
SUBSTITUTE SENATE BILL 6800

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Haugen, Jacobsen and Rockefeller; by request of Governor Gregoire)

READ FIRST TIME 02/02/06.

1 AN ACT Relating to streamlining state transportation governance;
2 amending RCW 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.091,
3 47.01.101, 47.01.280, 47.05.021, 36.57A.191, 36.78.121, 36.79.120,
4 36.79.130, 36.120.020, 43.10.101, 46.44.042, 46.44.080, 46.44.090,
5 46.44.092, 46.44.096, 46.61.450, 46.68.113, 47.28.010, 47.28.170,
6 47.38.060, 47.52.133, 47.52.145, 47.52.210, 81.112.086, 36.56.121,
7 36.57A.070, 47.10.861, 47.10.862, 47.10.843, 47.10.844, 47.10.834,
8 47.10.835, 47.10.819, 47.10.820, 47.02.120, 47.02.140, 47.17.132,
9 47.24.010, 47.64.011, and 47.64.170; reenacting and amending RCW
10 43.88.030; adding a new section to chapter 47.01 RCW; repealing RCW
11 44.75.010, 44.75.020, 44.75.030, 44.75.040, 44.75.050, 44.75.060,
12 44.75.070, 44.75.080, 44.75.090, 44.75.100, 44.75.110, 44.75.120,
13 44.75.800, 44.75.900, and 44.75.901; and providing an effective date.

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

15 **Sec. 1.** RCW 47.01.051 and 1977 ex.s. c 151 s 5 are each amended to
16 read as follows:

17 There is hereby created a transportation commission, which shall
18 consist of seven voting members appointed by the governor, with the
19 consent of the senate. The present five members of the highway

1 commission shall serve as five initial members of the transportation
2 commission until their terms of office as highway commission members
3 would have expired. The additional two members provided herein for the
4 transportation commission shall be appointed for initial terms to
5 expire on June 30, 1982, and June 30, 1983. Thereafter all terms shall
6 be for six years. No elective state official (~~(or)~~), state officer, or
7 state employee shall be a member of the commission(~~(, and not more than~~
8 ~~four members of the commission shall at the time of appointment or~~
9 ~~thereafter during their respective terms of office be members of the~~
10 ~~same major political party. At the time of appointment or thereafter~~
11 ~~during their respective terms of office, four members of the commission~~
12 ~~shall reside in the western part of the state and three members shall~~
13 ~~reside in the eastern part of the state as divided north and south by~~
14 ~~the summit of the Cascade mountains. No more than two members of the~~
15 ~~commission shall reside in the same county)); however, the governor, or
16 his or her designee, shall serve as a nonvoting member of the
17 commission. Commission appointments should reflect both a wide range
18 of transportation interests and a balanced statewide geographic
19 representation. Commissioners (~~shall not be removed from office by~~
20 the governor before the expiration of their terms unless for a
21 disqualifying change of residence or for cause based upon a
22 determination of incapacity, incompetence, neglect of duty, or
23 malfeasance in office by the superior court of the state of Washington
24 in and for Thurston county upon petition and show cause proceedings
25 duly brought therefor in said court and directed to the commissioner in
26 question. No member shall be appointed for more than two consecutive
27 terms)) may be removed from office by the governor before the
28 expiration of their terms for cause.~~

29 **Sec. 2.** RCW 47.01.061 and 2005 c 319 s 4 are each amended to read
30 as follows:

31 (1) The commission shall meet at such times as it deems advisable
32 but at least (~~once every month~~) on a quarterly basis with meetings to
33 be held in different parts of the state. It may adopt its own rules
34 and regulations and may establish its own procedure. It shall act
35 collectively in harmony with recorded resolutions or motions adopted by
36 majority vote of at least four members. The commission may appoint an
37 (~~administrative secretary~~) executive director, and shall elect one of

1 its members (~~(chairman)~~) chair for a term of one year. The (~~(chairman~~
2 ~~shall be able to)~~) chair may vote on all matters before the commission.
3 The commission may from time to time retain planners, consultants, and
4 other technical personnel to advise it in the performance of its
5 duties.

6 (2) The commission shall submit to each regular session of the
7 legislature held in an odd-numbered year its own budget proposal
8 necessary for the commission's operations separate from that proposed
9 for the department.

10 (3) Each member of the commission shall be compensated in
11 accordance with RCW 43.03.250 and shall be reimbursed for actual
12 necessary traveling and other expenses in going to, attending, and
13 returning from meetings of the commission, and actual and necessary
14 traveling and other expenses incurred in the discharge of such duties
15 as may be requested by a majority vote of the commission or by the
16 secretary of transportation, but in no event shall (~~(a commissioner be~~
17 ~~compensated in any year for more than one hundred twenty days, except~~
18 ~~the chairman of the commission who may be paid compensation for not~~
19 ~~more than one hundred fifty days)~~) the entire commission membership be
20 compensated for more than one thousand two hundred thirty days
21 combined. Service on the commission shall not be considered as service
22 credit for the purposes of any public retirement system.

23 (4) Each member of the commission shall disclose any actual or
24 potential conflict of interest, if applicable under the circumstance,
25 regarding any commission business.

26 **Sec. 3.** RCW 47.01.071 and 2005 c 319 s 5 are each amended to read
27 as follows:

28 The transportation commission shall have the following functions,
29 powers, and duties:

30 (1) To propose policies to be adopted by the governor and the
31 legislature designed to assure the development and maintenance of a
32 comprehensive and balanced statewide transportation system which will
33 meet the needs of the people of this state for safe and efficient
34 transportation services. Wherever appropriate the policies shall
35 provide for the use of integrated, intermodal transportation systems to
36 implement the social, economic, and environmental policies, goals, and

1 objectives of the people of the state, and especially to conserve
2 nonrenewable natural resources including land and energy. To this end
3 the commission shall:

4 (a) Develop transportation policies which are based on the
5 policies, goals, and objectives expressed and inherent in existing
6 state laws;

7 (b) Inventory the adopted policies, goals, and objectives of the
8 local and area-wide governmental bodies of the state and define the
9 role of the state, regional, and local governments in determining
10 transportation policies, in transportation planning, and in
11 implementing the state transportation plan;

12 (c) Propose a transportation policy for the state;

13 (d) Establish a procedure for review and revision of the state
14 transportation policy and for submission of proposed changes to the
15 governor and the legislature;

16 (e) To integrate the statewide transportation plan with the needs
17 of the elderly and handicapped, and to coordinate federal and state
18 programs directed at assisting local governments to answer such needs;

19 (2) To provide for the effective coordination of state
20 transportation planning with national transportation policy, state and
21 local land use policies, and local and regional transportation plans
22 and programs;

23 (3) In conjunction with the provisions under RCW 47.01.075, to
24 provide for public involvement in transportation designed to elicit the
25 public's views both with respect to adequate transportation services
26 and appropriate means of minimizing adverse social, economic,
27 environmental, and energy impact of transportation programs;

28 (4) To prepare a comprehensive and balanced statewide
29 transportation plan which shall be based on the transportation policy
30 adopted by the governor and the legislature, and applicable state and
31 federal laws. The plan shall be reviewed and revised, and submitted to
32 the governor and the house of representatives and senate standing
33 committees on transportation, prior to each regular session of the
34 legislature during an even-numbered year thereafter.

35 The plan shall take into account federal law and regulations
36 relating to the planning, construction, and operation of transportation
37 facilities;

1 (5) To propose to the governor and the legislature prior to the
2 convening of each regular session held in an odd-numbered year a
3 recommended budget for the operations of the commission as required by
4 RCW 47.01.061;

5 ~~((To approve the issuance and sale of all bonds authorized by
6 the legislature for capital construction of state highways, toll
7 facilities, Columbia Basin county roads (for which reimbursement to the
8 motor vehicle fund has been provided), urban arterial projects, and
9 aviation facilities;~~

10 ~~(7))~~ To adopt such rules(~~(, regulations, and policy directives))~~
11 as may be necessary to carry out reasonably and properly those
12 functions expressly vested in the commission by statute;

13 ~~((8))~~ (7) To contract with the office of financial management or
14 other appropriate state agencies for administrative support, accounting
15 services, computer services, and other support services necessary to
16 carry out its other statutory duties;

17 (8) To conduct transportation-related studies and policy analysis
18 to the extent directed by the legislature in the omnibus transportation
19 appropriations act, or as otherwise provided in law, and subject to the
20 availability of amounts appropriated for this specific purpose; and

21 (9) To exercise such other specific powers and duties as may be
22 vested in the transportation commission by this or any other provision
23 of law.

24 **Sec. 4.** RCW 47.01.075 and 2005 c 319 s 6 are each amended to read
25 as follows:

26 (1) The transportation commission shall provide a public forum for
27 the development of transportation policy in Washington state to include
28 coordination with regional transportation planning organizations,
29 transportation stakeholders, counties, cities, and citizens. It may
30 recommend to the secretary of transportation, the governor, and the
31 legislature means for obtaining appropriate citizen and professional
32 involvement in all transportation policy formulation and other matters
33 related to the powers and duties of the department. It may further
34 hold hearings and explore ways to improve the mobility of the
35 citizenry. At least every five years, the commission shall convene
36 regional forums to gather citizen input on transportation issues.

1 (2) Every two years, in coordination with the development of the
2 state biennial budget, the commission shall prepare the statewide
3 multimodal transportation progress report that outlines the
4 transportation priorities of the ensuing biennium. The report must:

5 (a) Consider the citizen input gathered at the forums;

6 (b) Be developed with the assistance of state transportation-
7 related agencies and organizations;

8 (c) Be developed with the input from state, local, and regional
9 jurisdictions, transportation service providers, and key transportation
10 stakeholders;

11 (d) Be considered by the secretary of transportation and other
12 state transportation-related agencies in preparing proposed agency
13 budgets and executive request legislation;

14 (e) Be submitted by the commission to the governor and the
15 legislature by October 1st of each even-numbered year for consideration
16 by the governor.

17 (3) In fulfilling its responsibilities under this section, the
18 commission may create ad hoc committees or other such committees of
19 limited duration as necessary.

20 (4) In order to promote a better transportation system, the
21 commission shall offer policy guidance and make recommendations to the
22 governor and the legislature in key issue areas, including but not
23 limited to:

24 (a) Transportation finance;

25 (b) Preserving, maintaining, and operating the statewide
26 transportation system;

27 (c) Transportation infrastructure needs;

28 (d) Promoting best practices for adoption and use by
29 transportation-related agencies and programs;

30 (e) Transportation efficiencies that will improve service delivery
31 and/or coordination;

32 (f) Improved planning and coordination among transportation
33 agencies and providers; and

34 (g) Use of intelligent transportation systems and other technology-
35 based solutions.

36 **Sec. 5.** RCW 47.01.091 and 1977 ex.s. c 151 s 9 are each amended to
37 read as follows:

1 The secretary shall establish such advisory councils as are
2 necessary to carry out the purposes of this (~~1977 amendatory act~~)
3 title, and to insure adequate public participation in the planning and
4 development of transportation facilities. Members of such councils
5 shall serve at the pleasure of the secretary and may receive per diem
6 and necessary expenses, in accordance with RCW 43.03.050 and 43.03.060,
7 as now or hereafter amended.

8 **Sec. 6.** RCW 47.01.101 and 2005 c 319 s 7 are each amended to read
9 as follows:

10 The secretary shall have the authority and it shall be his or her
11 duty:

12 (1) To serve as chief executive officer of the department with full
13 administrative authority to direct all its activities;

14 (2) To organize the department as he or she may deem necessary to
15 carry out the work and responsibilities of the department effectively;

16 (3) To designate and establish such transportation district,
17 region, or branch offices as may be necessary or convenient, and to
18 appoint assistants and delegate any powers, duties, and functions to
19 them or any officer or employee of the department as deemed necessary
20 to administer the department efficiently;

21 (4) To direct and coordinate the programs of the various divisions
22 of the department to assure that they achieve the greatest possible
23 mutual benefit, produce a balanced overall effort, and eliminate
24 unnecessary duplication of activity;

25 (5) To adopt all department rules that are subject to the adoption
26 procedures contained in the state administrative procedure act, except
27 rules subject to adoption by the commission pursuant to statute;

28 (6) To maintain and safeguard the official records of the
29 department, including the commission's recorded resolutions and orders;

30 (7) To provide, under contract or interagency agreement, (~~full~~)
31 staff support to the commission, including long-term technical and
32 administrative support as needed, to assist it in carrying out its
33 functions, powers, and duties;

34 (8) To execute and implement the biennial operating budget for the
35 operation of the department in accordance with chapter 43.88 RCW and
36 with legislative appropriation;

- 1 (9) To advise the governor and the legislature with respect to
2 matters under the jurisdiction of the department; and
3 (10) To exercise all other powers and perform all other duties as
4 are now or hereafter provided by law.

5 **Sec. 7.** RCW 47.01.280 and 2005 c 319 s 121 are each amended to
6 read as follows:

7 (1) Upon receiving an application for improvements to an existing
8 state highway or highways pursuant to RCW 43.160.074 from the community
9 economic revitalization board, the ~~((transportation commission))~~
10 department shall, in a timely manner, determine whether or not the
11 proposed state highway improvements:

12 (a) Meet the safety and design criteria of the department of
13 transportation;

14 (b) Will impair the operational integrity of the existing highway
15 system; and

16 (c) Will affect any other improvements planned by the department(~~(+~~
17 and

18 ~~(d) Will be consistent with its policies developed pursuant to RCW~~
19 ~~47.01.071)).~~

20 (2) Upon completion of its determination of the factors contained
21 in subsection (1) of this section and any other factors it deems
22 pertinent, the ~~((transportation commission))~~ department shall forward
23 its approval, as submitted or amended or disapproval of the proposed
24 improvements to the board, along with any recommendation it may wish to
25 make concerning the desirability and feasibility of the proposed
26 development. If the ~~((transportation commission))~~ department
27 disapproves any proposed improvements, it shall specify its reasons for
28 disapproval.

29 (3) Upon notification from the board of an application's approval
30 pursuant to RCW 43.160.074, the ~~((transportation commission))~~
31 department shall ~~((direct the department of transportation to))~~ carry
32 out the improvements in coordination with the applicant.

33 **Sec. 8.** RCW 47.05.021 and 2005 c 319 s 8 are each amended to read
34 as follows:

35 (1) The department shall conduct periodic analyses of the entire
36 state highway system(~~(τ))~~ and report to the ~~((commission))~~ office of

1 financial management and the chairs of the transportation committees of
2 the senate and house of representatives, any subsequent recommendations
3 to subdivide, classify, and subclassify all designated state highways
4 into the following three functional classes:

5 (a) The "principal arterial system" shall consist of a connected
6 network of rural arterial routes with appropriate extensions into and
7 through urban areas, including all routes designated as part of the
8 interstate system, which serve corridor movements having travel
9 characteristics indicative of substantial statewide and interstate
10 travel;

11 (b) The "minor arterial system" shall, in conjunction with the
12 principal arterial system, form a rural network of arterial routes
13 linking cities and other activity centers which generate long distance
14 travel, and, with appropriate extensions into and through urban areas,
15 form an integrated network providing interstate and interregional
16 service; and

17 (c) The "collector system" shall consist of routes which primarily
18 serve the more important intercounty, intracounty, and intraurban
19 travel corridors, collect traffic from the system of local access roads
20 and convey it to the arterial system, and on which, regardless of
21 traffic volume, the predominant travel distances are shorter than on
22 arterial routes.

23 (2) The (~~transportation commission~~) department shall adopt a
24 functional classification of highways. The (~~commission~~) department
25 shall consider (~~the recommendations of the department and testimony~~)
26 comments from the public and local municipalities. The (~~commission~~)
27 department shall give consideration to criteria consistent with this
28 section and federal regulations relating to the functional
29 classification of highways, including but not limited to the following:

30 (a) Urban population centers within and without the state
31 stratified and ranked according to size;

32 (b) Important traffic generating economic activities, including but
33 not limited to recreation, agriculture, government, business, and
34 industry;

35 (c) Feasibility of the route, including availability of alternate
36 routes within and without the state;

37 (d) Directness of travel and distance between points of economic
38 importance;

- 1 (e) Length of trips;
- 2 (f) Character and volume of traffic;
- 3 (g) Preferential consideration for multiple service which shall
- 4 include public transportation;
- 5 (h) Reasonable spacing depending upon population density; and
- 6 (i) System continuity.

7 (3) The (~~transportation commission~~) department or the legislature
8 shall designate state highways of statewide significance under RCW
9 47.06.140. If the (~~commission~~) department designates a state highway
10 of statewide significance, it shall submit a list of such facilities
11 for adoption by the legislature. This statewide system shall include
12 at a minimum interstate highways and other statewide principal
13 arterials that are needed to connect major communities across the state
14 and support the state's economy.

15 (4) The (~~transportation commission~~) department shall designate a
16 freight and goods transportation system. This statewide system shall
17 include state highways, county roads, and city streets. The
18 (~~commission~~) department, in cooperation with cities and counties,
19 shall review and make recommendations to the legislature regarding
20 policies governing weight restrictions and road closures which affect
21 the transportation of freight and goods.

22 **Sec. 9.** RCW 36.57A.191 and 2003 c 363 s 304 are each amended to
23 read as follows:

24 As a condition of receiving state funding, a public transportation
25 benefit area authority shall submit a maintenance and preservation
26 management plan for certification by the department of transportation
27 (~~commission or its successor entity~~). The plan must inventory all
28 transportation system assets within the direction and control of the
29 authority, and provide a preservation plan based on lowest life-cycle
30 cost methodologies.

31 **Sec. 10.** RCW 36.78.121 and 2003 c 363 s 307 are each amended to
32 read as follows:

33 The county road administration board, or its successor entity,
34 shall establish a standard of good practice for maintenance of
35 transportation system assets. This standard must be implemented by all
36 counties no later than December 31, 2007. The board shall develop a

1 model maintenance management system for use by counties. The board
2 shall develop rules to assist the counties in the implementation of
3 this system. Counties shall annually submit their maintenance plans to
4 the board. The board shall compile the county data regarding
5 maintenance management and annually submit it to the (~~transportation~~
6 ~~commission or its successor entity~~) office of financial management.

7 **Sec. 11.** RCW 36.79.120 and 1988 c 26 s 6 are each amended to read
8 as follows:

9 Counties receiving funds from the rural arterial trust account for
10 construction of arterials and the construction of replacement bridges
11 funded by the federal bridge replacement program on access roads in
12 rural areas shall provide such matching funds as established by rules
13 recommended by the board, subject to review, revision, and final
14 approval by the (~~state transportation commission~~) office of financial
15 management. Matching requirements shall be established after
16 appropriate studies by the board, taking into account financial
17 resources available to counties to meet arterial needs.

18 **Sec. 12.** RCW 36.79.130 and 1983 1st ex.s. c 49 s 13 are each
19 amended to read as follows:

20 Not later than November 1st of each even-numbered year the board
21 shall prepare and present to the (~~state transportation commission~~)
22 office of financial management a recommended budget for expenditures
23 from the rural arterial trust account during the ensuing biennium. The
24 budget shall contain an estimate of the revenues to be credited to the
25 rural arterial trust account.

26 The (~~state transportation commission~~) office of financial
27 management shall review the budget as recommended, revise the budget as
28 it deems proper, and include the budget as revised as a separate
29 section of the transportation budget which it shall submit to the
30 governor pursuant to chapter 43.88 RCW.

31 **Sec. 13.** RCW 36.120.020 and 2002 c 56 s 102 are each amended to
32 read as follows:

33 The definitions in this section apply throughout this chapter
34 unless the context clearly requires otherwise.

- 1 (1) "Board" means the governing body of a regional transportation
2 investment district.
- 3 (2) "Department" means the Washington state department of
4 transportation.
- 5 (3) "Highway of statewide significance" means an existing or
6 proposed state route or federal interstate designated as a highway of
7 statewide significance by the transportation commission, (~~its~~
8 ~~successor entity~~) the department, or the legislature.
- 9 (4) "Lead agency" means a public agency that by law can plan,
10 design, and build a transportation project and has been so designated
11 by the district.
- 12 (5) "Regional transportation investment district" or "district"
13 means a municipal corporation whose boundaries are coextensive with two
14 or more contiguous counties and that has been created by county
15 legislative authorities and a vote of the people under this chapter to
16 implement a regional transportation investment plan.
- 17 (6) "Regional transportation investment district planning
18 committee" or "planning committee" means the advisory committee created
19 under RCW 36.120.030 to create and propose to county legislative
20 authorities a regional transportation investment plan to develop,
21 finance, and construct transportation projects.
- 22 (7) "Regional transportation investment plan" or "plan" means a
23 plan to develop, construct, and finance a transportation project or
24 projects.
- 25 (8) "Transportation project" means:
- 26 (a) A capital improvement or improvements to a highway that has
27 been designated, in whole or in part, as a highway of statewide
28 significance, including an extension, that:
- 29 (i) Adds a lane or new lanes to an existing state or federal
30 highway; or
- 31 (ii) Repairs or replaces a lane or lanes damaged by an event
32 declared an emergency by the governor before January 1, 2002.
- 33 (b) A capital improvement or improvements to all or a portion of a
34 highway of statewide significance, including an extension, and may
35 include the following associated multimodal capital improvements:
- 36 (i) Approaches to highways of statewide significance;
- 37 (ii) High-occupancy vehicle lanes;
- 38 (iii) Flyover ramps;

1 (iv) Park and ride lots;
2 (v) Bus pullouts;
3 (vi) Vans for vanpools;
4 (vii) Buses; and
5 (viii) Signalization, ramp metering, and other transportation
6 system management improvements.

7 (c) A capital improvement or improvements to all or a portion of a
8 city street, county road, or existing highway or the creation of a new
9 highway that intersects with a highway of statewide significance, if
10 all of the following conditions are met:

11 (i) The project is included in a plan that makes highway
12 improvement projects that add capacity to a highway or highways of
13 statewide significance;

14 (ii) The secretary of transportation determines that the project
15 would better relieve traffic congestion than investing that same money
16 in adding capacity to a highway of statewide significance;

17 (iii) Matching money equal to one-third of the total cost of the
18 project is provided by local entities, including but not limited to a
19 metropolitan planning organization, county, city, port, or private
20 entity in which a county participating in a plan is located. Local
21 entities may use federal grants to meet this matching requirement;

22 (iv) In no case may the cumulative regional transportation
23 investment district contribution to all projects constructed under this
24 subsection (8)(c) exceed ten percent of the revenues generated by the
25 district;

26 (v) In no case may the cumulative regional transportation
27 investment district contribution to all projects constructed under this
28 subsection (8)(c) exceed one billion dollars; and

29 (vi) The specific projects are included within the plan and
30 submitted as part of the plan to a vote of the people.

31 (d) Operations, preservation, and maintenance are excluded from
32 this definition and may not be included in a regional transportation
33 investment plan.

34 (9) "Weighted vote" means a vote that reflects the population each
35 board or planning committee member represents relative to the
36 population represented by the total membership of the board or planning
37 committee. Population will be determined using the federal 2000 census
38 or subsequent federal census data.

1 **Sec. 14.** RCW 43.10.101 and 2005 c 319 s 104 are each amended to
2 read as follows:

3 The attorney general shall prepare annually a report to the
4 transportation committees of the legislature, the governor, the
5 department of transportation, and the transportation commission(~~(, and~~
6 ~~the transportation performance audit board~~)) comprising a comprehensive
7 summary of all cases involving tort claims against the department of
8 transportation involving highways which were concluded and closed in
9 the previous calendar year. The report shall include for each case
10 closed:

11 (1) A summary of the factual background of the case;

12 (2) Identification of the attorneys representing the state and the
13 opposing parties;

14 (3) A synopsis of the legal theories asserted and the defenses
15 presented;

16 (4) Whether the case was tried, settled, or dismissed, and in whose
17 favor;

18 (5) The approximate number of attorney hours expended by the state
19 on the case, together with the corresponding dollar amount billed
20 therefore; and

21 (6) Such other matters relating to the case as the attorney general
22 deems relevant or appropriate, especially including any comments or
23 recommendations for changes in statute law or agency practice that
24 might effectively reduce the exposure of the state to such tort claims.

25 **Sec. 15.** RCW 46.44.042 and 1996 c 116 s 1 are each amended to read
26 as follows:

27 Subject to the maximum gross weights specified in RCW 46.44.041, it
28 is unlawful to operate any vehicle upon the public highways with a
29 gross weight, including load, upon any tire concentrated upon the
30 surface of the highway in excess of six hundred pounds per inch width
31 of such tire. An axle manufactured after July 31, 1993, carrying more
32 than ten thousand pounds gross weight must be equipped with four or
33 more tires. (~~(Effective January 1, 1997,)~~) An axle carrying more than
34 ten thousand pounds gross weight must have four or more tires,
35 regardless of date of manufacture. Instead of the four or more tires
36 per axle requirements of this section, an axle may be equipped with two
37 tires limited to five hundred pounds per inch width of tire. This

1 section does not apply to vehicles operating under oversize or
2 overweight permits, or both, issued under RCW 46.44.090, while carrying
3 a nonreducible load.

4 The following equipment may operate at six hundred pounds per inch
5 width of tire: (1) A nonliftable steering axle or axles on the power
6 unit; (2) a tiller axle on fire fighting apparatus; (3) a rear booster
7 trailing axle equipped with two tires on a ready-mix concrete transit
8 truck; and (4) a straddle trailer manufactured before January 1, 1996,
9 equipped with single-tire axles or a single axle using a walking beam
10 supported by two in-line single tires and used exclusively for the
11 transport of fruit bins between field, storage, and processing. A
12 straddle trailer manufactured after January 1, 1996, meeting this use
13 criteria may carry five hundred fifteen pounds per inch width of tire
14 on sixteen and one-half inch wide tires.

15 For the purpose of this section, the width of tire in case of solid
16 rubber or hollow center cushion tires, so long as the use thereof may
17 be permitted by the law, shall be measured between the flanges of the
18 rim. For the purpose of this section, the width of tires in case of
19 pneumatic tires shall be the maximum overall normal inflated width as
20 stipulated by the manufacturer when inflated to the pressure specified
21 and without load thereon.

22 The department of transportation, (~~(under rules adopted by the~~
23 ~~transportation commission))~~ by rule with respect to state highways, and
24 a local authority, with respect to a public highway under its
25 jurisdiction, may extend the weight table in RCW 46.44.041 to one
26 hundred fifteen thousand pounds. However, the extension must be in
27 compliance with federal law, and vehicles operating under the extension
28 must be in full compliance with the 1997 axle and tire requirements
29 under this section.

30 **Sec. 16.** RCW 46.44.080 and 1977 ex.s. c 151 s 29 are each amended
31 to read as follows:

32 Local authorities with respect to public highways under their
33 jurisdiction may prohibit the operation thereon of motor trucks or
34 other vehicles or may impose limits as to the weight thereof, or any
35 other restrictions as may be deemed necessary, whenever any such public
36 highway by reason of rain, snow, climatic or other conditions, will be
37 seriously damaged or destroyed unless the operation of vehicles thereon

1 be prohibited or restricted or the permissible weights thereof reduced:
2 PROVIDED, That whenever a highway has been closed generally to vehicles
3 or specified classes of vehicles, local authorities shall by general
4 rule or by special permit authorize the operation thereon of school
5 buses, emergency vehicles, and motor trucks transporting perishable
6 commodities or commodities necessary for the health and welfare of
7 local residents under such weight and speed restrictions as the local
8 authorities deem necessary to protect the highway from undue damage:
9 PROVIDED FURTHER, That the governing authorities of incorporated cities
10 and towns shall not prohibit the use of any city street designated (~~by~~
11 ~~the transportation commission as forming~~) a part of the route of any
12 primary state highway through any such incorporated city or town by
13 vehicles or any class of vehicles or impose any restrictions or
14 reductions in permissible weights unless such restriction, limitation,
15 or prohibition, or reduction in permissible weights be first approved
16 in writing by the department of transportation.

17 The local authorities imposing any such restrictions or
18 limitations, or prohibiting any use or reducing the permissible weights
19 shall do so by proper ordinance or resolution and shall erect or cause
20 to be erected and maintained signs designating the provisions of the
21 ordinance or resolution in each end of the portion of any public
22 highway affected thereby, and no such ordinance or resolution shall be
23 effective unless and until such signs are erected and maintained.

24 The department shall have the same authority as hereinabove granted
25 to local authorities to prohibit or restrict the operation of vehicles
26 upon state highways. The department shall give public notice of
27 closure or restriction. The department may issue special permits for
28 the operation of school buses and motor trucks transporting perishable
29 commodities or commodities necessary for the health and welfare of
30 local residents under specified weight and speed restrictions as may be
31 necessary to protect any state highway from undue damage.

32 **Sec. 17.** RCW 46.44.090 and 2001 c 262 s 1 are each amended to read
33 as follows:

34 The department of transportation, pursuant to its rules (~~adopted~~
35 ~~by the transportation commission~~) with respect to state highways, and
36 local authorities, with respect to public highways under their
37 jurisdiction, may, upon application in writing and good cause being

1 shown therefor, issue a special permit in writing, or electronically,
2 authorizing the applicant to operate or move a vehicle or combination
3 of vehicles of a size, weight of vehicle, or load exceeding the maximum
4 set forth in RCW 46.44.010, 46.44.020, 46.44.030, 46.44.034, and
5 46.44.041 upon any public highway under the jurisdiction of the
6 authority granting such permit and for the maintenance of which such
7 authority is responsible.

8 **Sec. 18.** RCW 46.44.092 and 1989 c 398 s 2 are each amended to read
9 as follows:

10 Special permits may not be issued for movements on any state
11 highway outside the limits of any city or town in excess of the
12 following widths:

13 On two-lane highways, fourteen feet;

14 On multiple-lane highways where a physical barrier serving as a
15 median divider separates opposing traffic lanes, twenty feet;

16 On multiple-lane highways without a physical barrier serving as a
17 median divider, thirty-two feet.

18 These limits apply except under the following conditions:

19 (1) In the case of buildings, the limitations referred to in this
20 section for movement on any two lane state highway other than the
21 national system of interstate and defense highways may be exceeded
22 under the following conditions: (a) Controlled vehicular traffic shall
23 be maintained in one direction at all times; (b) the maximum distance
24 of movement shall not exceed five miles; additional contiguous permits
25 shall not be issued to exceed the five-mile limit: PROVIDED, That when
26 the department of transportation(~~(, pursuant to general rules adopted~~
27 ~~by the transportation commission,~~)) determines a hardship would result,
28 this limitation may be exceeded upon approval of the department of
29 transportation; (c) prior to issuing a permit a qualified
30 transportation department employee shall make a visual inspection of
31 the building and route involved determining that the conditions listed
32 herein shall be complied with and that structures or overhead
33 obstructions may be cleared or moved in order to maintain a constant
34 and uninterrupted movement of the building; (d) special escort or other
35 precautions may be imposed to assure movement is made under the safest
36 possible conditions, and the Washington state patrol shall be advised
37 when and where the movement is to be made;

1 (2) Permits may be issued for widths of vehicles in excess of the
2 preceding limitations on highways or sections of highways which have
3 been designed and constructed for width in excess of such limitations;

4 (3) Permits may be issued for vehicles with a total outside width,
5 including the load, of nine feet or less when the vehicle is equipped
6 with a mechanism designed to cover the load pursuant to RCW 46.61.655;

7 (4) These limitations may be rescinded when certification is made
8 by military officials, or by officials of public or private power
9 facilities, or when in the opinion of the department of transportation
10 the movement or action is a necessary movement or action: PROVIDED
11 FURTHER, That in the judgment of the department of transportation the
12 structures and highway surfaces on the routes involved are capable of
13 sustaining widths in excess of such limitation;

14 (5) These limitations shall not apply to movement during daylight
15 hours on any two lane state highway where the gross weight, including
16 load, does not exceed eighty thousand pounds and the overall width of
17 load does not exceed sixteen feet: PROVIDED, That the minimum and
18 maximum speed of such movements, prescribed routes of such movements,
19 the times of such movements, limitation upon frequency of trips (which
20 limitation shall be not less than one per week), and conditions to
21 assure safety of traffic may be prescribed by the department of
22 transportation or local authority issuing such special permit.

23 The applicant for any special permit shall specifically describe
24 the vehicle or vehicles and load to be operated or moved and the
25 particular state highways for which permit to operate is requested and
26 whether such permit is requested for a single trip or for continuous
27 operation.

28 **Sec. 19.** RCW 46.44.096 and 1996 c 92 s 1 are each amended to read
29 as follows:

30 In determining fees according to RCW 46.44.0941, mileage on state
31 primary and secondary highways shall be determined from the planning
32 survey records of the department of transportation, and the gross
33 weight of the vehicle or vehicles, including load, shall be declared by
34 the applicant. Overweight on which fees shall be paid will be gross
35 loadings in excess of loadings authorized by law or axle loadings in
36 excess of loadings authorized by law, whichever is the greater. Loads

1 which are overweight and oversize shall be charged the fee for the
2 overweight permit without additional fees being assessed for the
3 oversize features.

4 Special permits issued under RCW 46.44.047, 46.44.0941, or
5 46.44.095, may be obtained from offices of the department of
6 transportation, ports of entry, or other agents appointed by the
7 department.

8 The department may appoint agents for the purposes of selling
9 special motor vehicle permits, temporary additional tonnage permits,
10 and log tolerance permits. Agents so appointed may retain three
11 dollars and fifty cents for each permit sold to defray expenses
12 incurred in handling and selling the permits. If the fee is collected
13 by the department of transportation, the department shall certify the
14 fee so collected to the state treasurer for deposit to the credit of
15 the motor vehicle fund.

16 The department may select a third party contractor, by means of
17 competitive bid, to perform the department's permit issuance function,
18 as provided under RCW 46.44.090. Factors the department shall
19 consider, but is not limited to, in the selection of a third party
20 contractor are economic benefit to both the department and the motor
21 carrier industry, and enhancement of the overall level of permit
22 service. For purposes of this section, "third party contractor" means
23 a business entity that is authorized by the department to issue special
24 permits. The department of transportation (~~(commission)~~) may adopt
25 rules specifying the criteria that a business entity must meet in order
26 to qualify as a third party contractor under this section.

27 Fees established in RCW 46.44.0941 shall be paid to the political
28 body issuing the permit if the entire movement is to be confined to
29 roads, streets, or highways for which that political body is
30 responsible. When a movement involves a combination of state highways,
31 county roads, and/or city streets the fee shall be paid to the
32 (~~(state)~~) department of transportation. When a movement is confined
33 within the city limits of a city or town upon city streets, including
34 routes of state highways on city streets, all fees shall be paid to the
35 city or town involved. A permit will not be required from city or town
36 authorities for a move involving a combination of city or town streets
37 and state highways when the move through a city or town is being
38 confined to the route of the state highway. When a move involves a

1 combination of county roads and city streets the fee shall be paid to
2 the county authorities, but the fee shall not be collected nor the
3 county permit issued until valid permits are presented showing that the
4 city or town authorities approve of the move in question. When the
5 movement involves only county roads the fees collected shall be paid to
6 the county involved. Fees established shall be paid to the political
7 body issuing the permit if the entire use of the vehicle during the
8 period covered by the permit shall be confined to the roads, streets,
9 or highways for which that political body is responsible.

10 **Sec. 20.** RCW 46.61.450 and 1977 ex.s. c 151 s 39 are each amended
11 to read as follows:

12 It shall be unlawful for any person to operate a vehicle or any
13 combination of vehicles over any bridge or other elevated structure or
14 through any tunnel or underpass constituting a part of any public
15 highway at a rate of speed or with a gross weight or of a size which is
16 greater at any time than the maximum speed or maximum weight or size
17 which can be maintained or carried with safety over any such bridge or
18 structure or through any such tunnel or underpass when such bridge,
19 structure, tunnel, or underpass is sign posted as hereinafter provided.
20 The secretary of transportation, if it be a bridge, structure, tunnel,
21 or underpass upon a state highway, or the governing body or authorities
22 of any county, city, or town, if it be upon roads or streets under
23 their jurisdiction, may restrict the speed which may be maintained or
24 the gross weight or size which may be operated upon or over any such
25 bridge or elevated structure or through any such tunnel or underpass
26 with safety thereto. The secretary or the governing body or
27 authorities of any county, city, or town having jurisdiction shall
28 determine and declare the maximum speed or maximum gross weight or size
29 which such bridge, elevated structure, tunnel, or underpass can
30 withstand or accommodate and shall cause suitable signs stating such
31 maximum speed or maximum gross weight, or size, or either, to be
32 erected and maintained on the right hand side of such highway, road, or
33 street and at a distance of not less than one hundred feet from each
34 end of such bridge, structure, tunnel, or underpass and on the approach
35 thereto: PROVIDED, That in the event that any such bridge, elevated
36 structure, tunnel, or underpass is upon a city street designated by the
37 department of transportation (~~commission~~) as forming a part of the

1 route of any state highway through any such incorporated city or town
2 the determination of any maximum speed or maximum gross weight or size
3 which such bridge, elevated structure, tunnel, or underpass can
4 withstand or accommodate shall not be enforceable at any speed, weight,
5 or size less than the maximum allowed by law, unless with the approval
6 in writing of the secretary. Upon the trial of any person charged with
7 a violation of this section, proof of either violation of maximum speed
8 or maximum weight, or size, or either, and the distance and location of
9 such signs as are required, shall constitute conclusive evidence of the
10 maximum speed or maximum weight, or size, or either, which can be
11 maintained or carried with safety over such bridge or elevated
12 structure or through such tunnel or underpass.

13 **Sec. 21.** RCW 46.68.113 and 2003 c 363 s 305 are each amended to
14 read as follows:

15 During the 2003-2005 biennium, cities and towns shall provide to
16 the transportation commission, or its successor entity, preservation
17 rating information on at least seventy percent of the total city and
18 town arterial network. Thereafter, the preservation rating information
19 requirement shall increase in five percent increments in subsequent
20 biennia. The rating system used by cities and towns must be based upon
21 the Washington state pavement rating method or an equivalent standard
22 approved by the department of transportation (~~commission or its~~
23 ~~successor entity~~). Beginning January 1, 2007, the preservation rating
24 information shall be submitted to the department.

25 **Sec. 22.** RCW 47.28.010 and 1977 ex.s. c 151 s 59 are each amended
26 to read as follows:

27 Whenever the general route of any state highway shall be designated
28 and laid out as running to or by way of certain designated points,
29 without specifying the particular route to be followed to or by way of
30 such points, the (~~transportation commission~~) department shall
31 determine the particular route to be followed by said state highway to
32 or by way of said designated points, and shall be at liberty to select
33 and adopt as a part of such state highway, the whole or any part of any
34 existing public highway previously designated as a county road, primary
35 road, or secondary road or now or hereafter classified as a county
36 road. The (~~commission~~) department need not select and adopt the

1 entire routes for such state highways at one time, but may select and
2 adopt parts of such routes from time to time as it deems advisable.
3 Where a state highway is designated as passing by way of a certain
4 point, this shall not require the (~~commission~~) department to cause
5 such state highway to pass through or touch such point but such
6 designation is directional only and may be complied with by location in
7 the general vicinity. The department (~~of transportation~~) is
8 empowered to construct as a part of any state highway as designated and
9 in addition to any portion meeting the limits of any incorporated city
10 or town a bypass section either through or around any such incorporated
11 city or town.

12 **Sec. 23.** RCW 47.28.170 and 1990 c 265 s 1 are each amended to read
13 as follows:

14 (1) Whenever the department finds that as a consequence of
15 accident, natural disaster, or other emergency, an existing state
16 highway is in jeopardy or is rendered impassible in one or both
17 directions and the department further finds that prompt reconstruction,
18 repair, or other work is needed to preserve or restore the highway for
19 public travel, the department may obtain at least three written bids
20 for the work without publishing a call for bids, and the secretary of
21 transportation may award a contract forthwith to the lowest responsible
22 bidder.

23 The department shall notify any association or organization of
24 contractors filing a request to regularly receive notification.
25 Notification to an association or organization of contractors shall
26 include: (a) The location of the work to be done; (b) the general
27 anticipated nature of the work to be done; and (c) the date determined
28 by the department as reasonable in view of the nature of the work and
29 emergent nature of the problem after which the department will not
30 receive bids.

31 (2) Whenever the department finds it necessary to protect a highway
32 facility from imminent damage or to perform emergency work to reopen a
33 highway facility, the department may contract for such work on a
34 negotiated basis not to exceed force account rates for a period not to
35 exceed thirty working days.

36 (3) The secretary shall review any contract exceeding (~~two~~) seven
37 hundred thousand dollars awarded under subsection (1) or (2) of this

1 section with the (~~transportation commission at its next regularly~~
2 ~~scheduled meeting~~) office of financial management within thirty days
3 of the contract award.

4 (4) Any person, firm, or corporation awarded a contract for work
5 must be prequalified pursuant to RCW 47.28.070 and may be required to
6 furnish a bid deposit or performance bond.

7 **Sec. 24.** RCW 47.38.060 and 1996 c 172 s 1 are each amended to read
8 as follows:

9 The (~~transportation commission~~) department may designate
10 interstate safety rest areas, as appropriate, as locations for memorial
11 signs to prisoners of war and those missing in action. The
12 (~~commission~~) department shall adopt policies for the placement of
13 memorial signs on interstate safety rest areas and may disapprove any
14 memorial sign that it determines to be inappropriate or inconsistent
15 with the policies. The policies shall include, but are not limited to,
16 guidelines for the size and location of and inscriptions on memorial
17 signs. The secretary shall adopt rules for administering this program.
18 Nonprofit associations may have their name identified on a memorial
19 sign if the association bears the cost of supplying and maintaining the
20 memorial sign.

21 **Sec. 25.** RCW 47.52.133 and 1987 c 200 s 2 are each amended to read
22 as follows:

23 Except as provided in RCW 47.52.134, the (~~transportation~~
24 ~~commission~~) department and the highway authorities of the counties and
25 incorporated cities and towns, with regard to facilities under their
26 respective jurisdictions, prior to the establishment of any limited
27 access facility, shall hold a public hearing within the county, city,
28 or town wherein the limited access facility is to be established to
29 determine the desirability of the plan proposed by such authority.
30 Notice of such hearing shall be given to the owners of property
31 abutting the section of any existing highway, road, or street being
32 established as a limited access facility, as indicated in the tax rolls
33 of the county, and in the case of a state limited access facility, to
34 the county and/or city or town. Such notice shall be by United States
35 mail in writing, setting forth a time for the hearing, which time shall
36 be not less than fifteen days after mailing of such notice. Notice of

1 such hearing also shall be given by publication not less than fifteen
2 days prior to such hearing in one or more newspapers of general
3 circulation within the county, city, or town. Such notice by
4 publication shall be deemed sufficient as to any owner or reputed owner
5 or any unknown owner or owner who cannot be located. Such notice shall
6 indicate a suitable location where plans for such proposal may be
7 inspected.

8 **Sec. 26.** RCW 47.52.145 and 1981 c 95 s 2 are each amended to read
9 as follows:

10 Whenever after the final adoption of a plan for a limited access
11 highway by the (~~transportation commission~~) department, an additional
12 design public hearing with respect to the facility or any portion
13 thereof is conducted pursuant to federal law resulting in a revision of
14 the design of the limited access plan, the (~~commission~~) department
15 may modify the previously adopted limited access plan to conform to the
16 revised design without further public hearings providing the following
17 conditions are met:

18 (1) As compared with the previously adopted limited access plan,
19 the revised plan will not require additional or different right of way
20 with respect to that section of highway for which the design has been
21 revised, in excess of five percent by area; and

22 (2) If the previously adopted limited access plan was modified by
23 a board of review convened at the request of a county, city, or town,
24 the legislative authority of the county, city, or town shall approve
25 any revisions of the plan which conflict with modifications ordered by
26 the board of review.

27 **Sec. 27.** RCW 47.52.210 and 1981 c 95 s 3 are each amended to read
28 as follows:

29 (1) Whenever the (~~transportation commission~~) department adopts a
30 plan for a limited access highway to be constructed within the
31 corporate limits of a city or town which incorporates existing city or
32 town streets, title to such streets shall remain in the city or town,
33 and the provisions of RCW 47.24.020 as now or hereafter amended shall
34 continue to apply to such streets until such time that the highway is
35 operated as either a partially or fully controlled access highway.
36 Title to and full control over that portion of the city or town street

1 incorporated into the limited access highway shall be vested in the
2 state upon a declaration by the secretary of transportation that such
3 highway is operational as a limited access facility, but in no event
4 prior to the acquisition of right of way for such highway including
5 access rights, and not later than the final completion of construction
6 of such highway.

7 (2) Upon the completion of construction of a state limited access
8 highway within a city or town, the department of transportation may
9 relinquish to the city or town streets constructed or improved as a
10 functional part of the limited access highway, slope easements,
11 landscaping areas, and other related improvements to be maintained and
12 operated by the city or town in accordance with the limited access
13 plan. Title to such property relinquished to a city or town shall be
14 conveyed by a deed executed by the secretary of transportation and duly
15 acknowledged. Relinquishment of such property to the city or town may
16 be expressly conditioned upon the maintenance of access control
17 acquired by the state and the continued operation of such property as
18 a functional part of the limited access highway.

19 **Sec. 28.** RCW 81.112.086 and 2003 c 363 s 306 are each amended to
20 read as follows:

21 As a condition of receiving state funding, a regional transit
22 authority shall submit a maintenance and preservation management plan
23 for certification by the department of transportation (~~commission or~~
24 ~~its successor entity~~). The plan must inventory all transportation
25 system assets within the direction and control of the transit
26 authority, and provide a plan for preservation of assets based on
27 lowest life-cycle cost methodologies.

28 **Sec. 29.** RCW 36.56.121 and 2003 c 363 s 303 are each amended to
29 read as follows:

30 As a condition of receiving state funding, a county that has
31 assumed the transportation functions of a metropolitan municipal
32 corporation shall submit a maintenance and preservation management plan
33 for certification by the (~~transportation commission or its successor~~
34 ~~entity~~) department of transportation. The plan must inventory all
35 transportation system assets within the direction and control of the

1 county, and provide a preservation plan based on lowest life-cycle cost
2 methodologies.

3 **Sec. 30.** RCW 36.57A.070 and 1985 c 6 s 5 are each amended to read
4 as follows:

5 The comprehensive transit plan adopted by the authority shall be
6 reviewed by the state department of transportation ((~~commission~~)) to
7 determine:

8 (1) The completeness of service to be offered and the economic
9 viability of the transit system proposed in such comprehensive transit
10 plan;

11 (2) Whether such plan integrates the proposed transportation system
12 with existing transportation modes and systems that serve the benefit
13 area;

14 (3) Whether such plan coordinates that area's system and service
15 with nearby public transportation systems;

16 (4) Whether such plan is eligible for matching state or federal
17 funds((÷

18 ~~After reviewing the comprehensive transit plan, the state~~
19 ~~transportation commission shall have sixty days in which to approve~~
20 ~~such plan and to certify to the state treasurer that such public~~
21 ~~transportation benefit area shall be eligible to receive the motor~~
22 ~~vehicle excise tax proceeds authorized pursuant to RCW 35.58.273, as~~
23 ~~now or hereafter amended in the manner prescribed by chapter 82.44 RCW,~~
24 ~~as now or hereafter amended. To be approved a plan shall provide for~~
25 ~~coordinated transportation planning, the integration of such proposed~~
26 ~~transportation program with other transportation systems operating in~~
27 ~~areas adjacent to, or in the vicinity of the proposed public~~
28 ~~transportation benefit area, and be consistent with the public~~
29 ~~transportation coordination criteria adopted pursuant to the urban mass~~
30 ~~transportation act of 1964 as amended as of July 1, 1975. In the event~~
31 ~~such comprehensive plan is disapproved and ruled ineligible to receive~~
32 ~~motor vehicle tax proceeds, the state transportation commission shall~~
33 ~~provide written notice to the authority within thirty days as to the~~
34 ~~reasons for such plan's disapproval and such ineligibility. The~~
35 ~~authority may resubmit such plan upon reconsideration and correction of~~
36 ~~such deficiencies in the plan cited in such notice of disapproval)).~~

1 **Sec. 31.** RCW 47.10.861 and 2003 c 147 s 1 are each amended to read
2 as follows:

3 In order to provide funds necessary for the location, design, right
4 of way, and construction of selected projects or improvements that are
5 identified as transportation 2003 projects or improvements in the
6 omnibus transportation budget, there shall be issued and sold upon the
7 request of the secretary of the department of transportation
8 (~~commission~~) a total of two billion six hundred million dollars of
9 general obligation bonds of the state of Washington.

10 **Sec. 32.** RCW 47.10.862 and 2003 c 147 s 2 are each amended to read
11 as follows:

12 Upon the request of the secretary of the department of
13 transportation (~~commission~~), as appropriate, the state finance
14 committee shall supervise and provide for the issuance, sale, and
15 retirement of the bonds in RCW 47.10.861 through 47.10.866 in
16 accordance with chapter 39.42 RCW. Bonds authorized by RCW 47.10.861
17 through 47.10.866 shall be sold in the manner, at time or times, in
18 amounts, and at the price as the state finance committee shall
19 determine. No bonds may be offered for sale without prior legislative
20 appropriation of the net proceeds of the sale of the bonds.

21 The state finance committee shall consider the issuance of short-
22 term obligations in lieu of long-term obligations for the purposes of
23 more favorable interest rates, lower total interest costs, and
24 increased marketability and for the purpose of retiring the bonds
25 during the life of the project for which they were issued.

26 **Sec. 33.** RCW 47.10.843 and 1998 c 321 s 16 are each amended to
27 read as follows:

28 In order to provide funds necessary for the location, design, right
29 of way, and construction of state and local highway improvements, there
30 shall be issued and sold upon the request of the (~~Washington state~~)
31 secretary of the department of transportation (~~commission~~) a maximum
32 of one billion nine hundred million dollars of general obligation bonds
33 of the state of Washington.

34 **Sec. 34.** RCW 47.10.844 and 1998 c 321 s 17 are each amended to
35 read as follows:

1 Upon the request of the secretary of the department of
2 transportation (~~commission~~), the state finance committee shall
3 supervise and provide for the issuance, sale, and retirement of the
4 bonds authorized by RCW 47.10.843 through 47.10.848 in accordance with
5 chapter 39.42 RCW. Bonds authorized by RCW 47.10.843 through 47.10.848
6 shall be sold in such manner, at such time or times, in such amounts,
7 and at such price as the state finance committee shall determine. No
8 such bonds may be offered for sale without prior legislative
9 appropriation of the net proceeds of the sale of the bonds.

10 The state finance committee shall consider the issuance of short-
11 term obligations in lieu of long-term obligations for the purposes of
12 more favorable interest rates, lower total interest costs, and
13 increased marketability and for the purpose of retiring the bonds
14 during the life of the project for which they were issued.

15 **Sec. 35.** RCW 47.10.834 and 1995 2nd sp.s. c 15 s 2 are each
16 amended to read as follows:

17 In order to provide funds necessary to implement the public-private
18 transportation initiatives authorized by chapter 47.46 RCW, there shall
19 be issued and sold upon the request of the (~~Washington state~~)
20 secretary of the department of transportation (~~commission~~) a total of
21 twenty-five million six hundred twenty-five thousand dollars of general
22 obligation bonds of the state of Washington.

23 **Sec. 36.** RCW 47.10.835 and 1994 c 183 s 3 are each amended to read
24 as follows:

25 Upon the request of the secretary of the department of
26 transportation (~~commission~~), the state finance committee shall
27 supervise and provide for the issuance, sale, and retirement of the
28 bonds authorized by RCW 47.10.834 through 47.10.841 in accordance with
29 chapter 39.42 RCW. Bonds authorized by RCW 47.10.834 through 47.10.841
30 shall be sold in such manner, at such time or times, in such amounts,
31 and at such price as the state finance committee shall determine. No
32 such bonds may be offered for sale without prior legislative
33 appropriation of the net proceeds of the sale of the bonds. In making
34 such appropriation of the net proceeds of the sale of the bonds, the
35 legislature shall specify what portion of the appropriation is provided

1 for possible loans and what portion of the appropriation is provided
2 for other forms of cash contributions to projects.

3 The state finance committee shall consider the issuance of short-
4 term obligations in lieu of long-term obligations for the purposes of
5 more favorable interest rates, lower total interest costs, and
6 increased marketability and for the purpose of retiring the bonds
7 during the life of the project for which they were issued.

8 **Sec. 37.** RCW 47.10.819 and 1993 c 432 s 1 are each amended to read
9 as follows:

10 In order to provide funds necessary for the location, design, right
11 of way, and construction of selected interstate and other highway
12 improvements, there shall be issued and sold upon the request of the
13 (~~Washington state~~) secretary of the department of transportation
14 (~~commission~~) a total of one hundred million dollars of general
15 obligation bonds of the state of Washington for the following purposes
16 and specified sums:

17 (1) Not to exceed twenty-five million dollars to pay the state's
18 and local governments' share of matching funds for the ten
19 demonstration projects identified in the Intermodal Surface
20 Transportation Efficiency Act of 1991.

21 (2) Not to exceed fifty million dollars to temporarily pay the
22 regular federal share of construction in advance of federal-aid
23 apportionments as authorized by this section.

24 (3) Not to exceed twenty-five million dollars for loans to local
25 governments to provide the required matching funds to take advantage of
26 available federal funds. These loans shall be on such terms and
27 conditions as determined by the (~~Washington state~~) secretary of the
28 department of transportation (~~commission~~), but in no event may the
29 loans be for a period of more than ten years. The interest rate on the
30 loans authorized under this subsection shall be equal to the interest
31 rate on the bonds sold for such purposes.

32 **Sec. 38.** RCW 47.10.820 and 1993 c 432 s 2 are each amended to read
33 as follows:

34 Upon the request of the secretary of the department of
35 transportation (~~commission~~), the state finance committee shall
36 supervise and provide for the issuance, sale, and retirement of the

1 bonds authorized by RCW 47.10.819 through 47.10.824 in accordance with
2 chapter 39.42 RCW. Bonds authorized by RCW 47.10.819 through 47.10.824
3 shall be sold in such manner, at such time or times, in such amounts,
4 and at such price as the state finance committee shall determine. No
5 such bonds may be offered for sale without prior legislative
6 appropriation of the net proceeds of the sale of the bonds.

7 The state finance committee shall consider the issuance of short-
8 term obligations in lieu of long-term obligations for the purposes of
9 more favorable interest rates, lower total interest costs, and
10 increased marketability and for the purpose of retiring the bonds
11 during the life of the project for which they were issued.

12 **Sec. 39.** RCW 47.02.120 and 1990 c 293 s 1 are each amended to read
13 as follows:

14 For the purpose of providing funds for the acquisition of
15 headquarters facilities for district 1 of the department of
16 transportation and costs incidental thereto, together with all
17 improvements and equipment required to make the facilities suitable for
18 the department's use, there shall be issued and sold upon the request
19 of the (~~Washington transportation commission~~) secretary of the
20 department of transportation a total of fifteen million dollars of
21 general obligation bonds of the state of Washington.

22 **Sec. 40.** RCW 47.02.140 and 1990 c 293 s 3 are each amended to read
23 as follows:

24 Upon the request of the secretary of the department of
25 transportation (~~commission~~), the state finance committee shall
26 supervise and provide for the issuance, sale, and retirement of the
27 bonds authorized by RCW 47.02.120 through 47.02.190 in accordance with
28 chapter 39.42 RCW. Bonds authorized by RCW 47.02.120 through 47.02.190
29 shall be sold in such manner, at such time or times, in such amounts,
30 and at such price as the state finance committee shall determine.
31 Except for the purpose of repaying the loan from the motor vehicle
32 fund, no such bonds may be offered for sale without prior legislative
33 appropriation of the net proceeds of the sale of the bonds.

34 The state finance committee shall consider the issuance of short-
35 term obligations in lieu of long-term obligations for the purposes of

1 more favorable interest rates, lower total interest costs, and
2 increased marketability and for the purpose of retiring the bonds
3 during the life of the project for which they were issued.

4 **Sec. 41.** RCW 47.17.132 and 1997 c 308 s 1 are each amended to read
5 as follows:

6 A state highway to be known as state route number 35 is established
7 as follows:

8 Beginning at the Washington-Oregon boundary line thence northerly
9 to a junction with state route number 14 in the vicinity of White
10 Salmon(~~(; however, until such time as a bridge across the Columbia~~
11 ~~River is constructed at a location adopted by the transportation~~
12 ~~commission no existing route may be maintained or improved by the~~
13 ~~transportation commission as a temporary route for state route number~~
14 ~~35)).~~

15 **Sec. 42.** RCW 47.24.010 and 1998 c 245 s 97 are each amended to
16 read as follows:

17 The department of transportation (~~(commission)~~) shall determine
18 what streets, together with bridges thereon and wharves necessary for
19 use for ferriage of motor vehicle traffic in connection with such
20 streets, if any, in any incorporated cities and towns shall form a part
21 of the route of state highways and between the first and fifteenth days
22 of July of any year the department (~~(of transportation)~~) shall identify
23 by brief description, the streets, together with the bridges thereon
24 and wharves, if any, in such city or town which are designated as
25 forming a part of the route of any state highway; and all such streets,
26 including curbs and gutters and street intersections and such bridges
27 and wharves, shall thereafter be a part of the state highway system and
28 as such shall be constructed and maintained by the department (~~(of~~
29 ~~transportation)~~) from any state funds available therefor: PROVIDED,
30 That the responsibility for the construction and maintenance of any
31 such street together with its appurtenances may be returned to a city
32 or a town upon certification by the department (~~(of transportation)~~) to
33 the clerk of any city or town that such street, or portion thereof, is
34 no longer required as a part of the state highway system: PROVIDED
35 FURTHER, That any such certification that a street, or portion thereof,
36 is no longer required as a part of the state highway system shall be

1 made between the first and fifteenth of July following the
2 determination by the department that such street or portion thereof is
3 no longer required as a part of the state highway system, but this
4 shall not prevent the department and any city or town from entering
5 into an agreement that a city or town will accept responsibility for
6 such a street or portion thereof at some time other than between the
7 first and fifteenth of July of any year.

8 **Sec. 43.** RCW 47.64.011 and 1983 c 15 s 2 are each amended to read
9 as follows:

10 As used in this chapter, unless the context otherwise requires, the
11 definitions in this section shall apply.

12 (1) "Arbitration" means the procedure whereby the parties involved
13 in an impasse submit their differences to a third party for a final and
14 binding decision or as provided in this chapter.

15 (2) "Arbitrator" means either a single arbitrator or a panel of
16 three arbitrators as provided in RCW 47.64.240.

17 (3) "Collective bargaining representative" means the persons
18 designated by the secretary of transportation and employee
19 organizations to be the exclusive representatives during collective
20 bargaining negotiations.

21 (4) "Department of transportation" means the department as defined
22 in RCW 47.01.021.

23 (5) "Ferry employee" means any employee of the marine
24 transportation division of the department of transportation who is a
25 member of a collective bargaining unit represented by a ferry employee
26 organization and does not include an exempt employee pursuant to RCW
27 41.06.079.

28 (6) "Ferry employee organization" means any labor organization
29 recognized to represent a collective bargaining unit of ferry
30 employees.

31 (7) "Ferry system management" means those management personnel of
32 the marine transportation division of the department of transportation
33 who have been vested with the day-to-day management responsibilities of
34 the Washington state ferry system by the (~~transportation commission~~)
35 department and who are not members of a collective bargaining unit
36 represented by a ferry employee organization.

1 (8) "Lockout" means the refusal of ferry system management to
2 furnish work to ferry employees in an effort to get ferry employee
3 organizations to make concessions during collective bargaining,
4 grievance, or other labor relation negotiations. Curtailment of
5 employment of ferry employees due to lack of work resulting from a
6 strike or work stoppage, as defined in subsection (11) of this section,
7 shall not be considered a lockout.

8 (9) "Marine employees' commission" means the commission created in
9 RCW 47.64.280.

10 (10) "Office of financial management" means the office as created
11 in RCW 43.41.050.

12 (11) "Strike or work stoppage" means a ferry employee's refusal, in
13 concerted action with others, to report to duty, or his or her
14 (~~willful~~) willful absence from his or her position, or his or her
15 stoppage or slowdown of work, or his or her abstinence in whole or in
16 part from the full, faithful, and proper performance of the duties of
17 employment, for the purpose of inducing, influencing, or coercing a
18 change in conditions, compensation, rights, privileges, or obligations
19 of his, her, or any other ferry employee's employment. A refusal, in
20 good faith, to work under conditions which pose an endangerment to the
21 health and safety of ferry employees or the public, as determined by
22 the master of the vessel, shall not be considered a strike for the
23 purposes of this chapter.

24 (~~(12) "Transportation commission" means the commission as defined~~
25 ~~in RCW 47.01.021.~~)

26 **Sec. 44.** RCW 47.64.170 and 1983 c 15 s 8 are each amended to read
27 as follows:

28 (1) Any ferry employee organization certified as the bargaining
29 representative shall be the exclusive representative of all ferry
30 employees in the bargaining unit and shall represent all such employees
31 fairly.

32 (2) A ferry employee organization or organizations and the
33 secretary of transportation may each designate any individual as its
34 representative to engage in collective bargaining negotiations.

35 (3) Negotiating sessions, including strategy meetings of ferry
36 system management or employee organizations, mediation, and the
37 deliberative process of arbitrators are exempt from the provisions of

1 chapter 42.30 RCW. Hearings conducted by arbitrators may be open to
2 the public by mutual consent of the parties. Any meeting of the
3 department of transportation (~~(commission)~~), during which a collective
4 bargaining agreement is subject to ratification, shall be open to the
5 public.

6 (4) Terms of any collective bargaining agreement may be enforced by
7 civil action in Thurston county superior court upon the initiative of
8 either party.

9 (5) Ferry system employees or any employee organization shall not
10 negotiate or attempt to negotiate directly with a member of the
11 department of transportation (~~(commission)~~) if the (~~(commission)~~)
12 department has appointed or authorized a bargaining representative for
13 the purpose of bargaining with the ferry employees or their
14 representative, unless the member of the (~~(commission)~~) department is
15 the designated bargaining representative of the ferry system.

16 (6) The negotiation of a proposed collective bargaining agreement
17 by representatives of ferry system management and a ferry employee
18 organization shall commence in each odd-numbered year immediately
19 following adoption by the legislature and approval by the governor of
20 the biennial budget.

21 (7) Until a new collective bargaining agreement is negotiated, or
22 until an award is made by the arbitrator, the terms and conditions of
23 the previous collective bargaining agreement shall remain in force.
24 The wage and benefit provisions of any collective bargaining agreement,
25 or arbitrator's award in lieu thereof, that is concluded after July 1st
26 of an odd-numbered year shall be retroactive to July 1st. It is the
27 intent of this section that the collective bargaining agreement or
28 arbitrator's award shall commence on July 1st of each odd-numbered year
29 and shall terminate on June 30th of the next odd-numbered year to
30 coincide with the ensuing biennial budget year, as defined by RCW
31 43.88.020(7), to the extent practical.

32 (8) Any ferry union contract terminating before July 1, 1983,
33 shall, with the agreement of the parties, remain in effect until a
34 contract can be concluded under RCW 47.64.006, 47.64.011, and 47.64.120
35 through 47.64.280. The contract may be retroactive to the expiration
36 date of the prior contract, and the cost to the department of three
37 months retroactive compensation and benefits for this 1983 contract
38 negotiation only shall not be included in calculating the limitation

1 imposed by RCW 47.64.180. If the parties cannot agree to contract
2 extension, any increase agreed to for the three-month period shall be
3 included in calculating the limit imposed by RCW 47.64.180.

4 (9) Any ferry union contract which would terminate after July 1,
5 1983, may, by agreement of the parties, be terminated as of July 1,
6 1983, and a new contract concluded pursuant to RCW 47.64.006,
7 47.64.011, and 47.64.120 through 47.64.280. Any contract terminating
8 after July 1, 1983, is subject to this chapter only upon its expiration
9 and shall not be renewed for a period beyond July 1, 1985.

10 **Sec. 45.** RCW 43.88.030 and 2005 c 386 s 3 and 2005 c 319 s 108 are
11 each reenacted and amended to read as follows:

12 (1) The director of financial management shall provide all agencies
13 with a complete set of instructions for submitting biennial budget
14 requests to the director at least three months before agency budget
15 documents are due into the office of financial management. The budget
16 document or documents shall consist of the governor's budget message
17 which shall be explanatory of the budget and shall contain an outline
18 of the proposed financial policies of the state for the ensuing fiscal
19 period, as well as an outline of the proposed six-year financial
20 policies where applicable, and shall describe in connection therewith
21 the important features of the budget. The biennial budget document or
22 documents shall also describe performance indicators that demonstrate
23 measurable progress towards priority results. The message shall set
24 forth the reasons for salient changes from the previous fiscal period
25 in expenditure and revenue items and shall explain any major changes in
26 financial policy. Attached to the budget message shall be such
27 supporting schedules, exhibits and other explanatory material in
28 respect to both current operations and capital improvements as the
29 governor shall deem to be useful to the legislature. The budget
30 document or documents shall set forth a proposal for expenditures in
31 the ensuing fiscal period, or six-year period where applicable, based
32 upon the estimated revenues and caseloads as approved by the economic
33 and revenue forecast council and caseload forecast council or upon the
34 estimated revenues and caseloads of the office of financial management
35 for those funds, accounts, sources, and programs for which the forecast
36 councils do not prepare an official forecast. Revenues shall be
37 estimated for such fiscal period from the source and at the rates

1 existing by law at the time of submission of the budget document,
2 including the supplemental budgets submitted in the even-numbered years
3 of a biennium. However, the estimated revenues and caseloads for use
4 in the governor's budget document may be adjusted to reflect budgetary
5 revenue transfers and revenue and caseload estimates dependent upon
6 budgetary assumptions of enrollments, workloads, and caseloads. All
7 adjustments to the approved estimated revenues and caseloads must be
8 set forth in the budget document. The governor may additionally
9 submit, as an appendix to each supplemental, biennial, or six-year
10 agency budget or to the budget document or documents, a proposal for
11 expenditures in the ensuing fiscal period from revenue sources derived
12 from proposed changes in existing statutes.

13 ~~((Supplemental and biennial documents shall reflect a six-year
14 expenditure plan consistent with estimated revenues from existing
15 sources. Any additional revenue resulting from proposed changes to
16 existing statutes shall be separately identified within the document as
17 well as related expenditures for the six-year period.))~~

18 The budget document or documents shall also contain:

19 (a) Revenues classified by fund and source for the immediately past
20 fiscal period, those received or anticipated for the current fiscal
21 period, and those anticipated for the ensuing biennium;

22 (b) The undesignated fund balance or deficit, by fund;

23 (c) Such additional information dealing with expenditures,
24 revenues, workload, performance, and personnel as the legislature may
25 direct by law or concurrent resolution;

26 (d) Such additional information dealing with revenues and
27 expenditures as the governor shall deem pertinent and useful to the
28 legislature;

29 (e) Tabulations showing expenditures classified by fund, function,
30 and agency;

31 (f) The expenditures that include nonbudgeted, nonappropriated
32 accounts outside the state treasury;

33 (g) Identification of all proposed direct expenditures to implement
34 the Puget Sound water quality plan under chapter 90.71 RCW, shown by
35 agency and in total; and

36 (h) Tabulations showing each postretirement adjustment by
37 retirement system established after fiscal year 1991, to include, but

1 not be limited to, estimated total payments made to the end of the
2 previous biennial period, estimated payments for the present biennium,
3 and estimated payments for the ensuing biennium.

4 (2) The budget document or documents shall include detailed
5 estimates of all anticipated revenues applicable to proposed operating
6 or capital expenditures and shall also include all proposed operating
7 or capital expenditures. The total of beginning undesignated fund
8 balance and estimated revenues less working capital and other reserves
9 shall equal or exceed the total of proposed applicable expenditures.
10 The budget document or documents shall further include:

11 (a) Interest, amortization and redemption charges on the state
12 debt;

13 (b) Payments of all reliefs, judgments, and claims;

14 (c) Other statutory expenditures;

15 (d) Expenditures incident to the operation for each agency;

16 (e) Revenues derived from agency operations;

17 (f) Expenditures and revenues shall be given in comparative form
18 showing those incurred or received for the immediately past fiscal
19 period and those anticipated for the current biennium and next ensuing
20 biennium;

21 (g) A showing and explanation of amounts of general fund and other
22 funds obligations for debt service and any transfers of moneys that
23 otherwise would have been available for appropriation;

24 (h) Common school expenditures on a fiscal-year basis;

25 (i) A showing, by agency, of the value and purpose of financing
26 contracts for the lease/purchase or acquisition of personal or real
27 property for the current and ensuing fiscal periods; and

28 (j) A showing and explanation of anticipated amounts of general
29 fund and other funds required to amortize the unfunded actuarial
30 accrued liability of the retirement system specified under chapter
31 41.45 RCW, and the contributions to meet such amortization, stated in
32 total dollars and as a level percentage of total compensation.

33 (3) The governor's operating budget document or documents shall
34 reflect the statewide priorities as required by RCW 43.88.090.

35 (4) The governor's operating budget document or documents shall
36 identify activities that are not addressing the statewide priorities.

37 (5) A separate capital budget document or schedule shall be
38 submitted that will contain the following:

1 (a) A statement setting forth a long-range facilities plan for the
2 state that identifies and includes the highest priority needs within
3 affordable spending levels;

4 (b) A capital program consisting of proposed capital projects for
5 the next biennium and the two biennia succeeding the next biennium
6 consistent with the long-range facilities plan. Inasmuch as is
7 practical, and recognizing emergent needs, the capital program shall
8 reflect the priorities, projects, and spending levels proposed in
9 previously submitted capital budget documents in order to provide a
10 reliable long-range planning tool for the legislature and state
11 agencies;

12 (c) A capital plan consisting of proposed capital spending for at
13 least four biennia succeeding the next biennium;

14 (d) A strategic plan for reducing backlogs of maintenance and
15 repair projects. The plan shall include a prioritized list of specific
16 facility deficiencies and capital projects to address the deficiencies
17 for each agency, cost estimates for each project, a schedule for
18 completing projects over a reasonable period of time, and
19 identification of normal maintenance activities to reduce future
20 backlogs;

21 (e) A statement of the reason or purpose for a project;

22 (f) Verification that a project is consistent with the provisions
23 set forth in chapter 36.70A RCW;

24 (g) A statement about the proposed site, size, and estimated life
25 of the project, if applicable;

26 (h) Estimated total project cost;

27 (i) For major projects valued over five million dollars, estimated
28 costs for the following project components: Acquisition, consultant
29 services, construction, equipment, project management, and other costs
30 included as part of the project. Project component costs shall be
31 displayed in a standard format defined by the office of financial
32 management to allow comparisons between projects;

33 (j) Estimated total project cost for each phase of the project as
34 defined by the office of financial management;

35 (k) Estimated ensuing biennium costs;

36 (l) Estimated costs beyond the ensuing biennium;

37 (m) Estimated construction start and completion dates;

38 (n) Source and type of funds proposed;

1 (o) Estimated ongoing operating budget costs or savings resulting
2 from the project, including staffing and maintenance costs;

3 (p) For any capital appropriation requested for a state agency for
4 the acquisition of land or the capital improvement of land in which the
5 primary purpose of the acquisition or improvement is recreation or
6 wildlife habitat conservation, the capital budget document, or an
7 omnibus list of recreation and habitat acquisitions provided with the
8 governor's budget document, shall identify the projected costs of
9 operation and maintenance for at least the two biennia succeeding the
10 next biennium. Omnibus lists of habitat and recreation land
11 acquisitions shall include individual project cost estimates for
12 operation and maintenance as well as a total for all state projects
13 included in the list. The document shall identify the source of funds
14 from which the operation and maintenance costs are proposed to be
15 funded;

16 (q) Such other information bearing upon capital projects as the
17 governor deems to be useful;

18 (r) Standard terms, including a standard and uniform definition of
19 normal maintenance, for all capital projects;

20 (s) Such other information as the legislature may direct by law or
21 concurrent resolution.

22 For purposes of this subsection (5), the term "capital project"
23 shall be defined subsequent to the analysis, findings, and
24 recommendations of a joint committee comprised of representatives from
25 the house capital appropriations committee, senate ways and means
26 committee, legislative evaluation and accountability program committee,
27 and office of financial management.

28 (6) No change affecting the comparability of agency or program
29 information relating to expenditures, revenues, workload, performance
30 and personnel shall be made in the format of any budget document or
31 report presented to the legislature under this section or RCW
32 43.88.160(1) relative to the format of the budget document or report
33 which was presented to the previous regular session of the legislature
34 during an odd-numbered year without prior legislative concurrence.
35 Prior legislative concurrence shall consist of (a) a favorable majority
36 vote on the proposal by the standing committees on ways and means of
37 both houses if the legislature is in session or (b) a favorable

1 majority vote on the proposal by members of the legislative evaluation
2 and accountability program committee if the legislature is not in
3 session.

4 NEW SECTION. **Sec. 46.** A new section is added to chapter 47.01 RCW
5 to read as follows:

6 (1) The transportation commission may review the performance and
7 outcome measures of transportation-related agencies. The purpose of
8 these reviews is to ensure that the legislature has the means to
9 adequately and accurately assess the performance and outcomes of those
10 agencies and departments. Where two or more agencies have shared
11 responsibility for functions or priorities of government, these reviews
12 can also determine whether effective interagency cooperation and
13 collaboration occurs in areas such as program coordination,
14 administrative structures, information systems, and administration of
15 grants and loans.

16 (2) The performance and outcome measures and benchmarks of each
17 transportation-related agency or department may be reviewed at the
18 discretion of the transportation commission. In setting the schedule
19 and the extent of performance reviews, the commission shall consider
20 the timing and results of other recent state, federal, and independent
21 reviews and audits, the seriousness of past findings, any inadequate
22 remedial action taken by an agency or department, whether an agency or
23 department lacks performance and outcome measures, and the desirability
24 to include a diverse range of agencies or programs each year.

25 (3) The reviews may include, but are not limited to:

26 (a) A determination of whether the performance and outcome measures
27 are consistent with legislative mandates, strategic plans, mission
28 statements, and goals and objectives, and whether the legislature has
29 established clear mandates, strategic plans, mission statements, and
30 goals and objectives that lend themselves to performance and outcome
31 measurement;

32 (b) An examination of how agency management uses the measures to
33 manage resources in an efficient and effective manner;

34 (c) An assessment of how performance benchmarks are established for
35 the purpose of assessing overall performance compared to external
36 standards and benchmarks;

1 (d) An examination of how an analysis of the measurement data is
2 used to make planning and operational improvements;

3 (e) A determination of how performance and outcome measures are
4 used in the budget planning, development, and allotment processes and
5 the extent to which the agency is in compliance with its
6 responsibilities under RCW 43.88.090;

7 (f) A review of how performance data are reported to and used by
8 the legislature both in policy development and resource allocation;

9 (g) An assessment of whether the performance measure data are
10 reliable and collected in a uniform and timely manner;

11 (h) A determination whether targeted funding investments and
12 established priorities of government actually produce the intended and
13 expected services and benefits; and

14 (i) Recommendations as necessary or appropriate.

15 (4) For the purposes of this section, "transportation-related
16 agencies" means any state or local agency, board, special purpose
17 district, or commission that receives or generates funding primarily
18 for transportation-related purposes. At a minimum, the department of
19 transportation, the Washington state patrol, the department of
20 licensing, the transportation improvement board or its successor
21 entity, the county road administration board or its successor entity,
22 and the traffic safety commission are considered transportation-related
23 agencies.

24 NEW SECTION. **Sec. 47.** The following acts or parts of acts are
25 each repealed:

26 (1) RCW 44.75.010 (Intent) and 2003 c 362 s 1;

27 (2) RCW 44.75.020 (Definitions) and 2005 c 319 s 16 & 2003 c 362 s
28 2;

29 (3) RCW 44.75.030 (Board created--Membership) and 2005 c 319 s 17
30 & 2003 c 362 s 3;

31 (4) RCW 44.75.040 (Procedures, compensation, support) and 2005 c
32 319 s 18 & 2003 c 362 s 4;

33 (5) RCW 44.75.050 (Reviews of transportation-related agencies) and
34 2005 c 319 s 19 & 2003 c 362 s 5;

35 (6) RCW 44.75.060 (Review methodology) and 2003 c 362 s 6;

36 (7) RCW 44.75.070 (Scope of reviews) and 2003 c 362 s 7;

- 1 (8) RCW 44.75.080 (Direction of audit) and 2005 c 319 s 20 & 2003
2 c 362 s 8;
- 3 (9) RCW 44.75.090 (Professional experts) and 2005 c 319 s 21 & 2003
4 c 362 s 9;
- 5 (10) RCW 44.75.100 (Audit reports) and 2005 c 319 s 22 & 2003 c 362
6 s 10;
- 7 (11) RCW 44.75.110 (Scope of audit) and 2005 c 319 s 23 & 2003 c
8 362 s 11;
- 9 (12) RCW 44.75.120 (Contents of report) and 2005 c 319 s 24 & 2003
10 c 362 s 12;
- 11 (13) RCW 44.75.800 (Department of transportation audit) and 2003 c
12 362 s 15;
- 13 (14) RCW 44.75.900 (Captions--2003 c 362) and 2003 c 362 s 18; and
14 (15) RCW 44.75.901 (Effective date--2003 c 362) and 2003 c 362 s
15 19.

16 NEW SECTION. **Sec. 48.** This act takes effect July 1, 2006.

--- END ---