
SUBSTITUTE HOUSE BILL 2474

State of Washington **58th Legislature** **2004 Regular Session**

By House Committee on Transportation (originally sponsored by Representative Murray; by request of Governor Locke)

READ FIRST TIME 02/26/04.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2003 1st sp.s. c 26 ss 506 and 508 (uncodified); amending 2003
3 c 360 ss 102, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
4 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225,
5 226, 227, 304, 305, 308, 310, 401, 402, 403, 404, 405, 406, and 407
6 (uncodified); adding new sections to 2003 c 360 (uncodified); creating
7 new sections; repealing 2003 1st sp.s. c 26 s 509 (uncodified); and
8 declaring an emergency.

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

10 **GENERAL GOVERNMENT AGENCIES--OPERATING**

11 NEW SECTION. **Sec. 101. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
12 **COMMITTEE**

13 Motor Vehicle Account--State Appropriation \$1,200,000

14 (1) \$1,200,000 of the motor vehicle fund--state appropriation is
15 provided for performance and functional audits of transportation
16 agencies and departments as provided for in Substitute Senate Bill No.
17 5748.

1 (2) Within the amount provided in this section, the committee shall
2 consider a targeted performance audit of the Washington state patrol.
3 For this performance audit, the committee shall put its highest
4 priority on the following topics:

5 (a) An assessment of the types and categories of services,
6 including a contrast of public highway policing and general policing
7 services provided by the patrol, and the organizational structures used
8 to deliver these services;

9 (b) An evaluation of the patrol's fiscal policies and procedures,
10 including a differentiation between transportation and general fund
11 expenditures; and

12 (c) An evaluation of the linkages among expenditures,
13 organizational structures, service delivery, accountability, and
14 outcomes. The committee shall provide a final report, including
15 findings and recommendations, by September 30, 2004.

16 **Sec. 102.** 2003 c 360 s 102 (uncodified) is amended to read as
17 follows:

18 **FOR THE MARINE EMPLOYEES COMMISSION**

19 Puget Sound Ferry Operations Account--State

20 Appropriation	((\$352,000))
21	<u>\$362,000</u>

22 NEW SECTION. **Sec. 103.** A new section is added to 2003 c 360
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776**
25 **COSTS**

26 Motor Vehicle Account--State Appropriation	\$1,200,000
27 Motor Vehicle Account--Local Appropriation	\$2,100,000
28 TOTAL APPROPRIATION	\$3,300,000

29 The appropriations in this section are subject to the following
30 conditions and limitations: The motor vehicle account--state
31 appropriation is provided solely for the administrative costs
32 associated with refunds resulting from *Pierce County et al. v. State of*
33 *Washington et al.* (Supreme Court Case No. 73607-3), upholding the
34 Initiative Measure No. 776 reduction of gross vehicle weight fees.

1 **TRANSPORTATION AGENCIES--OPERATING**

2 **Sec. 201.** 2003 c 360 s 201 (uncodified) is amended to read as
3 follows:

4 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

5 Highway Safety Account--State Appropriation \$2,017,000
6 Highway Safety Account--Federal Appropriation (~~(\$15,744,000)~~)
7 \$15,742,000
8 School Zone Safety Account--State Appropriation \$3,059,000
9 TOTAL APPROPRIATION (~~(\$20,820,000)~~)
10 \$20,818,000

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) The commission may oversee up to four pilot projects
14 implementing the use of traffic safety cameras to detect failure to
15 stop at railroad crossings, stoplights, and school zones.

16 (a) In order to ensure adequate time in the 2003-05 biennium to
17 evaluate the effectiveness of the pilot program, any projects
18 authorized by the commission must be authorized by December 31, 2003.

19 (b) If a county or city has established an authorized automated
20 traffic safety camera program under this section, the compensation paid
21 to the manufacturer or vendor of the equipment used must be based only
22 upon the value of the equipment and services provided or rendered in
23 support of the system, and may not be based upon a portion of the fine
24 or civil penalty imposed or the revenue generated by the equipment.

25 (c) The traffic safety commission shall use the following
26 guidelines to administer the program:

27 (i) Traffic safety cameras may take pictures of the vehicle and
28 vehicle license plate only, and only while an infraction is occurring;

29 (ii) The law enforcement agency of the city or county government
30 shall plainly mark the locations where the automated traffic
31 enforcement system is used by placing signs on street locations that
32 clearly indicate to a driver that he or she is entering a zone where
33 traffic laws are enforced by an automated traffic enforcement system;

34 (iii) Cities and counties using traffic safety cameras must provide
35 periodic notice by mail to its citizens indicating the zones in which
36 the traffic safety cameras will be used;

37 (iv) Notices of infractions must be mailed to the registered owner
38 of a vehicle within fourteen days of the infraction occurring;

1 (v) The owner of the vehicle is not responsible for the violation
2 if the owner of the vehicle, within fourteen days of receiving
3 notification of the violation, mails to the issuing law enforcement
4 agency, a declaration under penalty of perjury, stating that the
5 vehicle involved was, at the time, stolen or in the care, custody, or
6 control of some person other than the registered owner, or any other
7 extenuating circumstances;

8 (vi) Infractions detected through the use of traffic safety cameras
9 are not part of the registered owner's driving record under RCW
10 46.52.101 and 46.52.120;

11 (vii) If a notice of infraction is sent to the registered owner and
12 the registered owner is a rental car business, the infraction will be
13 dismissed against the business if it mails to the issuing agency,
14 within fourteen days of receiving the notice, a declaration under
15 penalty of perjury of the name and known mailing address of the
16 individual driving or renting the vehicle when the infraction occurred.
17 If the business is unable to determine who was driving or renting the
18 vehicle at the time the infraction occurred, the business must sign a
19 declaration under penalty of perjury to this effect. The declaration
20 must be mailed to the issuing agency within fourteen days of receiving
21 the notice of traffic infraction. Timely mailing of this declaration
22 to the issuing agency relieves a rental car business of any liability
23 under this section for the notice of infraction. A declaration form
24 suitable for this purpose must be included with each automated traffic
25 infraction notice issued, along with instructions for its completion
26 and use;

27 (viii) For purposes of the 2003-05 biennium pilot projects,
28 infractions generated by the use of traffic safety cameras are exempt
29 from the provisions of RCW 3.46.120, 3.50.100, and 35.20.220, and must
30 be processed in the same manner as parking violations; and

31 (ix) By June 30, 2005, the traffic safety commission shall provide
32 a report to the legislature regarding the use, public acceptance,
33 outcomes, and other relevant issues regarding traffic safety cameras
34 demonstrated by the pilot projects.

35 (2) \$210,000 of the highway safety account--state appropriation is
36 provided solely for continuing the five existing DUI/traffic safety
37 task forces that receive federal project funding that expires during

1 the 2003-05 biennium. However, the appropriation in this subsection
2 may only be expended for a task force when the federal funding for that
3 task force has expired.

4 (3)(a) \$1,555,000 of the school zone safety account--state
5 appropriation is provided solely as matching funds for the following
6 school safety enhancement projects, as proposed by local agencies,
7 schools, and tribal governments in response to the department of
8 transportation's highways and local programs request for information
9 for potential projects to be financed under Referendum No. 51:

10	Agency	Project Title
11	Cheney	School Crosswalk Improvement Project
12	Skokomish Indian Tribe	Skokomish School Safety Sidewalk Program
13	Brier	37th Pl SW & 233rd Pl SW Sidewalk
14	Sunnyside	Lincoln Ave Sidewalks
15	Lynnwood	Olympic View Dr - 76th Ave SW to 169th St SW
16	Steilacoom	Cherrydale Elementary School Safety Enhancement
17	Yakima	W Valley School Zone Flashers
18	Camas SD	SR 500 at 15th St Interchange
19	Seattle	Meadowbrook Playfield - NE 105th St
20	Vancouver	Franklin ES Sidewalk Improvements

21 (b) If one or more of the projects under this subsection cannot be
22 completed or no longer seeks state matching funds, the following
23 projects may be substituted in order of priority:

24	Agency	Project Title
25	Davenport	Davenport Sixth St School Sidewalk
26	Edmonds	96th Ave W Pedestrian Improvements
27	Mountlake Terrace	223rd St SW - 44th Ave W to Cedar Way Elementary
28	Yakima	Englewood/Powerhouse Intersection Safety Project

29 (c) The highways and local programs division within the department
30 of transportation shall provide assistance to the commission in
31 administering this program.

32 (d) The legislature intends to tie funding to specific projects
33 only for the 2003-05 biennium.

1 **Sec. 202.** 2003 c 360 s 202 (uncodified) is amended to read as
2 follows:

3 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

4	Rural Arterial Trust Account--State Appropriation	\$769,000
5	Motor Vehicle Account--State Appropriation	(\$1,927,000)
6		<u>\$1,934,000</u>
7	County Arterial Preservation Account--State Appropriation . .	\$719,000
8	TOTAL APPROPRIATION	(\$3,415,000)
9		<u>\$3,422,000</u>

10 **Sec. 203.** 2003 c 360 s 203 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

13	Urban Arterial Trust Account--State Appropriation . . .	(\$1,611,000)
14		<u>\$1,613,000</u>
15	Transportation Improvement Account--State Appropriation	(\$1,620,000)
16		<u>\$1,622,000</u>
17	TOTAL APPROPRIATION	(\$3,231,000)
18		<u>\$3,235,000</u>

19 **Sec. 204.** 2003 c 360 s 204 (uncodified) is amended to read as
20 follows:

21 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

22	Pilotage Account--State Appropriation	(\$272,000)
23		<u>\$278,000</u>

24 **Sec. 205.** 2003 c 360 s 205 (uncodified) is amended to read as
25 follows:

26 **FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE**

27	Motor Vehicle Account--State Appropriation	(\$2,374,000)
28		<u>\$724,000</u>

29 The appropriation in this section is subject to the following
30 conditions and limitations:

- 31 (1) No funding is provided for the staffing, administration and
- 32 operations of the house of representatives transportation committee.
- 33 Existing staff of the transportation committee shall be transferred to
- 34 the house of representatives in the office of program research. All
- 35 tangible and intangible property that has been acquired by, or

1 allocated for use by the house of representatives transportation
2 committee and its staff, including but not limited to office space and
3 equipment, information systems technology, and employer-related assets,
4 rights, privileges, and liabilities shall be transferred to the house
5 of representatives. Any property acquired by, or allocated for use by
6 the senate transportation committee and its staff shall be transferred
7 to the senate.

8 (2) (~~(\$1,600,000)~~) \$400,000 of the motor vehicle state
9 appropriation in this section is provided for the purposes of (a) and
10 (b) of this subsection:

11 (a)(i) If Substitute Senate Bill No. 5748 becomes law by June 30,
12 2003, the amount provided in this subsection shall be for performance
13 and functional audits of transportation agencies and departments as
14 provided in Substitute Senate Bill No. 5748; and

15 (ii) If Substitute Senate Bill No. 5748 does not become law by June
16 30, 2003, the amount provided in this subsection shall be for
17 performance and functional audits of transportation agencies and
18 departments paid for and ordered by the executive committee of the
19 legislative transportation committee, pursuant to a recommendation of
20 the transportation performance audit board hereby created. The
21 transportation performance audit board shall consist of the majority
22 and minority leaders of the transportation committees of the
23 legislature, five citizen members with transportation-related expertise
24 who shall be nominated by professional associations chosen by the
25 board's legislative members and appointed by the governor, the
26 legislative auditor as an ex officio member, and one at-large member
27 appointed by the governor. The citizen members may not currently, or
28 within one year of their appointment, be employed by the Washington
29 state department of transportation, and shall include:

30 (A) One member with expertise in construction project planning,
31 including permitting and assuring regulatory compliance;

32 (B) One member with expertise in construction means and methods and
33 construction management, crafting and implementing environmental
34 mitigation plans, and administration;

35 (C) One member with expertise in construction engineering services,
36 including construction management, materials testing, materials
37 documentation, contractor payments, inspection, surveying, and project
38 oversight;

1 (D) One member with expertise in project management, including
2 design estimating, contract packaging, and procurement; and

3 (E) One member with expertise in transportation planning and
4 congestion management.

5 (b) Within the amount provided in this subsection, the legislative
6 transportation committee shall consider contracting with the joint
7 legislative audit and review committee to conduct a targeted
8 performance audit of the Washington state patrol. For this performance
9 audit, the joint legislative audit and review committee shall put its
10 highest priority on the following topics: (i) An assessment of the
11 types and categories of services, including a contrast of public
12 highway policing and general policing services provided by the patrol,
13 and the organizational structures used to deliver these services; (ii)
14 an evaluation of the patrol's fiscal policies and procedures, including
15 a differentiation between transportation and general fund expenditures;
16 and (iii) an evaluation of the linkages among expenditures,
17 organizational structures, service delivery, accountability, and
18 outcomes. If a contract is entered into under this subsection (b), the
19 joint legislative audit and review committee shall provide a progress
20 report to the appropriate committees of the legislature by December 31,
21 2003, and a final report, including findings and recommendations, by
22 September 30, 2004.

23 (3) Any appropriations remaining from the \$400,000 from the motor
24 vehicle account--state appropriation on July 1, 2004, for the
25 transportation performance audit board shall be transferred to the
26 joint legislative audit and review committee as an appropriation to be
27 used by the transportation performance audit board.

28 (4) The legislative transportation committee shall develop a
29 mission and organizational plan during the 2003 legislative interim
30 that:

31 (a) Reconciles any newly-mandated responsibilities (such as
32 performance auditing and benchmarking) with current statutory
33 responsibilities;

34 (b) Develops a process for adopting interim work plans, including
35 identifying subcommittees of the legislative transportation committee,
36 special studies or activities to be undertaken (which may include a
37 study of administrative costs funded with commute trip reduction funds

1 and how administrative cost savings can be achieved), deliverables
2 and/or expected outcomes, and resources required to accomplish the work
3 plan;

4 (c) Develops a long-range staffing plan to fit any new statutory
5 requirements and a redefined mission and organizational plan; and

6 (d) Ensures that all basic legislative transportation committee
7 functions and the adopted interim work plan are appropriately funded.

8 **Sec. 206.** 2003 c 360 s 206 (uncodified) is amended to read as
9 follows:

10 **FOR THE TRANSPORTATION COMMISSION**

11 Motor Vehicle Account--State Appropriation ((~~\$807,000~~))
12 \$813,000

13 **Sec. 207.** 2003 c 360 s 207 (uncodified) is amended to read as
14 follows:

15 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

16 Motor Vehicle Account--State Appropriation ((~~\$616,000~~))
17 \$625,000

18 **Sec. 208.** 2003 c 360 s 208 (uncodified) is amended to read as
19 follows:

20 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

21 State Patrol Highway Account--State Appropriation . . ((~~\$171,269,000~~))
22 \$172,521,000

23 State Patrol Highway Account--Federal Appropriation . . ((~~\$6,167,000~~))
24 \$6,957,000

25 State Patrol Highway Account--Private/Local Appropriation . . \$175,000

26 TOTAL APPROPRIATION ((~~\$177,611,000~~))
27 \$179,653,000

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1) Washington state patrol officers engaged in off-duty uniformed
31 employment providing traffic control services to the department of
32 transportation or other state agencies are authorized to use state
33 patrol vehicles for the purposes of that employment, subject to
34 guidelines adopted by the chief of the Washington state patrol. The
35 Washington state patrol shall be reimbursed for the use of the vehicle

1 at the prevailing state employee rate for mileage and hours of usage,
2 subject to guidelines developed by the chief of the Washington state
3 patrol. The patrol shall report to the house of representatives and
4 senate transportation committees by December 31, 2004, on the use of
5 agency vehicles by officers engaging in the off-duty employment
6 specified in this subsection. The report shall include an analysis
7 that compares cost reimbursement and cost-impacts, including increased
8 vehicle mileage, maintenance costs, and indirect impacts, associated
9 with the private use of patrol vehicles.

10 (2) \$2,075,000 of the state patrol highway account--state
11 appropriation in this section is provided solely for the addition of
12 thirteen troopers to those permanently assigned to vessel and terminal
13 security. The Washington state patrol shall continue to provide the
14 enhanced services levels established after September 11, 2001.

15 (3) In addition to the user fees, the patrol shall transfer into
16 the state patrol nonappropriated airplane revolving account created
17 under section 1501 of this act, no more than the amount of appropriated
18 state patrol highway account and general fund funding necessary to
19 cover the costs for the patrol's use of the aircraft. The state patrol
20 highway account and general fund--state funds shall be transferred
21 proportionately in accordance with a cost allocation that
22 differentiates between highway traffic enforcement services and general
23 policing purposes.

24 (4) The patrol shall not account for or record locally provided DUI
25 cost reimbursement payments as expenditure credits to the state patrol
26 highway account. The patrol shall report the amount of expected
27 locally provided DUI cost reimbursements to the transportation
28 committees of the senate and house of representatives by December 31 of
29 each year.

30 (5) \$750,000 of the state patrol highway account--state
31 appropriation and \$198,000 of the state patrol highway account--federal
32 appropriation are provided for the purchase of 65 in car video cameras
33 and the replacement of 60 aged datamaster breath test instruments. The
34 funds shall only be expended after the DUI cost recoveries have been
35 deposited into the state patrol highway account.

36 **Sec. 209.** 2003 c 360 s 209 (uncodified) is amended to read as
37 follows:

1 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

2	State Patrol Highway Account--State Appropriation	((\$69,993,000))
3		<u>\$69,469,000</u>
4	State Patrol Highway Account--Private/Local Appropriation	\$1,290,000
5	TOTAL APPROPRIATION	((\$71,283,000))
6		<u>\$70,759,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) Under the direction of the legislative auditor, the patrol
10 shall update the pursuit vehicle life-cycle cost model developed in the
11 1998 Washington state patrol performance audit (JLARC Report 99-4).
12 The patrol shall utilize the updated model as a basis for determining
13 maintenance and other cost impacts resulting from the increase to
14 pursuit vehicle mileage above 110 thousand miles in the 2003-05
15 biennium. The patrol shall submit a report, that includes identified
16 cost impacts, to the transportation committees of the senate and house
17 of representatives by December 31, 2003.

18 (2) The Washington state patrol shall assign two full-time
19 detectives to work solely to investigate incidents of identity fraud,
20 drivers' license fraud, and identity theft. The detectives shall work
21 cooperatively with the department of licensing's driver's special
22 investigation unit.

23 **Sec. 210.** 2003 c 360 s 210 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES**

26	Marine Fuel Tax Refund Account--State Appropriation	((\$7,000))
27		<u>\$3,000</u>
28	Motorcycle Safety Education Account--State	
29	Appropriation	((\$85,000))
30		<u>\$96,000</u>
31	Wildlife Account--State Appropriation	((\$77,000))
32		<u>\$84,000</u>
33	Highway Safety Account--State Appropriation	((\$8,286,000))
34		<u>\$7,953,000</u>
35	Motor Vehicle Account--State Appropriation	((\$4,623,000))
36		<u>\$4,407,000</u>
37	DOL Services Account--State Appropriation	((\$107,000))

1 \$85,000
 2 TOTAL APPROPRIATION ((~~\$13,185,000~~))
 3 \$12,628,000

4 **Sec. 211.** 2003 c 360 s 211 (uncodified) is amended to read as
 5 follows:

6 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**
 7 Marine Fuel Tax Refund Account--State Appropriation \$2,000
 8 Motorcycle Safety Education Account--State Appropriation ((~~\$133,000~~))
 9 \$137,000
 10 Wildlife Account--State Appropriation ((~~\$58,000~~))
 11 \$54,000
 12 Highway Safety Account--State Appropriation ((~~\$10,489,000~~))
 13 \$11,272,000
 14 Highway Safety Account--Federal Appropriation \$6,000
 15 Motor Vehicle Account--State Appropriation ((~~\$6,569,000~~))
 16 \$6,253,000
 17 DOL Services Account--State Appropriation ((~~\$670,000~~))
 18 \$1,040,000
 19 TOTAL APPROPRIATION ((~~\$17,927,000~~))
 20 \$18,764,000

21 The appropriations in this section are subject to the following
 22 conditions and limitations: The department shall submit a report to
 23 the transportation committees of the legislature detailing the progress
 24 made in transitioning off of the Unisys system by December 1, 2003, and
 25 each December 1 thereafter.

26 **Sec. 212.** 2003 c 360 s 212 (uncodified) is amended to read as
 27 follows:

28 **FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES**
 29 Marine Fuel Tax Refund Account--State Appropriation \$60,000
 30 Wildlife Account--State Appropriation \$585,000
 31 Motor Vehicle Account--Local Appropriation \$1,372,000
 32 Motor Vehicle Account--State Appropriation ((~~\$61,509,000~~))
 33 \$57,638,000
 34 Motor Vehicle Account--Federal Appropriation \$600,000
 35 DOL Services Account--State Appropriation \$3,211,000
 36 TOTAL APPROPRIATION ((~~\$67,337,000~~))

The appropriations in this section are subject to the following conditions and limitations:

(1) \$144,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5435 or Engrossed Substitute House Bill No. 1592.

(2) If Engrossed Senate Bill No. 6063 is not enacted by June 30, 2003, \$1,100,000 of the motor vehicle account--state appropriation shall lapse.

(3) \$81,000 of the DOL services account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1036.

(4) The motor vehicle account--state appropriation includes \$117,000 for the implementation of Engrossed Substitute House Bill No. 2167. If Engrossed Substitute House Bill No. 2167 is not enacted by June 30, 2004, the \$117,000 in funding shall lapse.

(5) The motor vehicle account--state appropriation includes \$25,000 for the implementation of Engrossed House Bill No. 2471. If Engrossed House Bill No. 2471 is not enacted by June 30, 2004, the \$25,000 in funding shall lapse.

(6) The motor vehicle account--state appropriation includes \$33,000 for the implementation of Substitute House Bill No. 2910. If Substitute House Bill No. 2910 is not enacted by June 30, 2004, the \$33,000 in funding shall lapse.

Sec. 213. 2003 c 360 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES

Motorcycle Safety Education Account--State

Appropriation	\$2,576,000
Highway Safety Account--State Appropriation	(\$84,809,000)
	<u>\$86,285,000</u>
Highway Safety Account--Federal Appropriation	\$318,000
TOTAL APPROPRIATION	(\$87,703,000)
	<u>\$89,179,000</u>

The appropriations in this section are subject to the following conditions and limitations:

1 (1) \$178,000 of the highway safety account--state appropriation is
2 provided solely for two temporary collision processing FTEs to
3 eliminate the backlog of collision reports. The department shall
4 report, informally, to the house of representatives and senate
5 transportation committees quarterly, beginning October 1, 2003, on the
6 progress made in eliminating the backlog.

7 (2) The highway safety account--state appropriation includes
8 \$354,000 for the implementation of House Bill No. 2532. If House Bill
9 No. 2532 is not enacted by June 30, 2004, the \$354,000 in funding shall
10 lapse.

11 (3) The highway safety account--state appropriation includes
12 \$148,000 for the implementation of House Bill No. 1681. If House Bill
13 No. 1681 is not enacted by June 30, 2004, the \$148,000 in funding shall
14 lapse.

15 **Sec. 214.** 2003 c 360 s 214 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
18 **C**

19 Motor Vehicle Account--State Appropriation	((\$58,661,000))
	<u>\$56,474,000</u>
21 Motor Vehicle Account--Federal Appropriation	\$5,163,000
22 Puget Sound Ferry Operations Account--State	
23 Appropriation	((\$6,583,000))
	<u>\$6,383,000</u>
25 Multimodal Transportation Account--State Appropriation . . .	\$363,000
26 TOTAL APPROPRIATION	((\$70,770,000))
	<u>\$68,383,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1) ((~~\$715,000~~)) \$238,000 of the motor vehicle account--state
31 appropriation is provided solely to ((~~retain an external consultant~~))
32 hire a project staff person to provide an assessment of the
33 department's ((~~review of current~~)) major information technology systems
34 and ((~~planning for system and application modernization. The~~
35 ~~legislative transportation committee shall approve the statement of~~
36 ~~work before the consultant is hired. The consultant shall also work~~

1 ~~with the department~~) to prepare ((an)) a system and application
2 modernization strategy and ((preliminary)) project plan.

3 The department ((and the consultant)) shall work with the office of
4 financial management and the department of information services to
5 ensure that (a) the department's current and future system development
6 is consistent with the overall direction of other key state systems;
7 and (b) when possible, common statewide information systems are used or
8 developed to encourage coordination and integration of information used
9 by the department and other state agencies and to avoid duplication.
10 The department shall provide a report on its proposed application
11 modernization plan to the transportation committees of the legislature
12 by June 30, ((2004)) 2006.

13 (2)(a) ((~~\$2,963,000~~)) \$2,959,000 of the motor vehicle account--
14 state appropriation and \$2,963,000 of the motor vehicle account--
15 federal appropriation are provided solely for implementation of a new
16 revenue collection system, including the integration of the regional
17 fare coordination system (smart card), at the Washington state ferries.
18 By December 1st of each year, an annual update must be provided to the
19 legislative transportation committee concerning the status of
20 implementing and completing this project.

21 (b) ((~~\$400,000~~)) \$200,000 of the Puget Sound ferry operation
22 account--state appropriation is provided solely for implementation of
23 the smart card program. ((~~\$200,000 of~~)) This amount must be held in
24 allotment reserve until a smart card report is delivered to the
25 legislative transportation committee indicating that an agreement on
26 which technology will be used throughout the state of Washington for
27 the smart card program has been reached among smart card participants.

28 (3) The department shall contract with the department of
29 information services to conduct a survey that identifies possible
30 opportunities and benefits associated with siting and use of technology
31 and wireless facilities located on state right of way authorized by RCW
32 47.60.140. The department shall submit a report regarding the survey
33 to the appropriate legislative committees by December 1, 2004.

34 **Sec. 215.** 2003 c 360 s 215 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**

1 **AND CONSTRUCTION--PROGRAM D--OPERATING**

2 Motor Vehicle Account--State Appropriation ((~~\$31,048,000~~))
3 \$30,981,000

4 **Sec. 216.** 2003 c 360 s 216 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

7 Aeronautics Account--State Appropriation ((~~\$5,107,000~~))
8 \$5,607,000

9 Aeronautics Account--Federal Appropriation ((~~\$650,000~~))
10 \$2,150,000

11 Aircraft Search and Rescue Safety and Education
12 Account--State Appropriation ((~~\$282,000~~))
13 \$260,000

14 TOTAL APPROPRIATION ((~~\$6,039,000~~))
15 \$8,017,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$1,381,000 of the aeronautics account--
18 state appropriation is provided solely for additional preservation
19 grants to airports. ((~~\$122,000 of the aircraft search and rescue~~
20 ~~safety and education account state appropriation is provided for~~
21 ~~additional search and rescue and safety and education activities. If~~
22 ~~Senate Bill No. 6056 is not enacted by June 30, 2003, the amounts~~
23 ~~provided shall lapse.))~~

24 **Sec. 217.** 2003 c 360 s 217 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
27 **SUPPORT--PROGRAM H**

28 Motor Vehicle Account--State Appropriation ((~~\$49,010,000~~))
29 \$49,056,000

30 Motor Vehicle Account--Federal Appropriation \$400,000

31 TOTAL APPROPRIATION ((~~\$49,410,000~~))
32 \$49,456,000

33 The appropriations in this section are subject to the following
34 conditions and limitations:

35 (1) \$14,310,000 of the motor vehicle account--state appropriation

1 is provided solely for the staffing, activities, and overhead of the
2 department's environmental affairs office. This funding is provided in
3 lieu of funding provided in sections 305 and 306 of this act.

4 (2) \$3,100,000 of the motor vehicle account--state appropriation is
5 provided solely for the staffing and activities of the transportation
6 permit efficiency and accountability committee.

7 (3) \$300,000 of the motor vehicle account--state appropriation is
8 provided to the department in accordance with RCW 46.68.110(2) and
9 46.68.120(3) and shall be used by the department solely for the
10 purposes of providing contract services to the association of
11 Washington cities and Washington state association of counties to
12 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
13 2003 for activities of the transportation permit efficiency and
14 accountability committee.

15 **Sec. 218.** 2003 c 360 s 218 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
18 Motor Vehicle Account--State Appropriation (~~(\$1,011,000)~~)
19 \$1,411,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: \$400,000 of the motor vehicle account--
22 state appropriation is provided solely for a traffic and economic study
23 of the Mount Saint Helens tourist and recreational area. The study
24 shall analyze existing and potential traffic patterns in the area and
25 develop funding strategies sufficient to fund construction of a
26 connection between state route number 504 and forest service road
27 number 99. The study shall also include an analysis of potential
28 partnership funding plans involving the use of tolls in order to
29 determine the potential to pay for ongoing maintenance and operations
30 requirements of visitor centers, roads, and other amenities provided to
31 tourists. The purpose and results of this study shall be made
32 available to citizens, businesses, and community organizations in the
33 affected area. The study shall be completed and submitted to the
34 transportation committees of the house of representatives and senate by
35 December 31, 2004.

1 **Sec. 219.** 2003 c 360 s 219 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

4 Motor Vehicle Account--State Appropriation	((\$283,350,000))
5	<u>\$283,991,000</u>
6 Motor Vehicle Account--Federal Appropriation	\$1,426,000
7 Motor Vehicle Account--Private/Local Appropriation	\$4,253,000
8 TOTAL APPROPRIATION	((\$289,029,000))
9	<u>\$289,670,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

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

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

22 (3) The department shall request an unanticipated receipt for any
23 private or local funds received for reimbursements of third party
24 damages that are in excess of the motor vehicle account--private/local
25 appropriation.

26 (4) Funding is provided for maintenance on the state system to
27 allow for a continuation of the level of service targets included in
28 the 2001-03 biennium. In delivering the program, the department should
29 concentrate on the following areas:

30 (a) Meeting or exceeding the target for structural bridge repair on
31 a statewide basis;

32 (b) Eliminating the number of activities delivered in the "f" level
33 of service at the region level;

34 (c) Reducing the number of activities delivered in the "d" level of
35 service by increasing the resources directed to those activities on a
36 statewide and region basis; and

37 (d) Evaluating, analyzing, and potentially redistributing resources

1 within and among regions to provide greater consistency in delivering
2 the program statewide and in achieving overall level of service
3 targets.

4 **Sec. 220.** 2003 c 360 s 220 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
7 **OPERATING**

8	Motor Vehicle Account--State Appropriation	((\$38,869,000))
9		<u>\$39,442,000</u>
10	Motor Vehicle Account--Private/Local Appropriation	\$125,000
11	TOTAL APPROPRIATION	((\$38,994,000))
12		<u>\$39,567,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) A maximum of \$8,800,000 of the motor vehicle account--state
16 appropriation may be expended for the incident response program,
17 including the service patrols. The department and the Washington state
18 patrol shall continue to consult and coordinate with private sector
19 partners, such as towing companies, media, auto, insurance and trucking
20 associations, and the legislative transportation committees to ensure
21 that limited state resources are used most effectively. No funds shall
22 be used to purchase tow trucks.

23 (2) \$4,400,000 of the motor vehicle account--state appropriation is
24 provided solely for low-cost enhancements. The department shall give
25 priority to low-cost enhancement projects that improve safety or
26 provide congestion relief. The department shall prioritize low-cost
27 enhancement projects on a statewide rather than regional basis.

28 (3) At a frequency determined by the department, the interstate-5
29 variable message signs shall display a message advising slower traffic
30 to keep right.

31 (4) \$518,000 of the motor vehicle account--state appropriation is
32 provided solely for the implementation of Substitute House Bill No.
33 1702. If Substitute House Bill No. 1702 is not enacted by June 30,
34 2004, the amount provided in this subsection shall lapse.

35 **Sec. 221.** 2003 c 360 s 221 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
2 **SUPPORT--PROGRAM S**

3	Motor Vehicle Account--State Appropriation	((\$24,852,000))
4		<u>\$25,779,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$636,000
6	Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
7	Multimodal Transportation Account--State Appropriation . . .	\$973,000
8	TOTAL APPROPRIATION	((\$27,554,000))
9		<u>\$28,481,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) \$627,000 of the motor vehicle account--state appropriation is
13 provided solely for the implementation of Substitute Senate Bill No.
14 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
15 2003, the amount provided in this subsection shall lapse. The agency
16 may transfer between programs funds provided in this subsection.

17 (2) The department shall transfer at no cost to the Washington
18 state patrol the title to the Walla Walla colocation facility.

19 **Sec. 222.** 2003 c 360 s 222 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
22 **AND RESEARCH--PROGRAM T**

23	Motor Vehicle Account--State Appropriation	((\$30,064,000))
24		<u>\$23,014,000</u>
25	Motor Vehicle Account--Federal Appropriation	\$14,814,000
26	Multimodal Transportation Account--State Appropriation ((\$1,021,000))	
27		<u>\$1,521,000</u>
28	Multimodal Transportation Account--Federal Appropriation .	\$2,000,000
29	TOTAL APPROPRIATION	((\$47,899,000))
30		<u>\$41,349,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) ((~~\$3,800,000~~)) \$2,400,000 of the motor vehicle account--state
34 appropriation is provided solely for a study of regional congestion
35 relief solutions for Puget Sound, Spokane, and Vancouver. The study
36 must include proposals to alleviate congestion consistent with

1 population and land use expectations under the growth management act,
2 and must include measurement of all modes of transportation.

3 (2) \$2,000,000 of the motor vehicle account--state appropriation is
4 provided solely for additional assistance to support regional
5 transportation planning organizations and long-range transportation
6 planning efforts.

7 (3) (~~(\$3,000,000)~~) \$2,100,000 of the motor vehicle account--state
8 appropriation is provided solely for the costs of the regional
9 transportation investment district (RTID) election and department of
10 transportation project oversight. These funds are provided as a loan
11 to the RTID and shall be repaid to the state motor vehicle account
12 within one year following the certification of the election results
13 related to the RTID.

14 (4) \$100,000 of the motor vehicle account--state appropriation is
15 provided solely for the costs of department of transportation oversight
16 and support in selecting transportation projects and funding for those
17 transportation projects under chapter 36.120 RCW in counties newly
18 authorized to establish a regional transportation investment district
19 under House Bill No. 2531.

20 (5) \$500,000 of the multimodal transportation account--state
21 appropriation is provided solely for contracting with the department of
22 natural resources to develop data systems for state submerged lands
23 that can be shared with other governmental agencies and that can
24 support the state vision for ecoregional planning. The data to be
25 shared shall include, but not limited to, tabular and geospatial data
26 describing public land ownership, distributions of native plants,
27 marine and aquatic species and their habitats, physical attributes,
28 aquatic ecosystems, and specially designated conservation or
29 environmentally sensitive areas.

30 (6) \$650,000 of the motor vehicle account--state appropriation is
31 provided to the department in accordance with RCW 46.68.110(2) and
32 46.68.120(3) and shall be used by the department to support the
33 processing and analysis of the backlog of city and county collision
34 reports.

35 (~~(+5)~~) (7) The department shall contribute to the report required
36 in section 208(1) of this act in the form of an analysis of the cost
37 impacts incurred by the department as the result of the policy

1 implemented in section 208(1) of this act. The analysis shall contrast
2 overtime costs charged by the patrol prior to July 1, 2003, with
3 contract costs for similar services after July 1, 2003.

4 ((+6+)) (8) \$60,000 of the distribution under RCW 46.68.110(2) and
5 46.68.120(3) is provided solely to the department for the Washington
6 strategic freight transportation analysis.

7 **Sec. 223.** 2003 c 360 s 223 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
10 **PROGRAM U**

11 Motor Vehicle Account--State Appropriation ((~~\$61,082,000~~))
12 \$54,738,000

13 The appropriation in this section is subject to the following
14 conditions and limitations:

15 (1) ((~~\$50,799,000~~)) \$43,799,000 of the motor vehicle fund--state
16 appropriation is provided solely for the liabilities attributable to
17 the department of transportation. The office of financial management
18 must provide a detailed accounting of the revenues and expenditures of
19 the self-insurance fund to the transportation committees of the
20 legislature on December 31st and June 30th of each year.

21 (2) Payments in this section represent charges from other state
22 agencies to the department of transportation.

23 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
24 DIVISION OF RISK MANAGEMENT FEES ((~~\$989,000~~))
25 \$848,000

26 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
27 AUDITOR ((~~\$823,000~~))
28 \$819,000

29 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
30 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
31 MAIL SERVICES \$3,850,000

32 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
33 PERSONNEL ((~~\$2,252,000~~))
34 \$2,786,000

35 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS
36 AND ADMINISTRATION ((~~\$50,799,000~~))
37 \$43,799,000

1 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
 2 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,846,000
 3 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((~~\$523,000~~))
 4 \$538,000
 5 (h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY
 6 AND WOMEN'S BUSINESS ENTERPRISES \$252,000

7 **Sec. 224.** 2003 c 360 s 224 (uncodified) is amended to read as
 8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**
 10 Multimodal Transportation Account--State
 11 Appropriation ((~~\$46,457,000~~))
 12 \$47,197,000
 13 Multimodal Transportation Account--Federal Appropriation . \$2,574,000
 14 Multimodal Transportation Account--Private/Local
 15 Appropriation \$155,000
 16 TOTAL APPROPRIATION ((~~\$49,186,000~~))
 17 \$49,926,000

18 The appropriations in this section are subject to the following
 19 conditions and limitations:

20 (1) \$4,000,000 of the multimodal transportation account--state
 21 appropriation is provided solely for a grant program for nonprofit
 22 providers of transportation for persons with special transportation
 23 needs. \$14,000,000 of the multimodal transportation account--state
 24 appropriation is provided solely for a grant program for transit
 25 agencies to transport persons with special transportation needs.
 26 (~~Moneys shall be to provide additional service only and may not be~~
 27 ~~used to supplant current funding.~~) Grants shall only be used by
 28 nonprofit providers and transit agencies for capital and operating
 29 costs (~~directly associated with adding additional service~~). Grants
 30 for nonprofit providers shall be based on need, including the
 31 availability of other providers of service in the area, efforts to
 32 coordinate trips among providers and riders, and the cost effectiveness
 33 of trips provided. Grants for transit agencies shall be prorated based
 34 on the amount expended for demand response service and route deviated
 35 service in calendar year 2001 as reported in the "Summary of Public
 36 Transportation - 2001" published by the department of transportation.
 37 No transit agency may receive more than thirty percent of these

1 distributions. The first \$200,000 provided to King county shall be
2 used to provide electric buses, instead of diesel buses, for service on
3 Capital Hill in Seattle, Washington through June 30, 2005.

4 (2) \$1,500,000 of the multimodal transportation account--state
5 appropriation is provided solely for grants to implement section 9 of
6 Engrossed Substitute House Bill No. 2228. For the 2003-05 biennium,
7 the grant program is not subject to the \$750,000 annual limitation but
8 may not expend more than \$1,500,000 for the biennium.

9 (3) Funds are provided for the rural mobility grant program as
10 follows:

11 (a) \$6,000,000 of the multimodal transportation account--state
12 appropriation is provided solely for grants for those transit systems
13 serving small cities and rural areas as identified in the Summary of
14 Public Transportation - 2001 published by the department of
15 transportation. Noncompetitive grants must be distributed to the
16 transit systems serving small cities and rural areas in a manner
17 similar to past disparity equalization programs.

18 (b) \$4,000,000 of the multimodal transportation account--state
19 appropriation is provided solely to providers of rural mobility service
20 in areas not served or underserved by transit agencies through a
21 competitive grant process.

22 (4) \$4,000,000 of the multimodal transportation account--state
23 appropriation is provided solely for a vanpool grant program for public
24 transit agencies. The grant program will cover capital costs only; no
25 operating costs are eligible for funding under this grant program.
26 Only grants that add vanpools are eligible, no supplanting of transit
27 funds currently funding vanpools is allowed. Additional criteria for
28 selecting grants will include leveraging funds other than state funds.

29 (5) \$3,000,000 of the multimodal transportation account--state
30 appropriation is provided to the city of Seattle for the Seattle
31 streetcar project on South Lake Union.

32 (6) \$240,000 of the multimodal transportation account--state
33 appropriation is provided solely for additional commute trip reduction
34 (CTR) program funding distributions. This amount shall be divided
35 equally among Benton, Clark, Kitsap, Thurston, Whatcom, and Yakima
36 counties for CTR programs and planning.

1 **Sec. 225.** 2003 c 360 s 225 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

4	Puget Sound Ferry Operations Account--State	
5	Appropriation	((\$309,580,000))
6		<u>\$311,744,000</u>
7	Multimodal Transportation Account--State Appropriation . .	\$5,120,000
8	TOTAL APPROPRIATION	((\$314,700,000))
9		<u>\$316,864,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) The appropriation is based on the budgeted expenditure of
13 ((~~\$34,701,000~~)) \$35,348,000 for vessel operating fuel in the 2003-2005
14 biennium. If the actual cost of fuel is less than this budgeted
15 amount, the excess amount may not be expended. If the actual cost
16 exceeds this amount, the department shall request a supplemental
17 appropriation.

18 (2) The Washington state ferries (WSF) is directed to work with the
19 office of the state treasurer to use available financing tools to
20 mitigate the fluctuating price of fuel. The WSF shall enter into
21 contracts to sell put options and purchase call options, creating a
22 "costless collar" that will both set a floor and a cap on fuel prices
23 for at least fifty percent of the ferry system's fuel needs for the
24 2005 fiscal year. The state treasurer and the state investment board
25 shall provide the necessary direction and oversight to ensure the WSF
26 develops and implements a financially sound strategy.

27 (3) The appropriation provides for the compensation of ferry
28 employees. The expenditures for compensation paid to ferry employees
29 during the 2003-2005 biennium may not exceed ((~~\$207,757,000~~))
30 \$208,130,000 plus a dollar amount, as prescribed by the office of
31 financial management, that is equal to any insurance benefit increase
32 granted general government employees in excess of \$495.30 a month
33 annualized per eligible marine employee multiplied by the number of
34 eligible marine employees for fiscal year 2004 and \$567.67 a month
35 annualized per eligible marine employee multiplied by the number of
36 eligible marine employees for fiscal year 2005, a dollar amount as
37 prescribed by the office of financial management for costs associated
38 with pension amortization charges, and a dollar amount prescribed by

1 the office of financial management for salary increases during the
2 2003-2005 biennium. For the purposes of this section, the expenditures
3 for compensation paid to ferry employees shall be limited to salaries
4 and wages and employee benefits as defined in the office of financial
5 management's policies, regulations, and procedures named under objects
6 of expenditure "A" and "B" (7.2.6.2).

7 The prescribed salary increase or decrease dollar amount that shall
8 be allocated from the governor's compensation appropriations is in
9 addition to the appropriation contained in this section and may be used
10 to increase or decrease compensation costs, effective July 1, 2003, and
11 thereafter, as established in the 2003-2005 general fund operating
12 budget.

13 ~~((+3))~~ (4) \$4,234,000 of the multimodal transportation
14 account--state appropriation and \$800,000 of the Puget Sound ferry
15 operations account--state appropriation are provided solely for
16 operating costs associated with the Vashon to Seattle passenger-only
17 ferry. The Washington state ferries will develop a plan to increase
18 passenger-only farebox recovery to at least forty percent by July 1,
19 2003, with an additional goal of eighty percent, through increased
20 fares, lower operation costs, and other cost-saving measures as
21 appropriate. In order to implement the plan, ferry system management
22 is authorized to negotiate changes in work hours (requirements for
23 split shift work), but only with respect to operating passenger-only
24 ferry service, to be included in a collective bargaining agreement in
25 effect during the 2003-05 biennium that differs from provisions
26 regarding work hours in the prior collective bargaining agreement. The
27 department must report to the transportation committees of the
28 legislature by December 1, 2003.

29 ~~((+4))~~ (5) \$866,000 of the multimodal transportation
30 account--state appropriation and \$200,000 of the Puget Sound ferry
31 operations account--state appropriation are provided solely for
32 operating costs associated with the Bremerton to Seattle passenger-only
33 ferry service for thirteen weeks.

34 ~~((+5))~~ (6) The department shall study the potential for private or
35 public partners, including but not limited to King county, to provide
36 passenger-only ferry service from Vashon to Seattle. The department
37 shall report to the legislative transportation committees by December
38 31, 2003.

1 (~~(6)~~) (7) The Washington state ferries shall continue to provide
2 service to Sidney, British Columbia.

3 (~~(7)~~) (8) When augmenting the existing ferry fleet, the
4 department of transportation ferry capital program shall explore cost-
5 effective options to include the leasing of ferries from private-sector
6 organizations.

7 (~~(8)~~) (9) The Washington state ferries shall work with the
8 department of general administration, office of state procurement to
9 improve the existing fuel procurement process and solicit, identify,
10 and evaluate, purchasing alternatives to reduce the overall cost of
11 fuel and mitigate the impact of market fluctuations and pressure on
12 both short- and long-term fuel costs. Consideration shall include, but
13 not be limited to, long-term fuel contracts, partnering with other
14 public entities, and possibilities for fuel storage in evaluating
15 strategies and options. The department shall report back to the
16 transportation committees of the legislature by December 1, 2003, on
17 the options, strategies, and recommendations for managing fuel
18 purchases and costs.

19 (~~(9)~~) (10) The department must provide a separate accounting of
20 passenger-only ferry service costs and auto ferry service costs, and
21 must provide periodic reporting to the legislature on the financial
22 status of both passenger-only and auto ferry service in Washington
23 state.

24 (~~(10)~~) (11) The Washington state ferries must work with the
25 department's information technology division to implement a new revenue
26 collection system, including the integration of the regional fare
27 coordination system (smart card). Each December, annual updates are to
28 be provided to the transportation committees of the legislature
29 concerning the status of implementing and completing this project, with
30 updates concluding the first December after full project
31 implementation.

32 (~~(11)~~) (12) The Washington state ferries shall evaluate the
33 benefits and costs of selling the depreciation rights to ferries
34 purchased by the state in the future through sale and lease-back
35 agreements, as permitted under RCW 47.60.010. The department is
36 authorized to issue a request for proposal to solicit proposals from
37 potential buyers. The department must report to the transportation

1 committees of the legislature by December 1, 2004, on the options,
2 strategies, and recommendations for sale/lease-back agreements on
3 existing ferry boats as well as future ferry boat purchases.

4 (13) The Washington state ferries will develop a standard cost
5 allocation methodology and accounting process to adequately identify,
6 capture, and report revenues and expenses associated with their
7 increasing number of profit center business activities. The intent of
8 the legislature is to ensure that costs incurred for any of the ferry
9 system's break-even or profit-center activities are properly associated
10 with the revenues generated by that activity. A standard methodology
11 for identifying and allocating indirect costs is to be developed. In
12 addition, recommendations for identifying and allocating capital costs
13 are to be established, where applicable. The Washington state ferries
14 will submit a report to the house of representatives transportation
15 committee and to the senate highways and transportation committee by
16 December 1, 2004, outlining the cost allocation methodologies and
17 accounting processes to be used to capture information and report
18 business unit revenue and expenses.

19 (14) The department shall analyze the total cost of purchasing
20 traditional fossil-based fuels for ferry operations versus the cost of
21 replacing traditional fuels with bio-fuels. In calculating the total
22 cost of both types of fuel the department must include, but is not
23 limited to, the costs associated with environmental protection
24 requirements associated with truck-based on-ship loading, assuming the
25 use of 100 per cent bio-fuel, regulated by the federal government as
26 vegetable oil.

27 (15) \$238,000 of the Puget Sound ferry operations account--state
28 appropriation is provided solely for the implementation of Second
29 Substitute House Bill No. 3112. If Second Substitute House Bill No.
30 3112 is not enacted by June 30, 2004, the amount provided in this
31 subsection shall lapse.

32 **Sec. 226.** 2003 c 360 s 226 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
35 Multimodal Transportation Account--State
36 Appropriation ((\$35,075,000))
37 \$34,118,000

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1) (~~(\$30,831,000)~~) \$29,961,000 of the multimodal transportation
4 account--state appropriation is provided solely for the Amtrak service
5 contract and Talgo maintenance contract associated with providing and
6 maintaining the state-supported passenger rail service.

7 (2) No Amtrak Cascade runs may be eliminated.

8 (3) The department is directed to explore scheduling changes that
9 will reduce the delay in Seattle when traveling from Portland to
10 Vancouver B.C.

11 (4) The department is directed to explore opportunities with
12 British Columbia (B.C.) concerning the possibility of leasing an
13 existing Talgo trainset to B.C. during the day for a commuter run when
14 the Talgo is not in use during the Bellingham layover.

15 **Sec. 227.** 2003 c 360 s 227 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
18 **OPERATING**

19	Motor Vehicle Account--State Appropriation	((\$7,057,000))
20		<u>\$7,067,000</u>
21	Motor Vehicle Account--Federal Appropriation	\$2,569,000
22	TOTAL APPROPRIATION	((\$9,626,000))
23		<u>\$9,636,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) Up to \$75,000 of the total appropriation is provided in
27 accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's
28 share of the 2004 Washington marine cargo forecast study. Public port
29 districts, acting through their association, must provide funding to
30 cover the remaining cost of the forecast.

31 (2) \$300,000 of the motor vehicle account--state appropriation is
32 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
33 fund a study of the threats posed by flooding to the state and other
34 infrastructure near the Interstate 5 crossing of the Skagit River.
35 This funding is contingent on the receipt of federal matching funds.

1 **TRANSPORTATION AGENCIES--CAPITAL**

2 **Sec. 301.** 2003 c 360 s 304 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
5 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

6 Motor Vehicle Account--State Appropriation ((~~\$17,296,000~~))
7 \$15,940,000

8 The appropriation in this section is subject to the following
9 conditions and limitations:

10 (1) The entire motor vehicle account--state appropriation is
11 provided solely to implement the activities and projects included in
12 the Legislative 2003 Transportation Project List - Current Law report
13 as transmitted to LEAP on ((~~April 27, 2003~~)) March 11, 2004.

14 (2) The department shall develop a standard design for all
15 maintenance facilities to be funded under this section. Prior to
16 developing design standards, the department must solicit input from all
17 personnel classifications typically employed at maintenance facilities.
18 By September 1, 2003, the department shall submit a report to the
19 legislative transportation committees describing the stakeholder
20 involvement process undertaken and the adopted design standards for
21 maintenance facilities.

22 **Sec. 302.** 2003 c 360 s 305 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

25 Transportation 2003 Account (Nickel Account)--State
26 Appropriation ((~~\$565,300,000~~))
27 \$558,789,000

28 Transportation 2003 Account (Nickel Account)--Federal
29 Appropriation ((~~\$950,000~~))
30 \$7,239,000

31 Transportation 2003 Account (Nickel Account)--Local
32 Appropriation ((~~\$3,434,000~~))
33 \$3,211,000

34 Motor Vehicle Account--State Appropriation ((~~\$157,374,000~~))
35 \$159,225,000

36 Motor Vehicle Account--Federal Appropriation ((~~\$192,940,000~~))
37 \$191,338,000

1	Motor Vehicle Account--Local Appropriation	((\$13,258,000))
2		<u>\$26,691,000</u>
3	Special Category C Account--State Appropriation	\$50,279,000
4	Tacoma Narrows Toll Bridge Account-- <u>State</u>	
5	Appropriation	((\$613,300,000))
6		<u>\$603,992,000</u>
7	TOTAL APPROPRIATION	((\$1,596,835,000))
8		<u>\$1,600,764,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations:

11 (1) ((~~\$157,374,000~~)) \$159,225,000 of the motor vehicle account--
12 state appropriation, ((~~\$192,940,000~~)) \$191,338,000 of the motor vehicle
13 account--federal appropriation, ((~~\$13,258,000~~)) \$26,691,000 of the
14 motor vehicle account--local appropriation, and \$50,279,000 of the
15 special category C account--state appropriation are provided solely to
16 implement the activities and projects included in the Legislative 2003
17 Transportation Project List - Current Law report as transmitted to LEAP
18 on ((~~April 27, 2003~~)) March 11, 2004.

19 (2) The motor vehicle account--state appropriation includes
20 ((~~\$78,000,000~~)) \$93,615,000 in proceeds from the sale of bonds
21 authorized by RCW 47.10.843. The transportation commission may
22 authorize the use of current revenues available to the department of
23 transportation in lieu of bond proceeds for any part of the state
24 appropriation. The motor vehicle account--state appropriation includes
25 ((~~\$18,038,000~~)) \$17,380,000 in unexpended proceeds from bond sales
26 authorized in RCW 47.10.843 for mobility and economic initiative
27 improvement projects.

28 (3) The Tacoma Narrows toll bridge account--state appropriation
29 includes \$567,000,000 in proceeds from the sale of bonds authorized by
30 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
31 appropriation includes ((~~\$46,300,000~~)) \$36,992,000 in unexpended
32 proceeds from the January 2003 bond sale authorized in RCW 47.10.843
33 for the Tacoma Narrows bridge project.

34 (4) The special category C account--state appropriation includes
35 \$44,000,000 in proceeds from the sale of bonds authorized by RCW
36 47.10.812. The transportation commission may authorize the use of
37 current revenues available in the special category C account in lieu of
38 bond proceeds for any part of the state appropriation.

1 (5) The entire transportation 2003 account (nickel account)
2 appropriation is provided solely for the projects and activities as
3 indicated in the Legislative 2003 Transportation Project List - New Law
4 report transmitted to LEAP on (~~April 27, 2003~~) March 11, 2004.

5 (6) The (~~motor vehicle account~~) transportation 2003 account
6 (nickel account)--state appropriation includes (~~(\$280,000,000)~~)
7 \$269,000,000 in proceeds from the sale of bonds authorized by Senate
8 Bill No. 6062. The transportation commission may authorize the use of
9 current revenues available to the department of transportation in lieu
10 of bond proceeds for any part of the state appropriation.

11 (7) \$11,000,000 of the (~~motor vehicle account~~) transportation
12 2003 account (nickel account)--state appropriation is provided solely
13 for the environmental impact statement on the SR 520 Evergreen floating
14 bridge.

15 (8) \$250,000 of the transportation 2003 account (Nickel Account)--
16 state appropriation and an equal amount from the city of Seattle are
17 provided solely for an analysis of the impacts that an expansion of the
18 SR 520 Evergreen floating bridge will have on the streets of North
19 Capitol Hill, Roanoke Park, and Montlake. An advisory committee with
20 two members each from Portage Bay/Roanoke Park Community Council,
21 Montlake Community Council, and the North Capitol Hill community
22 organization along with the secretary of transportation is established.
23 The seven-member committee shall hire and oversee the contract with a
24 transportation consulting organization to: (a) Perform an analysis of
25 such impacts; and (b) design a traffic and circulation plan that
26 mitigates the adverse consequences of such impacts. If the city of
27 Seattle does not agree to provide \$250,000 by January 1, 2004, the
28 amount provided in this subsection shall lapse.

29 (9)(a) (~~(\$500,000)~~) \$170,000 of the motor vehicle account--state
30 appropriation is provided solely for a study to provide the legislature
31 with information regarding the feasibility of pursuing a Washington
32 commerce corridor. The department shall retain outside experts to
33 conduct the study. The study must include the following conditions:

34 (i) The Washington commerce corridor must be a north-south corridor
35 starting in the vicinity of Lewis county and extending northerly to the
36 vicinity of the Canadian border. The corridor must be situated east of
37 state route number 405 and west of the Cascades. The corridor may
38 include any of the following features:

1 (A) Ability to carry long-haul freight;
2 (B) Ability to provide for passenger auto travel;
3 (C) Freight rail;
4 (D) Passenger rail;
5 (E) Public utilities; and
6 (F) Other ancillary facilities as may be desired to maximize use of
7 the corridor;

8 (ii) The Washington commerce corridor must be developed, financed,
9 designed, constructed, and operated by private sector consortiums; and

10 (iii) The Washington commerce corridor must be subject to a joint
11 permitting process involving federal, state, and local agencies with
12 jurisdiction.

13 (b) The legislative transportation committee shall form a working
14 group to work with the department and the outside consultant on the
15 study.

16 (10) (~~(\$8,000,000)~~) \$3,500,000 of the (~~motor vehicle~~)
17 transportation 2003 (nickel) account--state appropriation is provided
18 for the SR 522, University of Washington-Bothell campus access project.
19 (~~This amount will cover approximately one half of the construction~~
20 ~~costs.~~)

21 (11) The transportation permit efficiency and accountability
22 committee (TPEAC) shall select from the project list under this
23 subsection ten projects that have not yet secured state permits. TPEAC
24 shall select projects from both urban and rural areas representing a
25 wide variety of locations within the state. These projects shall be
26 designated "Department of Transportation Permit Drafting Pilot
27 Projects" and shall become a part of the work plan of TPEAC required
28 under section 2(1)(b), chapter 8 (ESB 5279), Laws of 2003.

29 (12) Of the amounts appropriated in this section and section 306 of
30 this act, no more than \$124,000 is provided for increased project costs
31 due to the enactment of Substitute Senate Bill No. 5457.

32 (~~(14)~~) (13) To manage some projects more efficiently, federal
33 funds may be transferred from program Z to program I (~~to replace those~~
34 ~~federal~~) and replaced with state funds in a dollar-for-dollar match.
35 However, funds may not be transferred between federal programs. Fund
36 transfers authorized under this subsection shall not affect project
37 prioritization status. Appropriations shall initially be allotted as
38 appropriated in this act. The department shall not transfer funds as

1 authorized under this subsection without approval of the transportation
2 commission and the director of financial management. The department
3 shall submit a report on those projects receiving fund transfers to the
4 transportation committees of the senate and house of representatives by
5 December 1, 2004.

6 (14) The department shall report on the costs associated
7 synchronizing all stop lights within one-half mile of each other on
8 state highway 20 between Anacortes and Burlington at the I-5
9 interchange, so that a vehicle, starting from a stop at a red light and
10 traveling at the posted speed limit, can pass through the other lights
11 without having to stop for an additional red light.

12 **Sec. 303.** 2003 1st sp.s. c 26 s 506 (uncodified) is amended to
13 read as follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

15 Transportation 2003 Account (Nickel Account)--State

16	<u>Appropriation</u>	((\$2,000,000))
17		<u>\$20,000</u>
18	Motor Vehicle Account--State Appropriation	((\$178,909,000))
19		<u>\$186,395,000</u>
20	Motor Vehicle Account--Federal Appropriation	((\$457,467,000))
21		<u>\$458,653,000</u>
22	Motor Vehicle Account--Local Appropriation	((\$12,666,000))
23		<u>\$12,665,000</u>
24	Multimodal Account--State Appropriation	\$1,690,000
25	Multimodal Account--Federal Appropriation	((\$4,247,000))
26	<u>Puyallup Tribal Settlement Account--State</u>	
27	<u>Appropriation</u>	<u>\$11,000,000</u>
28	TOTAL APPROPRIATION	((\$656,979,000))
29		<u>\$670,423,000</u>

30 The appropriations in this section are subject to the following
31 conditions and limitations:

32 (1) ((~~\$178,909,000~~)) \$186,395,000 of the motor vehicle account--
33 state appropriation, ((~~\$457,467,000~~)) \$458,653,000 of the motor vehicle
34 account--federal appropriation, ((~~\$12,666,000~~)) \$12,665,000 of the
35 motor vehicle account--local appropriation, \$1,690,000 of the
36 multimodal transportation account--state appropriation, and
37 ((~~\$4,247,000~~ of the multimodal transportation account federal))

1 \$11,000,000 of the Puyallup tribal settlement account--state
2 appropriation are provided solely to implement the activities and
3 projects included in the Legislative 2003 Transportation Project List -
4 Current Law report transmitted to LEAP on (~~April 27, 2003~~) March 11,
5 2004.

6 (2) The motor vehicle account--state appropriation includes
7 \$2,850,000 in proceeds from the sale of bonds authorized in RCW
8 47.10.761 and 47.10.762 for emergency purposes. The motor vehicle
9 account--state appropriation includes \$338,000 in unexpended proceeds
10 from the January 2003 bond sale authorized in RCW 47.10.761 and
11 47.10.762 for emergency purposes.

12 (3) The motor vehicle account--state appropriation includes
13 \$77,700,000 in proceeds from the sale of bonds authorized by RCW
14 47.10.843. The transportation commission may authorize the use of
15 current revenues available to the department of transportation in lieu
16 of bond proceeds for any part of the state appropriation.

17 (4) The entire transportation 2003 account (nickel account)
18 appropriation is provided solely for the projects and activities as
19 indicated in the Legislative 2003 Transportation Project List - New Law
20 report transmitted to LEAP on (~~April 27, 2003~~) March 11, 2004.

21 (5) The department of transportation shall continue to implement
22 the lowest life cycle cost planning approach to pavement management
23 throughout the state to encourage the most effective and efficient use
24 of pavement preservation funds. Emphasis should be placed on
25 increasing the number of roads addressed on time and reducing the
26 number of roads past due.

27 (6) Of the amounts appropriated in this section and section 305 of
28 this act, no more than \$124,000 is provided for increased project costs
29 due to the enactment of Substitute Senate Bill No. 5457.

30 (7) To manage some projects more efficiently, federal funds may be
31 transferred from program Z to program P (~~to replace those federal~~)
32 and replaced with state funds in a dollar-for-dollar match. However,
33 funds may not be transferred between federal programs. Fund transfers
34 authorized under this subsection shall not affect project
35 prioritization status. Appropriations shall initially be allotted as
36 appropriated in this act. The department shall not transfer funds as
37 authorized under this subsection without approval of the transportation
38 commission and the director of financial management. The department

1 shall submit a report on those projects receiving fund transfers to the
2 transportation committees of the senate and house of representatives by
3 December 1, 2004.

4 (8) The department is authorized to negotiate with the city of
5 Tacoma for the purpose of transferring ownership of the Murray
6 Morgan/11th street bridge to the city. The department is allowed to
7 use the Puyallup tribal settlement account appropriation as well as any
8 funds appropriated in the current biennium and planned in future
9 biennia for the demolition and mitigation for the demolition of the
10 bridge to rehabilitate or replace the bridge if agreed to by the city.
11 In no event will the departments participation exceed \$26,500,000 and
12 no funds may be expended unless the city has signed an agreement to
13 accept ownership of the bridge.

14 (9) The department shall explore short and long term opportunities
15 for development of the land beneath the Alaskan Way Viaduct to generate
16 additional revenue for transportation purposes. The department shall
17 report back to the transportation committees of the house of
18 representatives and senate by December 1, 2005.

19 **Sec. 304.** 2003 c 360 s 308 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
22 **CONSTRUCTION--PROGRAM W**

23	Puget Sound Capital Construction Account--	
24	State Appropriation	((\$129,066,000))
25		<u>\$108,260,000</u>
26	Puget Sound Capital Construction Account--	
27	Federal Appropriation	((\$34,400,000))
28		<u>\$69,881,000</u>
29	<u>Puget Sound Capital Construction Account--</u>	
30	<u>Local Appropriation</u>	<u>\$249,000</u>
31	Multimodal Transportation Account--State	
32	Appropriation	((\$13,381,000))
33		<u>\$16,473,000</u>
34	Transportation 2003 Account (nickel account)	
35	Appropriation	\$5,749,000
36	TOTAL APPROPRIATION	((\$182,596,000))
37		<u>\$200,612,000</u>

1 The appropriations in this section are provided for improving the
2 Washington state ferry system, including, but not limited to, vessel
3 construction, major and minor vessel improvements, and terminal
4 construction and improvements. The appropriations in this section are
5 subject to the following conditions and limitations:

6 (1) The multimodal transportation account--state appropriation
7 includes \$11,772,000 in proceeds from the sale of bonds authorized by
8 Senate Bill No. 6062. The transportation commission may authorize the
9 use of current revenues available to the department of transportation
10 in lieu of bond proceeds for any part of the state appropriation.

11 (2) (~~(\$129,066,000)~~) \$108,260,000 of the Puget Sound capital
12 construction account--state appropriation (~~(and \$34,400,000)~~),
13 \$69,881,000 of the Puget Sound capital construction account--federal
14 appropriation, \$249,000 of the Puget Sound capital construction
15 account--local appropriation, and \$4,701,000 of the multimodal
16 transportation account--state appropriation are provided solely for
17 capital projects as listed in the Legislative 2003 Transportation
18 Project List - Current Law as transmitted to the LEAP on (~~April 27,~~
19 ~~2003~~) March 11, 2004.

20 (3) (~~(\$17,521,000)~~) \$5,749,000 of the transportation 2003 account
21 (nickel account)--state appropriation (~~(is)~~) and \$11,772,000 of the
22 multimodal transportation account--state appropriation are provided
23 solely for capital projects as listed in the Legislative 2003
24 Transportation Project List - New Law as transmitted to the LEAP on
25 (~~April 27, 2003~~) March 11, 2004.

26 (4) The Puget Sound capital construction account--state
27 appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the
28 sale of bonds authorized by RCW 47.10.843 for vessel and terminal
29 acquisition, major and minor improvements, and long lead time materials
30 acquisition for the Washington state ferries. The transportation
31 commission may authorize the use of current revenues available to the
32 motor vehicle account in lieu of bond proceeds for any part of the
33 state appropriation.

34 (5) Any revenues made available to the motor vehicle account from
35 the Puget Sound capital construction account are provided as a loan and
36 are to be repaid with interest to that account by the close of the
37 2005-07 biennium. The annual interest rate on the loan shall be five
38 percent.

1 (6) The Washington state ferries shall consult with the United
2 States Coast Guard regarding operational and design standards required
3 to meet Safety of Life at Sea requirements, in an effort to determine
4 the most efficient and cost-effective vessel design that meets these
5 requirements.

6 (7) The department of transportation shall continue to implement
7 the current financing plan that assumes four auto boats will be
8 financed through revenues generated through mechanisms provided in
9 current law and additional revenues. The department shall evaluate
10 whether sufficient financing will be made available through operating
11 savings, additional financing mechanisms, or a combination of the two
12 approaches to finance a fifth auto boat. A report of the findings
13 shall be provided to the transportation committees of the legislature
14 by December 15, 2004.

15 (8) The department of transportation shall not sell any passenger-
16 only ferries in the ferry system fleet before the legislature has had
17 an opportunity to review and act on the results of the cost/benefit
18 analysis required under this subsection. The department is authorized,
19 however, to lease to other public or private ferry operators the
20 passenger-only vessels not scheduled for use or for backup in the 2003-
21 2005 biennium on a short-term (two years or less) basis.

22 The department shall develop alternatives for the use of passenger-
23 only vessels that are not scheduled for use or for backup. Options
24 should include, but are not limited to:

- 25 (a) Retaining the vessels for future use on state ferry routes;
26 (b) Leasing the vessels to public or private operators; and
27 (c) Selling the vessels and using the proceeds to purchase smaller
28 vessels that better match current and anticipated passenger loads.

29 The department must provide a cost/benefit analysis of the
30 alternatives identified and provide recommendations to the
31 transportation committees of the legislature by December 15, 2004.

32 (9) The department shall provide to the transportation committees
33 of the legislature an estimate of the total cost associated with
34 provisioning each ferry vessel with life vests and life boats or rafts
35 to accommodate for the maximum number of passengers on each ferry
36 vessel.

1 **Sec. 305.** 2003 1st sp.s. c 26 s 508 (uncodified) is amended to
2 read as follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

4	Essential Rail Assistance Account--State Appropriation . . .	\$770,000
5	Multimodal Transportation Account--State	
6	Appropriation	((\$34,530,000))
7		<u>\$35,330,000</u>
8	Multimodal Transportation Account--Federal	
9	Appropriation	((\$9,499,000))
10		<u>\$10,088,000</u>
11	<u>Multimodal Transportation Account--Local Appropriation . .</u>	<u>\$9,787,000</u>
12	Washington Fruit Express Account--State Appropriation	\$500,000
13	TOTAL APPROPRIATION	((\$45,299,000))
14		<u>\$56,475,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) The multimodal transportation account--state appropriation
18 includes \$30,000,000 in proceeds from the sale of bonds authorized by
19 Senate Bill No. 6062. The transportation commission may authorize the
20 use of current revenues available to the department of transportation
21 in lieu of bond proceeds for any part of the state appropriation.

22 (2) ~~((\$4,530,000))~~ \$5,330,000 of the multimodal transportation
23 account--state appropriation, ~~((\$9,499,000))~~ \$10,088,000 of the
24 multimodal transportation account--federal appropriation, \$9,787,000 of
25 the multimodal transportation account--local appropriation, \$500,000 of
26 the Washington fruit express account--state appropriation, and \$770,000
27 of the essential rail assistance account--state appropriation are
28 provided solely for capital projects as listed in the Legislative 2003
29 Transportation Project List - Current Law as transmitted to the LEAP on
30 ~~((April 27, 2003))~~ March 11, 2004.

31 (3) \$1,230,000 of the multimodal transportation account--state
32 appropriation and \$770,000 of the essential rail assistance account--
33 state appropriation is to be placed in reserve status by the office of
34 financial management to be held until the department identifies the
35 location for a new transload facility at either Wenatchee or Quincy.
36 The funds are to be released upon determination of a location and
37 approval by the office of financial management.

1 (4) \$30,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for capital projects as listed in the
3 Legislative 2003 Transportation Project List - New Law as transmitted
4 to the LEAP on (~~April 27, 2003~~) March 11, 2004.

5 (5) If federal block grant funding for freight or passenger rail is
6 received, the department shall consult with the legislative
7 transportation committee prior to spending the funds on additional
8 projects.

9 (6) If the department issues a call for projects, applications must
10 be received by the department by November 1, 2003, and November 1,
11 2004.

12 NEW SECTION. Sec. 306. 2003 1st sp.s. c 26 s 509 (uncodified) is
13 repealed.

14 **Sec. 307.** 2003 c 360 s 310 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION-- LOCAL PROGRAMS--PROGRAM Z--**
17 **CAPITAL**

18 Highway Infrastructure Account--State Appropriation	\$207,000
19 Highway Infrastructure Account--Federal Appropriation	\$1,602,000
20 Motor Vehicle Account--State Appropriation	(\$28,425,000)
21	<u>\$33,226,000</u>
22 <u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$1,000,000</u>
23 Multimodal Transportation Account--State Appropriation ((\$13,726,000))	
24	<u>\$30,226,000</u>
25 TOTAL APPROPRIATION	(\$43,960,000)
26	<u>\$66,261,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations:

29 (1) \$6,000,000 of the multimodal transportation account--state
30 appropriation is provided solely for the projects and activities as
31 indicated in the Legislative 2003 Transportation Project List - New Law
32 Local Projects report transmitted to LEAP on (~~April 27, 2003~~) March
33 11, 2004.

34 (2) To manage some projects more efficiently, federal funds may be
35 transferred from program Z to programs I and P and state funds shall be
36 transferred from programs I and P to program Z to replace those federal

1 funds in a dollar-for-dollar match. However, funds may not be
2 transferred between federal programs. Fund transfers authorized under
3 this subsection shall not affect project prioritization status.
4 Appropriations shall initially be allotted as appropriated in this act.
5 The department may not transfer funds as authorized under this
6 subsection without approval of the transportation commission. The
7 department shall submit a report on those projects receiving fund
8 transfers to the transportation committees of the senate and house of
9 representatives by December 1, 2004.

10 (3) \$7,576,000 of the multimodal transportation account--state
11 appropriation is reappropriated and provided solely to fund the first
12 phase of a multiphase cooperative project with the state of Oregon to
13 dredge the Columbia River. If dredge material is disposed of in the
14 ocean, the department shall not expend the appropriation in this
15 subsection unless agreement on ocean disposal sites has been reached
16 that protects the state's commercial crab fishery. The amount provided
17 in this subsection shall lapse unless the state of Oregon appropriates
18 a dollar-for-dollar match to fund its share of the project.

19 (4) (~~(\$1,156,000)~~) \$647,000 of the motor vehicle account--state
20 appropriation is reappropriated and provided solely for additional
21 small city pavement preservation program grants, to be administered by
22 the department's highways and local programs division. The department
23 shall review all projects receiving grant awards under this program at
24 least semiannually to determine whether the projects are making
25 satisfactory progress. Any project that has been awarded small city
26 pavement preservation program grant funds, but does not report activity
27 on the project within one year of grant award, should be reviewed by
28 the department to determine whether the grant should be terminated.
29 The department must promptly close out grants when projects have been
30 completed, and identify where unused grant funds remain because actual
31 project costs were lower than estimated in the grant award. The
32 department shall expeditiously extend new grant awards to qualified
33 projects when funds become available either because grant awards have
34 been rescinded for lack of sufficient project activity or because
35 completed projects returned excess grant funds upon project closeout.

36 (5) (~~(\$4,010,000)~~) \$3,156,000 of the motor vehicle account--state
37 appropriation is reappropriated and provided solely for additional
38 traffic and pedestrian safety improvements near schools. The highways

1 and local programs division within the department of transportation
2 shall administer this program. The department shall review all
3 projects receiving grant awards under this program at least
4 semiannually to determine whether the projects are making satisfactory
5 progress. Any project that has been awarded traffic and pedestrian
6 safety improvement grant funds, but does not report activity on the
7 project within one year of grant award should be reviewed by the
8 department to determine whether the grant should be terminated. The
9 department must promptly close out grants when projects have been
10 completed, and identify where unused grant funds remain because actual
11 project costs were lower than estimated in the grant award. The
12 department shall expeditiously extend new grant awards to qualified
13 projects when funds become available either because grant awards have
14 been rescinded for lack of sufficient project activity or because
15 completed projects returned excess grant funds upon project closeout.

16 (6) The motor vehicle account--state appropriation includes
17 (~~(\$20,452,000)~~) \$15,317,000 in unexpended proceeds from the sale of
18 bonds authorized by RCW 47.10.843.

19 (7) The multimodal transportation account--state appropriation
20 includes \$6,000,000 in proceeds from the sale of bonds authorized by
21 Senate Bill No. 6062. The transportation commission may authorize the
22 use of current revenues available to the department of transportation
23 in lieu of bond proceeds for any part of the state appropriation.

24 (8) \$15,500,000 of the multimodal transportation account--state
25 appropriation is provided solely for a rail barge facility to
26 accommodate very large or oversized cargo to complement the port of
27 Everett's existing deep water marine terminals. This appropriation is
28 contingent upon an office of financial management finding that:

29 (a) This project is a necessary expansion for the port to meet the
30 needs of a tenant employing thousands of Washington residents to expand
31 the tenant's operations and to provide very substantial economic
32 benefits to the region; and

33 (b) The tenant has committed to performing the manufacturing or
34 other programs that this project will serve in the Puget Sound region.

35 The department shall report to the house of representatives and
36 senate transportation committees, the house of representatives capital
37 committee, and the senate ways and means committee at least ten days
38 prior to the transmittal of any funds authorized under this section.

1 (9) \$11,400,000 of the motor vehicle account--state appropriation
2 is provided solely to implement the activities and projects included in
3 the Legislative 2003 Transportation Project List - Current Law report
4 transmitted to LEAP on March 11, 2004.

5 **TRANSFERS AND DISTRIBUTIONS**

6 **Sec. 401.** 2003 c 360 s 401 (uncodified) is amended to read as
7 follows:

8 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
9 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT**
10 **TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

11 Highway Bond Retirement Account Appropriation	((\$258,971,000))
	<u>\$250,000,000</u>
12 Nondebt-Limit Reimbursable Account Appropriation	\$4,131,000
13 Ferry Bond Retirement Account Appropriation	\$43,340,000
14 Transportation Improvement Board Bond Retirement	
15 Account--State Appropriation	\$36,721,000
16 Motor Vehicle Account--State Appropriation	((\$3,876,000))
	<u>\$5,254,000</u>
17 Special Category C Account--State Appropriation	((\$331,000))
	<u>\$338,000</u>
18 Transportation Improvement Account--State	
19 Appropriation	\$240,000
20 Multimodal Transportation Account--State Appropriation	\$358,000
21 Transportation 2003 Account (nickel account)--State	
22 Appropriation	((\$2,100,000))
	<u>\$2,117,000</u>
23 TOTAL APPROPRIATION	((\$350,068,000))
	<u>\$342,499,000</u>

29 **Sec. 402.** 2003 c 360 s 402 (uncodified) is amended to read as
30 follows:

31 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
32 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL**
33 **AGENT CHARGES**

34 Motor Vehicle Account--State Appropriation \$1,293,000

1	Special Category C Account-- <u>State</u> Appropriation	\$111,000
2	Transportation Improvement Account--State	
3	Appropriation	((\$5,000))
4		<u>\$21,000</u>
5	Multimodal Transportation Account--State Appropriation	\$119,000
6	Transportation 2003 Account (nickel account)--State	
7	Appropriation	\$700,000
8	TOTAL APPROPRIATION	((\$2,228,000))
9		<u>\$2,244,000</u>

10 **Sec. 403.** 2003 c 360 s 403 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
13 **REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

14 (1) Motor Vehicle Account--State Reappropriation:
15 For transfer to the Tacoma Narrows toll bridge
16 account \$567,000,000

17 The department of transportation is authorized to sell up to
18 \$567,000,000 in bonds authorized by RCW 47.10.843 for the Tacoma
19 Narrows bridge project. Proceeds from the sale of the bonds shall be
20 deposited into the motor vehicle account. The department of
21 transportation shall inform the treasurer of the amount to be
22 deposited.

23 (2) Motor Vehicle Account--State Appropriation:
24 For transfer to the Puget Sound capital construction
25 account (~~(\$45,000,000)~~)
26 \$29,385,000

27 The department of transportation is authorized to sell up to
28 (~~(\$45,000,000)~~) \$29,385,000 in bonds authorized by RCW 47.10.843 for
29 vessel and terminal acquisition, major and minor improvements, and long
30 lead-time materials acquisition for the Washington state ferries.

31 **Sec. 404.** 2003 c 360 s 404 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

34 Motor Vehicle Account Appropriation for
35 motor vehicle fuel tax distributions to

1 cities and counties ((~~\$441,359,000~~))
2 \$439,328,354

3 Motor Vehicle Account--State Appropriation:
4 For license permit and fee distributions to cities
5 and counties ((~~\$51,652,000~~))
6 \$13,119,000

7 **Sec. 405.** 2003 c 360 s 405 (uncodified) is amended to read as
8 follows:

9 **FOR THE STATE TREASURER--TRANSFERS**

10 (1) State Patrol Highway Account--State
11 Appropriation: For transfer to the Motor
12 Vehicle Account \$20,000,000

13 (2) Motor Vehicle Account--State
14 Appropriation: For motor vehicle fuel tax
15 refunds and transfers ((~~\$465,152,000~~))
16 \$770,347,000

17 (3) Highway Safety Account--State
18 Appropriation: For transfer to the motor
19 vehicle account--state ((~~\$12,000,000~~))
20 \$17,000,000

21 The state treasurer shall perform the transfers from the state
22 patrol highway account and the highway safety account to the motor
23 vehicle account on a quarterly basis up to the amounts provided as
24 determined by the department of transportation.

25 **Sec. 406.** 2003 c 360 s 406 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

28 (1) Motor Vehicle Account--State Appropriation:
29 For transfer to Puget Sound Ferry Operations
30 Account \$21,757,000

31 (2) RV Account--State Appropriation:
32 For transfer to the Motor Vehicle Account--State \$1,954,000

33 (3) Motor Vehicle Account--State Appropriation:
34 For transfer to Puget Sound Capital Construction
35 Account ((~~\$64,287,000~~))
36 \$61,287,000

1 (4) Puget Sound Ferry Operations Account--State
2 Appropriation: For transfer to Puget Sound
3 Capital Construction Account \$22,000,000

4 (5) Transportation Equipment Fund--State
5 Appropriation: For transfer to the Motor Vehicle
6 Account--State \$5,000,000

7 (6) Advanced Right-of-Way Revolving Account--State
8 Appropriation: For transfer to the Motor Vehicle
9 Account--State \$3,000,000

10 The transfers identified in this section are subject to the
11 following conditions and limitations:

12 (a) The department of transportation shall only transfer funds in
13 subsections (2) and (3) of this section up to the level provided, on an
14 as-needed basis.

15 (b) The department of transportation shall transfer funds in
16 subsection (4) of this section up to the amount identified, provided
17 that a minimum balance of \$5,000,000 is retained in the Puget Sound
18 ferry operations account.

19 (c) The amount identified in subsection (4) of this section may not
20 include any revenues collected as passenger fares.

21 **Sec. 407.** 2003 c 360 s 407 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS**

24 State Patrol Highway Account: For transfer to the
25 department of retirement systems expense account:
26 For the administrative expenses of the ((judicial))
27 Washington state patrol retirement system \$223,304

28 **MISCELLANEOUS**

29 NEW SECTION. **Sec. 501.** A new section is added to 2003 c 360
30 (uncodified) to read as follows:

31 **AGENCY EXPENDITURES FOR MOTOR VEHICLES.** The use of hybrid motor
32 vehicles reduces air contaminants, greenhouse gas emissions and
33 reliance on imported sources of petroleum. To foster the use of hybrid
34 motor vehicles, beginning July 1, 2004, before the purchase or lease of

1 a motor vehicle, state agencies should first consider the feasibility
2 of hybrid motor vehicles. State agencies should strive to purchase or
3 lease a hybrid motor vehicle when the use of such a vehicle is
4 consistent with and can accomplish the agency's mission and when the
5 purchase is financially reasonable. The financial assessment should
6 include savings accruing from reduced fuel purchases over the life of
7 the vehicle. Agencies shall report on their purchases of hybrid
8 vehicles in their biennial sustainability plans as required under
9 executive order 02-03.

10 NEW SECTION. **Sec. 502.** A new section is added to 2003 c 360
11 (uncodified) to read as follows:

12 Washington state ferries are more than a symbol of the state's
13 natural beauty and economic vitality. They also are a critical
14 component of our state's transportation system, serving as an extension
15 of our land-based highways and transit systems, connecting Washington's
16 people, jobs, and communities.

17 The investments made in the 2003 transportation funding package
18 provide the foundation for a marine transportation system that
19 coordinates Washington's cross-Sound marine transportation and our
20 land-based transportation alternatives to create a fully integrated
21 marine/land multimodal transportation system. Achieving this will
22 require the development of a long-range vision and supporting strategy
23 that will provide the policy guidance to define and maximize efficient
24 delivery of quality marine transportation service to the traveling
25 public.

26 (1) To accomplish this, the Washington state department of
27 transportation shall develop a vision statement and 10-year strategy
28 for the future development of Washington's multimodal water-based
29 transportation system.

30 (a) This strategy shall recommend the most appropriate means of
31 moving foot passengers across central Puget Sound, using Washington
32 state ferries, alternative operators, or a combination of both, in the
33 immediate future and over the longer term:

34 (i) Giving priority to those routes where passenger service likely
35 will be provided at least for the near term on passenger-only vessels,
36 such as Vashon-Seattle, Kingston-Seattle, Southworth-Seattle, and

1 Clinton-Seattle. Consideration shall be given to existing public-
2 private partnership opportunities;

3 (ii) Considering how service patterns will best fit in the near and
4 long term with development goals and opportunities of Colman Dock as a
5 major hub for integrating water transportation with other
6 transportation modes in downtown Seattle;

7 (iii) Evaluating how operating economies and reasonable fare box
8 recoveries can be established by scheduling A.M. and P.M. services to
9 match commuter demand and to fit within existing collective bargaining
10 agreements as interpreted and applied to facilitate "split shift"
11 transit-like operations; and

12 (iv) Providing a vessel plan that most efficiently uses existing
13 state ferry assets and provides for their likely repair and
14 rehabilitation needs, while preserving flexibility to structure
15 services around vessel availability that could rely on purchase or
16 lease of additional vessels, as may suitably be required.

17 The strategy shall also consider the availability of partnering in
18 operations, vessel deployment, or funding arrangements with other
19 public transportation entities and with the private sector. The study
20 shall also recommend the most effective use of federal funding
21 opportunities for the overall support of integrated water
22 transportation services on the central Puget Sound.

23 (b) Other components of the strategy shall include but not be
24 limited to:

25 (i) A long-term plan for the ferry system's existing terminals,
26 considering the revenue generation opportunities and potential for
27 partnering with the private sector where appropriate. This should
28 include a plan for generating other revenues as identified in the 2003
29 5-5-5 plan; and

30 (ii) A more equitable fare structure for the San Juan Islands,
31 particularly for island residents.

32 (2) The department shall consult with key public and private sector
33 stakeholders including business, labor, environmental community
34 representatives, local governments, and transit agencies as part of the
35 development of the vision statement and supporting strategy.

36 The long-range strategy should also recommend a short-range
37 implementation plan for the 2005-07 biennium. The department shall

1 provide its recommendations to the transportation committees of the
2 legislature by December 15, 2004.

3 NEW SECTION. **Sec. 503.** In addition to other gubernatorial
4 appointees, the state historic preservation officer shall be appointed
5 to any steering committee that makes the final selection of projects
6 funded from the surface transportation program flexible funds or a
7 similar program anticipated to be authorized in the extension or
8 reauthorization of the Transportation Equity Act for the 21st Century
9 (TEA-21).

10 **PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS**

11 NEW SECTION. **Sec. 601.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected.

15 NEW SECTION. **Sec. 602.** The following bills, as identified by bill
16 number, in the form passed by the legislature are necessary to
17 implement portions of this act: House Bill numbers 1702, 1796, 1960,
18 2531, 3164, and 3205.

19 NEW SECTION. **Sec. 603.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately.

(End of bill)

INDEX	PAGE #
AGENCY EXPENDITURES FOR MOTOR VEHICLES	46
BOARD OF PILOTAGE COMMISSIONERS	6
COUNTY ROAD ADMINISTRATION BOARD	6
DEPARTMENT OF LICENSING	
DRIVER SERVICES	13
INFORMATION SERVICES	12
MANAGEMENT AND SUPPORT SERVICES	11
VEHICLE SERVICES	12
DEPARTMENT OF RETIREMENT SYSTEMS	
TRANSFERS	46
DEPARTMENT OF TRANSPORTATION	
AVIATION--PROGRAM F	16
CHARGES FROM OTHER AGENCIES--PROGRAM U	22
ECONOMIC PARTNERSHIPS--PROGRAM K	17
FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D	16
HIGHWAY MAINTENANCE--PROGRAM M	18
IMPROVEMENTS--PROGRAM I	30
INFORMATION TECHNOLOGY--PROGRAM C	14
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	40
LOCAL PROGRAMS--PROGRAM Z--OPERATING	29
MARINE--PROGRAM X	25
PROGRAM D--CAPITAL	30
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	16
PUBLIC TRANSPORTATION--PROGRAM V	23
RAIL--PROGRAM Y--OPERATING	28
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	19
TRANSFERS	45
TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S	20
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	20
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	36
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	9
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE	1
LEGISLATIVE TRANSPORTATION COMMITTEE	6
MARINE EMPLOYEES COMMISSION	2
OFFICE OF FINANCIAL MANAGEMENT	
INITIATIVE MEASURE NO. 776 COSTS	2
STATE TREASURER	
BOND RETIREMENT AND INTEREST	43, 44

TRANSFERS	45
TRANSPORTATION COMMISSION	9
TRANSPORTATION IMPROVEMENT BOARD	6
WASHINGTON STATE PATROL	
FIELD OPERATIONS BUREAU	9
SUPPORT SERVICES BUREAU	11
WASHINGTON TRAFFIC SAFETY COMMISSION	3

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