

1 planning, investment, and operation can also enhance local and state
2 objectives for effective regional transportation strategies and
3 effective coordination between land use and transportation.

4 The legislature finds that addressing this need for better
5 accountability and coordinated action regarding transportation and
6 comprehensive planning necessitates an innovative approach. Improved
7 integration among transportation programs, particularly in the state's
8 largest metropolitan area is imperative, and will have significant
9 benefit to the citizens of Washington. It is therefore the policy of
10 the state of Washington to ensure a single regional government council,
11 more directly accountable to the public, with adequate resources to
12 develop and encourage implementation of a comprehensive transportation
13 plan within the state's largest urbanized region.

14 NEW SECTION. **Sec. 102.** DEFINITIONS. Unless the context clearly
15 requires otherwise, the definitions in this section apply throughout
16 this chapter.

17 (1) "Council" means the Puget Sound regional transportation
18 district council created under section 105 of this act, and the
19 governing body of the district.

20 (2) "District" means the Puget Sound regional transportation
21 district created under section 103 of this act.

22 (3) "Policy advisory committee" or "committee" means the policy
23 advisory committee authorized in section 202 of this act.

24 (4) "Public transportation providers" means those agencies
25 providing transit services to the public including Washington state
26 ferries, regional transit authorities, public transit agencies, and
27 city transportation authorities.

28 (5) "Puget Sound regional council" means the Puget Sound regional
29 council, which, as of January 1, 2003, is the organization designated
30 by units of general purpose local governments within the region as the
31 metropolitan planning organization under federal requirements and as
32 the regional transportation organization under chapter 47.80 RCW, or
33 any successor organization.

34 (6) "Project of regional significance" means those projects
35 identified by the characteristics set forth in section 201(3) and (4)
36 of this act.

1 (8) "Region" means that area within the jurisdiction of the
2 council.

3 (9) "Regional plan" or "plan" means the metropolitan transportation
4 plan required under federal law.

5 NEW SECTION. **Sec. 103.** DISTRICT CREATED. A political subdivision
6 known as the Puget Sound regional transportation district is created,
7 to consist of the counties that are included within the regional
8 transportation planning organization having the largest population on
9 January 1, 2003, known as "central Puget Sound counties."

10 NEW SECTION. **Sec. 104.** COUNCILOR DISTRICTS. By July 1, 2005, the
11 legislative authorities of the central Puget Sound counties shall
12 jointly assemble and determine six councilor districts, based on equal
13 populations.

14 The counties shall provide for the nomination and election of
15 district councilors at the state's September primary and November
16 general elections.

17 NEW SECTION. **Sec. 105.** DISTRICT COUNCIL. (1) Creation and
18 powers. The district council is created as the governing body of the
19 Puget Sound regional transportation district. Except as provided for
20 in this chapter, all district powers are vested in the council.

21 (2) Composition. Beginning January 1, 2006, the council consists
22 of seven councilors, one of whom will be elected at large and
23 designated as president of the council, and six each nominated and
24 elected from a single district within the area.

25 (3) Initial terms of office. The terms of office of the three
26 councilors receiving the highest number of votes among the six
27 councilors elected in 2005 end on the first Monday of 2010. The terms
28 of office of the other three councilors end on the first Monday of
29 2008. Thereafter the term of office of councilor is four years. The
30 first term of the president ends the first Monday of 2008.

31 (4) Presiding officer, council president. The council president
32 presides over the council. The council president sets the council
33 agenda subject to general rules established by a council-adopted
34 ordinance. Except as provided otherwise in this chapter, the council

1 president appoints all members of the committees, commissions, and
2 boards created by the rules of the council and ordinances of the
3 district.

4 (5) Annual organizing resolution. At the first council meeting
5 each January the council shall adopt an annual organizing resolution
6 naming a deputy and establishing such committees as the council deems
7 necessary for the orderly conduct of council business.

8 (6) Council meetings. The council shall meet regularly in the area
9 at times and places it designates. The council shall prescribe by
10 ordinance the rules to govern conduct of its meetings. Except as this
11 chapter provides otherwise, the agreement of a majority of councilors
12 present and constituting a quorum is necessary to decide affirmatively
13 a question before the council.

14 (7) Quorum. A majority of councilors in office is a quorum for
15 council business, but fewer councilors may compel absent councilors to
16 attend.

17 (8) Record of proceedings. The council shall keep and authenticate
18 a record of council proceedings.

19 NEW SECTION. **Sec. 106.** COUNCIL FOR REGIONAL TRANSPORTATION
20 INVESTMENT DISTRICT GOVERNANCE. Effective January 1, 2006, the members
21 of the council, acting ex officio and independently shall constitute
22 the governing body of any regional transportation investment district
23 located within the boundaries of the Puget Sound regional
24 transportation district.

25 NEW SECTION. **Sec. 107.** DISTRICT AUDITOR. (1) Creation. The
26 office of district auditor is created. The auditor is elected from the
27 district at large for a term of four years. The auditor serves full
28 time and may not be employed by any other person or entity while
29 serving as auditor.

30 (2) First election; disqualification for councilor. The auditor is
31 first nominated and elected in the first statewide primary and general
32 election in 2005. During the term for which elected, and for four
33 years thereafter, the auditor is ineligible to hold the office of
34 district councilor.

35 (3) Duties. The auditor shall: (a) Make continuous investigations
36 of the operations of the district, including financial and performance

1 auditing and review of financial transactions, personnel, equipment,
2 facilities, and all other aspects of those operations; and (b) make
3 reports to the council of the results of any investigation with any
4 recommendations for remedial action. Except as provided in this
5 section, the auditor may not be given responsibility to perform any
6 executive function.

7 **PART II**
8 **POWERS AND DUTIES**

9 NEW SECTION. **Sec. 201.** COUNCIL'S DUTIES. The council shall:

10 (1) Be the designated regional transportation planning organization
11 for its area and have, except where provided otherwise, the same duties
12 and obligations of those organizations as prescribed in chapter 47.80
13 RCW;

14 (2) Assume the responsibility for the metropolitan planning
15 function within the region under 23 U.S.C. Sec. 134 and act as the
16 governing body for that activity;

17 (3) Identify those transportation facilities and services within
18 the region provided by the department of transportation, cities,
19 counties, and public transportation providers that serve regionally
20 significant corridors or are otherwise regionally significant;

21 (4) Prepare and adopt a plan setting forth the priorities for
22 investment and the allocation of resources for operating and investment
23 for those regionally significant transportation facilities and services
24 for each of those agencies enumerated in subsection (3) of this
25 section. The goal is an integrated systematic approach for investment
26 resulting in a coordinated transportation network. To carry out this
27 duty, the council may enter into interlocal contracts and memoranda of
28 understanding for the affected agencies to reimburse the council for
29 the costs of these planning functions;

30 (5) Plan, develop, and enforce standards for the coordination of
31 public transportation services in the region as set forth in section
32 204 of this act;

33 (6) Plan, develop, and enforce standards for the coordination of
34 regional traffic operations in the region as set forth in section 205
35 of this act;

1 (7) Approve in total, or disapprove all or certain elements of the
2 regional transportation improvement program submitted to it by the
3 policy advisory committee;

4 (8) Effective January 1, 2006, assume the role as governing
5 authority for any regional transportation investment district located
6 within the boundaries of the region;

7 (9) Appoint any other advisory committees it deems necessary to
8 carry out the intent of this chapter.

9 NEW SECTION. **Sec. 202.** DISTRICT POLICY ADVISORY COMMITTEE. (1)
10 The council shall appoint a district policy advisory committee, to be
11 made up of local elected officials, officials of agencies that
12 administer or operate major modes or systems of transportation,
13 appropriate state officials, and other persons as determined by the
14 council.

15 (2) After appointment a vote of both a majority of the policy
16 advisory committee and a majority of all councilors may change the
17 composition of the committee at any time.

18 (3) The policy advisory committee shall perform the duties assigned
19 to it in this chapter and any other duties the council prescribes.

20 (4) The policy advisory committee shall adopt bylaws governing the
21 conduct and recording of its meetings and the terms of its members.

22 NEW SECTION. **Sec. 203.** ADVISORY COMMITTEE DUTIES. The policy
23 advisory committee shall:

24 (1) Provide a forum for representatives from local and state units
25 of government to assess transportation policies and programs throughout
26 the region, evaluate transportation needs, and to make recommendations
27 to the council;

28 (2) Develop a recommended regional plan and a regional
29 transportation improvement program, to be forwarded to the council for
30 approval or rejection;

31 (3) Develop and recommend to the council the allocation of federal
32 funds available to the region;

33 (4) Review public agencies' plans for consistency under sections
34 204 and 205 of this act and make recommendations to the council.

1 NEW SECTION. **Sec. 204.** PUBLIC TRANSPORTATION COORDINATION. (1)

2 The council shall develop standards for the coordination of capitol
3 investment, service standards, and service coordination of public
4 transportation providers in the region. The goal of these standards is
5 to maximize coordination within and among systems, use resources more
6 effectively, and enhance services to the public. In developing these
7 standards, the council shall consult with regional transit authorities,
8 city transportation authorities, other transit agencies, and passenger-
9 only ferry providers operating within the region. The standards must
10 also address vanpool coordination, fare policies, and transportation
11 demand management programs.

12 (2) In addition to the duties under section 201 of this act, the
13 council shall approve each plan prepared under RCW 35.58.2795 by public
14 transportation providers operating in the region, if it finds that
15 those plans meet the standards under subsection (1) of this section.
16 If the council finds that those plans do not meet the standards set
17 forth in subsection (1) of this section, it shall immediately notify
18 the agency that prepared the plan of the reasons for noncompliance.
19 The plan may be amended and resubmitted to the council.

20 (3) If the council does not approve the plan of a public
21 transportation provider operating in its area of jurisdiction, that
22 agency's plan may not be included in the regional transportation
23 improvement program.

24 NEW SECTION. **Sec. 205.** REGIONAL TRAFFIC OPERATIONS COORDINATION.

25 (1) The council shall develop standards for the coordination of the
26 traffic operations of state and local roads of regional significance.
27 The objective of these standards is to maximize coordination across
28 jurisdictional boundaries, to invest operational resources more
29 effectively, and to improve transportation system efficiency for the
30 benefit of the traveling public. In developing these standards the
31 council shall consult with the state department of transportation and
32 local traffic operations agencies.

33 (2) The council shall ensure that elements of the regional
34 transportation improvement program include a regional traffic
35 operations coordination element that meets the standards under
36 subsection (1) of this section. This plan must include the appropriate
37 application of intelligent transportation systems technologies to the

1 freeways and regional arterials, coordination of signal timing on
2 regional arterials, and the coordination of operating policies on
3 freeways and regional arterials to ensure that the system of freeways
4 and regional arterials operates as an integrated network.

5 **PART III**
6 **TECHNICAL MATTERS**

7 NEW SECTION. **Sec. 301.** TERM OF OFFICE. The term of office of an
8 officer elected at a general election begins the first Monday of the
9 year after election and continues until a successor assumes the office.

10 NEW SECTION. **Sec. 302.** QUALIFICATIONS AND SALARIES OF ELECTED
11 OFFICERS. (1) Councilor. A councilor must be a qualified elector
12 under the Constitution of this state when his or her term of office
13 begins and must have resided during the preceding twelve months in the
14 district from which elected or appointed. When the boundaries of that
15 district have been apportioned or reapportioned during that period,
16 residency in that district for purposes of this subsection includes
17 residency in any former district with area in the district from which
18 the councilor is elected or appointed if residency is established in
19 the apportioned or reapportioned district within sixty days after the
20 apportionment or reapportionment is effective.

21 (2) Council president and auditor. The council president and
22 auditor must each be a qualified elector under the Constitution of this
23 state when his or her term of office begins and must have resided
24 during the preceding twelve months within the boundaries of the
25 district as they exist when the term of office begins. At the time of
26 election or appointment, the auditor must also hold the designation of
27 certified public accountant or certified internal auditor.

28 (3) Multiple elected offices. A district elected officer may not
29 be an elected officer of the state or a city, county, or special
30 district during his or her term of office. As used in this chapter,
31 special district does not include school districts.

32 (4) Judging elections and qualifications. The council is the judge
33 of the election and qualification of its members.

34 (5) Oath. Before assuming office an elected officer shall take an

1 oath or affirm that he or she will faithfully perform the duties of the
2 office and support the constitutions and laws of the United States and
3 this state and the charter and laws of the district.

4 (6) The salary of the council president will be equal to the salary
5 of members of the county legislative authority of the largest county
6 within the district. The salary of each other councilor will be two-
7 thirds of the salary of the president. The salary of the auditor will
8 be eighty percent of the salary of the president.

9 NEW SECTION. **Sec. 303.** VACANCIES IN OFFICE. (1) Councilor. The
10 office of councilor becomes vacant upon the incumbent's: (a) Death;
11 (b) adjudicated incompetency; (c) recall from office; (d) failure after
12 election or appointment to qualify for the office within ten days after
13 the time for his or her term of office to begin; (e) absence from all
14 meetings of the council within a sixty-day period without the council's
15 consent; (f) ceasing to reside in the district from which elected or
16 appointed, except when district boundaries are reapportioned and a
17 councilor is assigned to a district where the councilor does not reside
18 and the councilor becomes a resident of the reapportioned district
19 within sixty days after the reapportionment is effective; (g) ceasing
20 to be a qualified elector under state law; (h) conviction of a felony
21 or conviction of a federal or state offense punishable by loss of
22 liberty and pertaining to his or her office; (i) resignation from
23 office; or (j) becoming an elected officer of the state or a city,
24 county, or special district.

25 (2) Council president and auditor. The offices of council
26 president or auditor become vacant in the circumstances described in
27 subsection (1)(a) through (d) and (g) through (j) of this section, or
28 if the council president or auditor ceases to reside in the area. The
29 office of auditor also becomes vacant if the incumbent ceases to hold
30 the designation of certified public accountant or certified internal
31 auditor.

32 (3) Determination of vacancy. The council is the final judge of
33 the existence of a vacancy.

34 NEW SECTION. **Sec. 304.** FILLING VACANCIES. A majority of
35 councilors holding office shall fill a vacancy by appointment within
36 ninety days after it occurs. The term of office of the appointee runs

1 from the time he or she qualifies for the office after appointment
2 until a successor is duly elected and qualifies for the office. If the
3 vacancy occurs more than twenty days before the first general election
4 after the beginning of the term for that office, the term of office of
5 the appointee runs only until the first council meeting in the year
6 immediately after that election. A person will be nominated and
7 elected for the remainder of the term at the first primary and general
8 election after the beginning of the term.

9 NEW SECTION. **Sec. 305.** LIMITATIONS OF TERMS OF OFFICE. No person
10 may be elected councilor for more than three consecutive full terms,
11 not including any term or terms as council president. No person may be
12 elected council president for more than two consecutive full terms.

13 **PART IV**

14 **AMENDMENTS AND MISCELLANEOUS SECTIONS**

15 **Sec. 401.** RCW 35.58.2795 and 1994 c 158 s 6 are each amended to
16 read as follows:

17 (1) As used in this section "agency" means a municipality as
18 defined in RCW 35.58.272 and within a district as defined in section
19 102 of this act it means a public transportation provider as defined in
20 section 102 of this act and a publicly owned provider of passenger-only
21 ferry service.

22 (2) By April 1st of each year, the legislative authority of each
23 ((municipality, as defined in RCW 35.58.272, and each regional transit
24 authority)) agency shall prepare a six-year transit development plan
25 for that calendar year and the ensuing five years. Agencies located in
26 the central Puget Sound regional transportation district shall provide
27 resources to the Puget Sound regional transportation council to prepare
28 elements of those plans identified by that council. The program shall
29 be consistent with the comprehensive plans adopted by counties, cities,
30 and towns, pursuant to chapter 35.63, 35A.63, or 36.70 RCW, the
31 inherent authority of a first class city or charter county derived from
32 its charter, or chapter 36.70A RCW. The program shall contain
33 information as to how the municipality intends to meet state and local
34 long-range priorities for public transportation, capital improvements,
35 significant operating changes planned for the system, coordinate

1 services with other agencies, and how the ((municipality)) agency
2 intends to fund program needs. The six-year plan for each
3 ((municipality and regional transit authority shall)) agency must
4 specifically set forth those projects of regional significance for
5 inclusion in the transportation improvement program within that region.
6 For those agencies located within the jurisdiction of the Puget Sound
7 regional transportation district, the plan must address the standards
8 developed under sections 204 and 205 of this act for inclusion in the
9 transportation improvement program in that region. Each ((municipality
10 and regional transit authority)) agency shall file the six-year program
11 with the state department of transportation, the transportation
12 improvement board, and cities, counties, and regional planning councils
13 within which the municipality is located.

14 In developing its program, the ((municipality and the regional
15 transit authority)) agency shall consider those policy recommendations
16 affecting public transportation contained in the state transportation
17 policy plan approved by the state transportation commission and, where
18 appropriate, adopted by the legislature. The ((municipality)) agency
19 shall conduct one or more public hearings while developing its program
20 and for each annual update.

21 **Sec. 402.** RCW 36.120.090 and 2002 c 56 s 109 are each amended to
22 read as follows:

23 (1) Initially the governing board of a district consists of the
24 members of the legislative authority of each member county, acting ex
25 officio and independently. The secretary of transportation or the
26 appropriate regional administrator of the department, as named by the
27 secretary, shall also serve as a nonvoting member of the board. The
28 governing board may elect an executive board of seven members to
29 discharge the duties of the governing board subject to the approval of
30 the full governing board.

31 (2) Effective January 1, 2006, the Puget Sound regional
32 transportation district council is the governing board. For votes of
33 the council regarding board decisions, the vote of each councilor,
34 including the president, is weighted to reflect that portion of the
35 regional transportation investment district population that is within
36 each councilor district.

1 (3) Until January 1, 2006, a sixty-percent majority of the weighted
2 votes of the total board membership is required to submit to the
3 counties a modified plan under RCW 36.120.140 or any other proposal to
4 be submitted to the voters. Until January 1, 2006, the counties may,
5 with majority vote of each county legislative authority, submit a
6 modified plan or proposal to the voters.

7 **Sec. 403.** RCW 36.120.110 and 2002 c 56 s 111 are each amended to
8 read as follows:

9 (1) The governing board of the district is responsible for the
10 execution of the voter-approved plan. The board shall:

11 (a) Impose taxes and fees authorized by district voters;

12 (b) Enter into agreements with state, local, and regional agencies
13 and departments as necessary to accomplish district purposes and
14 protect the district's investment in transportation projects;

15 (c) Accept gifts, grants, or other contributions of funds that will
16 support the purposes and programs of the district;

17 (d) Monitor and audit the progress and execution of transportation
18 projects to protect the investment of the public and annually make
19 public its findings;

20 (e) Pay for services and enter into leases and contracts, including
21 professional service contracts;

22 (f) Until January 1, 2006, hire no more than ten employees,
23 including a director or executive officer, a treasurer or financial
24 officer, a project manager or engineer, a project permit coordinator,
25 and clerical staff; and

26 (g) Exercise other powers and duties as may be reasonable to carry
27 out the purposes of the district.

28 (2) It is the intent of the legislature that existing staff
29 resources of lead agencies be used in implementing this chapter. A
30 district may coordinate its activities with the department, which shall
31 provide services, data, and personnel to assist as desired by the
32 regional transportation investment district. Lead agencies for
33 transportation projects that are not state facilities shall also
34 provide staff support for the board.

35 (3) A district may not acquire, hold, or dispose of real property.

36 (4) A district may not own, operate, or maintain an ongoing
37 facility, road, or transportation system.

1 (5) A district may accept and expend or use gifts, grants, or
2 donations.

3 (6) It is the intent of the legislature that administrative and
4 overhead costs of a regional transportation investment district be
5 minimized. For transportation projects costing up to fifty million
6 dollars, administrative and overhead costs may not exceed three percent
7 of the total construction and design project costs per year. For
8 transportation projects costing more than fifty million dollars,
9 administrative and overhead costs may not exceed three percent of the
10 first fifty million dollars in costs, plus an additional one-tenth of
11 one percent of each additional dollar above fifty million. These
12 limitations apply only to the district, and do not limit the
13 administration or expenditures of the department.

14 (7) A district may use the design-build procedure for
15 transportation projects developed by it. As used in this section
16 "design-build procedure" means a method of contracting under which the
17 district contracts with another party for that party to both design and
18 build the structures, facilities, and other items specified in the
19 contract. The requirements and limitations of RCW 47.20.780 and
20 47.20.785 do not apply to the transportation projects under this
21 chapter.

22 **Sec. 404.** RCW 36.120.140 and 2002 c 56 s 114 are each amended to
23 read as follows:

24 (1) A plan may be modified to change transportation projects or
25 revenue sources if:

26 (a) Two or more participating counties adopt a resolution to modify
27 the plan; and

28 (b) The counties submit to the voters in the district, and after
29 January 1, 2006, the governing board submits, a ballot measure that
30 redefines the scope of the plan, its projects, its schedule, its costs,
31 or the revenue sources. If the voters fail to approve the redefined
32 plan, the district shall continue to work on and complete the plan, and
33 the projects in it, that was originally approved by the voters. If the
34 voters approve the redefined plan, the district shall work on and
35 complete the projects under the redefined plan.

36 (2) If a transportation project cost exceeds its original cost by
37 more than twenty percent as identified in the plan:

1 (a) The board shall, in coordination with the county legislative
2 authorities, submit to the voters in the district a ballot measure that
3 redefines the scope of the transportation project, its schedule, or its
4 costs. If the voters fail to approve the redefined transportation
5 project, the district shall terminate work on that transportation
6 project, except that the district may take reasonable steps to use,
7 preserve, or connect any improvement already constructed. The
8 remainder of any funds that would otherwise have been expended on the
9 terminated transportation project must first be used to retire any
10 outstanding debt attributable to the plan and then may be used to
11 implement the remainder of the plan.

12 (b) Alternatively, upon adoption of a resolution by two or more
13 participating counties:

14 (i) The counties shall submit, and after January 1, 2006, the
15 governing board shall submit, to the voters in the district a ballot
16 measure that redefines the scope of the plan, its transportation
17 projects, its schedule, or its costs. If the voters fail to approve
18 the redefined plan, the district shall terminate work on that plan,
19 except that the district may take reasonable steps to use, preserve, or
20 connect any improvement already constructed. The remainder of any
21 funds must be used to retire any outstanding debt attributable to the
22 plan; or

23 (ii) Until January 1, 2006, the counties, and after January 1,
24 2006, the board may elect to have the district continue the
25 transportation project without submitting an additional ballot proposal
26 to the voters.

27 (3) To assure accountability to the public for the timely
28 construction of the transportation improvement project or projects
29 within cost projections, the district shall issue a report, at least
30 annually, to the public and copies of the report to newspapers of
31 record in the district. In the report, the district shall indicate the
32 status of transportation project costs, transportation project
33 expenditures, revenues, and construction schedules. The report may
34 also include progress towards meeting the performance criteria provided
35 under this chapter.

36 **Sec. 405.** RCW 47.26.080 and 1999 c 94 s 16 are each amended to
37 read as follows:

1 There is hereby created in the motor vehicle fund the urban
2 arterial trust account. The intent of the urban arterial trust account
3 program is to improve the arterial street system of the state by
4 improving mobility and safety while supporting an environment essential
5 to the quality of life of the citizens of the state of Washington. The
6 city hardship assistance program, as provided in RCW 47.26.164, and the
7 small city program, as provided for in RCW 47.26.115, are implemented
8 within the urban arterial trust account.

9 For funds apportioned to projects in counties in the Puget Sound
10 regional transportation district, the board shall give preference to
11 projects that meet the standards established under sections 204 and 205
12 of this act. The board shall not allocate funds, nor make payments of
13 the funds under RCW 47.26.260, to any county, city, or town identified
14 by the governor under RCW 36.70A.340.

15 **Sec. 406.** RCW 47.26.086 and 1994 c 179 s 11 are each amended to
16 read as follows:

17 Transportation improvement account projects selected for funding
18 programs after fiscal year 1995 are governed by the requirements of
19 this section.

20 The board shall allocate funds from the account by June 30th of
21 each year for the ensuing fiscal year to urban counties, cities with a
22 population of five thousand and over, and to transportation benefit
23 districts. Projects may include, but are not limited to, multi-agency
24 projects and arterial improvement projects in fast-growing areas. The
25 board shall endeavor to provide geographical diversity in selecting
26 improvement projects to be funded from the account.

27 The intent of the program is to improve mobility of people and
28 goods in Washington state by supporting economic development and
29 environmentally responsive solutions to our statewide transportation
30 system needs.

31 To be eligible to receive these funds, a project must be consistent
32 with the Growth Management Act, the Clean Air Act including conformity,
33 and the Commute Trip Reduction Law and consideration must have been
34 given to the project's relationship, both actual and potential, with
35 the statewide rail passenger program and rapid mass transit. Projects
36 must be consistent with any adopted high capacity transportation plan,
37 must consider existing or reasonably foreseeable congestion levels

1 attributable to economic development or growth and all modes of
2 transportation and safety, and must be partially funded by local
3 government or private contributions, or a combination of such
4 contributions. For projects proposed in counties in the Puget Sound
5 regional transportation district, the board shall give preference to
6 projects that meet the standards established under sections 204 and 205
7 of this act. Priority consideration shall be given to those projects
8 with the greatest percentage of local or private contribution, or both.

9 Within one year after board approval of an application for funding,
10 the lead agency shall provide written certification to the board of the
11 pledged local and private funding for the phase of the project
12 approved. Funds allocated to an applicant that does not certify its
13 funding within one year after approval may be reallocated by the board.

14 **Sec. 407.** RCW 47.80.020 and 1990 1st ex.s. c 17 s 54 are each
15 amended to read as follows:

16 The legislature hereby authorizes creation of regional
17 transportation planning organizations within the state. Each regional
18 transportation planning organization shall be formed through the
19 voluntary association of local governments within a county, or within
20 geographically contiguous counties. Except as provided in section 201
21 of this act, each organization shall:

- 22 (1) Encompass at least one complete county;
- 23 (2) Have a population of at least one hundred thousand, or contain
24 a minimum of three counties; and
- 25 (3) Have as members all counties within the region, and at least
26 sixty percent of the cities and towns within the region representing a
27 minimum of seventy-five percent of the cities' and towns' population.

28 The state department of transportation must verify that each
29 regional transportation planning organization conforms with the
30 requirements of this section.

31 In urbanized areas, the regional transportation planning
32 organization is the same as the metropolitan planning organization
33 designated for federal transportation planning purposes.

34 **Sec. 408.** RCW 47.80.030 and 1998 c 171 s 9 are each amended to
35 read as follows:

- 36 (1) Each regional transportation planning organization shall

1 develop in cooperation with the department of transportation, providers
2 of public transportation and high capacity transportation, ports, and
3 local governments within the region, adopt, and periodically update a
4 regional transportation plan that:

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

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

16 (i) Crosses member county lines;

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

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

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

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

28 (vi) Provides for system continuity;

29 (c) Establishes level of service standards for state highways and
30 state ferry routes, with the exception of transportation facilities of
31 statewide significance as defined in RCW 47.06.140. These regionally
32 established level of service standards for state highways and state
33 ferries shall be developed jointly with the department of
34 transportation, to encourage consistency across jurisdictions. In
35 establishing level of service standards for state highways and state
36 ferries, consideration shall be given for the necessary balance between
37 providing for the free interjurisdictional movement of people and goods
38 and the needs of local commuters using state facilities;

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

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

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

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

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

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

26 (2) The organization shall review the regional transportation plan
27 biennially for currency and forward the adopted plan along with
28 documentation of the biennial review to the state department of
29 transportation.

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

34 (4) In the case of a regional transportation planning organization
35 located in a Puget Sound regional transportation district, the plan
36 must be based on the guidelines and plan prepared by the Puget Sound
37 regional transportation council under section 201(2) and (3) of this

1 act. The plan must set levels of service standards for highways of
2 statewide significance.

3 **Sec. 409.** RCW 47.80.040 and 1990 1st ex.s. c 17 s 56 are each
4 amended to read as follows:

5 Each regional transportation planning organization other than a
6 Puget Sound regional transportation district shall, and a Puget Sound
7 regional transportation district may, create a transportation policy
8 board. Transportation policy boards shall provide policy advice to the
9 regional transportation planning organization and shall allow
10 representatives of major employers within the region, the department of
11 transportation, transit districts, port districts, and member cities,
12 towns, and counties within the region to participate in policy making.

13 **Sec. 410.** RCW 47.80.060 and 1992 c 101 s 31 are each amended to
14 read as follows:

15 In order to qualify for state planning funds available to regional
16 transportation planning organizations, the regional transportation
17 planning organizations containing any county with a population in
18 excess of one million, other than a Puget Sound regional transportation
19 district, shall provide voting membership on its executive board to the
20 state transportation commission, the state department of
21 transportation, and the three largest public port districts within the
22 region as determined by gross operating revenues. It shall further
23 assure that at least fifty percent of the county and city local elected
24 officials who serve on the executive board also serve on transit agency
25 boards or on a regional transit authority.

26 **PART V**
27 **TECHNICAL**

28 NEW SECTION. **Sec. 501.** Captions and part headings used in this
29 act are not part of the law.

30 NEW SECTION. **Sec. 502.** Sections 101 through 305 of this act
31 constitute a new chapter in Title 36 RCW.

1 NEW SECTION. **Sec. 503.** 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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