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HOUSE BILL 2041

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Jarrett, Simpson, Curtis, Clibborn, Campbell, Armstrong, Ormsby, Schindler, Wallace, P. Sullivan, Ericksen and Linville

Read first time 02/06/2007. Referred to Committee on Transportation.

1            AN ACT Relating to clarifying goals, objectives, and  
2 responsibilities of certain transportation agencies; amending RCW  
3 47.01.011, 47.01.012, 47.01.071, 47.01.075, 47.01.330, 47.05.030,  
4 47.05.035, 47.06.020, 47.06.050, and 47.06.140; creating a new section;  
5 and repealing RCW 47.01.370, 47.05.051, and 47.06.030.

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

7            NEW SECTION.    **Sec. 1.** The legislature finds and declares that the  
8 citizens of the state expect clear and concise goals, objectives, and  
9 responsibilities regarding the operation of the statewide  
10 transportation system. Furthermore, the state's citizens expect that  
11 the state periodically receive clear and streamlined information that  
12 measures whether the goals and objectives are being satisfied.  
13 Therefore, it is the intent of the legislature that this act serve to  
14 clarify existing goals, objectives, and responsibilities related to the  
15 operation of an efficient statewide transportation system.

16            **Sec. 2.** RCW 47.01.011 and 1977 ex.s. c 151 s 1 are each amended to  
17 read as follows:

18            The legislature hereby recognizes the following imperative needs

1 within the state: To create a statewide transportation development  
2 plan which identifies present status and sets goals for the future; to  
3 coordinate transportation modes; to promote and protect land use  
4 programs required in local, state, and federal law; to coordinate  
5 transportation with the economic development of the state; to supply a  
6 broad framework in which regional, metropolitan, and local  
7 transportation needs can be related; to facilitate the supply of  
8 federal and state aid to those areas which will most benefit the state  
9 as a whole; to provide for public involvement in the transportation  
10 planning and development process; to administer programs within the  
11 jurisdiction of this title relating to the safety of the state's  
12 transportation systems; and to coordinate and implement national  
13 transportation policy with the state transportation planning program.

14 The legislature finds and declares that placing all elements of  
15 transportation in a single department is fully consistent with and  
16 shall in no way impair the use of moneys in the motor vehicle fund  
17 exclusively for highway purposes.

18 Through this chapter, a unified department of transportation is  
19 created. To the jurisdiction of this department will be transferred  
20 the present powers, duties, and functions of the department of  
21 highways, the highway commission, the toll bridge authority, the  
22 aeronautics commission, and the canal commission, and the  
23 transportation related powers, duties, and functions of the planning  
24 and community affairs agency. The powers, duties, and functions of the  
25 department of transportation must be performed in a manner consistent  
26 with the policy goals set forth in RCW 47.01.012.

27 **Sec. 3.** RCW 47.01.012 and 2002 c 5 s 101 are each amended to read  
28 as follows:

29 (1) It is the intent of the legislature to establish policy goals  
30 for the planning, operation, performance of, and investment in, the  
31 state's transportation system. The policy goals (~~shall consist of,~~  
32 ~~but not be limited to, the following~~) established under this section  
33 are deemed consistent with the benchmark categories(~~( )~~) adopted by the  
34 state's blue ribbon commission on transportation on November 30, 2000.  
35 (~~In addition to improving safety,~~) Public investments in  
36 transportation shall support achievement of these (~~and other~~  
37 ~~priority~~) policy goals:

1       (~~No interstate highways, state routes, and local arterials shall~~  
2 ~~be in poor condition; no bridges shall be structurally deficient, and~~  
3 ~~safety retrofits shall be performed on those state bridges at the~~  
4 ~~highest seismic risk levels; traffic congestion on urban state highways~~  
5 ~~shall be significantly reduced and be no worse than the national mean;~~  
6 ~~delay per driver shall be significantly reduced and no worse than the~~  
7 ~~national mean; per capita vehicle miles traveled shall be maintained at~~  
8 ~~2000 levels; the nonauto share of commuter trips shall be increased in~~  
9 ~~urban areas; administrative costs as a percentage of transportation~~  
10 ~~spending shall achieve the most efficient quartile nationally; and the~~  
11 ~~state's public transit agencies shall achieve the median cost per~~  
12 ~~vehicle revenue hour of peer transit agencies, adjusting for the~~  
13 ~~regional cost of living.))~~)

14       (a) Preservation: To maintain, preserve, and extend the life and  
15 utility of prior investments in transportation systems and services;

16       (b) Safety: To provide for and improve the safety and security of  
17 transportation customers and the transportation system;

18       (c) Mobility: To improve the predictable movement of goods and  
19 people throughout Washington state;

20       (d) Environment: To enhance Washington's quality of life through  
21 transportation investments that promote energy conservation, enhance  
22 healthy communities, and protect the environment; and

23       (e) Stewardship: To be effective managers of the transportation  
24 system.

25       (2) These policy goals ((shall)) are intended to be the basis for  
26 ((establishment of)) establishing detailed and measurable objectives  
27 and related performance ((benchmarks)) measures.

28       (3) It is the intent of the legislature that the ((transportation  
29 commission)) governor establish objectives and performance measures for  
30 the department of transportation and other state agencies with  
31 transportation related responsibilities to ensure transportation system  
32 performance at local, regional, and state government levels((, and the  
33 transportation commission should work with appropriate government  
34 entities to accomplish this)) attains the policy goals set forth in  
35 subsection (1) of this section. The governor shall submit initial  
36 objectives and performance measures to the legislature for its review  
37 during the 2008 legislative session. The governor shall submit

1 objectives and performance measures to the legislature for its review  
2 during each regular session of the legislature during an even-numbered  
3 year thereafter.

4 **Sec. 4.** RCW 47.01.071 and 2006 c 334 s 3 are each amended to read  
5 as follows:

6 The transportation commission shall have the following functions,  
7 powers, and duties:

8 (1) To propose policies to be adopted by the governor and the  
9 legislature designed to assure the development and maintenance of a  
10 comprehensive and balanced statewide transportation system which will  
11 meet the needs of the people of this state for safe and efficient  
12 transportation services. (~~Wherever appropriate the policies shall~~  
13 ~~provide for the use of integrated, intermodal transportation systems to~~  
14 ~~implement the social, economic, and environmental policies, goals, and~~  
15 ~~objectives of the people of the state, and especially to conserve~~  
16 ~~nonrenewable natural resources including land and energy.)) The  
17 policies must be aligned with the goals established in RCW 47.01.012.  
18 To this end the commission shall:~~

19 (a) Develop transportation policies which are based on the  
20 policies, goals, and objectives expressed and inherent in existing  
21 state laws;

22 (b) Inventory the adopted policies, goals, and objectives of the  
23 local and area-wide governmental bodies of the state and define the  
24 role of the state, regional, and local governments in determining  
25 transportation policies, in transportation planning, and in  
26 implementing the state transportation plan;

27 (~~(c) ((Propose a transportation policy for the state;~~  
28 ~~(d))~~) Establish a procedure for review and revision of the state  
29 transportation policy and for submission of proposed changes to the  
30 governor and the legislature;

31 (~~((e) To))~~ (d) Integrate the statewide transportation plan with the  
32 needs of the elderly and (~~(handicapped))~~ persons with disabilities, and  
33 (~~(to))~~ coordinate federal and state programs directed at assisting  
34 local governments to answer such needs;

35 (2) To provide for the effective coordination of state  
36 transportation planning with national transportation policy, state and

1 local land use policies, and local and regional transportation plans  
2 and programs;

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

8 (4) To prepare a comprehensive and balanced statewide  
9 transportation plan (~~((which shall be))~~) consistent with the state's  
10 growth management goals and based on the transportation policy  
11 (~~((adopted by the governor and the legislature,))~~) goals provided under  
12 RCW 47.01.012 and applicable state and federal laws. The plan must  
13 reflect the priorities of government developed by the office of  
14 financial management and address regional needs, including multimodal  
15 transportation planning. The plan shall be reviewed and revised, and  
16 submitted to the governor and the house of representatives and senate  
17 standing committees on transportation, prior to each regular session of  
18 the legislature during an even-numbered year thereafter. The plan  
19 shall be subject to the approval of the legislature in the biennial  
20 transportation budget act.

21 The plan shall take into account federal law and regulations  
22 relating to the planning, construction, and operation of transportation  
23 facilities;

24 (5) By October 1, 2007, the commission shall submit a baseline  
25 report on the attainment of policy goals under RCW 47.01.012 in the  
26 2005-2007 fiscal biennium. By October 1, 2008, beginning with the  
27 development of the 2009-2011 biennial transportation budget, and by  
28 October 1st each year thereafter, the commission shall submit to the  
29 legislature and the governor an annual report on the attainment by  
30 state transportation agencies of the state transportation policy goals  
31 and objectives prescribed by statute, appropriation, and governor  
32 directive. The report must, at a minimum, include the degree to which  
33 state transportation projects and programs attained the policy goals  
34 established under RCW 47.01.012, as measured by the objectives and  
35 performance measures established by the governor under RCW 47.01.012  
36 and presented biennially to the legislature.

37 (6) To propose to the governor and the legislature prior to the

1 convening of each regular session held in an odd-numbered year a  
2 recommended budget for the operations of the commission as required by  
3 RCW 47.01.061;

4 ~~((+6))~~ (7) To adopt such rules as may be necessary to carry out  
5 reasonably and properly those functions expressly vested in the  
6 commission by statute;

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

11 ~~((+8))~~ (9) To conduct transportation-related studies and policy  
12 analysis to the extent directed by the legislature or governor in the  
13 biennial transportation budget act, or as otherwise provided in law,  
14 and subject to the availability of amounts appropriated for this  
15 specific purpose; and

16 ~~((+9))~~ (10) To exercise such other specific powers and duties as  
17 may be vested in the transportation commission by this or any other  
18 provision of law.

19 **Sec. 5.** RCW 47.01.075 and 2006 c 334 s 4 are each amended to read  
20 as follows:

21 ~~((The transportation commission shall provide a public forum  
22 for the development of transportation policy in Washington state to  
23 include coordination with regional transportation planning  
24 organizations, transportation stakeholders, counties, cities, and  
25 citizens. It may recommend to the secretary of transportation, the  
26 governor, and the legislature means for obtaining appropriate citizen  
27 and professional involvement in all transportation policy formulation  
28 and other matters related to the powers and duties of the department.  
29 It may further hold hearings and explore ways to improve the mobility  
30 of the citizenry.))~~ At least every five years, the commission shall  
31 convene regional forums to gather citizen input on transportation  
32 issues. The commission shall consider the input gathered at the forums  
33 as it establishes the statewide transportation plan under RCW  
34 47.01.071(4).

35 ~~((Every two years, in coordination with the development of the  
36 state biennial budget, the commission shall prepare the statewide~~

1 multimodal transportation progress report and propose to the office of  
2 financial management transportation priorities for the ensuing  
3 biennium. The report must:

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

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

7 (c) Be developed with the input from state, local, and regional  
8 jurisdictions, transportation service providers, key transportation  
9 stakeholders, and the office of financial management;

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

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

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

19 ((4)) (3) In order to promote a better transportation system, the  
20 commission ((shall)) may offer policy guidance and make recommendations  
21 to the governor and the legislature in key issue areas, including but  
22 not limited to:

23 (a) Transportation finance;

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

26 (c) Transportation infrastructure needs;

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

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

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

33 (g) Use of intelligent transportation systems and other technology-  
34 based solutions((; and

35 (h) Reporting of performance against goals, targets, and  
36 benchmarks)).

1       **Sec. 6.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read  
2 as follows:

3       (1) The secretary shall establish an office of transit mobility.  
4 The purpose of the office is to facilitate the integration of  
5 decentralized public transportation services with the state  
6 transportation system. The goals of the office of transit mobility  
7 are: (a) To facilitate connection and coordination of transit services  
8 and planning; and (b) maximizing opportunities to use public  
9 transportation to improve the efficiency of transportation corridors.

10       (2) The duties of the office include, but are not limited to, the  
11 following:

12       (a) Developing a statewide strategic plan that creates common goals  
13 for transit agencies, consistent with the goals under RCW 47.01.012,  
14 and reduces competing plans for cross-jurisdictional service;

15       (b) Developing a park and ride lot program;

16       (c) Encouraging long-range transit planning;

17       (d) Providing public transportation expertise to improve linkages  
18 between regional transportation planning organizations and transit  
19 agencies;

20       (e) Strengthening policies for inclusion of transit and  
21 transportation demand management strategies in route development,  
22 corridor plan standards, and budget proposals;

23       (f) Recommending best practices to integrate transit and demand  
24 management strategies with regional and local land use plans in order  
25 to reduce traffic and improve mobility and access;

26       (g) Producing recommendations to the commission for the public  
27 transportation section of the ((Washington)) statewide transportation  
28 plan; and

29       (h) Participating in all aspects of corridor planning, including  
30 freight planning, ferry system planning, and passenger rail planning.

31       (3) In forming the office, the secretary shall use existing  
32 resources to the greatest extent possible.

33       (4) The office of transit mobility shall ((~~establish measurable~~  
34 ~~performance~~)) adopt the objectives and performance measures established  
35 by the governor under RCW 47.01.012 for evaluating the success of its  
36 initiatives and progress toward accomplishing the overall goals of the  
37 office and the goals established under RCW 47.01.012.



1 (5) The office of transit mobility must report quarterly to the  
2 secretary, and annually to the transportation committees of the  
3 legislature and the commission, on the progress of the office in  
4 meeting the goals and duties provided in this section.

5 **Sec. 7.** RCW 47.05.030 and 2006 c 334 s 45 are each amended to read  
6 as follows:

7 (1) The ((transportation commission)) office of financial  
8 management shall ((develop)) propose a comprehensive ten-year  
9 investment program ((specifying program objectives and performance  
10 measures)) for the preservation and improvement programs defined in  
11 this section, consistent with the policy goals described under RCW  
12 47.01.012. The ((adopted)) proposed ten-year investment program must  
13 be forwarded as a recommendation ((to)) by the ((governor and)) office  
14 of financial management to the legislature, and ((is subject to the  
15 approval of the legislature in the biennial transportation budget act.  
16 In the specification of investment program objectives and performance  
17 measures, the transportation commission, in consultation with the  
18 Washington state department of transportation, shall define and adopt  
19 standards for effective programming and prioritization practices  
20 including a needs analysis process. The analysis process must ensure  
21 the identification of problems and deficiencies, the evaluation of  
22 alternative solutions and trade offs, and estimations of the costs and  
23 benefits of prospective projects. The investment program)) must be  
24 based upon the needs identified in the ((state owned highway component  
25 of the)) statewide ((comprehensive)) transportation plan established  
26 under RCW 47.01.071(4). The proposed investment program must also  
27 include:

28 (a) Identification of projects for two years and an investment plan  
29 for the remaining eight years;

30 (b) An analysis of how the investment plan relates to the statewide  
31 transportation plan;

32 (c) A cross-reference table for the information contained in the  
33 annual attainment report submitted by the transportation commission  
34 under RCW 47.01.071(5); and

35 (d) A statement of how the proposed ten-year investment program  
36 will affect the performance measures and objectives proposed by the

1 governor under RCW 47.01.012 and included in the annual attainment  
2 report submitted by the transportation commission under RCW  
3 47.01.071(5).

4 ~~((1))~~ (2) The preservation program consists of those investments  
5 necessary to preserve the existing state highway system and to restore  
6 existing safety features, giving consideration to lowest life cycle  
7 costing. ~~((The preservation program must require use of the most cost-~~  
8 ~~effective pavement surfaces, considering:~~

9 ~~(a) Life cycle cost analysis;~~

10 ~~(b) Traffic volume;~~

11 ~~(c) Subgrade soil conditions;~~

12 ~~(d) Environmental and weather conditions;~~

13 ~~(e) Materials available; and~~

14 ~~(f) Construction factors.~~

15 ~~The comprehensive ten year investment program for preservation must~~  
16 ~~identify projects for two years and an investment plan for the~~  
17 ~~remaining eight years.~~

18 (2)) (3) The improvement program consists of investments needed to  
19 address identified deficiencies on the state highway system to  
20 ~~((increase mobility, address congestion, and improve safety, support~~  
21 ~~for the economy, and protection of the environment. The ten year~~  
22 ~~investment program for improvements must identify projects for two~~  
23 ~~years and major deficiencies proposed to be addressed in the ten year~~  
24 ~~period giving consideration to relative benefits and life cycle~~  
25 ~~costing. The transportation commission shall give higher priority for~~  
26 ~~correcting identified deficiencies on those facilities classified as~~  
27 ~~facilities of statewide significance as defined in RCW 47.06.140.~~  
28 ~~Project prioritization must be based primarily upon cost benefit~~  
29 ~~analysis, where appropriate)) meet the goals established in RCW~~  
30 47.01.012.

31 **Sec. 8.** RCW 47.05.035 and 2006 c 334 s 46 are each amended to read  
32 as follows:

33 (1) The department shall use the transportation demand modeling  
34 tools developed under subsection (2) of this section to evaluate  
35 investments based on the best mode or improvement, or mix of modes and  
36 improvements, to meet current and future long-term demand within a  
37 corridor or system for the lowest cost. The end result of these demand

1 modeling tools is to provide a cost-benefit analysis by which the  
2 department can determine the relative mobility improvement and  
3 congestion relief each mode or improvement under consideration will  
4 provide and the relative investment each mode or improvement under  
5 consideration will need to achieve that relief.

6 (2) The department will participate in the refinement, enhancement,  
7 and application of existing transportation demand modeling tools to be  
8 used to evaluate investments. This participation and use of  
9 transportation demand modeling tools will be phased in.

10 ~~((3) In developing program objectives and performance measures,~~  
11 ~~the department shall evaluate investment trade offs between the~~  
12 ~~preservation and improvement programs. In making these investment~~  
13 ~~trade offs, the department shall evaluate, using cost benefit~~  
14 ~~techniques, roadway and bridge maintenance activities as compared to~~  
15 ~~roadway and bridge preservation program activities and adjust those~~  
16 ~~programs accordingly.~~

17 ~~(4) The department shall allocate the estimated revenue between~~  
18 ~~preservation and improvement programs giving primary consideration to~~  
19 ~~the following factors:~~

20 ~~(a) The relative needs in each of the programs and the system~~  
21 ~~performance levels that can be achieved by meeting these needs;~~

22 ~~(b) The need to provide adequate funding for preservation to~~  
23 ~~protect the state's investment in its existing highway system;~~

24 ~~(c) The continuity of future transportation development with those~~  
25 ~~improvements previously programmed; and~~

26 ~~(d) The availability of dedicated funds for a specific type of~~  
27 ~~work.~~

28 ~~(5) The department shall consider the findings in this section in~~  
29 ~~the development of the ten year investment program.))~~

30 **Sec. 9.** RCW 47.06.020 and 1993 c 446 s 2 are each amended to read  
31 as follows:

32 The specific role of the department in transportation planning  
33 ~~((shall))~~ must be, consistent with the policy goals described under RCW  
34 47.01.012: (1) Ongoing coordination and development of statewide  
35 transportation policies that guide all Washington transportation  
36 providers; (2) ongoing development of a statewide multimodal  
37 transportation plan that includes both state-owned and state-interest

1 facilities and services; (3) coordinating the state high-capacity  
2 transportation planning and regional transportation planning programs;  
3 (~~and~~) (4) conducting special transportation planning studies that  
4 impact state transportation facilities or relate to transportation  
5 facilities and services of statewide significance; and (5) assisting  
6 the transportation commission in the development of the statewide  
7 transportation plan required under RCW 47.01.071(4). Specific  
8 requirements for each of these state transportation planning components  
9 are described in this chapter.

10 **Sec. 10.** RCW 47.06.050 and 2002 c 5 s 413 are each amended to read  
11 as follows:

12 The state-owned facilities component of the statewide multimodal  
13 transportation plan shall consist of:

14 (1) The state highway system plan, which identifies program and  
15 financing needs and recommends specific and financially realistic  
16 improvements to preserve the structural integrity of the state highway  
17 system, ensure acceptable operating conditions, and provide for  
18 enhanced access to scenic, recreational, and cultural resources. The  
19 state highway system plan shall contain the following elements:

20 (a) A system preservation element, which shall establish structural  
21 preservation objectives for the state highway system including bridges,  
22 identify current and future structural deficiencies based upon analysis  
23 of current conditions and projected future deterioration, and recommend  
24 program funding levels and specific actions necessary to preserve the  
25 structural integrity of the state highway system consistent with  
26 adopted objectives. Lowest life cycle cost methodologies must be used  
27 in developing a pavement management system. This element shall serve  
28 as the basis for the preservation component of the six-year highway  
29 program and the two-year biennial budget request to the legislature;

30 (b) A highway maintenance element, establishing service levels for  
31 highway maintenance on state-owned highways (~~that meet benchmarks~~  
32 ~~established by the transportation commission~~). The highway  
33 maintenance element must include an estimate of costs for achieving  
34 those service levels over twenty years. This element will serve as the  
35 basis for the maintenance component of the six-year highway program and  
36 the two-year biennial budget request to the legislature;

1 (c) A capacity and operational improvement element, which shall  
2 establish operational objectives, including safety considerations, for  
3 moving people and goods on the state highway system, identify current  
4 and future capacity, operational, and safety deficiencies, and  
5 recommend program funding levels and specific improvements and  
6 strategies necessary to achieve the operational objectives. In  
7 developing capacity and operational improvement plans the department  
8 shall first assess strategies to enhance the operational efficiency of  
9 the existing system before recommending system expansion. Strategies  
10 to enhance the operational efficiencies include but are not limited to  
11 access management, transportation system management, demand management,  
12 and high-occupancy vehicle facilities. The capacity and operational  
13 improvement element must conform to the state implementation plan for  
14 air quality and be consistent with regional transportation plans  
15 adopted under chapter 47.80 RCW, and shall serve as the basis for the  
16 capacity and operational improvement portions of the six-year highway  
17 program and the two-year biennial budget request to the legislature;

18 (d) A scenic and recreational highways element, which shall  
19 identify and recommend designation of scenic and recreational highways,  
20 provide for enhanced access to scenic, recreational, and cultural  
21 resources associated with designated routes, and recommend a variety of  
22 management strategies to protect, preserve, and enhance these  
23 resources. The department, affected counties, cities, and towns,  
24 regional transportation planning organizations, and other state or  
25 federal agencies shall jointly develop this element;

26 (e) A paths and trails element, which shall identify the needs of  
27 nonmotorized transportation modes on the state transportation systems  
28 and provide the basis for the investment of state transportation funds  
29 in paths and trails, including funding provided under chapter 47.30  
30 RCW.

31 (2) The state ferry system plan, which shall guide capital and  
32 operating investments in the state ferry system. The plan shall  
33 establish service objectives for state ferry routes, forecast travel  
34 demand for the various markets served in the system, develop strategies  
35 for ferry system investment that consider regional and statewide  
36 vehicle and passenger needs, support local land use plans, and assure  
37 that ferry services are fully integrated with other transportation  
38 services. The plan must provide for maintenance of capital assets.

1 The plan must also provide for preservation of capital assets based on  
2 lowest life cycle cost methodologies. The plan shall assess the role  
3 of private ferries operating under the authority of the utilities and  
4 transportation commission and shall coordinate ferry system capital and  
5 operational plans with these private operations. The ferry system plan  
6 must be consistent with the regional transportation plans for areas  
7 served by the state ferry system, and shall be developed in conjunction  
8 with the ferry advisory committees.

9 **Sec. 11.** RCW 47.06.140 and 1998 c 171 s 7 are each amended to read  
10 as follows:

11 The legislature declares the following transportation facilities  
12 and services to be of statewide significance: The interstate highway  
13 system, interregional state principal arterials including ferry  
14 connections that serve statewide travel, intercity passenger rail  
15 services, intercity high-speed ground transportation, major passenger  
16 intermodal terminals excluding all airport facilities and services, the  
17 freight railroad system, the Columbia/Snake navigable river system,  
18 marine port facilities and services that are related solely to marine  
19 activities affecting international and interstate trade, and high-  
20 capacity transportation systems serving regions as defined in RCW  
21 81.104.015. The department, in cooperation with regional  
22 transportation planning organizations, counties, cities, transit  
23 agencies, public ports, private railroad operators, and private  
24 transportation providers, as appropriate, shall plan for improvements  
25 to transportation facilities and services of statewide significance in  
26 the statewide multimodal transportation plan. Improvements to  
27 facilities and services of statewide significance identified in the  
28 statewide multimodal transportation plan, or to highways of statewide  
29 significance designated by the legislature under chapter 47.05 RCW, are  
30 essential state public facilities under RCW 36.70A.200.

31 The department of transportation, in consultation with local  
32 governments, shall set level of service standards for state highways  
33 and state ferry routes of statewide significance. Although the  
34 department shall consult with local governments when setting level of  
35 service standards, the department retains authority to make final  
36 decisions regarding level of service standards for state highways and  
37 state ferry routes of statewide significance. In establishing level of

1 service standards for state highways and state ferry routes of  
2 statewide significance, the department shall consider the necessary  
3 balance between providing for the free interjurisdictional movement of  
4 people and goods and the needs of local communities using these  
5 facilities.

6 NEW SECTION. **Sec. 12.** The following acts or parts of acts are  
7 each repealed:

8 (1) RCW 47.01.370 (Review of performance and outcome measures of  
9 transportation-related agencies--Definition) and 2006 c 334 s 44;

10 (2) RCW 47.05.051 (Ten-year comprehensive investment program--  
11 Priority selection criteria--Improvement program criteria) and 2006 c  
12 334 s 47, 2005 c 319 s 11, 2002 c 189 s 3, 2002 c 5 s 406, 1998 c 175  
13 s 12, 1993 c 490 s 5, 1987 c 179 s 5, 1979 ex.s. c 122 s 5, & 1975 1st  
14 ex.s. c 143 s 4; and

15 (3) RCW 47.06.030 (Transportation policy plan) and 1997 c 369 s 8  
16 and 1993 c 446 s 3.

--- END ---