
HOUSE BILL 1389

State of Washington

58th Legislature

2003 Regular Session

By Representatives Jarrett, Ericksen, Woods, Schindler, Anderson, Bush, Kristiansen, Shabro, Ahern, Bailey, McDonald, Talcott, Clements, Chandler, Sehlin, Buck, Mielke, Boldt, Alexander, Newhouse, Schoesler, Nixon, Pearson, Pflug, Campbell and Holmquist

Read first time 01/24/2003. Referred to Committee on Transportation.

1 AN ACT Relating to incentives to increase transportation revenues
2 by ensuring government efficiencies through performance audits
3 conducted by the legislative transportation committee; adding new
4 sections to chapter 44.40 RCW; adding a new section to chapter 47.01
5 RCW; and creating new sections.

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

7 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature finds
8 that in order to recapture the public trust and demonstrate to the
9 public that the department of transportation is operating as
10 efficiently and effectively as possible, the department must be subject
11 to regular performance audits supervised by the legislature. The
12 legislature further finds that the department can recapture public
13 trust by submitting performance data to the legislature along with its
14 project list.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 44.40 RCW
16 to read as follows:

17 PERFORMANCE AUDITS OF THE DEPARTMENT OF TRANSPORTATION. (1) Every
18 four years the legislative transportation committee shall undertake

1 independent, objective, and comprehensive performance audits of the
2 department of transportation, to be performed in accordance with
3 government auditing standards.

4 (2) For the purposes of this chapter, "government auditing
5 standards" means the Generally Accepted Government Auditing Standards
6 (GAGAS) as published by the Comptroller General of the United States
7 General Accounting Office (GAO).

8 (3) The performance audit report must include:

9 (a) Identification of potential cost savings in the department of
10 transportation, its programs, and its services;

11 (b) Identification of funding to the department of transportation,
12 to programs, and to services that can be eliminated or reduced;

13 (c) Identification of programs and services that can be eliminated,
14 reduced, or transferred to the private sector;

15 (d) Analysis of gaps and overlaps in programs and services and
16 recommendations for improving, dropping, blending, or separating
17 functions to correct gaps or overlaps;

18 (e) Analysis and recommendations for pooling information technology
19 systems used within the department;

20 (f) Analysis of the roles and functions of the department, its
21 programs, and its services and their compliance with statutory
22 authority and recommendations for eliminating or changing those roles
23 and functions and ensuring compliance with statutory authority;

24 (g) Recommendations for eliminating or changing statutes, rules,
25 and policy directives as may be necessary to ensure that the department
26 carry out reasonably and properly those functions expressly vested in
27 the department by statute;

28 (h) Verification of the reliability and validity of department
29 performance data, self-assessments, and performance measurement systems
30 as required under RCW 43.88.090; and

31 (i) Identification and recognition of best practices.

32 (4) The legislative transportation committee may require the
33 department to provide all information required for completion of any
34 audit, and the department shall fully and completely cooperate with the
35 legislative transportation committee for the purposes of this section.
36 Costs of complying with the requirements will be paid by the
37 department.

1 (5) The legislative transportation committee shall contract with
2 private sector professional and technical experts for conducting
3 performance audits and shall provide oversight of the audits.
4 Employees within the legislative transportation committee's office, if
5 available and qualified, may assist in the audits. The legislative
6 transportation committee shall create and maintain a list of qualified
7 private sector professional and technical experts who may be selected
8 to conduct performance audits either by lot or on a rotating basis.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 44.40 RCW
10 to read as follows:

11 DEFINITION. For the purpose of this chapter, a "performance audit"
12 is an objective and systematic examination of evidence for the purpose
13 of providing an independent assessment of the performance of the
14 department of transportation, or of a program or service provided by
15 the department, in order to provide information for improving public
16 accountability and facilitating decision making by those who have the
17 responsibility to initiate or oversee corrective action. Performance
18 audits include economy and efficiency audits and program audits.

19 (1) Economy and efficiency audits include determining whether the
20 department is acquiring, protecting, and using its resources, such as
21 personnel, property, and space, economically and efficiently; the
22 causes of uneconomical or inefficient practices; and whether the
23 department has complied with laws and rules on matters of economy and
24 efficiency.

25 (2) Program audits include determining the extent to which the
26 desired results or benefits established by the legislature or other
27 authorizing body are being achieved by the department; the
28 effectiveness of agencies, programs, and services; and whether the
29 department complied with laws and rules applicable to the program.

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

32 SUBMISSION OF PERFORMANCE DATA TO THE LEGISLATURE. The department
33 shall submit to the transportation commission or its statutory
34 successor, the governor, and the legislature, cost and performance data
35 to accompany the proposed project list developed under RCW 47.05.051.
36 For capacity projects the data must specify the estimated congestion

1 relief in both time and money (opportunity costs). For safety
2 projects, the department shall submit estimates for both the number of
3 lives saved and the reduced negative economic effects of high-accident
4 areas.

5 NEW SECTION. **Sec. 5.** Captions used in this act are not part of
6 the law.

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