

1 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. It is the intent of the
2 legislature to establish policy goals for the operation, performance
3 of, and investment in, the state's transportation system. The policy
4 goals shall consist of the following benchmark categories, adopted by
5 the state's blue ribbon commission on transportation on November 30,
6 2000. In addition to improving safety, public investments in
7 transportation shall support achievement of these and other priority
8 goals:

9 No interstate highways, state routes, and local arterials shall be
10 in poor condition; no bridges shall be structurally deficient, and
11 safety retrofits shall be performed on those state bridges at the
12 highest seismic risk levels; traffic congestion on urban state highways
13 shall be significantly reduced and be no worse than the national mean;
14 delay per driver shall be significantly reduced and no worse than the
15 national mean; per capita vehicle miles traveled shall be maintained at
16 2000 levels; the nonauto share of commuter trips shall be increased in
17 urban areas; administrative costs as a percentage of transportation
18 spending shall achieve the most efficient quartile nationally; and the
19 state's public transit agencies shall achieve the median cost per
20 vehicle revenue hour of peer transit agencies, adjusting for the
21 regional cost-of-living.

22 These policy goals shall be the basis for establishment of detailed
23 and measurable performance benchmarks.

24 It is also the intent of the legislature to create an independent
25 and objective transportation accountability board to establish
26 performance measures and benchmarks to ensure transportation system
27 performance at all levels of government.

28 The mission of the transportation accountability board is to
29 implement the recommendations of the Blue Ribbon Commission on
30 Transportation regarding the adoption of transportation benchmarks as
31 a cornerstone of government accountability at the state, city, county,
32 and transit district levels. The legislature embraces that
33 recommendation. Monitoring performance of the system and measuring
34 results will be the basis for all transportation strategies.

35 The transportation accountability board will develop a strategy and
36 implement a plan for a performance measurement system. The system must
37 include data gathering, analysis, development of recommendations,
38 monitoring the implementation of recommendations, and a process for

1 reporting transportation system performance to the governor's office,
2 the legislature, and the public.

3 **Sec. 2.** RCW 47.01.021 and 1977 ex.s. c 151 s 2 are each amended to
4 read as follows:

5 As used in this title unless the context indicates otherwise:

6 (1) "Department" means the department of transportation created in
7 RCW 47.01.031;

8 (2) "Commission" means the transportation ~~((commission))~~
9 accountability board created in ~~((RCW 47.01.051))~~ section 3 of this
10 act;

11 (3) "Secretary" means the secretary of transportation as provided
12 for in RCW 47.01.041.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.01 RCW
14 to read as follows:

15 TRANSPORTATION ACCOUNTABILITY BOARD. (1) The transportation
16 accountability board is created.

17 (2) To ensure continuity and an expert knowledge base, the governor
18 may select from among the members of the transportation commission when
19 making initial board appointments.

20 (3) The board is composed of five members. The governor shall
21 appoint the members of the board with the advice and consent of the
22 senate for terms of four years, except that two members initially are
23 appointed for terms of two years. Members should have transportation
24 experience in management, operations, planning, budgeting, project
25 management, or performance measurement.

26 (4) The governor may not remove members from the board before the
27 expiration of their terms unless for cause based upon a determination
28 of incapacity, incompetence, neglect of duty, or malfeasance in office
29 by the Thurston county superior court, upon petition and show cause
30 proceedings brought for that purpose in that court and directed to the
31 board member in question.

32 (5) No member may be appointed for more than three consecutive
33 terms.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.01 RCW
35 to read as follows:

1 MEETINGS AND ORGANIZATION. (1) The board shall meet periodically
2 upon the call of its chair. It may adopt its own rules and may
3 establish its own procedures. It shall act collectively in harmony
4 with recorded resolutions or motions adopted by a majority vote of the
5 members.

6 (2) The board shall elect one of its members as the chair for a
7 term of two years. The chair may vote on all matters before the board.

8 (3) Each member of the board will be compensated in accordance with
9 RCW 43.03.250 and reimbursed for actual necessary traveling and other
10 expenses in going to, attending, and returning from meetings of the
11 board or that are incurred in the discharge of duties requested by the
12 chair. However, in no event may a board member be compensated in any
13 year for more than one hundred twenty days, except the chair of the
14 board may be compensated for not more than one hundred fifty days.
15 Service on the board does not qualify as a service credit for the
16 purposes of a public retirement system.

17 (4) The board shall keep proper records and is subject to audit by
18 the state auditor.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.01 RCW
20 to read as follows:

21 ADMINISTRATION AND STAFF. (1) The board, at its option, may
22 appoint a professional administrator and staff, who shall serve at its
23 pleasure and whose salary is set by the board, or make provisions
24 ensuring these responsibilities are carried out by the legislative
25 evaluation and accountability program. Staff support to the board will
26 be provided by the legislative evaluation and accountability program,
27 which shall provide professional support for the duties, functions,
28 responsibilities, and activities of the board, including but not
29 limited to information technology systems; data collection, processing,
30 analysis, and reporting; project management; and office space,
31 equipment, and secretarial support.

32 (2) The board may from time to time retain planners, consultants,
33 and other technical personnel to advise it in the performance of its
34 duties.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.01 RCW
36 to read as follows:

1 POWERS AND DUTIES. (1) The transportation accountability board
2 shall serve as a single, independent, statewide point of accountability
3 for reporting, analyzing, and monitoring the performance of an
4 integrated transportation system. The board has the following
5 responsibilities:

6 (a) Develop performance measures for the transportation system for
7 the purposes enumerated in section 1 of this act;

8 (b) Implement and oversee the attainment of benchmarks and
9 performance measures that have been adopted by the board;

10 (c) Report biennially to the governor and the legislature on
11 progress toward achieving recommended reforms and efficiencies, and
12 make policy recommendations for furthering progress toward achieving;

13 (d) Monitor and report the efforts at the state, city, county, and
14 transit district levels on adopting leading-edge transportation
15 strategies.

16 (2) The board must be given timely access, upon written request of
17 the administrator, to all machine readable, printed, and other data of
18 state agencies relative to transportation expenditures, budgets, and
19 related fiscal matters.

20 (3) In developing the benchmarks and performance measures, the
21 board shall solicit the input from cities, counties, transits, state
22 agencies, transportation stakeholders, and the public. The board shall
23 report back to the legislature on the adopted benchmarks and
24 performance measures by January 1, 2003.

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

27 To carry out section 5 of this act, the legislative evaluation and
28 accountability program shall provide for:

29 (1) Automated data bases and application systems in support of
30 board requirements to monitor, evaluate, analyze, report, and review;

31 (2) Maintenance of computer software, application programs, data
32 bases, and related documentation;

33 (3) Education, training, and programming services;

34 (4) Procedural documentation support; and

35 (5) Consulting assistance on special projects.

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

1 By December 15th of each even-numbered year, the transportation
2 accountability board shall prepare and submit to the house and senate
3 standing committees on transportation and the office of financial
4 management, a comprehensive statewide report on transportation systems
5 at the state, county, city, and transit levels, measuring each system's
6 performance and progress in achieving the benchmarks and performance
7 measures adopted by the board under section 6 of this act.

8 NEW SECTION. **Sec. 9.** A new section is added to chapter 47.01 RCW
9 to read as follows:

10 The board shall cooperate, act, and function with Washington state
11 legislative committees and may cooperate with the councils or
12 committees of other states similar to this board and with other
13 interstate research organizations.

14 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.105
15 RCW to read as follows:

16 The transportation accountability board is expressly exempt from
17 this chapter.

18 **Sec. 11.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each amended
19 to read as follows:

20 There shall be a chief executive officer of each department to be
21 known as: (1) The secretary of social and health services, (2) the
22 director of ecology, (3) the director of labor and industries, (4) the
23 director of agriculture, (5) the director of fish and wildlife, (6) the
24 secretary of transportation, (7) the director of licensing, (8) the
25 director of general administration, (9) the director of community,
26 trade, and economic development, (10) the director of veterans affairs,
27 (11) the director of revenue, (12) the director of retirement systems,
28 (13) the secretary of corrections, ((and)) (14) the secretary of
29 health, and (15) the director of financial institutions.

30 Such officers, except the ((secretary of transportation and the))
31 director of fish and wildlife, shall be appointed by the governor, with
32 the consent of the senate, and hold office at the pleasure of the
33 governor. ((The secretary of transportation shall be appointed by the
34 transportation commission as prescribed by RCW 47.01.041.)) The
35 director of fish and wildlife shall be appointed by the fish and
36 wildlife commission as prescribed by RCW 77.04.055.

1 **Sec. 12.** RCW 47.01.041 and 1983 1st ex.s. c 53 s 28 are each
2 amended to read as follows:

3 The executive head of the department of transportation shall be the
4 secretary of transportation, who shall be appointed by the
5 ~~((transportation commission, and))~~ governor with the consent of the
6 senate. The secretary shall be paid a salary to be fixed by the
7 governor in accordance with the provisions of RCW 43.03.040. The
8 secretary ~~((shall be an ex officio member of the commission without a~~
9 ~~vote.—The secretary shall be the chief executive officer of the~~
10 ~~commission and be responsible to it, and shall be guided by policies~~
11 ~~established by it.—The secretary shall serve until removed by the~~
12 ~~commission, but only for incapacity, incompetence, neglect of duty,~~
13 ~~malfeasance in office, or failure to carry out the commission's~~
14 ~~policies.—Before a motion for dismissal shall be acted on by the~~
15 ~~commission, the secretary shall be granted a hearing on formal written~~
16 ~~charges before the full commission.—An action by the commission to~~
17 ~~remove the secretary shall be final))~~ serves at the pleasure of the
18 governor.

19 **Sec. 13.** RCW 47.01.101 and 1987 c 505 s 48 and 1987 c 179 s 1 are
20 each reenacted and amended to read as follows:

21 The secretary shall have the authority and it shall be his or her
22 duty, subject to policy guidance from the ~~((commission))~~ governor:

23 (1) To serve as chief executive officer of the department with full
24 administrative authority to direct all its activities;

25 (2) To organize the department as he or she may deem necessary to
26 carry out the work and responsibilities of the department effectively;

27 (3) To designate and establish such transportation district or
28 branch offices as may be necessary or convenient, and to appoint
29 assistants and delegate any powers, duties, and functions to them or
30 any officer or employee of the department as deemed necessary to
31 administer the department efficiently;

32 (4) To direct and coordinate the programs of the various divisions
33 of the department to assure that they achieve the greatest possible
34 mutual benefit, produce a balanced overall effort, and eliminate
35 unnecessary duplication of activity;

36 (5) To adopt all department rules that are subject to the adoption
37 procedures contained in the state Administrative Procedure Act~~((7~~

1 ~~except rules subject to adoption by the commission pursuant to~~
2 ~~statute));~~

3 (6) To maintain and safeguard the official records of the
4 department(~~(, including the commission's recorded resolutions and~~
5 ~~orders));~~

6 (~~To provide full staff support to the commission to assist it~~
7 ~~in carrying out its functions, powers, and duties and to execute the~~
8 ~~policy established by the commission pursuant to its legislative~~
9 ~~authority;~~

10 ~~(8))~~ To execute and implement the biennial operating budget for
11 the operation of the department in accordance with chapter 43.88 RCW
12 and with legislative appropriation and, in such manner as prescribed
13 therein, to make and report to the (~~commission~~) governor and the
14 chairs of the transportation committees of the senate and house of
15 representatives, including one copy to the staff of each of the
16 committees, deviations from the planned biennial category A and H
17 highway construction programs necessary to adjust to unexpected delays
18 or other unanticipated circumstances(~~(-))~~);

19 (~~(9))~~ (8) To exercise all other powers and perform all other
20 duties as are now or hereafter provided by law.

21 NEW SECTION. Sec. 14. A new section is added to chapter 47.01 RCW
22 to read as follows:

23 All references in the Revised Code of Washington to the
24 transportation commission that assign committee membership, or
25 administrative or policy-making authority, are transferred to the
26 secretary of transportation.

27 NEW SECTION. Sec. 15. The following acts or parts of acts are
28 each repealed:

29 (1) RCW 47.01.051 (Commission created--Appointment of members--
30 Terms--Qualifications--Removal) and 1977 ex.s. c 151 s 5;

31 (2) RCW 47.01.061 (Commission--Procedures and internal operations)
32 and 1987 c 364 s 2, 1984 c 287 s 94, 1983 1st ex.s. c 53 s 29, 1981 c
33 59 s 1, & 1977 ex.s. c 151 s 6; and

34 (3) RCW 47.01.070 (Director's and commissioner's prior assignments
35 may be delegated) and 1977 ex.s. c 151 s 27 & 1961 c 13 s 47.01.070.

1 subsection (1) of this section to provide the classified personnel
2 necessary to deliver future construction programs. The procedures for
3 acquiring construction engineering services from private firms may not
4 be used to displace existing state employees nor diminish the number of
5 existing classified positions in the present construction program. The
6 acquisition procedures must be in accordance with chapter 39.80 RCW.

7 (3) Starting in December 2003, and biennially thereafter, the
8 secretary shall report to the transportation committees of the
9 legislature on the use of construction engineering services from
10 private firms authorized under this section. The information provided
11 to the committees must include an assessment of the benefits and costs
12 associated with using engineering services, or other services, from
13 private firms, and a comparison of public versus private sector costs.
14 The secretary is authorized to act on these findings to ensure the most
15 cost-effective means of service delivery.

16 **Sec. 19.** RCW 41.06.380 and 1979 ex.s. c 46 s 2 are each amended to
17 read as follows:

18 (1) Nothing contained in this chapter shall prohibit 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 contract may be executed or renewed
23 if it would have the effect of terminating classified employees or
24 classified employee positions existing at the time of the execution or
25 renewal of the contract.

26 (2) Nothing contained in this chapter prohibits the department of
27 transportation from purchasing construction engineering services by
28 contract from qualified private businesses as specified in section
29 18(2) of this act.

30 NEW SECTION. **Sec. 20.** Sections 17 through 19 of this act and RCW
31 41.06.380(2) are null and void if new transportation revenues do not
32 become law by January 1, 2002. Sections 17 through 19 of this act and
33 RCW 41.06.380(2) are effective only for the period consistent with the
34 new transportation revenues, after which time these provisions will
35 expire.

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

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

7 NEW SECTION. **Sec. 22.** A new section is added to chapter 49.04 RCW
8 to read as follows:

9 The apprenticeship council shall work with the department of
10 transportation, local transportation jurisdictions, local and state
11 joint apprenticeships, representatives of transportation labor groups,
12 and representatives of the state's universities and community and
13 vocational colleges to establish technical apprenticeship opportunities
14 specific to the needs of transportation. The council shall issue a
15 report of findings and recommendations to the transportation committees
16 of the legislature by December 1, 2001. The report must include, but
17 not be limited to, findings and recommendations regarding the
18 establishment of transportation technical training programs within the
19 community and vocational college system and in the state universities.

20 NEW SECTION. **Sec. 23.** A new section is added to chapter 47.01 RCW
21 to read as follows:

22 The department of transportation shall work with local
23 transportation jurisdictions and representatives of transportation
24 labor groups to establish a human resources skills bank of
25 transportation professionals. The skills bank must be designed to
26 allow all transportation authorities to draw from it when needed. The
27 department shall issue a report of findings and recommendations to the
28 transportation committees of the legislature by December 1, 2001. The
29 report must include, but not be limited to, identification of any
30 statutory or administrative rule changes necessary to create the skills
31 bank and allow it to function in the manner described.

32 NEW SECTION. **Sec. 24.** A new section is added to chapter 47.06 RCW
33 to read as follows:

34 The state-interest component of the statewide multimodal
35 transportation plan must include a plan for enhancing the skills of the
36 existing technical transportation work force.

1 **Sec. 25.** RCW 47.80.030 and 1998 c 171 s 9 are each amended to read
2 as follows:

3 (1) Each regional transportation planning organization shall
4 develop in cooperation with the department of transportation, providers
5 of public transportation and high capacity transportation, ports, and
6 local governments within the region, adopt, and periodically update a
7 regional transportation plan that:

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

10 (b) Identifies existing or planned transportation facilities,
11 services, and programs, including but not limited to major roadways
12 including state highways and regional arterials, transit and
13 nonmotorized services and facilities, multimodal and intermodal
14 facilities, marine ports and airports, railroads, and noncapital
15 programs including transportation demand management that should
16 function as an integrated regional transportation system, giving
17 emphasis to those facilities, services, and programs that exhibit one
18 or more of the following characteristics:

19 (i) Crosses member county lines;

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

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

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

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

31 (vi) Provides for system continuity;

32 (c) Establishes level of service standards for state highways and
33 state ferry routes, with the exception of transportation facilities of
34 statewide significance as defined in RCW 47.06.140. These regionally
35 established level of service standards for state highways and state
36 ferries shall be developed jointly with the department of
37 transportation, to encourage consistency across jurisdictions. In
38 establishing level of service standards for state highways and state
39 ferries, consideration shall be given for the necessary balance between

1 providing for the free interjurisdictional movement of people and goods
2 and the needs of local commuters using state facilities;

3 (d) Includes a financial plan demonstrating how the regional
4 transportation plan can be implemented, indicating resources from
5 public and private sources that are reasonably expected to be made
6 available to carry out the plan, and recommending any innovative
7 financing techniques to finance needed facilities, services, and
8 programs;

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

11 (i) Ensure the preservation of the existing regional transportation
12 system, including requirements for operational improvements,
13 resurfacing, restoration, and rehabilitation of existing and future
14 major roadways, as well as operations, maintenance, modernization, and
15 rehabilitation of existing and future transit, railroad systems and
16 corridors, and nonmotorized facilities; and

17 (ii) Make the most efficient use of existing transportation
18 facilities to relieve vehicular congestion and maximize the mobility of
19 people and goods;

20 (f) Sets forth a proposed regional transportation approach,
21 including capital investments, service improvements, programs, and
22 transportation demand management measures to guide the development of
23 the integrated, multimodal regional transportation system; ~~((and))~~

24 (g) Where appropriate, sets forth the relationship of high capacity
25 transportation providers and other public transit providers with regard
26 to responsibility for, and the coordination between, services and
27 facilities; and

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

30 (2) The organization shall review the regional transportation plan
31 biennially for currency and forward the adopted plan along with
32 documentation of the biennial review to the state department of
33 transportation.

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

1 NEW SECTION. **Sec. 26.** The department of labor and industries, in
2 cooperation with the department of transportation, shall conduct an
3 assessment of the current practices, including survey techniques, used
4 in setting prevailing wages for those trades related to transportation
5 facilities and transportation project delivery. The assessment must
6 include an analysis of regional variations. A final report must be
7 submitted to the governor and the transportation committees of the
8 senate and house of representatives by December 1, 2001.

9 NEW SECTION. **Sec. 27.** A new section is added to chapter 39.12 RCW
10 to read as follows:

11 (1) In establishing the prevailing rate of wage under RCW
12 39.12.010, 39.12.015, and 39.12.020, all data collected by the
13 department may be used only in the county for which the work was
14 performed.

15 (2) This section only applies to prevailing wage surveys initiated
16 on or after August 1, 2001.

17 **Sec. 28.** RCW 39.12.070 and 1993 c 404 s 1 are each amended to read
18 as follows:

19 The department of labor and industries may charge fees to awarding
20 agencies on public works for the approval of statements of intent to
21 pay prevailing wages and the certification of affidavits of wages paid.
22 The department may also charge fees to persons or organizations
23 requesting the arbitration of disputes under RCW 39.12.060. The amount
24 of the fees shall be established by rules adopted by the department
25 under the procedures in the administrative procedure act, chapter 34.05
26 RCW. The fees shall apply to all approvals, certifications, and
27 arbitration requests made after the effective date of the rules. All
28 fees shall be deposited in the public works administration account.
29 ~~((On the fifteenth day of the first month of each quarterly period, an
30 amount equalling thirty percent of the revenues received into the
31 public works administration account shall be transferred into the
32 general fund.))~~ The department may refuse to arbitrate for
33 contractors, subcontractors, persons, or organizations which have not
34 paid the proper fees. The department may, if necessary, request the
35 attorney general to take legal action to collect delinquent fees.

36 The department shall set the fees permitted by this section at a
37 level that generates revenue that is as near as practicable to the

1 The legislature finds that solutions to state highway deficiencies
2 have become increasingly complex and diverse and that anticipated
3 transportation revenues will fall substantially short of the amount
4 required to satisfy all transportation needs. Difficult investment
5 trade-offs will be required.

6 It is the intent of the legislature that investment of state
7 transportation funds to address deficiencies on the state highway
8 system be based on a policy of priority programming having as its basis
9 the rational selection of projects and services according to factual
10 need and an evaluation of life cycle costs and benefits ((and which))
11 that are systematically scheduled to carry out defined objectives
12 within available revenue. The state must develop analytic tools to use
13 a common methodology to measure benefits and costs for all modes.

14 The priority programming system ((shall)) must ensure preservation
15 of the existing state highway system, relieve congestion, provide
16 mobility for people and goods, support the state's economy, and promote
17 environmental protection and energy conservation.

18 The priority programming system ((shall)) must implement the state-
19 owned highway component of the statewide ((multimodal)) transportation
20 plan, consistent with local and regional transportation plans, by
21 targeting state transportation investment to appropriate multimodal
22 solutions ((which)) that address identified state highway system
23 deficiencies.

24 The priority programming system for improvements ((shall)) must
25 incorporate a broad range of solutions that are identified in the
26 statewide ((multimodal)) transportation plan as appropriate to address
27 state highway system deficiencies, including but not limited to highway
28 expansion, efficiency improvements, nonmotorized transportation
29 facilities, high occupancy vehicle facilities, transit facilities and
30 services, rail facilities and services, and transportation demand
31 management programs.

32 **Sec. 33.** RCW 47.05.030 and 1998 c 171 s 6 are each amended to read
33 as follows:

34 The transportation commission shall adopt a comprehensive six-year
35 investment program specifying program objectives and performance
36 measures for the preservation and improvement programs defined in this
37 section. In the specification of investment program objectives and
38 performance measures, the transportation commission, in consultation

1 with the Washington state department of transportation, shall define
2 and adopt standards for effective programming and prioritization
3 practices including a needs analysis process. The ~~((needs))~~ analysis
4 process ~~((shall))~~ must ensure the identification of problems and
5 deficiencies, the evaluation of alternative solutions and trade-offs,
6 and estimations of the costs and benefits of prospective projects. The
7 investment program ~~((shall))~~ must be revised biennially, effective on
8 July 1st of odd-numbered years. The investment program ~~((shall))~~ must
9 be based upon the needs identified in the state-owned highway component
10 of the statewide ~~((multimodal))~~ transportation plan as defined in RCW
11 47.01.071(3).

12 (1) The preservation program ~~((shall))~~ consists of those
13 investments necessary to preserve the existing state highway system and
14 to restore existing safety features, giving consideration to lowest
15 life cycle costing. The preservation program must require use of the
16 most cost-effective pavement surfaces, 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 The comprehensive six-year investment program for preservation
24 ~~((shall))~~ must identify projects for two years and an investment plan
25 for the remaining four years.

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

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

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

6 (1) The department and the commission shall use the transportation
7 demand modeling tools developed under subsection (2) of this section to
8 evaluate investments based on the best mode or improvement, or mix of
9 modes and improvements, to meet current and future long-term demand
10 within a corridor or system for the lowest cost. The end result of
11 these demand modeling tools is to provide a cost-benefit analysis by
12 which the department and the commission can determine the relative
13 mobility improvement and congestion relief each mode or improvement
14 under consideration will provide and the relative investment each mode
15 or improvement under consideration will need to achieve that relief.

16 (2) The department will participate in the refinement, enhancement,
17 and application of existing transportation demand modeling tools to be
18 used to evaluate investments. This participation and use of
19 transportation demand modeling tools will be phased in. The first
20 phase will build upon the modeling work initiated by the four-county
21 Puget Sound regional council.

22 (3) In developing program objectives and performance measures, the
23 transportation commission shall evaluate investment trade-offs between
24 the preservation and improvement programs. In making these investment
25 trade-offs, the commission shall evaluate, using cost-benefit
26 techniques, roadway and bridge maintenance activities as compared to
27 roadway and bridge preservation program activities and adjust those
28 programs accordingly.

29 (4) The commission shall allocate the estimated revenue between
30 preservation and improvement programs giving primary consideration to
31 the following factors:

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

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

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

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

3 **Sec. 35.** RCW 47.06.130 and 1993 c 446 s 13 are each amended to
4 read as follows:

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

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

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

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

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

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

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

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

35 NEW SECTION. **Sec. 36.** The legislature intends that funding for
36 transportation improvements be allocated to the worst traffic
37 chokepoints in the state. Furthermore, the legislature intends to fund

1 projects that provide systemic relief throughout a transportation
2 corridor, rather than spot improvements that fail to improve overall
3 mobility within a corridor.

4 **Sec. 37.** RCW 47.05.051 and 1998 c 175 s 12 are each amended to
5 read as follows:

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

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

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

16 (A) Life-cycle cost analysis;

17 (B) Traffic volume;

18 (C) Subgrade soil conditions;

19 (D) Environmental and weather conditions;

20 (E) Materials available; and

21 (F) Construction factors;

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

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

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

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

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

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

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

37 (c) Priority programming for the improvement program may also take
38 into account:

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

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

4 ~~((c))~~ (iii) Accident and accident risk reduction;

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

6 ~~((e))~~ (v) Continuity and systematic development of the highway
7 transportation network;

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

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

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

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

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

15 ~~((k))~~ (xi) Commitments established in previous legislative
16 sessions;

17 ~~((l))~~ (xii) Relative costs and benefits of candidate
18 programs~~((r))~~.

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

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

30 ~~((3))~~ (2) The commission may depart from the priority programming
31 established under subsection~~((s))~~ (1) ~~((and—(2))~~ of this section: (a)
32 To the extent that otherwise funds cannot be utilized feasibly within
33 the program; (b) as may be required by a court judgment, legally
34 binding agreement, or state and federal laws and regulations; (c) as
35 may be required to coordinate with federal, local, or other state
36 agency construction projects; (d) to take advantage of some substantial
37 financial benefit that may be available; (e) for continuity of route
38 development; or (f) because of changed financial or physical conditions
39 of an unforeseen or emergent nature. The commission or secretary of

1 transportation shall maintain in its files information sufficient to
2 show the extent to which the commission has departed from the
3 established priority.

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

7 NEW SECTION. **Sec. 38.** The department of transportation shall
8 report the results of its priority programming under RCW 47.05.051 to
9 the transportation committees of the senate and house of
10 representatives by December 1, 2002, and December 1, 2004.

11 NEW SECTION. **Sec. 39.** The legislature finds that roads, streets,
12 bridges, and highways in the state represent public assets worth over
13 one hundred billion dollars. These investments require regular
14 maintenance and preservation, or rehabilitation, to provide cost-
15 effective transportation services. Many of these facilities are in
16 poor condition. Given the magnitude of public investment and the
17 importance of safe, reliable roadways to the motoring public, the
18 legislature intends to create stronger accountability to ensure that
19 cost-effective maintenance and preservation is provided for these
20 transportation facilities.

21 **Sec. 40.** RCW 35.84.060 and 1969 ex.s. c 281 s 26 are each amended
22 to read as follows:

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

33 As a condition of receiving state funding, the municipal
34 corporation shall submit a maintenance management plan for
35 certification by the transportation commission or its successor entity.
36 The plan must inventory all transportation system assets within the

1 direction and control of the municipality, and provide a preservation
2 plan based on lowest life cycle cost methodologies.

3 NEW SECTION. **Sec. 41.** A new section is added to chapter 36.56 RCW
4 to read as follows:

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

12 NEW SECTION. **Sec. 42.** A new section is added to chapter 36.57A
13 RCW to read as follows:

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

21 NEW SECTION. **Sec. 43.** A new section is added to chapter 46.68 RCW
22 to read as follows:

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

31 **Sec. 44.** RCW 47.06.050 and 1993 c 446 s 5 are each amended to read
32 as follows:

33 The state-owned facilities component of the statewide
34 transportation plan shall consist of:

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

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

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

24 (c) A capacity and operational improvement element, which shall
25 establish operational objectives, including safety considerations, for
26 moving people and goods on the state highway system, identify current
27 and future capacity, operational, and safety deficiencies, and
28 recommend program funding levels and specific improvements and
29 strategies necessary to achieve the operational objectives. In
30 developing capacity and operational improvement plans the department
31 shall first assess strategies to enhance the operational efficiency of
32 the existing system before recommending system expansion. Strategies
33 to enhance the operational efficiencies include but are not limited to
34 access management, transportation system management, demand management,
35 and high-occupancy vehicle facilities. The capacity and operational
36 improvement element must conform to the state implementation plan for
37 air quality and be consistent with regional transportation plans
38 adopted under chapter 47.80 RCW, and shall serve as the basis for the

1 capacity and operational improvement portions of the six-year highway
2 program and the two-year biennial budget request to the legislature;

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

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

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

32 **Sec. 45.** RCW 47.06.090 and 1993 c 446 s 9 are each amended to read
33 as follows:

34 The state-interest component of the statewide multimodal
35 transportation plan shall include an intercity passenger rail plan,
36 which shall analyze existing intercity passenger rail service and
37 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. 46. 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. 47. A new section is added to chapter 36.78 RCW
18 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, 2006. 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. 48. Captions and part headings used in this act
29 are not part of the law.

30 NEW SECTION. Sec. 49. Sections 32 through 35 of this act are
31 necessary for the immediate preservation of the public peace, health,
32 or safety, or support of the state government and its existing public
33 institutions, and take effect July 1, 2001.

1 NEW SECTION. **Sec. 50.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

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