

CERTIFICATION OF ENROLLMENT

THIRD ENGROSSED SUBSTITUTE SENATE BILL 5327

57th Legislature
2001 Second Special Session

Passed by the Senate June 21, 2001
YEAS 25 NAYS 14

President of the Senate

Passed by the House June 21, 2001
YEAS 69 NAYS 12

**Speaker of the
House of Representatives**

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **THIRD ENGROSSED SUBSTITUTE SENATE BILL 5327** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

1 (2) Legislation with fiscal impacts enacted in the 2001 legislative
2 session not assumed in this act are not funded in the 2001-03
3 transportation budget.

4 (3) Unless the context clearly requires otherwise, the definitions
5 in this subsection apply throughout this act.

6 (a) "Fiscal year 2002" or "FY 2002" means the fiscal year ending
7 June 30, 2002.

8 (b) "Fiscal year 2003" or "FY 2003" means the fiscal year ending
9 June 30, 2003.

10 (c) "FTE" means full-time equivalent.

11 (d) "Lapse" or "revert" means the amount shall return to an
12 unappropriated status.

13 (e) "Provided solely" means the specified amount may be spent only
14 for the specified purpose.

15 (f) "Performance-based budgeting" means a budget that bases
16 resource needs on quantified outcomes and results expected from use of
17 the total appropriation. "Performance-based budgeting" does not mean
18 incremental budgeting that focuses on justifying changes from the
19 historic budget or to line-item input-driven budgets.

20 (g) "Goals" means the statements of purpose that identify a desired
21 result or outcome. The statements shall be realistic, achievable,
22 directive, assignable, evaluative, and logically linked to the agency's
23 mission and statutory mandate.

24 (h) "Strategic plan" means the strategies agencies create for
25 investment choices in the future. All agency strategic plans shall
26 present alternative investment strategies for providing services.

27 **GENERAL GOVERNMENT AGENCIES--OPERATING**

28 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF AGRICULTURE**

29 Motor Vehicle Account--State Appropriation \$ 305,000

30 The appropriation in this section is subject to the following
31 conditions and limitations and specified amounts are provided solely
32 for that activity: The entire appropriation is provided solely for
33 costs associated with the motor fuel quality program.

34 NEW SECTION. **Sec. 102. FOR THE LEGISLATIVE EVALUATION AND**
35 **ACCOUNTABILITY PROGRAM**

36 Motor Vehicle Account--State Appropriation \$ 1,676,000

1 The appropriation in this section is subject to the following
2 conditions and limitations and specified amounts are provided solely
3 for that activity: \$1,188,000 of the motor vehicle account--state
4 appropriation is provided for the implementation of House Bill No. 2269
5 in the form enacted by the legislature. If House Bill No. 2269 is not
6 enacted in the form passed by the legislature by July 31, 2001, this
7 funding will lapse.

8 NEW SECTION. **Sec. 103. FOR THE UTILITIES AND TRANSPORTATION**
9 **COMMISSION**

10 Grade Crossing Protective Account--

11 State Appropriation \$ 126,000

12 The appropriation in this section is subject to the following
13 conditions and limitations and specified amounts are provided solely
14 for that activity: The utilities and transportation commission shall
15 develop a rail grade crossing safety grant program which will fully
16 fund selected safety projects to the extent allowable under chapter
17 81.53 RCW.

18 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
19 **COMMISSION**

20 Motor Vehicle Account--State Appropriation \$ 819,000

21 The appropriation in this section is subject to the following
22 conditions and limitations and specified amounts are provided solely
23 for that activity: The appropriation in this section is provided
24 solely for road maintenance purposes.

25 NEW SECTION. **Sec. 105. FOR THE OFFICE OF STATE AUDITOR**

26 Motor Vehicle Account--State Appropriation \$ 126,000

27 The appropriation in this section is subject to the following
28 conditions and limitations and specified amounts are provided solely
29 for that activity: The appropriation is a one-time appropriation for
30 the development of the local government finance project.

31 NEW SECTION. **Sec. 106. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
32 **COMMITTEE**

33 State Patrol Highway Account--State

34 Appropriation \$ 50,000

1 The appropriations in this section are subject to the following
2 conditions and limitations and specified amounts are provided solely
3 for that activity:

4 The entire appropriation is provided to the joint legislative audit
5 and review committee for fiscal year 2002 solely for a study of the
6 state patrol's communications systems planning process. The focus of
7 the study is: A review of the planning process and analyses employed
8 by the Washington state patrol in developing budget requests for its
9 communications systems including the Meng Value Analysis as reported on
10 March 22, 1999; an assessment of the adequacy of the information
11 supporting the budget requests; and recommendations for any
12 improvements to such information for present and future budget
13 requests. The committee may contract for consulting services in
14 conducting the study. The study final report shall be submitted to the
15 appropriate committees of the legislature by December 31, 2001.

16 A joint workgroup of representatives from the state patrol, office
17 of financial management, and department of information systems shall
18 review future state patrol technology plans or budget reports for
19 consistency with the recommendations identified by this study.

20 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

21 NEW SECTION. **Sec. 107. FOR WASHINGTON STATE PARKS AND**
22 **RECREATION--CAPITAL PROJECTS**

23 Motor Vehicle Account--State Appropriation \$ 763,000

24 The motor vehicle account--state appropriation is a one-time
25 reappropriation and is provided solely for the projects specified in
26 this section. Any of the appropriations not expended by June 30, 2003,
27 shall revert to the motor vehicle account--state.

28 (End of part)

1 (c) Cities and counties using traffic safety cameras must provide
2 periodic notice by mail to its citizens indicating the zones in which
3 the traffic safety cameras will be used;

4 (d) Notices of infractions must be mailed to the registered owner
5 of a vehicle within fourteen days of the infraction occurring;

6 (e) The owner of the vehicle is not responsible for the violation
7 if the owner of the vehicle, within fifteen days after notification of
8 the violation, furnishes the officials or agents of the municipality
9 that issued the citation with:

10 (i) An affidavit made under oath, stating that the vehicle involved
11 was, at the time, stolen or in the care, custody, or control of some
12 person other than the registered owner; or

13 (ii) Testimony in open court under oath that the person was not the
14 operator of the vehicle at the time of the alleged violation;

15 (f) Infractions detected through the use of traffic safety cameras
16 are not part of the registered owner's driving record under RCW
17 46.52.101 and 46.52.120; and

18 (g) By January 1, 2003, the traffic safety commission shall provide
19 a report to the legislature regarding the use, public acceptance,
20 outcomes, and other relevant issues regarding traffic safety cameras
21 demonstrated by the pilot projects.

22 NEW SECTION. **Sec. 202. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

23 Pilotage Account--State Appropriation \$ 305,000

24 NEW SECTION. **Sec. 203. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

25 Rural Arterial Trust Account--State

26 Appropriation \$ 50,182,000

27 Motor Vehicle Account--State Appropriation . . . \$ 1,887,000

28 County Arterial Preservation Account--

29 State Appropriation \$ 28,551,000

30 TOTAL APPROPRIATION \$ 80,620,000

31 The appropriations in this section are subject to the following
32 conditions and limitations and specified amounts are provided solely
33 for that activity:

34 It is the intent of the legislature that the county road
35 administration board receive separate programmatic appropriations for
36 the operating program and the capital program for the 2001-03 biennium,

1 and thereafter. Agency administrative costs may not be charged against
2 projects or funded from the capital program appropriations.

3 (1) \$1,540,000 of the motor vehicle account--state appropriation,
4 \$870,000 of the county arterial preservation account--state
5 appropriation, and \$917,000 of the rural arterial trust account--state
6 appropriation are provided for the operations program. Of the motor
7 vehicle account--state appropriation, \$368,000 is provided for county
8 ferries as set forth in RCW 47.56.724(4).

9 (2) \$347,000 of the motor vehicle account--state appropriation,
10 \$27,681,000 of the county arterial preservation account--state
11 appropriation, and \$49,265,000 of the rural arterial trust
12 account--state appropriation are provided for the capital program.

13 NEW SECTION. **Sec. 204. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

14 Urban Arterial Trust Account--State	
15 Appropriation	\$ 94,690,000
16 Transportation Improvement Account--	
17 State Appropriation	\$ 118,605,000
18 TOTAL APPROPRIATION	\$ 213,295,000

19 The appropriations in this section are subject to the following
20 conditions and limitations and specified amounts are provided solely
21 for that activity:

22 It is the intent of the legislature that the transportation
23 improvement board receive separate programmatic appropriations for the
24 operating program and the capital program for the 2001-03 biennium, and
25 thereafter. Agency administrative costs may not be charged against
26 projects or funded from the capital program appropriations.

27 (1) \$1,551,000 of the transportation improvement account--state
28 appropriation and \$1,552,000 of the urban arterial trust account--state
29 appropriation are provided for the operations program.

30 (2) \$117,054,000 of the transportation improvement account--state
31 appropriation and \$93,138,000 of the urban arterial trust
32 account--state appropriation are provided for the capital program.

33 (3) The transportation improvement account--state appropriation
34 includes \$47,325,000 in proceeds from the sale of bonds authorized in
35 RCW 47.26.500. The transportation improvement board may authorize the
36 use of current revenues available to the agency in-lieu of bond
37 proceeds for any part of the state appropriation.

1 NEW SECTION. **Sec. 205. FOR THE LEGISLATIVE TRANSPORTATION**
2 **COMMITTEE**

3 Motor Vehicle Account--State Appropriation . . . \$ 3,596,000

4 The appropriation in this section is subject to the following
5 conditions and limitations and specified amounts are provided solely
6 for that activity:

7 (1) \$2,823,000 of the motor vehicle account--state appropriation is
8 provided for the operation of the house of representatives
9 transportation committee.

10 (2) To the extent possible, this appropriation shall utilize funds
11 allocated under RCW 46.68.110(2).

12 (3) The house of representatives transportation committee shall
13 conduct a study of the use of motorized scooters. The study shall, at
14 a minimum, identify and analyze the safety issues associated with use
15 of motorized scooters, including use by children, commuters, and the
16 disabled. House of representatives transportation committee cochairs
17 shall each appoint one member from their respective caucus to serve as
18 cochair of the study group. The chair of the senate transportation
19 committee may also appoint two members from the senate transportation
20 committee, one from each caucus, to participate in the study. The
21 study shall be staffed by house of representatives transportation
22 committee staff. The study group shall report back to the house of
23 representatives transportation committee by January 1, 2002.

24 (4) The house of representatives transportation committee shall
25 conduct a study of the effect of the weight of fire-fighting apparatus
26 on state roadways. The study shall determine, at a minimum, the
27 various types of fire-fighting apparatus currently in use on state
28 roadways; the size, weight and load effect of fire-fighting apparatus
29 that are currently in use or that potentially could be in use on the
30 state roadways, as well as on state bridges; and the effect on public
31 safety. The study may examine state and federal laws that affect fire-
32 fighting apparatuses. House of representatives transportation
33 committee cochairs shall each appoint one member from their respective
34 caucus to serve as cochair of the study group. The study shall be
35 staffed by house of representatives transportation committee staff.
36 The study group will report back to the house of representatives
37 transportation committee by January 1, 2002.

38 (5) The legislative transportation committee shall conduct a
39 feasibility study of potential for economic partnerships between the

1 Washington state ferries and local government entities, including but
2 not limited to port districts. The study is intended to improve ferry
3 terminals. The study shall, at a minimum, identify the market,
4 physical, and economic factors that should be examined in determining
5 whether an economic or commercial development partnership project on or
6 around Washington state ferry terminals is likely to produce revenue
7 for the partners. The study shall apply those factors to an analysis
8 of each terminal used by Washington state ferries and recommend whether
9 further exploration of state and local partnerships would be of
10 potential economic benefit to the partners. The entity selected to
11 perform the study through the request for proposals process will report
12 back to the transportation committees of the legislature by December 1,
13 2001.

14 (6) The legislative transportation committee, in cooperation with
15 an areawide transportation system or systems, shall undertake an
16 evaluation of providing locally sponsored transit services in a local
17 community supplemental to those services provided by an areawide
18 system. The evaluation shall address:

- 19 (a) The costs and benefits of providing such services;
- 20 (b) The impact of such service on ridership on the areawide system
21 and on any regional systems;
- 22 (c) Funding options for supplemental services; and
- 23 (d) Institutional arrangements affecting the institution of
24 supplemental services.

25 The committee shall work with the department of transportation,
26 areawide transit providers, community officials, private businesses,
27 labor organizations, and others as appropriate in conducting the
28 evaluation, and in developing a pilot project if feasible. The
29 committee shall provide an interim progress report to the legislature
30 by January 2002. The committee shall report its findings to the
31 legislature not later than December 1, 2002.

32 NEW SECTION. **Sec. 206. FOR THE MARINE EMPLOYEES COMMISSION**

33 Puget Sound Ferry Operations Account--
34 State Appropriation \$ 332,000

35 NEW SECTION. **Sec. 207. FOR THE TRANSPORTATION COMMISSION**

36 Motor Vehicle Account--State Appropriation . . . \$ 773,000

1 NEW SECTION. **Sec. 208. FOR THE FREIGHT MOBILITY STRATEGIC**
2 **INVESTMENT BOARD**

3 Motor Vehicle Account--State Appropriation . . . \$ 717,000

4 The appropriation in this section is subject to the following
5 conditions and limitations and specified amounts are provided solely
6 for that activity: The appropriation in this section includes \$100,000
7 distributed under RCW 46.68.110(2) that is provided solely for a
8 comprehensive, long-term, statewide freight needs analysis. These
9 funds represent 20 percent of the biennial cost and shall lapse if the
10 additional 80 percent funding is not secured from partners.

11 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--FIELD**
12 **OPERATIONS BUREAU**

13 State Patrol Highway Account--
14 State Appropriation \$ 162,081,000
15 State Patrol Highway Account--
16 Federal Appropriation \$ 7,084,000
17 State Patrol Highway Account--
18 Private/Local Appropriation \$ 169,000
19 TOTAL APPROPRIATION \$ 169,334,000

20 The appropriations in this section are subject to the following
21 conditions and limitations and specified amounts are provided solely
22 for the activities of the field operations bureau:

23 (1) As a result of the elimination of the vehicle inspection number
24 (VIN) program, no permanent Washington state patrol employee shall be
25 displaced from employment without the opportunity to fill a vacant
26 patrol position for which he or she has a preference and meets the
27 minimum qualifications. For the purpose of the VIN program
28 elimination, the guidelines under chapter 356-26 WAC (Registers-
29 Certifications) shall be suspended for those employees holding the
30 classification of VIN 1 or 2.

31 (2) To the extent possible, the agency shall transfer displaced VIN
32 personnel into the 20 newly created school bus inspection and motor
33 carrier safety assistance program positions. The agency shall fill
34 existing vacant positions within the commercial vehicle division with
35 displaced VIN personnel. The agency shall report by December 31, 2001,
36 to the senate and house of representatives transportation committees on
37 efforts to relocate displaced VIN personnel.

1 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--SUPPORT**

2 **SERVICES BUREAU**

3 State Patrol Highway Account--

4 State Appropriation \$ 69,960,000

5 State Patrol Highway Account--

6 Private/Local Appropriation \$ 735,000

7 TOTAL APPROPRIATION \$ 70,695,000

8 The appropriations in this section are subject to the following
9 conditions and limitations and specified amounts are provided solely
10 for the activities of the support services bureau. The Washington
11 state patrol shall improve response times during emergency radio
12 outages by allowing electronic services field technicians to take home
13 their assigned vehicle and equipment even though they may be off duty.

14 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF LICENSING--**

15 **MANAGEMENT AND SUPPORT SERVICES**

16 Marine Fuel Tax Refund Account--State

17 Appropriation \$ 7,000

18 Motorcycle Safety Education Account--

19 State Appropriation \$ 114,000

20 Wildlife Account--State Appropriation \$ 89,000

21 Highway Safety Account--State Appropriation . . . \$ 7,740,000

22 Motor Vehicle Account--State Appropriation . . . \$ 4,230,000

23 Licensing Services Account--State

24 Appropriation \$ 123,000

25 TOTAL APPROPRIATION \$ 12,303,000

26 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--**

27 **INFORMATION SYSTEMS**

28 Marine Fuel Tax Refund Account--State

29 Appropriation \$ 2,000

30 Motorcycle Safety Education Account--

31 State Appropriation \$ 50,000

32 Wildlife Account--State Appropriation \$ 34,000

33 Highway Safety Account--State Appropriation . . . \$ 5,655,000

34 Motor Vehicle Account--State Appropriation . . . \$ 3,304,000

35 Licensing Services Account--State

36 Appropriation \$ 292,000

37 TOTAL APPROPRIATION \$ 9,337,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The department of licensing shall report
3 to the legislative transportation committees on the progress of the
4 expanded internet service no later than December 15, 2002.

5 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
6 **SERVICES**

7	Marine Fuel Tax Refund Account--		
8	State Appropriation	\$	26,000
9	Wildlife Account--State Appropriation	\$	578,000
10	Motor Vehicle Account--State Appropriation	\$	57,043,000
11	Licensing Services Account--State		
12	Appropriation	\$	3,123,000
13	TOTAL APPROPRIATION	\$	60,770,000

14 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF LICENSING--DRIVER**
15 **SERVICES**

16	Motorcycle Safety Education Account--		
17	State Appropriation	\$	2,223,000
18	Highway Safety Account--State Appropriation	\$	81,366,000
19	TOTAL APPROPRIATION	\$	83,589,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: The department of licensing shall prepare
22 a capital project plan adopting a process for using certificates of
23 participation to purchase licensing services offices if the combined
24 principle and interest payments are the same or less than existing or
25 future leases on comparable facilities.

26 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
27 **HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D--OPERATING**

28	Motor Vehicle Account--State Appropriation	\$	50,649,000
29	Motor Vehicle Account--Federal Appropriation	\$	400,000
30	TOTAL APPROPRIATION	\$	51,049,000

31 The appropriations in this section are subject to the following
32 conditions and limitations and specified amounts are provided solely
33 for that activity: \$3,296,000 of the motor vehicle account--state
34 appropriation is provided solely for the implementation of Engrossed
35 Senate Bill No. 6188.

1 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **AVIATION--PROGRAM F**

3	Aeronautics Account--State Appropriation \$	4,852,000
4	Aircraft Search and Rescue Safety and	
5	Education Account--State Appropriation . . . \$	160,000
6	TOTAL APPROPRIATION \$	5,012,000

7 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **IMPROVEMENTS--PROGRAM I**

9	Motor Vehicle Account--State Appropriation . . . \$	508,936,000
10	Motor Vehicle Account--Federal Appropriation . . \$	219,538,000
11	Motor Vehicle Account--Private/Local	
12	Appropriation \$	40,904,000
13	Special Category C Account--State	
14	Appropriation \$	72,608,000
15	Multimodal Transportation Account--State	
16	Appropriation \$	4,880,000
17	TOTAL APPROPRIATION \$	846,866,000

18 The appropriations in this section are provided for the location,
19 design, right of way acquisition, or construction of state highway
20 projects designated as improvements under RCW 47.05.030. The
21 appropriations in this section are subject to the following conditions
22 and limitations and specified amounts are provided solely for that
23 activity:

24 (1) The special category C account--state appropriation of
25 \$72,608,000 includes \$63,500,000 in proceeds from the sale of bonds
26 authorized in RCW 47.10.812. The transportation commission may
27 authorize the use of current revenues available to the department of
28 transportation in lieu of bond proceeds for any part of the state
29 appropriation.

30 (2) The department shall report December 1st and June 1st of each
31 year to the senate and the house of representatives transportation
32 committees and the office of financial management on the timing and the
33 scope of work being performed for the regional transit authority known
34 as sound transit. This report shall provide a description of all
35 department activities related to the regional transit authority
36 including investments in state-owned infrastructure.

37 (3) The motor vehicle account--state appropriation includes
38 \$391,637,000 in proceeds from the sale of bonds authorized by RCW

1 47.10.843. The transportation commission may authorize the use of
2 current revenues available to the department of transportation in lieu
3 of bond proceeds for any part of the state appropriation.

4 (4) At least \$554,714,000 of the total appropriation is provided
5 for the construction phase of the improvement program.

6 (5) \$4,880,000 of the multimodal transportation account--state
7 appropriation is provided solely for the state program share of freight
8 mobility projects as identified by the freight mobility strategic
9 investment board.

10 (6) The motor vehicle account--state appropriation includes
11 \$3,898,000 in unexpended proceeds from the January 2001 bond sale
12 authorized in RCW 47.10.834 for the Tacoma Narrows bridge project. The
13 transportation commission may authorize the use of current revenues
14 available to the department of transportation in-lieu of bond proceeds
15 for any part of the state appropriation.

16 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--OPERATING**

18 Motor Vehicle Account--State Appropriation . . . \$ 1,153,000

19 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
20 **TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--CAPITAL**

21 Motor Vehicle Account--State Appropriation . . . \$ 1,400,000

22 The appropriation in this section is subject to the following
23 conditions and limitations and specified amounts are provided solely
24 for that activity:

25 (1) The motor vehicle account--state appropriation consists of
26 proceeds from the sale of bonds authorized in RCW 47.10.834 for all
27 forms of cash contributions, or the payment of other costs incident to
28 the location, development, design, right of way, and construction of
29 the Tacoma narrows bridge improvements under the public-private
30 transportation initiative program authorized under chapter 47.46 RCW.

31 (2) The transportation commission may authorize the use of current
32 revenues available to the department of transportation in-lieu of bond
33 proceeds for any part of the state appropriation.

34 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
35 **HIGHWAY MAINTENANCE--PROGRAM M**

36 Motor Vehicle Account--State Appropriation . . . \$ 275,394,000

1	Motor Vehicle Account--Federal Appropriation . . . \$	512,000
2	Motor Vehicle Account--Private/Local	
3	Appropriation \$	4,067,000
4	TOTAL APPROPRIATION \$	279,973,000

5 The appropriations in this section are subject to the following
6 conditions and limitations and specified amounts are provided solely
7 for that activity:

8 (1) If portions of the appropriations in this section are required
9 to fund maintenance work resulting from major disasters not covered by
10 federal emergency funds such as fire, flooding, and major slides,
11 supplemental appropriations will be requested to restore state funding
12 for ongoing maintenance activities.

13 (2) The department shall request an unanticipated receipt for any
14 federal moneys received for emergency snow and ice removal and shall
15 place an equal amount of the motor vehicle account--state into
16 unallotted status. This exchange shall not affect the amount of
17 funding available for snow and ice removal.

18 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **PRESERVATION--PROGRAM P**

20	Motor Vehicle Account--State Appropriation . . . \$	90,760,000
21	Motor Vehicle Account--Federal Appropriation . . \$	318,795,000
22	Motor Vehicle Account--Private/Local	
23	Appropriation \$	8,717,000
24	Multimodal Transportation Account--State	
25	Appropriation \$	64,218,000
26	Multimodal Transportation Account--Federal	
27	Appropriation \$	95,682,000
28	TOTAL APPROPRIATION \$	578,172,000

29 The appropriations in this section are subject to the following
30 conditions and limitations and specified amounts are provided solely
31 for that activity:

32 (1) If portions of the appropriations in this section are required
33 to fund preservation work resulting from major disasters not covered by
34 federal emergency funds such as fire, flooding, and major slides,
35 supplemental appropriations will be requested to restore state funding
36 for ongoing maintenance activities.

1 (2) The motor vehicle account--state appropriation includes
2 \$6,524,000 for earthquake repairs and to match federal emergency relief
3 funds. This amount includes \$3,750,000 in proceeds from the sale of
4 bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

5 (3) The department of transportation is authorized to maximize the
6 use of federal and state funds to implement the provisions of this
7 section.

8 (4) \$471,763,000 of the total appropriation is provided for the
9 construction phase of the preservation program.

10 (5) The motor vehicle account--federal appropriation and the
11 multimodal transportation account--federal appropriation are
12 transferable between each other to ensure efficient funds management
13 and program delivery.

14 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

16	Motor Vehicle Account--State Appropriation . . . \$	32,402,000
17	Motor Vehicle Account--Private/Local	
18	Appropriation \$	125,000
19	TOTAL APPROPRIATION \$	32,527,000

20 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

22	Motor Vehicle Account--State Appropriation . . . \$	7,542,000
23	Motor Vehicle Account--Federal Appropriation . . \$	16,678,000
24	TOTAL APPROPRIATION \$	24,220,000

25 The appropriations in this section are subject to the following
26 conditions and limitations and the specified amount is provided solely
27 for that activity: The motor vehicle account--state appropriation
28 includes \$2,986,000 for state matching funds for federally selected
29 competitive grant or congressional earmark projects other than
30 commercial vehicle information system and network (CVISN). These
31 moneys shall be placed into reserve status until such time as federal
32 funds are secured and a state match is required.

33 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

35	State Patrol Highway Account--State	
36	Appropriation \$	926,000

1	Motor Vehicle Account--State Appropriation . . . \$	94,632,000
2	Motor Vehicle Account--Federal Appropriation . . \$	2,654,000
3	Puget Sound Ferry Operations Account--	
4	State Appropriation \$	6,642,000
5	Multimodal Transportation Account--State	
6	Appropriation \$	2,082,000
7	TOTAL APPROPRIATION \$	106,936,000

8 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

10	Motor Vehicle Account--State Appropriation . . . \$	18,250,000
11	Motor Vehicle Account--Federal Appropriation . . \$	18,800,000
12	Multimodal Transportation Account--State	
13	Appropriation \$	987,000
14	Multimodal Transportation Account--Federal	
15	Appropriation \$	2,000,000
16	TOTAL APPROPRIATION \$	40,037,000

17 The appropriations in this section are subject to the following
18 conditions and limitations and the specified amount is provided solely
19 for that activity:

20 (1) The motor vehicle account--state appropriation includes
21 \$1,000,000 distributed under RCW 46.68.110(2):

22 (a) \$500,000 of the distribution under RCW 46.68.110(2) is to be
23 used solely by the department of transportation to collect and enter
24 collision reports into the statewide collision reporting system for
25 local roadway planning and safety analysis.

26 (b) \$500,000 of the distribution under RCW 46.68.110(2) is provided
27 solely to the department of transportation for the Washington strategic
28 freight transportation analysis. The department shall work with the
29 transportation research center to conduct an origin and destination
30 study to determine the impacts of trade-related truck traffic and other
31 truck impacts on the highway system. The department may also conduct
32 other research elements, including, but not limited to, freight
33 corridor identification, strategic resource access, and road network
34 review.

35 (2) \$6,754,000 of the motor vehicle account--state appropriation is
36 provided for the implementation of Senate Bill No. 5749 in the form
37 enacted by the legislature. If Senate Bill No. 5749 is not enacted in

1 the form passed by the legislature by July 31, 2001, this funding shall
2 lapse.

3 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

5 Payments in this section represent charges from other state
6 agencies to the department of transportation.

7 (1) FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF
8 RISK MANAGEMENT FEES

9 Motor Vehicle Account--State Appropriation . . . \$ 464,000

10 Puget Sound Ferry Operations--State

11 Appropriation \$ 154,000

12 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR

13 Motor Vehicle Account--State Appropriation . . . \$ 731,000

14 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
15 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES

16 Motor Vehicle Account--State Appropriation . . . \$ 4,128,000

17 (4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL

18 Motor Vehicle Account--State Appropriation . . . \$ 2,240,000

19 (5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
20 ADMINISTRATION

21 Motor Vehicle Account--State Appropriation . . . \$ 13,892,000

22 Motor Vehicle Fund--Puget Sound Ferry Operations Account--

23 State Appropriation \$ 4,204,000

24 The office of risk management shall evaluate the risk pool premium
25 assessments to ensure that proper tracking, measuring, and reporting
26 methods have been utilized to ensure funding equity has been
27 maintained. "Funding equity" includes but is not limited to
28 demonstrating that premiums assessed to the department of
29 transportation will, over time, not exceed claims paid in order to
30 ensure that premiums paid by the department of transportation are not
31 unconstitutionally expended for nonhighway purposes. The office of
32 risk management shall make a full report of its findings to the
33 legislature no later than January 15, 2002.

34 (6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS
35 ENTERPRISES

36 Motor Vehicle Account--State Appropriation . . . \$ 251,000

1	(7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL		
2	PROJECTS SURCHARGE		
3	Motor Vehicle Account--State Appropriation . . . \$		1,547,000
4	(8) FOR ARCHIVES AND RECORDS MANAGEMENT		
5	Motor Vehicle Account--State Appropriation . . . \$		469,000
6	TOTAL APPROPRIATION \$		28,080,000

7 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **PUBLIC TRANSPORTATION--PROGRAM V**

9	Multimodal Transportation Account--State		
10	Appropriation \$		11,160,000
11	Multimodal Transportation Account--Federal		
12	Appropriation \$		3,074,000
13	Multimodal Transportation Account--		
14	Private/Local Appropriation \$		205,000
15	TOTAL APPROPRIATION \$		14,439,000

16 NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

18	Motor Vehicle Account--State		
19	Appropriation \$		144,404,000
20	Motor Vehicle Account--Federal		
21	Appropriation \$		37,472,000
22	Passenger Ferry Account--State Appropriation . . \$		1,500,000
23	Passenger Ferry Account--Federal		
24	Appropriation \$		4,000,000
25	TOTAL APPROPRIATION \$		187,376,000

26 The appropriations in this section are provided for improving the
27 Washington state ferry system, including, but not limited to, vessel
28 acquisition, vessel construction, major and minor vessel improvements,
29 and terminal construction and improvements. The appropriations in this
30 section are subject to the following conditions and limitations and
31 specified amounts are provided solely for that activity:

32 (1) The motor vehicle account--state appropriation includes
33 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
34 47.10.843 for vessel and terminal acquisition, major and minor
35 improvements, and long lead time materials acquisition for the
36 Washington state ferries. The transportation commission may authorize

1 the use of current revenues available to the motor vehicle account in
2 lieu of bond proceeds for any part of the state appropriation.

3 (2) Appropriations in this section include funding for the purchase
4 or lease-purchase of one passenger ferry and assume the proceeds of the
5 sale of the MV Kalama and MV Skagit passenger ferries shall be
6 deposited in the passenger ferry account.

7 (3) The department shall provide staff support to a legislative
8 oversight committee that will manage a study of the Eagle Harbor
9 maintenance facility. The legislative oversight committee shall
10 consist of two members from each caucus in each house of the
11 legislature, appointed by the leadership of the members' respective
12 caucus. The department shall issue a request for proposals on behalf
13 of the legislative oversight committee for an outside consulting firm
14 to conduct a study on the preservation, replacement, or supplementation
15 of the Eagle Harbor maintenance facility. The study must analyze: (a)
16 The costs and benefits to preserve and maintain or relocate the
17 facility; (b) the impact of Eagle Harbor employment on the local
18 community and Kitsap county; and (c) a recommendation on future
19 investment in the Eagle Harbor maintenance facility or possible
20 alternatives. The contractor and the legislative oversight committee
21 must report back to the legislature's transportation committees no
22 later than December 10, 2002.

23 NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **MARINE--PROGRAM X**

25 Puget Sound Ferry Operations Account--State
26 Appropriation \$ 321,673,000

27 The appropriation in this section is subject to the following
28 conditions and limitations and specified amounts are provided solely
29 for that activity:

30 (1) The appropriation is based on the budgeted expenditure of
31 \$46,881,000 for vessel operating fuel in the 2001-2003 biennium. If
32 the actual cost of fuel is less than this budgeted amount, the excess
33 amount may not be expended. If the actual cost exceeds this amount,
34 the department shall request a supplemental appropriation.

35 (2) The appropriation provides for the compensation of ferry
36 employees. The expenditures for compensation paid to ferry employees
37 during the 2001-2003 biennium may not exceed \$206,696,000 plus a dollar
38 amount, as prescribed by the office of financial management, that is

1 equal to any insurance benefit increase granted general government
2 employees in excess of \$432.82 a month annualized per eligible marine
3 employee multiplied by the number of eligible marine employees for the
4 respective fiscal year, a dollar amount as prescribed by the office of
5 financial management for costs associated with pension amortization
6 charges, and a dollar amount prescribed by the office of financial
7 management for salary increases during the 2001-2003 biennium. For the
8 purposes of this section, the expenditures for compensation paid to
9 ferry employees shall be limited to salaries and wages and employee
10 benefits as defined in the office of financial management's policies,
11 regulations, and procedures named under objects of expenditure "A" and
12 "B" (7.2.6.2).

13 The prescribed salary and insurance benefit increase or decrease
14 dollar amount that shall be allocated from the governor's compensation
15 appropriations is in addition to the appropriation contained in this
16 section and may be used to increase or decrease compensation costs,
17 effective July 1, 2001, and thereafter, as established in the 2001-2003
18 general fund operating budget.

19 (3) The department shall issue a request for information from
20 entities interested in purchasing advertising on board Washington state
21 ferry vessels. The department shall evaluate the proposals and report
22 back to the legislature's transportation committees in January 2002
23 regarding the potential for revenue from different types of
24 advertising.

25 (4) The department may enter into contracts with private vendors to
26 sell ferry tickets and medium at locations other than Washington state
27 ferry terminals or facilities.

28 (a) The department may enter into the contracts only (i) with
29 private vendors that are already established businesses offering goods
30 for sale to the general public; and (ii) if it determines that the
31 vendor's established location has the potential to serve a significant
32 percentage of the customers using a particular ferry route.

33 (b) The department may adopt necessary rules and procedures to
34 allow the use of credit and debit cards to purchase ferry tickets or
35 medium from a private vendor who has contracted with the department to
36 sell ferry tickets or medium. The department may establish a
37 convenience fee to be paid by all persons purchasing ferry tickets and
38 medium at locations other than Washington state ferry terminals or
39 facilities. The convenience fee must be sufficient to offset the

1 charges imposed on the department by the credit and debit card
2 companies. In no event may the use of credit or debit cards authorized
3 by this section create a loss of revenue to the state. The use of a
4 personal credit card does not rely upon the credit of the state as
5 prohibited by Article VIII, section 5 of the state Constitution.

6 (5) The legislature recognizes that projected revenues to the Puget
7 Sound ferry operating account for the 2001-2003 biennium may be up to
8 \$30,000,000 less than what is required to fund the appropriation
9 provided in this section. The legislature intends to fully evaluate
10 the extent of the shortfall and make a supplemental appropriation
11 during the 2002 legislative session.

12 NEW SECTION. **Sec. 230. FOR THE DEPARTMENT OF TRANSPORTATION--**
13 **RAIL--PROGRAM Y--OPERATING**

14 Multimodal Transportation Account--State
15 Appropriation \$ 32,704,000

16 NEW SECTION. **Sec. 231. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **RAIL--PROGRAM Y--CAPITAL**

18 Essential Rail Assistance Account--State
19 Appropriation \$ 200,000
20 Multimodal Transportation Account--State
21 Appropriation \$ 11,610,000
22 Multimodal Transportation Account--Federal
23 Appropriation \$ 9,630,000
24 Washington Fruit Express Account--State
25 Appropriation \$ 500,000
26 TOTAL APPROPRIATION \$ 21,940,000

27 The appropriations in this section are subject to the following
28 conditions and limitations and specified amounts are provided solely
29 for that activity: \$2,000,000 of the multimodal transportation
30 account--state appropriation is provided solely for the Grays Harbor
31 loop project.

32 NEW SECTION. **Sec. 232. FOR THE DEPARTMENT OF TRANSPORTATION--**
33 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

34 Motor Vehicle Account--State Appropriation . . . \$ 6,231,000
35 Motor Vehicle Account--Federal Appropriation . . \$ 2,569,000
36 Multimodal Transportation Account--State

1	Appropriation	\$	150,000
2	TOTAL APPROPRIATION	\$	8,950,000

3 The appropriations in this section are subject to the following
4 conditions and limitations and specified amounts are provided solely
5 for that activity:

6 (1) The motor vehicle account--state appropriation includes
7 \$150,000 distributed under RCW 46.68.110(2) that is provided to the
8 Whatcom county council of governments for the sole purpose of
9 developing and implementing a model of regional transportation
10 governance. This model shall be developed in accordance with
11 Recommendation 6 of the Blue Ribbon Commission on Transportation's
12 final report.

13 The council shall develop a model that can be used in other parts
14 of the state and shall report to the transportation committees in the
15 senate and house of representatives on the positive and negative
16 aspects of the model as well as costs associated with it no later than
17 June 30, 2002.

18 (2) \$250,000 of the motor vehicle account--state appropriation is
19 provided solely for a study of concurrency issues in urban areas marked
20 by multiple contiguous jurisdictions. The study, lead by the city of
21 Bellevue, will focus on the jurisdictions of Bellevue, Kirkland,
22 Issaquah, and Redmond and will look at existing and unused
23 methodologies for including development in neighboring jurisdictions in
24 concurrency calculations. The study will also investigate what changes
25 in state and local laws are needed in order to provide a more effective
26 way of dealing with concurrency issues. By November 1, 2003, a report
27 of the findings will be made to the transportation committees of the
28 legislature. The appropriation in this subsection shall lapse unless
29 the participating cities provide \$100,000 for the study.

30 (3) Up to \$500,000 of the motor vehicle account--state
31 appropriation is provided solely for the study of alternatives for
32 repairing or replacing the Seattle sea wall. The department's
33 expenditure of funds provided in this subsection may not exceed the
34 matching contribution provided by the city of Seattle for the study.

35 NEW SECTION. **Sec. 233. FOR THE DEPARTMENT OF TRANSPORTATION--**
36 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

37	Motor Vehicle Account--State Appropriation . . .	\$	77,371,000
38	Highway Infrastructure Account--State		

1	Appropriation	\$	234,000
2	Highway Infrastructure Account--Federal		
3	Appropriation	\$	1,500,000
4	Urban Arterial Trust Account--State		
5	Appropriation	\$	4,674,000
6	Multimodal Transportation Account--State		
7	Appropriation	\$	10,150,000
8	TOTAL APPROPRIATION	\$	93,929,000

9 The appropriations in this section are subject to the following
10 conditions and limitations and specified amounts are provided solely
11 for that activity:

12 (1) The highways and local programs division shall not administer
13 or distribute federal transportation enhancement funds for the project
14 known as East Lake Sammamish trail interim improvement - Issaquah to
15 Redmond - until interlocal agreements between King county and the
16 cities of Sammamish, Redmond, and Issaquah have been finalized for the
17 portions of the trail within each of these affected jurisdictions.
18 These agreements shall address safety, security, public parking,
19 design, public facilities, and public access to the trail, maintain
20 King county as the lead agency on the development of the trail, and
21 preserve the railbanking status of the railroad right-of-way according
22 to federal law.

23 (2) \$10,000,000 of the multimodal transportation account--state
24 appropriation is provided solely to fund the first phase of a
25 multiphase cooperative project with the state of Oregon to dredge the
26 Columbia river. The department shall not expend the appropriation in
27 this section unless agreement on ocean disposal sites has been reached
28 which protects the state's commercial crab fishery. The amount
29 provided in this subsection shall lapse unless the state of Oregon
30 appropriates a dollar-for-dollar match to fund its share of the
31 project.

32 (3) The motor vehicle account--state appropriation includes
33 \$12,000,000 in proceeds from the sale of bonds authorized by RCW
34 47.10.843 in addition to \$16,420,000 in unexpended proceeds from the
35 January 2001 sale. The transportation commission may authorize the use
36 of current revenues available to the department of transportation in
37 lieu of bond proceeds for any part of the state appropriation.

1 (4) \$4,159,000 of the motor vehicle account--state appropriation is
2 provided solely for additional small city pavement preservation program
3 grants, to be administered by the department's highways and local
4 programs division.

5 (5) \$2,000,000 of the motor vehicle account--state appropriation is
6 provided solely for additional traffic and pedestrian safety
7 improvements near schools. The highways and local programs division
8 within the department of transportation shall administer this program.

9 (End of part)

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TRANSPORTATION AGENCIES CAPITAL FACILITIES

NEW SECTION. Sec. 301. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account--State		
Appropriation	\$	780,000
Motor Vehicle Account--State Appropriation	\$	2,705,000
TOTAL APPROPRIATION	\$	3,485,000

NEW SECTION. Sec. 302. The Washington state patrol is authorized to continue with the exchange of the Olympia, Washington Martin Way property for a light industrial land complex to be used to consolidate existing separately located state activities and functions. The agency will work with the office of financial management, department of general administration, the senate transportation committee, and the house of representatives transportation committee in the exchange and approval processes.

NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL

Motor Vehicle Account--State Appropriation	\$	13,046,000
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(End of part)

TRANSFERS AND DISTRIBUTIONS

1

2 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**

3 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**

4 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND**

5 **TRANSPORTATION FUND REVENUE**

6 Highway Bond Retirement Account Appropriation . . . \$	207,900,000
7 Ferry Bond Retirement Account Appropriation . . . \$	48,675,000
8 Transportation Improvement Board Bond Retirement	
9 Account--State Appropriation \$	40,856,000
10 Motor Vehicle Account--State Appropriation . . . \$	4,537,000
11 Special Category C Account--State Appropriation . \$	635,000
12 Transportation Improvement Account--State	
13 Appropriation \$	473,000
14 TOTAL APPROPRIATION \$	303,076,000

15 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**

16 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**

17 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

18 Motor Vehicle Account--State Appropriation . . . \$	450,000
19 Special Category C Account Appropriation \$	63,000
20 Transportation Improvement Account--State	
21 Appropriation \$	47,000
22 TOTAL APPROPRIATION \$	560,000

23 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--STATE REVENUES**

24 **FOR DISTRIBUTION**

25 Motor Vehicle Account Appropriation for	
26 motor vehicle fuel tax refunds and	
27 distributions \$	458,895,000
28 Motor Vehicle Account Appropriation for	
29 motor vehicle fuel tax distributions to	
30 cities and counties \$	428,546,000
31 Motor Vehicle Account Appropriation for	
32 license, permit, and fee distribution to	
33 other accounts \$	349,936,000

1 NEW SECTION. **Sec. 404. STATUTORY APPROPRIATIONS.** In addition to
2 the amounts appropriated in this act for revenue for distribution,
3 state contributions to the law enforcement officers' and fire fighters'
4 retirement system, and bond retirement and interest including ongoing
5 bond registration and transfer charges, transfers, interest on
6 registered warrants, and certificates of indebtedness, there is also
7 appropriated such further amounts as may be required or available for
8 these purposes under any statutory formula or under any proper bond
9 covenant made under law.

10 NEW SECTION. **Sec. 405.** The department of transportation is
11 authorized to undertake federal advance construction projects under the
12 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
13 meeting approved highway construction and preservation objectives. The
14 legislature recognizes that the use of state funds may be required to
15 temporarily fund expenditures of the federal appropriations for the
16 highway construction and preservation programs for federal advance
17 construction projects prior to conversion to federal funding.

18 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER--TRANSFERS**

19 (1) RV Account--State Appropriation:
20 For transfer to the Motor Vehicle Fund--State . . . \$ 1,135,000

21 The department of transportation shall only transfer funds provided
22 under subsection (1) of this section on an as-needed basis.

23 (2) Public Transportation Systems Account--
24 State Appropriation: For transfer to the
25 Multimodal Transportation Account--State \$ 1,911,000

26 (3) State Patrol Highway Account--State
27 Appropriation: For transfer to the Motor
28 Vehicle Account \$ 38,657,000

29 If House Bill No. 2216 or Senate Bill No. 5078 is enacted in the
30 form passed by the legislature, the \$38,737,000 transfer from the state
31 patrol highway account--state to the motor vehicle account is null and
32 void. If neither House Bill No. 2216 nor Senate Bill No. 5078 is
33 enacted in the form passed by the legislature, the state treasurer
34 shall transfer funds from the state patrol highway account to the motor
35 vehicle account on a quarterly basis.

1 **PERFORMANCE BASED BUDGETING PROVISIONS**

2 NEW SECTION. **Sec. 501.** Transportation agencies shall continue to
3 refine the following activities in order to establish a performance-
4 based budgeting process for the 2003-05 biennial budget:

5 (1) The department of licensing, the department of transportation,
6 and the Washington state patrol, in cooperation with the office of
7 financial management and the senate and house of representatives
8 transportation committees, shall implement a performance budgeting
9 process that provides a measurable link between agency objectives,
10 service levels, and budget proposals. The agencies shall also develop
11 indicators of performance, stated in terms of expected results, to
12 measure the agencies' progress in achieving the agencies' goals.

13 (2) The transportation agencies shall submit a strategic plan with
14 their agency request budgets. The strategic plan must include a six-
15 year outlook and define and clarify the agency mission and vision,
16 provide the basis for budget development, and outline the agency's
17 goals and strategies. Furthermore, the strategic plan shall reflect
18 agency priorities which formed the basis of the agencies' budget
19 development.

20 (3) The transportation agencies shall establish performance
21 indicators that measure activities and associated goals and strategies
22 in the strategic plan. The agencies shall also provide a preferred
23 level of performance over the next six years.

24 (4) The senate and house of representatives transportation
25 committees, the office of financial management, and the transportation
26 agencies shall establish the means of conducting program authorization
27 reviews of all transportation programs. The reviews shall include:

28 (a) An agency self-assessment to judge the quality and usefulness
29 of: (i) The agency's long-term strategic program goals; (ii) current
30 organizational structure; (iii) program priorities and objectives; (iv)
31 activities necessary to achieve program priorities and objectives; (v)
32 service level criteria and performance targets of existing programs and
33 activities; (vi) best practices by other states as a possible benchmark
34 of the performance of their programs; and (vii) results or outcome
35 measures as they relate to achievement of benchmarks given different
36 funding levels;

1 (b) A review of the agency self-assessment and a report to the
2 legislature; and

3 (c) A report which recommends whether to retain, eliminate, or
4 modify funding and related statutory references for the agency. The
5 parties conducting the review shall consider: (i) Whether the agency
6 performance measures adequately measure the agency goals; (ii) whether
7 the program performs efficiently and effectively, including comparisons
8 with other jurisdictions, if applicable; (iii) whether there are other
9 cost-effective alternative methods of accomplishing the program's
10 mission; and (iv) whether there are any funds saved by the agency's
11 performance.

12 (5) The transportation agencies shall each designate a program or
13 programs to test the effectiveness of performance-based budgeting for
14 the 2003-05 budget submittal period.

15 (6) Each agency shall submit a program list to the transportation
16 committees of the house of representatives and senate and the office of
17 financial management at the end of each fiscal year, which describes
18 the functions of the program, the fund sources for the program, and the
19 number of full-time equivalents, in addition to other performance
20 targets of the program and their relationship to the agency strategic
21 plan.

22 (7) The transportation agencies shall develop agency biennial
23 budget requests at the agency budget program level, rather than the
24 object level, and submit their biennial and supplemental budget
25 requests to the office of financial management via a common budget
26 system beginning July 1, 2003.

27 (8) The agencies shall input monthly their financial information
28 and quarterly program performance measurements into the transportation
29 executive information system and other systems as required by the
30 office of financial management. The agencies shall report actuals to
31 date against original allotments, in addition to plan to date.
32 Original allotments may reflect supplemental budget changes as changed
33 by the legislature and the governor.

34 **PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS**

35 **Sec. 601.** RCW 47.04.210 and 1997 c 94 s 1 are each amended to read
36 as follows:

1 Federal funds that are administered by the department of
2 transportation and are passed through to municipal corporations or
3 political subdivisions of the state and moneys that are received as
4 total reimbursement for goods, services, or projects constructed by the
5 department of transportation are removed from the transportation
6 budget. To process and account for these expenditures a new treasury
7 trust account is created to be used for all department of
8 transportation one hundred percent federal and local reimbursable
9 transportation expenditures. This new account is nonbudgeted and
10 nonappropriated. At the same time, federal and private local
11 appropriations and full-time equivalents in subprograms R2, R3, T6, Y6,
12 and Z2 processed through this new account are removed from the
13 department of transportation's 1997-99 budget.

14 The department of transportation may make expenditures from the
15 account before receiving federal and local reimbursements. However, at
16 the end of each biennium, the account must maintain a zero or positive
17 cash balance. In the twenty-fourth month of each biennium the
18 department of transportation shall calculate and transfer sufficient
19 cash from either the motor vehicle fund or the multimodal
20 transportation ((fund)) account to cover any negative cash balances.
21 The amount transferred is calculated based on expenditures from each
22 fund. In addition, any interest charges accruing to the new account
23 must be distributed to the motor vehicle fund and the multimodal
24 transportation ((fund)) account.

25 The department of transportation shall provide an annual report to
26 the legislative transportation committee and the office of financial
27 management on expenditures and full-time equivalents processed through
28 the new account. The report must also include recommendations for
29 process changes, if needed.

30 **Sec. 602.** RCW 47.04.220 and 1997 c 94 s 2 are each amended to read
31 as follows:

32 (1) The miscellaneous transportation programs account is created in
33 the custody of the state treasurer.

34 (2) Moneys from the account may be used only for the costs of:

35 (a) Miscellaneous transportation services provided by the
36 department that are reimbursed by other public and private entities;

1 (b) Local transportation projects for which the department is a
2 conduit for federal reimbursement to a municipal corporation or
3 political subdivision; or

4 (c) Other reimbursable activities as recommended by the legislative
5 transportation committee and approved by the office of financial
6 management.

7 (3) Moneys received as reimbursement for expenditures under
8 subsection (2) of this section must be deposited into the account.

9 (4) No appropriation is required for expenditures from this
10 account. This fund is not subject to allotment procedures provided
11 under chapter 43.88 RCW.

12 (5) Only the secretary of transportation or the secretary's
13 designee may authorize expenditures from the account.

14 (6) It is the intent of the legislature that this account maintain
15 a zero or positive cash balance at the end of each biennium. Toward
16 this purpose the department may make expenditures from the account
17 before receiving reimbursements under subsection (2) of this section.
18 Before the end of the biennium, the department shall transfer
19 sufficient cash to cover any negative cash balances from the motor
20 vehicle fund and the multimodal transportation (~~((funds))~~) account to the
21 miscellaneous transportation programs account for unrecovered
22 reimbursements. The department shall calculate the distribution of
23 this transfer based on expenditures. In the ensuing biennium the
24 department shall transfer the reimbursements received in the
25 miscellaneous transportation programs account back to the motor vehicle
26 fund and the multimodal transportation (~~((funds))~~) account to the extent
27 of the cash transferred at biennium end. The department shall also
28 distribute any interest charges accruing to the miscellaneous
29 transportation programs account to the motor vehicle fund and the
30 multimodal transportation (~~((funds))~~) account. Adjustments for any
31 indirect cost recoveries may also be made at this time.

32 (7) The department shall provide an annual report to the
33 legislative transportation committee and the office of financial
34 management on the expenditures and full-time equivalents processed
35 through the miscellaneous transportation programs account. The report
36 must also include recommendations for changes to the process, if
37 needed.

1 NEW SECTION. **Sec. 603.** The highways and local programs division
2 of the Washington state department of transportation, the
3 transportation improvement board, the county road administration board,
4 the freight mobility strategic investment board, the association of
5 Washington cities, and the Washington state association of counties
6 shall establish and staff a joint task force that will develop
7 recommendations to establish a one-stop funding center for state funded
8 local grant programs. The task force shall report its recommendations
9 to the legislature no later than December 1, 2001. The recommendations
10 of the task force shall address the following:

11 (1) Develop a memorandum of understanding that governs a
12 multiagency grant council to coordinate state and federal grant
13 efforts;

14 (2) Develop a simplified grant application form that can be used by
15 all local grant-seeking agencies;

16 (3) Coordinate calls for local grant applications;

17 (4) Increase awareness of state-funded local grant programs; and

18 (5) Develop a process to forward applications to other appropriate
19 state and federal funding programs.

20 NEW SECTION. **Sec. 604.** The senate transportation committee shall
21 convene a task force to study the issues regarding abandoned vehicles,
22 title transfers, license plate transfers, buyer and seller reports, and
23 electronic availability of current vehicle owner information. The task
24 force shall include the following members in addition to the department
25 of licensing: The Washington state tow truck association; the
26 Washington state auto dealers; the independent towers of Washington;
27 the Washington state patrol; and representatives of two local law
28 enforcement agencies.

29 The task force shall consider methods by which vehicle ownership
30 changes can occur more expeditiously, including but not limited to the
31 timing and completeness of the seller reporting the sale of a vehicle,
32 methods to encourage buyers to retitle vehicles in a timely manner, and
33 changes in the processing of abandoned vehicle reports to provide more
34 timely access to registered owner information. The task force shall
35 also consider who bears liability for abandoned vehicles as well as the
36 issue of impounding a registered owner's car when someone other than
37 the owner is driving.

1 NEW SECTION. **Sec. 605.** The joint legislative audit and review
2 committee shall conduct a performance audit to evaluate the advantages
3 and disadvantages of removing the aviation division from the department
4 of transportation and creating a Washington state department of
5 aviation. At a minimum the evaluation must include: (1) A survey of
6 aviation division customers to determine whether the current aviation
7 division meets the needs of those customers; (2) a comparison of
8 procedures, regulations, and requirements of the Federal Aviation
9 Administration and the Federal Highway Administration to determine if
10 the federal laws governing the aviation division conflict with those
11 governing the department of transportation; (3) an analysis of the
12 department of transportation's processes to determine whether the
13 creation of a separate aviation department would result in a cost
14 savings to the state; and (4) a financial analysis to determine if the
15 aviation fuel tax, aircraft registration fees, and other revenue from
16 aviation services would enable a separate aviation division to operate
17 without additional state resources. The joint legislative audit and
18 review committee must report its findings to the legislature and the
19 office of financial management by December 1, 2002.

20 NEW SECTION. **Sec. 606.** A new section is added to chapter 47.01
21 RCW to read as follows:

22 The Washington fruit express account is created in the state
23 treasury. All receipts from the operations of the Washington fruit
24 express program must be deposited into the account. Moneys in the
25 account may be spent only after appropriation. Expenditures from the
26 account may be used only for the operations of the Washington fruit
27 express program and for east-west passenger rail.

28 **Sec. 607.** RCW 43.84.092 and 2000 2nd sp.s. c 4 s 5 are each
29 amended to read as follows:

30 (1) All earnings of investments of surplus balances in the state
31 treasury shall be deposited to the treasury income account, which
32 account is hereby established in the state treasury.

33 (2) The treasury income account shall be utilized to pay or receive
34 funds associated with federal programs as required by the federal cash
35 management improvement act of 1990. The treasury income account is
36 subject in all respects to chapter 43.88 RCW, but no appropriation is
37 required for refunds or allocations of interest earnings required by

1 the cash management improvement act. Refunds of interest to the
2 federal treasury required under the cash management improvement act
3 fall under RCW 43.88.180 and shall not require appropriation. The
4 office of financial management shall determine the amounts due to or
5 from the federal government pursuant to the cash management improvement
6 act. The office of financial management may direct transfers of funds
7 between accounts as deemed necessary to implement the provisions of the
8 cash management improvement act, and this subsection. Refunds or
9 allocations shall occur prior to the distributions of earnings set
10 forth in subsection (4) of this section.

11 (3) Except for the provisions of RCW 43.84.160, the treasury income
12 account may be utilized for the payment of purchased banking services
13 on behalf of treasury funds including, but not limited to, depository,
14 safekeeping, and disbursement functions for the state treasury and
15 affected state agencies. The treasury income account is subject in all
16 respects to chapter 43.88 RCW, but no appropriation is required for
17 payments to financial institutions. Payments shall occur prior to
18 distribution of earnings set forth in subsection (4) of this section.

19 (4) Monthly, the state treasurer shall distribute the earnings
20 credited to the treasury income account. The state treasurer shall
21 credit the general fund with all the earnings credited to the treasury
22 income account except:

23 (a) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's and fund's
25 average daily balance for the period: The capitol building
26 construction account, the Cedar River channel construction and
27 operation account, the Central Washington University capital projects
28 account, the charitable, educational, penal and reformatory
29 institutions account, the common school construction fund, the county
30 criminal justice assistance account, the county sales and use tax
31 equalization account, the data processing building construction
32 account, the deferred compensation administrative account, the deferred
33 compensation principal account, the department of retirement systems
34 expense account, the drinking water assistance account, the Eastern
35 Washington University capital projects account, the education
36 construction fund, the emergency reserve fund, the federal forest
37 revolving account, the health services account, the public health
38 services account, the health system capacity account, the personal
39 health services account, the state higher education construction

1 account, the higher education construction account, the highway
2 infrastructure account, the industrial insurance premium refund
3 account, the judges' retirement account, the judicial retirement
4 administrative account, the judicial retirement principal account, the
5 local leasehold excise tax account, the local real estate excise tax
6 account, the local sales and use tax account, the medical aid account,
7 the mobile home park relocation fund, the multimodal transportation
8 account, the municipal criminal justice assistance account, the
9 municipal sales and use tax equalization account, the natural resources
10 deposit account, the perpetual surveillance and maintenance account,
11 the public employees' retirement system plan 1 account, the public
12 employees' retirement system plan 2 account, the Puyallup tribal
13 settlement account, the resource management cost account, the site
14 closure account, the special wildlife account, the state employees'
15 insurance account, the state employees' insurance reserve account, the
16 state investment board expense account, the state investment board
17 commingled trust fund accounts, the supplemental pension account, the
18 teachers' retirement system plan 1 account, the teachers' retirement
19 system combined plan 2 and plan 3 account, the tobacco prevention and
20 control account, the tobacco settlement account, the transportation
21 infrastructure account, the tuition recovery trust fund, the University
22 of Washington bond retirement fund, the University of Washington
23 building account, the volunteer fire fighters' and reserve officers'
24 relief and pension principal fund, the volunteer fire fighters' and
25 reserve officers' administrative fund, the Washington fruit express
26 account, the Washington judicial retirement system account, the
27 Washington law enforcement officers' and fire fighters' system plan 1
28 retirement account, the Washington law enforcement officers' and fire
29 fighters' system plan 2 retirement account, the Washington school
30 employees' retirement system combined plan 2 and 3 account, the
31 Washington state health insurance pool account, the Washington state
32 patrol retirement account, the Washington State University building
33 account, the Washington State University bond retirement fund, the
34 water pollution control revolving fund, and the Western Washington
35 University capital projects account. Earnings derived from investing
36 balances of the agricultural permanent fund, the normal school
37 permanent fund, the permanent common school fund, the scientific
38 permanent fund, and the state university permanent fund shall be
39 allocated to their respective beneficiary accounts. All earnings to be

1 distributed under this subsection (4)(a) shall first be reduced by the
2 allocation to the state treasurer's service fund pursuant to RCW
3 43.08.190.

4 (b) The following accounts and funds shall receive eighty percent
5 of their proportionate share of earnings based upon each account's or
6 fund's average daily balance for the period: The aeronautics account,
7 the aircraft search and rescue account, the county arterial
8 preservation account, the department of licensing services account, the
9 essential rail assistance account, the ferry bond retirement fund, the
10 grade crossing protective fund, the high capacity transportation
11 account, the highway bond retirement fund, the highway safety account,
12 the motor vehicle fund, the motorcycle safety education account, the
13 pilotage account, the public transportation systems account, the Puget
14 Sound capital construction account, the Puget Sound ferry operations
15 account, the recreational vehicle account, the rural arterial trust
16 account, the safety and education account, the special category C
17 account, the state patrol highway account, the transportation equipment
18 fund, the transportation fund, the transportation improvement account,
19 the transportation improvement board bond retirement account, and the
20 urban arterial trust account.

21 (5) In conformance with Article II, section 37 of the state
22 Constitution, no treasury accounts or funds shall be allocated earnings
23 without the specific affirmative directive of this section.

24 **Sec. 608.** RCW 43.84.092 and 2000 2nd sp.s. c 4 s 6 are each
25 amended to read as follows:

26 (1) All earnings of investments of surplus balances in the state
27 treasury shall be deposited to the treasury income account, which
28 account is hereby established in the state treasury.

29 (2) The treasury income account shall be utilized to pay or receive
30 funds associated with federal programs as required by the federal cash
31 management improvement act of 1990. The treasury income account is
32 subject in all respects to chapter 43.88 RCW, but no appropriation is
33 required for refunds or allocations of interest earnings required by
34 the cash management improvement act. Refunds of interest to the
35 federal treasury required under the cash management improvement act
36 fall under RCW 43.88.180 and shall not require appropriation. The
37 office of financial management shall determine the amounts due to or
38 from the federal government pursuant to the cash management improvement

1 act. The office of financial management may direct transfers of funds
2 between accounts as deemed necessary to implement the provisions of the
3 cash management improvement act, and this subsection. Refunds or
4 allocations shall occur prior to the distributions of earnings set
5 forth in subsection (4) of this section.

6 (3) Except for the provisions of RCW 43.84.160, the treasury income
7 account may be utilized for the payment of purchased banking services
8 on behalf of treasury funds including, but not limited to, depository,
9 safekeeping, and disbursement functions for the state treasury and
10 affected state agencies. The treasury income account is subject in all
11 respects to chapter 43.88 RCW, but no appropriation is required for
12 payments to financial institutions. Payments shall occur prior to
13 distribution of earnings set forth in subsection (4) of this section.

14 (4) Monthly, the state treasurer shall distribute the earnings
15 credited to the treasury income account. The state treasurer shall
16 credit the general fund with all the earnings credited to the treasury
17 income account except:

18 (a) The following accounts and funds shall receive their
19 proportionate share of earnings based upon each account's and fund's
20 average daily balance for the period: The capitol building
21 construction account, the Cedar River channel construction and
22 operation account, the Central Washington University capital projects
23 account, the charitable, educational, penal and reformatory
24 institutions account, the common school construction fund, the county
25 criminal justice assistance account, the county sales and use tax
26 equalization account, the data processing building construction
27 account, the deferred compensation administrative account, the deferred
28 compensation principal account, the department of retirement systems
29 expense account, the drinking water assistance account, the Eastern
30 Washington University capital projects account, the education
31 construction fund, the emergency reserve fund, the federal forest
32 revolving account, the health services account, the public health
33 services account, the health system capacity account, the personal
34 health services account, the state higher education construction
35 account, the higher education construction account, the highway
36 infrastructure account, the industrial insurance premium refund
37 account, the judges' retirement account, the judicial retirement
38 administrative account, the judicial retirement principal account, the
39 local leasehold excise tax account, the local real estate excise tax

1 account, the local sales and use tax account, the medical aid account,
2 the mobile home park relocation fund, the multimodal transportation
3 account, the municipal criminal justice assistance account, the
4 municipal sales and use tax equalization account, the natural resources
5 deposit account, the perpetual surveillance and maintenance account,
6 the public employees' retirement system plan 1 account, the public
7 employees' retirement system combined plan 2 and plan 3 account, the
8 Puyallup tribal settlement account, the resource management cost
9 account, the site closure account, the special wildlife account, the
10 state employees' insurance account, the state employees' insurance
11 reserve account, the state investment board expense account, the state
12 investment board commingled trust fund accounts, the supplemental
13 pension account, the teachers' retirement system plan 1 account, the
14 teachers' retirement system combined plan 2 and plan 3 account, the
15 tobacco prevention and control account, the tobacco settlement account,
16 the transportation infrastructure account, the tuition recovery trust
17 fund, the University of Washington bond retirement fund, the University
18 of Washington building account, the volunteer fire fighters' and
19 reserve officers' relief and pension principal fund, the volunteer fire
20 fighters' and reserve officers' administrative fund, the Washington
21 fruit express account, the Washington judicial retirement system
22 account, the Washington law enforcement officers' and fire fighters'
23 system plan 1 retirement account, the Washington law enforcement
24 officers' and fire fighters' system plan 2 retirement account, the
25 Washington school employees' retirement system combined plan 2 and 3
26 account, the Washington state health insurance pool account, the
27 Washington state patrol retirement account, the Washington State
28 University building account, the Washington State University bond
29 retirement fund, the water pollution control revolving fund, and the
30 Western Washington University capital projects account. Earnings
31 derived from investing balances of the agricultural permanent fund, the
32 normal school permanent fund, the permanent common school fund, the
33 scientific permanent fund, and the state university permanent fund
34 shall be allocated to their respective beneficiary accounts. All
35 earnings to be distributed under this subsection (4)(a) shall first be
36 reduced by the allocation to the state treasurer's service fund
37 pursuant to RCW 43.08.190.

38 (b) The following accounts and funds shall receive eighty percent
39 of their proportionate share of earnings based upon each account's or

1 fund's average daily balance for the period: The aeronautics account,
2 the aircraft search and rescue account, the county arterial
3 preservation account, the department of licensing services account, the
4 essential rail assistance account, the ferry bond retirement fund, the
5 grade crossing protective fund, the high capacity transportation
6 account, the highway bond retirement fund, the highway safety account,
7 the motor vehicle fund, the motorcycle safety education account, the
8 pilotage account, the public transportation systems account, the Puget
9 Sound capital construction account, the Puget Sound ferry operations
10 account, the recreational vehicle account, the rural arterial trust
11 account, the safety and education account, the special category C
12 account, the state patrol highway account, the transportation equipment
13 fund, the transportation fund, the transportation improvement account,
14 the transportation improvement board bond retirement account, and the
15 urban arterial trust account.

16 (5) In conformance with Article II, section 37 of the state
17 Constitution, no treasury accounts or funds shall be allocated earnings
18 without the specific affirmative directive of this section.

19 NEW SECTION. **Sec. 609.** Notwithstanding the limitations of RCW
20 36.82.070 and 2001 c 221 s 3, county road funds may be used during this
21 biennium beyond the county right-of-way for activities clearly
22 associated with removal of fish passage barriers that are the
23 responsibility of the county in the amount deemed appropriate by the
24 county.

25 NEW SECTION. **Sec. 610.** Section 607 of this act expires March 1,
26 2002.

27 NEW SECTION. **Sec. 611.** Section 608 of this act takes effect March
28 1, 2002.

29 NEW SECTION. **Sec. 612.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 613.** Except for section 608 of this act, this
34 act is necessary for the immediate preservation of the public peace,

1 health, or safety, or support of the state government and its existing
2 public institutions, and takes effect immediately.

3 (End of part)

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