets within the direction and control of the authority, and
21 provide a preservation plan based on lowest life cycle cost
22 methodologies.

23 NEW SECTION. Sec. 413. A new section is added to chapter 46.68
24 RCW to read as follows:

25 During the 2001-2003 biennium, cities and towns shall provide to
26 the transportation commission, or its successor entity, preservation
27 rating information on at least seventy percent of the total city and
28 town arterial network. Thereafter, the preservation rating information
29 requirement shall increase in five-percent increments in subsequent
30 biennia. The rating system used by cities and towns must be based upon
31 the Washington state pavement rating method or an equivalent standard
32 approved by the transportation commission or its successor entity.

33 **Sec. 414.** RCW 47.06.050 and 1993 c 446 s 5 are each amended to
34 read as follows:

1 The state-owned facilities component of the statewide
2 transportation plan shall consist of:

3 (1) The state highway system plan, which identifies program and
4 financing needs and recommends specific and financially realistic
5 improvements to preserve the structural integrity of the state highway
6 system, ensure acceptable operating conditions, and provide for
7 enhanced access to scenic, recreational, and cultural resources. The
8 state highway system plan shall contain the following elements:

9 (a) A system preservation element, which shall establish structural
10 preservation objectives for the state highway system including bridges,
11 identify current and future structural deficiencies based upon analysis
12 of current conditions and projected future deterioration, and recommend
13 program funding levels and specific actions necessary to preserve the
14 structural integrity of the state highway system consistent with
15 adopted objectives. Lowest life cycle cost methodologies must be used
16 in developing a pavement management system. This element shall serve
17 as the basis for the preservation component of the six-year highway
18 program and the two-year biennial budget request to the legislature;

19 (b) A highway maintenance element, establishing service levels for
20 highway maintenance on state-owned highways that meet benchmarks
21 established by the transportation commission. The highway maintenance
22 element must include an estimate of costs for achieving those service
23 levels over twenty years. This element will serve as the basis for the
24 maintenance component of the six-year highway program and the two-year
25 biennial budget request to the legislature;

26 (c) A capacity and operational improvement element, which shall
27 establish operational objectives, including safety considerations, for
28 moving people and goods on the state highway system, identify current
29 and future capacity, operational, and safety deficiencies, and
30 recommend program funding levels and specific improvements and
31 strategies necessary to achieve the operational objectives. In
32 developing capacity and operational improvement plans the department
33 shall first assess strategies to enhance the operational efficiency of
34 the existing system before recommending system expansion. Strategies
35 to enhance the operational efficiencies include but are not limited to
36 access management, transportation system management, demand management,
37 and high-occupancy vehicle facilities. The capacity and operational
38 improvement element must conform to the state implementation plan for
39 air quality and be consistent with regional transportation plans

1 adopted under chapter 47.80 RCW, and shall serve as the basis for the
2 capacity and operational improvement portions of the six-year highway
3 program and the two-year biennial budget request to the legislature;

4 ~~((e))~~ (d) A scenic and recreational highways element, which shall
5 identify and recommend designation of scenic and recreational highways,
6 provide for enhanced access to scenic, recreational, and cultural
7 resources associated with designated routes, and recommend a variety of
8 management strategies to protect, preserve, and enhance these
9 resources. The department, affected counties, cities, and towns,
10 regional transportation planning organizations, and other state or
11 federal agencies shall jointly develop this element;

12 ~~((d))~~ (e) A paths and trails element, which shall identify the
13 needs of nonmotorized transportation modes on the state transportation
14 systems and provide the basis for the investment of state
15 transportation funds in paths and trails, including funding provided
16 under chapter 47.30 RCW.

17 (2) The state ferry system plan, which shall guide capital and
18 operating investments in the state ferry system. The plan shall
19 establish service objectives for state ferry routes, forecast travel
20 demand for the various markets served in the system, ~~((and))~~ develop
21 strategies for ferry system investment that consider regional and
22 statewide vehicle and passenger needs, support local land use plans,
23 and assure that ferry services are fully integrated with other
24 transportation services. The plan must provide for maintenance of
25 capital assets. The plan must also provide for preservation of capital
26 assets based on lowest life cycle cost methodologies. The plan shall
27 assess the role of private ferries operating under the authority of the
28 utilities and transportation commission and shall coordinate ferry
29 system capital and operational plans with these private operations.
30 The ferry system plan must be consistent with the regional
31 transportation plans for areas served by the state ferry system, and
32 shall be developed in conjunction with the ferry advisory committees.

33 **Sec. 415.** RCW 47.06.090 and 1993 c 446 s 9 are each amended to
34 read as follows:

35 The state-interest component of the statewide multimodal
36 transportation plan shall include an intercity passenger rail plan,
37 which shall analyze existing intercity passenger rail service and
38 recommend improvements to that service under the state passenger rail

1 service program including depot improvements, potential service
2 extensions, and ways to achieve higher train speeds.

3 For purposes of maintaining and preserving any state-owned
4 component of the state's passenger rail program, the statewide
5 multimodal transportation plan must identify all such assets and
6 provide a preservation plan based on lowest life cycle cost
7 methodologies.

8 NEW SECTION. Sec. 416. A new section is added to chapter 81.112
9 RCW to read as follows:

10 As a condition of receiving state funding, a regional transit
11 authority shall submit a maintenance and preservation management plan
12 for certification by the transportation commission or its successor
13 entity. The plan must inventory all transportation system assets
14 within the direction and control of the transit authority, and provide
15 a plan for preservation of assets based on lowest life cycle cost
16 methodologies.

17 NEW SECTION. Sec. 417. A new section is added to chapter 36.78
18 RCW to read as follows:

19 The board shall establish a standard of good practice for
20 maintenance of transportation system assets. This standard must be
21 implemented by all counties no later than December 31, 2007. The board
22 shall develop a model maintenance management system for use by
23 counties. The board shall develop rules to assist the counties in the
24 implementation of this system. Counties shall annually submit their
25 maintenance plans to the board. The board shall compile the county
26 data regarding maintenance management and annually submit it to the
27 transportation commission or its successor entity.

28 NEW SECTION. Sec. 418. Sections 401 through 405 of this act take
29 effect July 1, 2002.

30 NEW SECTION. Sec. 419. If specific funding for sections 410, 411,
31 and 413 of this act, referencing those sections by bill or chapter
32 number, is not provided by June 30, 2002, in the omnibus appropriations
33 act, those sections are null and void.

1 NEW SECTION. **Sec. 420.** Captions and part headings used in this
2 act are not part of the law.

3 NEW SECTION. **Sec. 421.** If any provision of this act or its
4 application to any person or circumstance is held invalid, the
5 remainder of the act or the application of the provision to other
6 persons or circumstances is not affected."

7 Correct the title.

EFFECT: Replaces a benchmark limiting per capita vehicle miles traveled to 2000 levels, with a benchmark limiting increases in per capita vehicle miles traveled to the rate of increase of per capita income, and deletes the category requiring the nonauto share of commuter trips to be increased in urban areas.

Deletes subsection and references to subsection implementing a financial incentive program at DOT to aid in retention and recruitment of employee classification.

Deletes section authorizing the department to contract out construction engineering services.

Adds a section authorizing the department to contract out highway maintenance services until January 1, 2003, and this authorization is not subject to the restriction of not terminating classified employees. After January 1, 2003, DOT is not prohibited from contracting out services in general.

For collective bargaining agreements that are in effect on the effective date of this act, and that may be in conflict with the above provisions as they appear in section 202 of the amendment, will continue to be in effect until their expiration date. Any new agreement must be consistent with the provisions provided for in section 202.

The Secretary of Transportation must report to the Legislature by January 1, 2003, on the current use of contracting out by the department and on further opportunities for contracting out within the department.

Deletes section requiring the department of labor and industries to conduct an assessment of current practices relating to prevailing wages.

Deletes null and void section on prevailing wages provisions.

Deletes sections that eliminate the transfer of thirty percent of the revenues received into the public works administration account to the general fund.

Deletes appropriation of nine hundred fifty thousand from the public works administration account to the department of labor and industries.

Sections are added that do the following: (1) Requires prevailing wages to be paid only on projects costing more than \$250,000; (2) requires the prevailing wage rate to be determined using county-wide data rather than the largest city in the county and requires the wage to be the average of all rates submitted rather than the wage paid to the majority of workers; (3) requires that public works projects shall not be included in the calculation of the prevailing wage; and (4)

requires that when a public works project is subject to both federal and state prevailing wage laws, the federal prevailing wage rate will apply.

Sections requiring local governments to submit plans and inventory system assets, and to submit preservation rating information are null and void unless funding is provided.

Requires the cost/benefit and demand modeling tools developed by the department to be submitted to the legislature for review and approval.

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