
HOUSE BILL 1026

State of Washington 59th Legislature 2005 Regular Session

By Representatives Murray, Linville and Morris; by request of Governor Locke

Prefiled 1/6/2005. Read first time 01/10/2005. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2004 c 229 ss 206, 207, 208, 209, 211, 212, 213, 215, 218,
3 219, 220, 222, 223, 224, 225, 401, 402, 404, 405, and 406 (uncodified);
4 amending 2003 c 360 s 218 (uncodified); adding a new section to 2003 c
5 360 (uncodified); making appropriations; and declaring an emergency.

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

7 **TRANSPORTATION AGENCIES--OPERATING**

8 NEW SECTION. **Sec. 201.** A new section is added to 2003 c 360
9 (uncodified) to read as follows:

10 **FOR TRANSPORTATION AGENCIES.** (1) Operating appropriations made in
11 this act to the department of transportation, department of licensing,
12 and the Washington state patrol shall initially be allotted as required
13 by this act. Subsequent allotment modifications shall not include
14 transfers of moneys between sections of this act except as expressly
15 provided in this act, nor shall allotment modifications permit moneys
16 that are provided solely for a specified purpose to be used for other
17 than that purpose.

1 (2) The operating appropriations to the department of
2 transportation in this act shall be expended for the programs and in
3 the amounts specified in this act. However, after May 1, 2005, unless
4 specifically prohibited by this act, the department may transfer motor
5 vehicle account--state appropriations, multimodal transportation
6 account--state appropriations, or Puget Sound ferry operations
7 account--state appropriations for fiscal year 2005 among programs after
8 approval by the director of financial management.

9 (3) The operating appropriations to the department of licensing in
10 this act shall be expended for the programs and in the amounts
11 specified in this act. However, after May 1, 2005, unless specifically
12 prohibited by this act, the department may transfer highway safety
13 account--state appropriations for fiscal year 2005 among programs after
14 approval by the director of financial management.

15 (4) The operating appropriations to the Washington state patrol in
16 this act shall be expended for the programs and in the amounts
17 specified in this act. However, after May 1, 2005, unless specifically
18 prohibited by this act, the department may transfer state patrol
19 highway account--state appropriations for fiscal year 2005 among
20 programs after approval by the director of financial management.

21 **Sec. 202.** 2004 c 229 s 206 (uncodified) is amended to read as
22 follows:

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

24 State Patrol Highway Account--State Appropriation	(\$174,438,000))
25	<u>\$175,642,000</u>
26 State Patrol Highway Account--Federal Appropriation	\$6,957,000
27 State Patrol Highway Account--Private/Local Appropriation	\$175,000
28 TOTAL APPROPRIATION	(\$181,570,000))
29	<u>\$182,774,000</u>

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

32 (1) Washington state patrol officers engaged in off-duty uniformed
33 employment providing traffic control services to the department of
34 transportation or other state agencies are authorized to use state
35 patrol vehicles for the purposes of that employment, subject to
36 guidelines adopted by the chief of the Washington state patrol. The
37 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) \$2,138,000 of the state patrol highway account--state
31 appropriation is provided solely for additional security personnel and
32 equipment necessary to comply with the ferry security plan submitted by
33 the Washington state ferry system to the United States coast guard.

34 (6) \$264,600 of the state patrol highway account--state
35 appropriation in this subsection is provided solely for two full-time
36 detectives to work solely to investigate incidents of identity fraud,
37 drivers' license fraud, and identity theft. The detectives, as part of

1 their duty to police the public highways, shall work cooperatively with
2 the department of licensing's driver's special investigation unit.

3 **Sec. 203.** 2004 c 229 s 207 (uncodified) is amended to read as
4 follows:

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

6 State Patrol Highway Account--State Appropriation	(\$69,799,000)
7	<u>\$70,658,000</u>
8 State Patrol Highway Account--Private/Local	
9 Appropriation	\$1,290,000
10 TOTAL APPROPRIATION	(\$71,089,000)
11	<u>\$71,948,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations: Under the direction of the legislative
14 auditor, the patrol shall update the pursuit vehicle life-cycle cost
15 model developed in the 1998 Washington state patrol performance audit
16 (JLARC Report 99-4). The patrol shall utilize the updated model as a
17 basis for determining maintenance and other cost impacts resulting from
18 the increase to pursuit vehicle mileage above 110 thousand miles in the
19 2003-05 biennium. The patrol shall submit a report, that includes
20 identified cost impacts, to the transportation committees of the senate
21 and house of representatives by December 31, 2003.
22

23 **Sec. 204.** 2004 c 229 s 208 (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	\$3,000
27 Motorcycle Safety Education Account--State Appropriation	\$97,000
28 Wildlife Account--State Appropriation	\$84,000
29 Highway Safety Account--Local Appropriation	\$6,000
30 Highway Safety Account--State Appropriation	(\$8,316,000)
31	<u>\$8,318,000</u>
32 Motor Vehicle Account--State Appropriation	\$4,403,000
33 DOL Services Account--State Appropriation	\$144,000
34 TOTAL APPROPRIATION	(\$13,053,000)
35	<u>\$13,055,000</u>

1 **Sec. 205.** 2004 c 229 s 209 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**

4	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
5	Motorcycle Safety Education Account--State	
6	Appropriation	\$144,000
7	Wildlife Account--State Appropriation	\$55,000
8	Highway Safety Account--State Appropriation	(\$11,656,000)
9		<u>\$11,690,000</u>
10	Highway Safety Account--Federal Appropriation	\$6,000
11	Highway Safety Account--Local Appropriation	\$60,000
12	Motor Vehicle Account--State Appropriation	\$6,285,000
13	DOL Services Account--State Appropriation	\$1,220,000
14	TOTAL APPROPRIATION	(\$19,428,000)
15		<u>\$19,462,000</u>

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

18 (1) The department shall submit a report to the transportation
19 committees of the legislature detailing the progress made in
20 transitioning off of the Unisys system by December 1, 2003, and each
21 December 1 thereafter.

22 (2) \$151,000 of the highway safety account--state appropriation is
23 provided solely for the implementation of Third Substitute Senate Bill
24 No. 5412. Within the amount provided, the department of licensing
25 shall prepare to implement a "one-to-one" biometric matching system
26 that compares the biometric identifier submitted to the individual
27 applicant's record. The authority to expend funds provided under this
28 subsection is subject to compliance with the provisions under section
29 504 of this act. If Third Substitute Senate Bill No. 5412 is not
30 enacted by June 30, 2004, the amount provided in this subsection shall
31 lapse.

32 **Sec. 206.** 2004 c 229 s 211 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

35	Motorcycle Safety Education Account--State Appropriation .	\$2,576,000
36	Highway Safety Account--State Appropriation	(\$87,259,000)
37		<u>\$87,123,000</u>

1	Highway Safety Account--Federal Appropriation	\$318,000
2	Highway Safety Account--Local Appropriation	\$67,000
3	TOTAL APPROPRIATION	(\$90,220,000)
4		<u>\$90,084,000</u>

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

7 (1) \$178,000 of the highway safety account--state appropriation is
8 provided solely for two temporary collision processing FTEs to
9 eliminate the backlog of collision reports. The department shall
10 report, informally, to the house of representatives and senate
11 transportation committees quarterly, beginning October 1, 2003, on the
12 progress made in eliminating the backlog.

13 (2) \$369,000 of the highway safety account--state appropriation is
14 provided solely to implement Engrossed Substitute Senate Bill No. 5428
15 or House Bill No. 1681. Within the amount provided in this subsection,
16 the department is authorized to accept applications for driver's
17 license and identicard renewals via the mail or internet. If Engrossed
18 Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted
19 by June 30, 2004, the amount provided in this subsection shall lapse.

20 (3) \$282,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of Third Substitute Senate Bill
22 No. 5412. Within the amount provided, the department of licensing
23 shall prepare to implement a "one-to-one" biometric matching system
24 that compares the biometric identifier submitted to the individual
25 applicant's record. The authority to expend funds provided under this
26 subsection is subject to compliance with the provisions under section
27 504 of this act. If Third Substitute Senate Bill No. 5412 is not
28 enacted by June 30, 2004, the amount provided in this subsection shall
29 lapse.

30 (4) \$354,000 of the highway safety account--state appropriation is
31 provided solely for the implementation of Substitute House Bill No.
32 2532. If Substitute House Bill No. 2532 is not enacted by June 30,
33 2004, the amount provided in this subsection shall lapse.

34 (5) \$538,000 of the highway safety account--state appropriation is
35 provided solely for the implementation of Substitute House Bill No.
36 2660. If Substitute House Bill No. 2660 is not enacted by June 30,
37 2004, the amount provided in this subsection shall lapse.

1 47.60.140. The department shall submit a report regarding the survey
2 to the appropriate legislative committees by December 1, 2004.

3 **Sec. 208.** 2004 c 229 s 213 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
6 **AND CONSTRUCTION--PROGRAM D--OPERATING**

7 Motor Vehicle Account--State Appropriation ((~~\$30,981,000~~))
8 \$30,515,000

9 **Sec. 209.** 2004 c 229 s 215 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
12 **SUPPORT--PROGRAM H**

13 Motor Vehicle Account--State Appropriation ((~~\$49,056,000~~))
14 \$48,056,000

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

16 TOTAL APPROPRIATION ((~~\$49,456,000~~))
17 \$48,456,000

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

20 (1) ((~~\$14,310,000~~)) \$13,985,000 of the motor vehicle account--state
21 appropriation is provided solely for the staffing, activities, and
22 overhead of the department's environmental affairs office. This
23 funding is provided in lieu of funding provided in sections 305 and 306
24 of this act.

25 (2) \$3,100,000 of the motor vehicle account--state appropriation is
26 provided solely for the staffing and activities of the transportation
27 permit efficiency and accountability committee. The committee shall
28 develop a model national environmental policy act (NEPA) tribal
29 consultation process for federal transportation aid projects related to
30 the preservation of cultural, historic, and environmental resources.
31 The process shall ensure that Tribal participation in the NEPA
32 consultation process is conducted pursuant to treaty rights, federal
33 law, and state statutes, consistent with their expectations for
34 protection of such resources.

35 (3) \$300,000 of the motor vehicle account--state appropriation is
36 provided to the department in accordance with RCW 46.68.110(2) and

1 46.68.120(3) and shall be used by the department solely for the
2 purposes of providing contract services to the association of
3 Washington cities and Washington state association of counties to
4 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
5 2003 for activities of the transportation permit efficiency and
6 accountability committee.

7 **Sec. 210.** 2003 c 360 s 218 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
10 Motor Vehicle Account--State Appropriation ((\$1,011,000))
11 \$996,000

12 **Sec. 211.** 2004 c 229 s 218 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
15 **OPERATING**
16 Motor Vehicle Account--State Appropriation (~~(\$38,924,000)~~)
17 \$38,338,000
18 Motor Vehicle Account--Private/Local Appropriation \$125,000
19 TOTAL APPROPRIATION (~~(\$39,049,000)~~)
20 \$38,463,000

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

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

31 (2) \$4,400,000 of the motor vehicle account--state appropriation is
32 provided solely for low-cost enhancements. The department shall give
33 priority to low-cost enhancement projects that improve safety or
34 provide congestion relief. The department shall prioritize low-cost
35 enhancement projects on a statewide rather than regional basis.

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

4 (4) The appropriation authority under this section includes
5 spending authority to administer the motorist information sign panel
6 program. The department shall establish the annual fees charged for
7 these services so that all costs to administer this program are
8 recovered; in no event, however, shall the department charge more than:

9 (a) \$1,000 per business per location on freeways and expressways
10 with average daily trips greater than 80,000;

11 (b) \$750 per business per location on freeways and expressways with
12 average daily trips less than 80,000; and

13 (c) \$400 per business per location on conventional highways.

14 **Sec. 212.** 2004 c 229 s 219 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
17 **SUPPORT--PROGRAM S**

18 Motor Vehicle Account--State Appropriation	((\$24,579,000))
	<u>\$24,079,000</u>
19 Motor Vehicle Account--Federal Appropriation	\$636,000
20 Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
21 Multimodal Transportation Account--State Appropriation . . .	\$973,000
22 TOTAL APPROPRIATION	((\$27,281,000))
	<u>\$26,781,000</u>

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

27 (1) \$627,000 of the motor vehicle account--state appropriation is
28 provided solely for the implementation of Substitute Senate Bill No.
29 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
30 2003, the amount provided in this subsection shall lapse. The agency
31 may transfer between programs funds provided in this subsection.

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

34 **Sec. 213.** 2004 c 229 s 220 (uncodified) is amended to read as
35 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
2 **AND RESEARCH--PROGRAM T**

3	Motor Vehicle Account--State Appropriation	((\$29,494,000))
4		<u>\$24,694,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$14,814,000
6	Multimodal Transportation Account--State	
7	Appropriation	\$1,521,000
8	Multimodal Transportation Account--Federal Appropriation .	\$2,000,000
9	TOTAL APPROPRIATION	((\$47,829,000))
10		<u>\$43,029,000</u>

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

13 (1) \$3,800,000 of the motor vehicle account--state appropriation is
14 provided solely for a study of regional congestion relief solutions for
15 Puget Sound (including state route 169), Spokane, and Vancouver. The
16 study must include proposals to alleviate congestion consistent with
17 population and land use expectations under the growth management act,
18 and must include measurement of all modes of transportation.

19 (2) \$2,000,000 of the motor vehicle account--state appropriation is
20 provided solely for additional assistance to support regional
21 transportation planning organizations and long-range transportation
22 planning efforts. As a condition of receiving this support, a regional
23 transportation planning organization containing any county with a
24 population in excess of one million shall provide voting membership on
25 its executive board to any incorporated principal city of a
26 metropolitan statistical area within the region, as designated by the
27 United States census bureau.

28 (3) ((~~\$3,000,000~~)) \$1,200,000 of the motor vehicle account--state
29 appropriation is provided solely for the costs of the regional
30 transportation investment district (RTID) election and department of
31 transportation project oversight. These funds are provided as a loan
32 to the RTID and shall be repaid to the state motor vehicle account
33 within one year following the certification of the election results
34 related to the RTID.

35 (4) \$650,000 of the motor vehicle account--state appropriation is
36 provided to the department in accordance with RCW 46.68.110(2) and
37 46.68.120(3) and shall be used by the department to support the

1 processing and analysis of the backlog of city and county collision
2 reports.

3 (5) The department shall contribute to the report required in
4 section 208(1) of this act in the form of an analysis of the cost
5 impacts incurred by the department as the result of the policy
6 implemented in section 208(1) of this act. The analysis shall contrast
7 overtime costs charged by the patrol prior to July 1, 2003, with
8 contract costs for similar services after July 1, 2003.

9 (6) \$60,000 of the distribution under RCW 46.68.110(2) and
10 46.68.120(3) is provided solely to the department for the Washington
11 strategic freight transportation analysis.

12 (7) \$500,000 of the multimodal transportation account--state
13 appropriation is provided solely for contracting with the department of
14 natural resources to develop data systems for state submerged lands
15 that can be shared with other governmental agencies and that can
16 support the state vision for ecoregional planning. The data to be
17 shared shall include, but not limited to, tabular and geospatial data
18 describing public land ownership, distributions of native plants,
19 marine and aquatic species and their habitats, physical attributes,
20 aquatic ecosystems, and specially designated conservation or
21 environmentally sensitive areas.

22 **Sec. 214.** 2004 c 229 s 222 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**

25	Multimodal Transportation Account--State	
26	Appropriation	((\$47,057,000))
27		<u>\$46,757,000</u>
28	Multimodal Transportation Account--Federal Appropriation .	\$2,574,000
29	Multimodal Transportation Account--Private/Local	
30	Appropriation	\$155,000
31	TOTAL APPROPRIATION	((\$49,786,000))
32		<u>\$49,486,000</u>

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

35 (1) \$18,000,000 of the multimodal transportation account--state
36 appropriation is provided solely for a grant program for special needs

1 transportation provided by transit agencies and nonprofit providers of
2 transportation.

3 (a) \$4,000,000 of the amount provided in this subsection is
4 provided solely for grants to nonprofit providers of special needs
5 transportation. Grants for nonprofit providers shall be based on need,
6 including the availability of other providers of service in the area,
7 efforts to coordinate trips among providers and riders, and the cost
8 effectiveness of trips provided.

9 (b) \$14,000,000 of the amount provided in this subsection is
10 provided solely for grants to transit agencies to transport persons
11 with special transportation needs. To receive a grant, the transit
12 agency must have a maintenance of effort for special needs
13 transportation that is no less than the previous year's maintenance of
14 effort for special needs transportation. Grants for transit agencies
15 shall be prorated based on the amount expended for demand response
16 service and route deviated service in calendar year 2001 as reported in
17 the "Summary of Public Transportation - 2001" published by the
18 department of transportation. No transit agency may receive more than
19 thirty percent of these distributions.

20 (2) \$1,500,000 of the multimodal transportation account--state
21 appropriation is provided solely for grants to implement section 9 of
22 Engrossed Substitute House Bill No. 2228.

23 (3) Funds are provided for the rural mobility grant program as
24 follows:

25 (a) \$6,000,000 of the multimodal transportation account--state
26 appropriation is provided solely for grants for those transit systems
27 serving small cities and rural areas as identified in the Summary of
28 Public Transportation - 2001 published by the department of
29 transportation. Noncompetitive grants must be distributed to the
30 transit systems serving small cities and rural areas in a manner
31 similar to past disparity equalization programs.

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

36 (4) \$4,000,000 of the multimodal transportation account--state
37 appropriation is provided solely for a vanpool grant program for: (a)
38 Public transit agencies to add vanpools; and (b) incentives for

1 employers to increase employee vanpool use. The grant program for
 2 public transit agencies will cover capital costs only; no operating
 3 costs for public transit agencies are eligible for funding under this
 4 grant program. No additional employees may be hired for the vanpool
 5 grant program, and supplanting of transit funds currently funding
 6 vanpools is not allowed. Additional criteria for selecting grants will
 7 include leveraging funds other than state funds. The commute trip
 8 reduction task force shall determine the cost effectiveness of the
 9 grants, including vanpool system coordination, regarding the use of the
 10 funds.

11 (5) \$100,000 of the multimodal transportation account--state
 12 appropriation is provided solely for the commute trip reduction program
 13 for Benton county.

14 (6) \$3,000,000 of the multimodal transportation account--state
 15 appropriation is provided to the city of Seattle for the Seattle
 16 streetcar project on South Lake Union.

17 (7) \$500,000 of the multimodal transportation account--state
 18 appropriation is provided solely to King county as a state match to
 19 obtain federal funding for a car sharing program.

20 **Sec. 215.** 2004 c 229 s 223 (uncodified) is amended to read as
 21 follows:

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

23 Puget Sound Ferry Operations Account--State

24	Appropriation	((\$312,490,000))
25		<u>\$309,490,000</u>
26	Multimodal Transportation Account--State	
27	Appropriation	((\$5,120,000))
28		<u>\$16,688,000</u>
29	TOTAL APPROPRIATION	((\$317,610,000))
30		<u>\$326,178,000</u>

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

33 (1) The appropriation is based on the budgeted expenditure of
 34 ((~~\$35,348,000~~)) \$46,676,000 for vessel operating fuel in the 2003-2005
 35 biennium. If the actual cost of fuel is less than this budgeted
 36 amount, the excess amount may not be expended. If the actual cost

1 exceeds this amount, the department shall request a supplemental
2 appropriation.

3 (2) The appropriation provides for the compensation of ferry
4 employees. The expenditures for compensation paid to ferry employees
5 during the 2003-2005 biennium may not exceed \$208,935,700, plus a
6 dollar amount, as prescribed by the office of financial management,
7 that is equal to any insurance benefit increase granted general
8 government employees in excess of \$495.30 a month annualized per
9 eligible marine employee multiplied by the number of eligible marine
10 employees for fiscal year 2004 and \$567.67 a month annualized per
11 eligible marine employee multiplied by the number of eligible marine
12 employees for fiscal year 2005, a dollar amount as prescribed by the
13 office of financial management for costs associated with pension
14 amortization charges, and a dollar amount prescribed by the office of
15 financial management for salary increases during the 2003-2005
16 biennium. For the purposes of this section, the expenditures for
17 compensation paid to ferry employees shall be limited to salaries and
18 wages and employee benefits as defined in the office of financial
19 management's policies, regulations, and procedures named under objects
20 of expenditure "A" and "B" (7.2.6.2).

21 The prescribed salary increase or decrease dollar amount that shall
22 be allocated from the governor's compensation appropriations is in
23 addition to the appropriation contained in this section and may be used
24 to increase or decrease compensation costs, effective July 1, 2003, and
25 thereafter, as established in the 2003-2005 general fund operating
26 budget.

27 (3) \$4,234,000 of the multimodal transportation account--state
28 appropriation and \$800,000 of the Puget Sound ferry operations
29 account--state appropriation are provided solely for operating costs
30 associated with the Vashon to Seattle passenger-only ferry. The
31 Washington state ferries will develop a plan to increase passenger-only
32 farebox recovery to at least forty percent by July 1, 2003, with an
33 additional goal of eighty percent, through increased fares, lower
34 operation costs, and other cost-saving measures as appropriate. In
35 order to implement the plan, ferry system management is authorized to
36 negotiate changes in work hours (requirements for split shift work),
37 but only with respect to operating passenger-only ferry service, to be
38 included in a collective bargaining agreement in effect during the

1 2003-05 biennium that differs from provisions regarding work hours in
2 the prior collective bargaining agreement. The department must report
3 to the transportation committees of the legislature by December 1,
4 2003.

5 (4) \$984,000 of the Puget Sound ferry operations account--state
6 appropriation is provided solely for ferry security operations
7 necessary to comply with the ferry security plan submitted by the
8 Washington state ferry system to the United States coast guard. The
9 department shall track security costs and expenditures. Ferry security
10 operations costs shall not be included as part of the operational costs
11 that are used to calculate farebox recovery.

12 (5) \$866,000 of the multimodal transportation account--state
13 appropriation and \$200,000 of the Puget Sound ferry operations
14 account--state appropriation are provided solely for operating costs
15 associated with the Bremerton to Seattle passenger-only ferry service
16 for thirteen weeks.

17 (6) The department shall study the potential for private or public
18 partners, including but not limited to King county, to provide
19 passenger-only ferry service from Vashon to Seattle. The department
20 shall report to the legislative transportation committees by December
21 31, 2003.

22 (7) The Washington state ferries shall continue to provide service
23 to Sidney, British Columbia.

24 (8) When augmenting the existing ferry fleet, the department of
25 transportation ferry capital program shall explore cost-effective
26 options to include the leasing of ferries from private-sector
27 organizations.

28 (9) The Washington state ferries shall work with the department of
29 general administration, office of state procurement to improve the
30 existing fuel procurement process and solicit, identify, and evaluate,
31 purchasing alternatives to reduce the overall cost of fuel and mitigate
32 the impact of market fluctuations and pressure on both short- and long-
33 term fuel costs. Consideration shall include, but not be limited to,
34 long-term fuel contracts, partnering with other public entities, and
35 possibilities for fuel storage in evaluating strategies and options.
36 The department shall report back to the transportation committees of
37 the legislature by December 1, 2003, on the options, strategies, and
38 recommendations for managing fuel purchases and costs.

1 (10) The department must provide a separate accounting of
2 passenger-only ferry service costs and auto ferry service costs, and
3 must provide periodic reporting to the legislature on the financial
4 status of both passenger-only and auto ferry service in Washington
5 state.

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

13 (12) The Washington state ferries shall evaluate the benefits and
14 costs of selling the depreciation rights to ferries purchased by the
15 state in the future through sale and lease-back agreements, as
16 permitted under RCW 47.60.010. The department is authorized to issue
17 a request for proposal to solicit proposals from potential buyers. The
18 department must report to the transportation committees of the
19 legislature by December 1, 2004, on the options, strategies, and
20 recommendations for sale/lease-back agreements on existing ferry boats
21 as well as future ferry boat purchases.

22 **Sec. 216.** 2004 c 229 s 224 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
 25 Multimodal Transportation Account--State
 26 Appropriation ((~~\$34,118,000~~))
 27 \$33,488,000

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

30 (1) ((~~\$29,961,000~~)) \$29,331,000 of the multimodal transportation
31 account--state appropriation is provided solely for the Amtrak service
32 contract and Talgo maintenance contract associated with providing and
33 maintaining the state-supported passenger rail service.

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

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

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

5 **Sec. 217.** 2004 c 229 s 225 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
8 **OPERATING**

9	Motor Vehicle Account--State Appropriation	((\$7,067,000))
10		<u>\$6,957,000</u>
11	Motor Vehicle Account--Federal Appropriation	\$2,569,000
12	TOTAL APPROPRIATION	((\$9,636,000))
13		<u>\$9,526,000</u>

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

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

21 (2) \$300,000 of the motor vehicle account--state appropriation is
22 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
23 fund a study of the threats posed by flooding to the state and other
24 infrastructure near the Interstate 5 crossing of the Skagit River.
25 This funding is contingent on the receipt of federal matching funds.

26 **TRANSFERS AND DISTRIBUTIONS**

27 **Sec. 401.** 2004 c 229 s 401 (uncodified) is amended to read as
28 follows:

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

32	Highway Bond Retirement Account Appropriation	((\$250,000,000))
33		<u>\$180,970,000</u>
34	Nondebt-Limit Reimbursable Account Appropriation	\$4,131,000

1	Ferry Bond Retirement Account Appropriation	((\$43,340,000))
2		<u>\$40,800,000</u>
3	Transportation Improvement Board Bond Retirement	
4	Account--State Appropriation	((\$36,721,000))
5		<u>\$33,209,000</u>
6	Motor Vehicle Account--State Appropriation	\$5,254,000
7	Special Category C Account--State Appropriation	\$338,000
8	Transportation Improvement Account--State	
9	Appropriation	\$240,000
10	Multimodal Transportation Account--State Appropriation	\$358,000
11	Transportation 2003 Account (nickel account)	
12	Appropriation	\$2,117,000
13	TOTAL APPROPRIATION	((\$342,499,000))
14		<u>\$267,417,000</u>

15 **Sec. 402.** 2004 c 229 s 402 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
18 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL**
19 **AGENT CHARGES**

20	Motor Vehicle Account--State Appropriation	((\$1,293,000))
21		<u>\$793,000</u>
22	Special Category C Account Appropriation	\$111,000
23	Transportation Improvement Account--State	
24	Appropriation	\$21,000
25	Multimodal Transportation Account--State Appropriation	\$119,000
26	Transportation 2003 Account (nickel account)--State	
27	Appropriation	((\$700,000))
28		<u>\$400,000</u>
29	TOTAL APPROPRIATION	((\$2,244,000))
30		<u>\$1,444,000</u>

31 **Sec. 403.** 2004 c 229 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
36 cities and counties ((~~\$440,228,000~~))

1 \$435,138,000
2 Motor Vehicle Account--State Appropriation:
3 For license permit and fee distributions to cities
4 and counties ((~~\$13,119,000~~))
5 \$0

6 **Sec. 404.** 2004 c 229 s 405 (uncodified) is amended to read as
7 follows:

8 **FOR THE STATE TREASURER--TRANSFERS**

9 (1) State Patrol Highway Account--State
10 Appropriation: For transfer to the Motor
11 Vehicle Account ((~~\$20,000,000~~))
12 \$14,000,000

13 (2) Motor Vehicle Account--State
14 Appropriation: For motor vehicle fuel tax
15 refunds and transfers ((~~\$770,347,000~~))
16 \$752,823,000

17 (3) Highway Safety Account--State
18 Appropriation: For transfer to the motor
19 vehicle account--state ((~~\$12,000,000~~))
20 \$13,000,000

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.

24 **Sec. 405.** 2004 c 229 s 406 (uncodified) is amended to read as
25 follows:

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

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

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

32 (3) Motor Vehicle Account--State Appropriation:
33 For transfer to Puget Sound Capital Construction
34 Account ((~~\$61,287,000~~))
35 \$60,287,000

36 (4) Puget Sound Ferry Operations Account--State

1 Appropriation: For transfer to Puget Sound Capital
 2 Construction Account \$22,000,000
 3 (5) Transportation Equipment Fund--State
 4 Appropriation: For transfer to the Motor Vehicle
 5 Account--State \$5,000,000
 6 (6) Advanced Right-of-Way Revolving Account--
 7 State Appropriation: For transfer to the Motor
 8 Vehicle Account--State \$3,000,000

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

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

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

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

20 **MISCELLANEOUS**

21 NEW SECTION. **Sec. 501.** If any provision of this act or its
 22 application to any person or circumstance is held invalid, the
 23 remainder of the act or the application of the provision to other
 24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 502.** This act is necessary for the immediate
 26 preservation of the public peace, health, or safety, or support of the
 27 state government and its existing public institutions, and takes effect
 28 immediately.

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