

SHB 1978 - H AMD

By Representative Clibborn

ADOPTED 03/04/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "ECONOMIC STIMULUS FUNDING

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that President
5 Barack Obama and the 111th Congress have enacted the American Recovery
6 and Reinvestment Act of 2009 in an effort to stimulate the American
7 economy, create and save jobs, and speed recovery from one of the
8 deepest economic recessions in recent history. The investment of
9 federal funds will help alleviate some of the economic burdens the
10 states face, and create jobs for the unemployed. The act includes \$492
11 million in federal transportation funding for Washington state and
12 local highway projects and \$179 million for local transit agency
13 improvement projects. In addition, the act includes over \$11 billion
14 in new funding for competitive national grant programs for highways of
15 regional significance, ferries, and rail priorities. The legislature
16 also finds that Washington state is well positioned to deliver
17 infrastructure projects in one hundred twenty days, as is required for
18 at least half of the state's share of federal stimulus highway funds,
19 and expects to receive additional funds that other states are unable to
20 use in this time frame. The legislature further finds that the state's
21 work to date on projects funded through the "nickel" and
22 "transportation partnership" funding acts mean that many regionally
23 significant projects are poised to compete well for nationally
24 available funds.

25 (2) Therefore, it is the intent of the legislature to revitalize
26 Washington's economy and reduce the state's unemployment rate by
27 quickly putting people to work around the state on projects that
28 promote safety, relieve traffic congestion, and preserve long-term
29 investments that will provide benefits into the future. Such projects

1 will be constructed quickly and will generate a significant number of
2 jobs, thereby strengthening Washington's economy and its families
3 seeking work.

4 NEW SECTION. **Sec. 2. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

6 Motor Vehicle Account--Federal Appropriation \$341,400,000

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

9 (1) The entire appropriation in this section is provided solely for
10 the projects and amounts listed in ARRA Washington State Project LEAP
11 document 2009, as developed on February 24, 2009. Funds under this
12 section may be reallocated among projects shown in the document to the
13 extent that the department finds it necessary for the purposes of
14 facilitating completion of the projects with the highest priority or to
15 maintain maximum federal funds eligibility.

16 (2) To achieve the legislative objectives provided in section 1(2)
17 of this act with respect to highway projects, it is the intent of the
18 legislature that the appropriation in this section be used for:
19 Transportation 2003 account (nickel account) projects and
20 transportation partnership account (TPA) projects that would have
21 otherwise been delayed due to decreased revenues, so as to advance
22 project completion dates similar to those envisioned in the enacted
23 2008 legislative list of projects; projects that preserve or
24 rehabilitate Washington state highways and roads; and projects that
25 modify roadway alignments and conditions to create safer roads for the
26 traveling public.

27 (3)(a) The department of transportation shall obligate at least
28 fifty percent of the funds no later than one hundred twenty days after
29 surface transportation program funds under the American Recovery and
30 Reinvestment Act of 2009 have been apportioned to the states;

31 (b) The department shall obligate all funds no later than one year
32 after surface transportation program funds under the American Recovery
33 and Reinvestment Act of 2009 have been apportioned to the states;

34 (c) The department shall place the first priority for allocating
35 funds on those projects listed as "First Tier" projects on ARRA
36 Washington State Project LEAP document 2009, as developed on February

1 24, 2009. The department shall place the second priority on projects
2 listed as "Second Tier" projects on the document; and

3 (d) Within each tier of projects on ARRA Washington State Project
4 LEAP document 2009, as developed on February 24, 2009, the department
5 shall place the highest priority for allocating funds on the
6 transportation 2003 account (nickel account) projects and
7 transportation partnership account (TPA) projects listed to advance
8 their completion. The department shall prioritize funding for other
9 projects within the tier according to how soon the contract for the
10 project could be awarded.

11 (4) By June 30, 2009, the department of transportation shall report
12 to the legislative standing committees on transportation and the office
13 of financial management on the status of federal stimulus funds
14 including, but not limited to, identifying the projects shown in ARRA
15 Washington State Project LEAP document 2009, as developed on February
16 24, 2009, for which federal stimulus funding has already been
17 obligated, the amount of federal recovery funds estimated to be
18 obligated to the projects, and the completion status of each project.
19 Subsequent status reports are due to the legislative standing
20 committees on transportation and the office of financial management on
21 August 31, 2009, and December 1, 2009.

22 NEW SECTION. **Sec. 3.** If the department of transportation receives
23 additional funding pursuant to the American Recovery and Reinvestment
24 Act of 2009, including funding redistributed from other states, the
25 department shall apply such funds to projects on ARRA Washington State
26 Project LEAP document 2009, as developed on February 24, 2009, as
27 prioritized by section 2(3) (c) and (d) of this act. If the funds are
28 in excess of the amounts shown on ARRA Washington State Project LEAP
29 document 2009, as developed on February 24, 2009, additional funds must
30 be applied to improvement, preservation, ferries, and rail capital
31 projects identified in the LEAP transportation documents in the enacted
32 2009-11 omnibus transportation appropriations act. However, if the
33 funds received may not be used for any of the purposes enumerated in
34 this section, then the department may program the funds for other
35 transportation-related activities. The department shall notify the
36 legislative standing committees on transportation and the office of

1 financial management of the amount of funds received and the projects
2 receiving funding through this process.

3 NEW SECTION. **Sec. 4.** To the extent practicable, the department of
4 transportation shall apply to the competitive grant programs created by
5 the American Recovery and Reinvestment Act of 2009 for all
6 transportation modes including, but not limited to, rail, projects of
7 regional significance, and ferries, as well as other grant programs
8 created by the act that may provide funding for transportation-related
9 activities. Concurrent with the submission of these applications, the
10 department of transportation shall report on these applications to the
11 legislative standing committees on transportation and the office of
12 financial management.

13 NEW SECTION. **Sec. 5.** For the distribution of funds that are
14 suballocated within the state pursuant to the American Recovery and
15 Reinvestment Act of 2009 to areas of the state outside of the
16 transportation management areas, the department of transportation shall
17 convene a local oversight and accountability panel, which shall include
18 representation from, at a minimum, the associations of Washington
19 cities and counties, the Washington public ports association, and the
20 transportation improvement board. The panel, chaired by the executive
21 director of the transportation improvement board, shall ensure rapid
22 project delivery and accountability for funds. The panel shall proceed
23 with an expedited statewide process utilizing the metropolitan planning
24 organization and county lead agency prioritized listing of local
25 projects. The department shall monitor the projects selected to
26 receive stimulus funding to ensure that Washington state is successful
27 in obligating all of its funding.

28 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are for the
29 period ending June 30, 2011.

30 **GENERAL GOVERNMENT AGENCIES--OPERATING**

31 **Sec. 101.** 2008 c 121 s 103 (uncodified) is amended to read as
32 follows:

1 **FOR THE MARINE EMPLOYEES COMMISSION**

2 Puget Sound Ferry Operations Account--State
3 Appropriation ((~~\$434,000~~))
4 \$433,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: A maximum of \$22,000 may be expended to
7 pay the department of personnel for conducting the 2007 salary survey.

8 **TRANSPORTATION AGENCIES--OPERATING**

9 **Sec. 201.** 2008 c 121 s 201 (uncodified) is amended to read as
10 follows:

11 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

12 Highway Safety Account--State Appropriation \$2,605,000
13 Highway Safety Account--Federal Appropriation ((~~\$15,845,000~~))
14 \$15,844,000
15 School Zone Safety Account--State Appropriation \$3,376,000
16 TOTAL APPROPRIATION ((~~\$21,826,000~~))
17 \$21,825,000

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$76,000 of the school zone safety
20 account--state appropriation is provided solely for contracting with
21 the office of the superintendent of public instruction (OSPI) to
22 conduct pilot programs in three school districts for road safety
23 education and training for children, in order to teach children safe
24 walking, bicycling, and transit use behavior. The pilot projects shall
25 be conducted during the 2008-09 academic year, and shall be modeled
26 after a program and curriculum successfully implemented in the Spokane
27 school district. Funds are provided for curriculum resources, bicycle
28 purchases, teacher training, other essential services and equipment,
29 and OSPI administrative expenses which may include contracting out
30 pilot program administration. The participating school districts shall
31 be located as follows: One in Grant county, one in Island county, and
32 one in Kitsap county. The OSPI shall evaluate the pilot programs, and
33 report to the transportation committees of the legislature no later
34 than December 1, 2009, on the outcomes of the pilot programs. The

1 report shall include a survey identifying barriers to, interest in, and
2 the likelihood of students traveling by biking, walking, or transit
3 both prior to and following completion of the pilot program.

4 **Sec. 202.** 2008 c 121 s 202 (uncodified) is amended to read as
5 follows:

6 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

7	Rural Arterial Trust Account--State Appropriation	\$900,000
8	Motor Vehicle Account--State Appropriation	((\$2,058,000))
9		<u>\$2,057,000</u>
10	County Arterial Preservation Account--State	
11	Appropriation	\$1,388,000
12	TOTAL APPROPRIATION	((\$4,346,000))
13		<u>\$4,345,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations: \$481,000 of the county arterial
16 preservation account--state appropriation is provided solely for
17 continued development and implementation of a maintenance management
18 system to manage county transportation assets.

19 **Sec. 203.** 2008 c 121 s 203 (uncodified) is amended to read as
20 follows:

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

22	Urban Arterial Trust Account--State Appropriation	\$1,778,000
23	Transportation Improvement Account--State	
24	Appropriation	((\$1,780,000))
25		<u>\$1,779,000</u>
26	TOTAL APPROPRIATION	((\$3,558,000))
27		<u>\$3,557,000</u>

28 **Sec. 204.** 2008 c 121 s 205 (uncodified) is amended to read as
29 follows:

30 **FOR THE JOINT TRANSPORTATION COMMITTEE**

31	Motor Vehicle Account--State Appropriation	((\$2,513,000))
32		<u>\$2,512,000</u>
33	Multimodal Transportation Account--State Appropriation	\$550,000
34	TOTAL APPROPRIATION	((\$3,063,000))
35		<u>\$3,062,000</u>

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

3 (1) (~~(\$750,000)~~) \$950,000 of the motor vehicle account--state
4 appropriation is for establishing a work group to implement Engrossed
5 Substitute House Bill No. 2358 (regarding state ferries) and review
6 other matters relating to Washington state ferries. The cochairs of
7 the committee shall establish the work group comprising committee
8 members or their designees, an appointee by the governor, and other
9 stakeholders as appointed by the cochairs, to assist in the committee's
10 work. The work group shall report on its tasks to the transportation
11 committees of the legislature by December 2008. The work group is
12 tasked with the following:

13 (a) Implementing the recommendations of Engrossed Substitute House
14 Bill No. 2358 (regarding state ferries). As directed by Engrossed
15 Substitute House Bill No. 2358, the committee work group shall
16 participate in and provide a review of the following:

17 (i) The Washington transportation commission's development and
18 interpretation of a survey of ferry customers;

19 (ii) The department of transportation's analysis and
20 reestablishment of vehicle level of service standards. In
21 reestablishing the standards, consideration must be given to whether
22 boat wait is the appropriate measure;

23 (iii) The department's development of pricing policy proposals. In
24 developing these policies, the policy, in effect on some routes, of
25 collecting fares in only one direction must be evaluated to determine
26 whether one-way fare pricing best serves the ferry system;

27 (iv) The department's development of operational strategies;

28 (v) The department's development of terminal design standards; and

29 (vi) The department's development of a long-range capital plan;

30 (b) Reviewing the following Washington state ferry programs:

31 (i) Ridership demand forecast;

32 (ii) Updated life cycle cost model, as directed by Engrossed
33 Substitute House Bill No. 2358;

34 (iii) Administrative operating costs, nonlabor and nonfuel
35 operating costs, Eagle Harbor maintenance facility program and
36 maintenance costs, administrative and systemwide capital costs, and
37 vessel preservation costs; and

1 (iv) The Washington state ferries' proposed capital cost allocation
2 plan methodology, as described in Engrossed Substitute House Bill No.
3 2358;

4 (c) Making recommendations regarding:

5 (i) The most efficient timing and sizing of future vessel
6 acquisitions beyond those currently authorized by the legislature.
7 Vessel acquisition recommendations must be based on the ridership
8 projections, level of service standards, and operational and pricing
9 strategies reviewed by the committee and must include the impact of
10 those recommendations on the timing and size of terminal capital
11 investments and the state ferries' long range operating and capital
12 finance plans; and

13 (ii) Capital financing strategies for consideration in the 2009
14 legislative session. This work must include confirming the
15 department's estimate of future capital requirements based on a long
16 range capital plan and must include the department's development of a
17 plan for codevelopment and public private partnership opportunities at
18 public ferry terminals; and

19 (d) Evaluate the capital cost allocation plan methodology developed
20 by the department to implement Engrossed Substitute House Bill No.
21 2358.

22 (2) \$250,000 of the motor vehicle account--state appropriation and
23 \$250,000 of the multimodal transportation account--state appropriation
24 are for the continuing implementation of chapter 514, Laws of 2007.

25 (3) \$300,000 of the multimodal transportation account--state
26 appropriation is for implementing Substitute House Bill No. 1694
27 (coordinated transportation). If Substitute House Bill No. 1694 is not
28 enacted by June 30, 2007, the amount provided in this subsection shall
29 lapse.

30 (4) \$150,000 of the motor vehicle account--state appropriation is
31 for the Puget Sound regional council to conduct a pilot program for
32 multimodal concurrency analysis. This pilot program will analyze total
33 trip needs for a regional growth center based on adopted land use
34 plans, identify the number of trips which can be accommodated by
35 planned roadway, transit service, and nonmotorized investments, and
36 identify gaps for trips that cannot be served and strategies to fill
37 those gaps. The purpose of this pilot is to demonstrate how this type

1 of multimodal concurrency analysis can be used to broaden and
2 strengthen local concurrency programs.

3 (5) \$236,000 of the motor vehicle account--state appropriation is
4 for a comprehensive analysis, as stated in Senate Bill No. 5689, of
5 mid-term and long-term transportation funding mechanisms and methods.
6 Elements of the study will include existing data and trends, policy
7 objectives, performance and evaluation criteria, incremental transition
8 strategies, and possibly, scaled testing. Baseline data and methods
9 assessment must be concluded by December 31, 2009. Performance
10 criteria must be developed by June 30, 2010, and recommended planning
11 level alternative funding strategies must be completed by December 31,
12 2010.

13 **Sec. 205.** 2008 c 121 s 206 (uncodified) is amended to read as
14 follows:

15 **FOR THE TRANSPORTATION COMMISSION**

16 Motor Vehicle Account--State Appropriation	((\$2,322,000))
	<u>\$2,321,000</u>
18 Multimodal Transportation Account--State Appropriation	\$112,000
19 TOTAL APPROPRIATION	((\$2,434,000))
	<u>\$2,433,000</u>

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

23 (1) \$350,000 of the motor vehicle account--state appropriation is
24 provided solely for the commission to conduct a survey of ferry
25 customers as described in Engrossed Substitute House Bill No. 2358.
26 Development and interpretation of the survey must be done with
27 participation of the joint transportation committee work group
28 established in section 205(1) of this act.

29 (2) The commission shall conduct a planning grade tolling study
30 that is based on the recommended policies in the commission's
31 comprehensive tolling study submitted September 20, 2006.

32 (3) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
33 the transportation commission shall establish, periodically review,
34 and, if necessary, modify a schedule of toll charges applicable to the
35 state route 167 high-occupancy toll lane pilot project, as required by
36 RCW 47.56.403.

1 (4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
2 the transportation commission shall periodically review, and, if
3 necessary, modify the schedule of toll charges applicable to the Tacoma
4 Narrows bridge, taking into consideration the recommendations of the
5 citizen advisory committee created by RCW 47.46.091.

6 (5) \$205,000 of the motor vehicle account--state appropriation is
7 provided solely for a study of potential revenue sources for the
8 Washington state ferry system. The study must model and assess the
9 revenue generating potentials of feasible alternative funding sources.
10 The revenue forecasting models must be dynamic and ownership of these
11 models must be retained by the commission. The commission shall
12 develop revenue source recommendations that will generate revenue equal
13 to or greater than the funding level identified by the ferries finance
14 study of the joint transportation committee referenced in section 205
15 of this act, and shall report its recommendations to the transportation
16 committees of the legislature by November 15, 2008.

17 **Sec. 206.** 2008 c 121 s 208 (uncodified) is amended to read as
18 follows:

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

20 State Patrol Highway Account--State	
21 Appropriation	((\$226,924,000))
	<u>\$220,920,000</u>
23 State Patrol Highway Account--Federal	
24 Appropriation	\$10,602,000
25 State Patrol Highway Account--Private/Local	
26 Appropriation	\$410,000
27 TOTAL APPROPRIATION	((\$237,936,000))
	<u>\$231,932,000</u>

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

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

1 employee rate for mileage and hours of usage, subject to guidelines
2 developed by the chief of the Washington state patrol.

3 (2) In addition to the user fees, the patrol shall transfer into
4 the state patrol nonappropriated airplane revolving account under RCW
5 43.79.470 no more than the amount of appropriated state patrol highway
6 account and general fund funding necessary to cover the costs for the
7 patrol's use of the aircraft. The state patrol highway account and
8 general fund--state funds shall be transferred proportionately in
9 accordance with a cost allocation that differentiates between highway
10 traffic enforcement services and general policing purposes.

11 (3) The patrol shall not account for or record locally provided DUI
12 cost reimbursement payments as expenditure credits to the state patrol
13 highway account. The patrol shall report the amount of expected
14 locally provided DUI cost reimbursements to the governor and
15 transportation committees of the senate and house of representatives by
16 September 30th of each year.

17 ~~(((\$1,662,000 of the state patrol highway account--state~~
18 ~~appropriation is provided solely for the implementation of Substitute~~
19 ~~House Bill No. 1304 (commercial vehicle enforcement). If Substitute~~
20 ~~House Bill No. 1304 is not enacted by June 30, 2007, the amount~~
21 ~~provided in this subsection shall lapse.~~

22 ~~(5))~~) During the 2007-2009 biennium, the Washington state patrol
23 shall continue to perform traffic accident investigations on Thurston,
24 Mason, and Lewis county roads when requested to do so by the respective
25 county; however, the counties shall conduct traffic accident
26 investigations on county roads beginning July 1, 2009.

27 ~~(((\$6) \$100,000 of the state patrol highway account--state~~
28 ~~appropriation is provided solely for the implementation of Substitute~~
29 ~~House Bill No. 1417 (health benefits for surviving dependents). If~~
30 ~~Substitute House Bill No. 1417 is not enacted by June 30, 2007, the~~
31 ~~amount provided in this subsection shall lapse.~~

32 ~~(7) \$3,300,000))~~ (5) \$1,832,767 of the state patrol highway
33 account--state appropriation is provided solely for the salaries and
34 benefits associated with accretion in the number of troopers employed
35 above 1,158 authorized commissioned troopers, or solely for training
36 new cadets; however, the amount provided in this subsection is
37 contingent on the Washington state patrol submitting a 2009-11 budget
38 request that fully funds field force operations without reliance on a

1 projected vacancy rate. The Washington state patrol shall perform a
2 study with a final report due to the legislative transportation
3 committees by December 1, 2008, on the advantages and disadvantages of
4 staffing the commercial vehicle enforcement section with commissioned
5 officers instead of commercial vehicle enforcement officers.

6 (8) By July 1, 2008, the Washington state patrol shall assign six
7 additional troopers to the Monroe detachment from among troopers
8 requesting transfer to Monroe or graduating cadet classes.

9 **Sec. 207.** 2008 c 121 s 209 (uncodified) is amended to read as
10 follows:

11 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
12 State Patrol Highway Account--State Appropriation . . . ((\$1,552,000))
13 \$1,535,000

14 **Sec. 208.** 2008 c 121 s 210 (uncodified) is amended to read as
15 follows:

16 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
17 State Patrol Highway Account--State Appropriation . . ((\$102,726,000))
18 \$98,873,000
19 State Patrol Highway Account--Private/Local
20 Appropriation \$2,008,000
21 TOTAL APPROPRIATION ((\$104,734,000))
22 \$100,881,000

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

25 (1) The Washington state patrol shall work with the risk management
26 division in the office of financial management in compiling the
27 Washington state patrol's data for establishing the agency's risk
28 management insurance premiums to the tort claims account. The office
29 of financial management and the Washington state patrol shall submit a
30 report to the legislative transportation committees by December 31st of
31 each year on the number of claims, estimated claims to be paid, method
32 of calculation, and the adjustment in the premium.

33 (2) ~~(\$9,981,000 of the total appropriation is provided solely for~~
34 ~~automobile fuel in the 2007-2009 biennium.~~

35 (3) ~~\$7,461,000 of the total appropriation is provided solely for~~
36 ~~the purchase of pursuit vehicles.~~

1 ~~(4) \$6,328,000 of the total appropriation is provided solely for~~
2 ~~vehicle repair and maintenance costs of vehicles used for highway~~
3 ~~purposes.~~

4 ~~(5) \$384,000 of the total appropriation is provided solely for the~~
5 ~~purchase of mission vehicles used for highway purposes in the~~
6 ~~commercial vehicle and traffic investigation sections of the Washington~~
7 ~~state patrol.~~

8 ~~(6))~~ The Washington state patrol may submit information technology
9 related requests for funding only if the patrol has coordinated with
10 the department of information services as required by section 602 of
11 this act.

12 ~~((7))~~ (3) \$630,000 of the total appropriation is provided solely
13 for the ongoing software maintenance and technical support for the
14 digital microwave system. The Washington state patrol shall coordinate
15 with the other members of the Washington state interoperability
16 executive committee to ensure compatibility between emergency
17 communication systems.

18 NEW SECTION. Sec. 209. A new section is added to 2007 c 518
19 (uncodified) to read as follows:

20 **FOR THE WASHINGTON STATE PATROL.** The appropriations to the
21 Washington state patrol in chapter 121, Laws of 2008 and this act must
22 be expended for the programs and in the amounts specified in this act.
23 However, after May 1, 2009, unless specifically prohibited, the state
24 patrol may transfer state patrol highway account--state appropriations
25 for the 2007-2009 fiscal biennium between operating programs after
26 approval by the director of financial management. However, the state
27 patrol shall not transfer state moneys that are provided solely for a
28 specified purpose. The director of financial management shall notify
29 the appropriate fiscal committees of the senate and house of
30 representatives in writing prior to approving any allotment
31 modifications or transfers under this section.

32 **Sec. 210.** 2008 c 121 s 211 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF LICENSING**

35 Marine Fuel Tax Refund Account--State Appropriation \$32,000

36 Motorcycle Safety Education Account--State

1 Appropriation (~~(\$3,898,000)~~)

2 \$3,865,000

3 Wildlife Account--State Appropriation (~~(\$830,000)~~)

4 \$819,000

5 Highway Safety Account--State Appropriation (~~(\$145,444,000)~~)

6 \$144,531,000

7 Highway Safety Account--Federal Appropriation \$233,000

8 Motor Vehicle Account--State Appropriation (~~(\$78,235,000)~~)

9 \$77,030,000

10 Motor Vehicle Account--Private/Local Appropriation \$1,372,000

11 Motor Vehicle Account--Federal Appropriation \$1,354,000

12 Department of Licensing Services Account--State

13 Appropriation (~~(\$4,639,000)~~)

14 \$3,115,000

15 Washington State Patrol Highway Account--State

16 Appropriation (~~(\$1,145,000)~~)

17 \$625,000

18 TOTAL APPROPRIATION (~~(\$237,182,000)~~)

19 \$232,976,000

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

22 (1) (~~(\$2,941,000)~~) \$2,933,000 of the highway safety account--state
23 appropriation is provided solely for the implementation of Substitute
24 House Bill No. 1267 (modifying commercial driver's license
25 requirements). If Substitute House Bill No. 1267 is not enacted by
26 June 30, 2007, the amount provided in this subsection shall lapse. The
27 department shall informally report to the legislature by December 1,
28 2008, with measurable data indicating the department's progress in
29 meeting its goal of improving public safety by improving the quality of
30 the commercial driver's license testing process.

31 (2) (~~(\$716,000)~~) \$663,000 of the motorcycle safety education
32 account--state appropriation is provided solely for the implementation
33 of Senate Bill No. 5273 (modifying motorcycle driver's license
34 endorsement and education provisions). If Senate Bill No. 5273 is not
35 enacted by June 30, 2007, the amount provided in this subsection shall
36 lapse.

37 (3)(a) (~~(\$12,422,000)~~) \$10,685,000 of the highway safety account--

1 state appropriation is provided solely for costs associated with the
2 processing costs of issuing enhanced drivers' licenses and identicards.

3 (b) Of the amount provided in (a) of this subsection, up to
4 \$1,000,000 is for a statewide educational campaign, which must include
5 coordination with existing public and private entities, to inform the
6 Washington public of the benefits of the new enhanced drivers' licenses
7 and identicards. Funds may be spent on educational campaigns only
8 after the caseload for enhanced drivers' licenses and identicards falls
9 below levels that can be reasonably processed by the department within
10 the appropriation provided by this subsection. \$300,000 of the
11 \$1,000,000 is for the department to partner with cross-border tourism
12 businesses to create an educational campaign.

13 (c) Of the amount provided in (a) of this subsection,
14 (~~(\$10,722,000)~~) \$8,985,000 is provided solely for costs associated with
15 providing enhanced driver's license processing at 14 licensing services
16 offices.

17 (d) Of the amount provided in (a) of this subsection, \$700,000 is
18 provided solely for costs associated with extending hours beyond
19 current regular business hours at the 14 licensing service offices that
20 provide enhanced driver's license processing services.

21 (4) (~~(\$91,000)~~) \$6,000 of the motor vehicle account--state
22 appropriation and (~~(\$152,000)~~) \$10,000 of the highway safety account--
23 state appropriation are provided solely for contracting with the office
24 of the attorney general to investigate criminal activity uncovered in
25 the course of the agency's licensing and regulatory activities.
26 Funding is provided for the 2008 fiscal year. The department may
27 request funding for the 2009 fiscal year if the request is submitted
28 with measurable data indicating the department's progress in meeting
29 its goal of increased prosecution of illegal activity.

30 (5) \$350,000 of the highway safety account--state appropriation is
31 provided solely for the costs associated with the systems development
32 of the interface that will allow insurance carriers and their agents
33 real time, online access to drivers' records. If Substitute Senate
34 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
35 this subsection shall lapse.

36 (6) (~~(\$1,145,000)~~) \$625,000 of the state patrol highway account--
37 state appropriation is provided solely for the implementation of

1 Substitute House Bill No. 1304 (modifying commercial motor vehicle
2 carrier provisions). If Substitute House Bill No. 1304 is not enacted
3 by June 30, 2007, the amount provided in this subsection shall lapse.

4 (7) The department may submit information technology related
5 requests for funding only if the department has coordinated with the
6 department of information services as required by section 602 of this
7 act.

8 (8) (~~(\$116,000)~~) \$81,000 of the motor vehicle account--state
9 appropriation is provided solely for the department to prepare draft
10 legislation that streamlines title and registration statutes to
11 specifically address apparent conflicts, fee distribution, and other
12 relevant issues that are revenue neutral and which do not change
13 legislative policy. The department shall submit the draft legislation
14 to the transportation committees of the legislature by the end of the
15 biennium.

16 (9) \$246,000 of the department of licensing services account--state
17 appropriation is provided solely for the implementation of Substitute
18 House Bill No. 3029 (secure vehicle licensing system). If Substitute
19 House Bill No. 3029 is not enacted by June 30, 2008, the amount
20 provided in this subsection shall lapse.

21 (10) \$200,000 of the highway safety account--state appropriation is
22 provided solely for the implementation of Senate Bill No. 6885 (driving
23 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,
24 2008, the amount provided in this subsection shall lapse.

25 (11) (~~(\$417,000)~~) \$413,000 of the highway safety account--state
26 appropriation is provided solely for the implementation of Engrossed
27 Second Substitute House Bill No. 3254 (ignition interlock drivers'
28 license). If Engrossed Second Substitute House Bill No. 3254 is not
29 enacted by June 30, 2008, the amount provided in this subsection shall
30 lapse.

31 (12) \$100,000 of the department of licensing services
32 account--state appropriation is provided solely for the implementation
33 of Engrossed Second Substitute House Bill No. 2817 (contaminated
34 vehicles). If Engrossed Second Substitute House Bill No. 2817 is not
35 enacted by June 30, 2008, the amount provided in this subsection shall
36 lapse.

37 (13) The department shall investigate instituting a program whereby
38 individual registered vehicle owners may have license plates tested for

1 reflectivity to determine whether the department's requirement that the
2 license plates be replaced after seven years can be waived for that
3 particular set of license plates.

4 (14)(a) By November 1, 2009, the department of licensing, in
5 consultation with the department of revenue, must analyze and plan for
6 the transfer, by July 1, 2010, of the administration of fuel taxes
7 imposed under chapters 82.36, 82.38, 82.41, and 82.42 RCW and other
8 provisions of law from the department of licensing to the department of
9 revenue. By November 1, 2009, the departments must report findings and
10 recommendations to the governor and the transportation and fiscal
11 committees of the legislature.

12 (b) The analysis and planning directed under this subsection must
13 include, but is not limited to, the following:

14 (i) Outreach to and solicitation of comment from parties affected
15 by the fuel taxes, including taxpayers, industry associations, state
16 and federal agencies, and Indian tribes, and from the transportation
17 and fiscal committees of the legislature;

18 (ii) Identification and analysis of relevant factors including, but
19 not limited to:

20 (A) Taxpayer reporting and payment processes;

21 (B) The international fuel tax agreement and the international
22 registration program;

23 (C) Computer systems;

24 (D) Best management practices and efficiencies;

25 (E) Costs; and

26 (F) Personnel matters;

27 (iii) Development of recommended actions to accomplish the
28 transfer; and

29 (iv) An implementation plan and schedule.

30 (c) The report must include draft legislation that transfers
31 administration to the department of revenue on July 1, 2010, and amends
32 existing law as needed.

33 NEW SECTION. Sec. 211. A new section is added to 2007 c 518
34 (uncodified) to read as follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to
36 the department of transportation in chapter 121, Laws of 2008 and this
37 act shall be expended for the programs and in the amounts specified in

1 this act. However, after May 1, 2009, unless specifically prohibited,
2 the department may transfer state appropriations for the 2007-2009
3 fiscal biennium among operating programs after approval by the director
4 of financial management. However, the department shall not transfer
5 state moneys that are provided solely for a specified purpose.

6 (2) The department shall not transfer funds, and the director of
7 financial management shall not approve the transfer, unless the
8 transfer is consistent with the objective of conserving, to the maximum
9 extent possible, the expenditure of state funds and not federal funds.
10 The director of financial management shall notify the appropriate
11 transportation committees of the legislature prior to approving any
12 allotment modifications or transfers under this section. The written
13 notification shall include a narrative explanation and justification of
14 the changes, along with expenditures and allotments by program and
15 appropriation, both before and after any allotment modifications or
16 transfers.

17 **Sec. 212.** 2008 c 121 s 212 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
20 **MAINTENANCE--PROGRAM B**

21 High-Occupancy Toll Lanes Account--State
22 Appropriation \$2,253,000
23 Motor Vehicle Account--State Appropriation \$600,000
24 Tacoma Narrows Toll Bridge Account--State
25 Appropriation (~~(\$28,322,000)~~)
26 \$27,626,000
27 TOTAL APPROPRIATION (~~(\$31,175,000)~~)
28 \$30,479,000

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

31 ((+2)) The department shall solicit private donations to fund
32 activities related to the opening ceremonies of the Tacoma Narrows
33 bridge project.

34 **Sec. 213.** 2008 c 121 s 213 (uncodified) is amended to read as
35 follows:

1 FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM

2 C

3	Transportation Partnership Account--State	
4	Appropriation	((\$5,892,000))
5		<u>\$5,142,000</u>
6	Motor Vehicle Account--State Appropriation	((\$67,710,000))
7		<u>\$66,850,000</u>
8	Motor Vehicle Account--Federal Appropriation	((\$1,096,000))
9		<u>\$856,000</u>
10	Puget Sound Ferry Operations Account--State	
11	Appropriation	\$9,143,000
12	Multimodal Transportation Account--State	
13	Appropriation	\$363,000
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	((\$5,337,000))
16		<u>\$4,587,000</u>
17	TOTAL APPROPRIATION	((\$89,541,000))
18		<u>\$86,941,000</u>

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

21 (1) The department shall consult with the office of financial
22 management and the department of information services to ensure that
23 (a) the department's current and future system development is
24 consistent with the overall direction of other key state systems; and
25 (b) when possible, use or develop common statewide information systems
26 to encourage coordination and integration of information used by the
27 department and other state agencies and to avoid duplication.

28 (2) The department shall provide updated information on six project
29 milestones for all active projects, funded in part or in whole with
30 2005 transportation partnership account funds or 2003 nickel account
31 funds, on a quarterly basis in the transportation executive information
32 system (TEIS). The department shall also provide updated information
33 on six project milestones for projects, funded with preexisting funds
34 and that are agreed to by the legislature, office of financial
35 management, and the department, on a quarterly basis in TEIS.

36 (3) ~~((~~\$3,300,000~~ of the motor vehicle account--state appropriation~~
37 ~~is provided solely for preliminary work needed to transition the~~
38 ~~department to the state government network. In collaboration with the~~

1 ~~department of information services the department shall complete an~~
2 ~~inventory of the current network infrastructure, develop an~~
3 ~~implementation plan for transition to the state government network,~~
4 ~~improve security, and initiate connection to the state government~~
5 ~~network.~~

6 ~~(+4))~~ \$1,000,000 of the motor vehicle account--state appropriation,
7 ~~((\$5,892,000))~~ \$5,142,000 of the transportation partnership account--
8 state appropriation, and ~~((\$5,337,000))~~ \$4,587,000 of the
9 transportation 2003 account (nickel account)--state appropriation are
10 provided solely for the department to develop a project management and
11 reporting system which is a collection of integrated tools for capital
12 construction project managers to use to perform all the necessary tasks
13 associated with project management. The department shall integrate
14 commercial off-the-shelf software with existing department systems and
15 enhanced approaches to data management to provide web-based access for
16 multi-level reporting and improved business workflows and reporting.
17 Beginning September 1, 2007, and on a quarterly basis thereafter, the
18 department shall report to the office of financial management and the
19 transportation committees of the legislature on the status of the
20 development and integration of the system. The first report shall
21 include a detailed work plan for the development and integration of the
22 system including timelines and budget milestones. At a minimum the
23 ensuing reports shall indicate the status of the work as it compares to
24 the work plan, any discrepancies, and proposed adjustments necessary to
25 bring the project back on schedule or budget if necessary.

26 ~~((+5))~~ (4) The department may submit information technology
27 related requests for funding only if the department has coordinated
28 with the department of information services as required by section 602
29 of this act.

30 ~~((+6))~~ (5) \$1,600,000 of the motor vehicle account--state
31 appropriation is provided solely for the critical application
32 assessment implementation project. The department shall submit a
33 progress report on the critical application assessment implementation
34 project to the house of representatives and senate transportation
35 committees on or before December 1, 2007, and December 1, 2008, with a
36 final report on or before June 30, 2009.

1 **Sec. 214.** 2008 c 121 s 214 (uncodified) is amended to read as
2 follows:

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

5 Motor Vehicle Account--State Appropriation (~~(\$33,982,000)~~)
6 \$33,988,000

7 **Sec. 215.** 2008 c 121 s 215 (uncodified) is amended to read as
8 follows:

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

10 Aeronautics Account--State Appropriation (~~(\$7,866,000)~~)
11 \$7,659,000
12 Aeronautics Account--Federal Appropriation \$2,150,000
13 Multimodal Transportation Account--State Appropriation \$631,000
14 TOTAL APPROPRIATION (~~(\$10,647,000)~~)
15 \$10,440,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: The entire multimodal transportation
18 account--state appropriation and (~~(\$400,000)~~) \$350,000 of the
19 aeronautics account--state appropriation are provided solely for the
20 aviation planning council as provided for in RCW 47.68.410.

21 **Sec. 216.** 2008 c 121 s 216 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
24 **SUPPORT--PROGRAM H**

25 Transportation Partnership Account--State
26 Appropriation \$2,422,000
27 Motor Vehicle Account--State Appropriation (~~(\$52,275,000)~~)
28 \$50,425,000
29 Motor Vehicle Account--Federal Appropriation \$500,000
30 Multimodal Transportation Account--State
31 Appropriation \$250,000
32 Transportation 2003 Account (Nickel Account)--State
33 Appropriation \$2,422,000
34 TOTAL APPROPRIATION (~~(\$57,869,000)~~)
35 \$56,019,000

1 The appropriations in this section are subject to the following
 2 conditions and limitations: \$2,422,000 of the transportation
 3 partnership account appropriation and \$2,422,000 of the transportation
 4 2003 account (nickel account)--state appropriation are provided solely
 5 for consultant contracts to assist the department in the delivery of
 6 the capital construction program by identifying improvements to program
 7 delivery, program management, project controls, program and project
 8 monitoring, forecasting, and reporting. The consultants shall work
 9 with the department of information services in the development of the
 10 project management and reporting system.

11 The consultants shall provide an updated copy of the capital
 12 construction strategic plan to the legislative transportation
 13 committees and to the office of financial management on June 30, 2008,
 14 and each year thereafter.

15 The department shall coordinate its work with other budget and
 16 performance efforts, including Roadmap, the findings of the critical
 17 applications modernization and integration strategies study, including
 18 proposed next steps, and the priorities of government process.

19 The department shall report to the transportation committees of the
 20 house of representatives and senate, and the office of financial
 21 management, by December 31, 2007, on the implementation status of
 22 recommended capital budgeting and reporting options. Options must
 23 include: Reporting against legislatively-established project
 24 identification numbers and may include recommendations for reporting
 25 against other appropriate project groupings; measures for reporting
 26 progress, timeliness, and cost which create an incentive for the
 27 department to manage effectively and report its progress in a
 28 transparent manner; and criteria and process for transfers of funds
 29 among projects.

30 **Sec. 217.** 2008 c 121 s 218 (uncodified) is amended to read as
 31 follows:

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

33 Motor Vehicle Account--State Appropriation	((\$331,342,000))
	<u>\$350,320,000</u>
35 Motor Vehicle Account--Federal Appropriation	((\$5,000,000))
	<u>\$25,000,000</u>
37 Motor Vehicle Account--Private/Local Appropriation	\$5,797,000

1 TOTAL APPROPRIATION ((~~\$342,139,000~~))
2 \$381,117,000

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

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

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

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

19 (4) \$5,000,000 of the motor vehicle account--federal appropriation
20 is provided for unanticipated federal funds that may be received during
21 the 2007-09 biennium. Upon receipt of the funds, the department shall
22 provide a report on the use of the funds to the transportation
23 committees of the legislature and the office of financial management.

24 (5) Funding is provided for maintenance on the state system to
25 deliver service level targets as listed in LEAP Transportation Document
26 2007-C, as developed April 20, 2007. In delivering the program and
27 aiming for these targets, the department should concentrate on the
28 following areas:

29 (a) Eliminating the number of activities delivered in the "f" level
30 of service at the region level; and

31 (b) Evaluating, analyzing, and potentially redistributing resources
32 within and among regions to provide greater consistency in delivering
33 the program statewide and in achieving overall level of service
34 targets.

35 (6) The department may work with the department of corrections to
36 utilize corrections crews for the purposes of litter pickup on state
37 highways.

1 (7) \$650,000 of the motor vehicle account--state appropriation is
2 provided solely for increased asphalt costs.

3 (8) The department shall prepare a comprehensive listing of
4 maintenance backlogs and related costs and report to the office of
5 financial management and the transportation committees of the
6 legislature by December 31, 2008.

7 (9) (~~(\$76,026,000)~~) \$92,526,000 of the motor vehicle account--state
8 appropriation is for snow and ice related expenses, within which (~~is~~
9 ~~a~~) are one-time increases of (~~(\$3,250,000)~~) \$17,250,000 provided
10 solely for extraordinary snow and ice removal expenses and \$2,500,000
11 provided solely for winter storm damage repair costs incurred during
12 the winters of 2007-08 and 2008-09.

13 **Sec. 218.** 2008 c 121 s 219 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
16 **OPERATING**

17 Motor Vehicle Account--State Appropriation	((\$51,340,000))
	<u>\$51,354,000</u>
19 Motor Vehicle Account--Federal Appropriation	\$2,050,000
20 Motor Vehicle Account--Private/Local Appropriation	\$127,000
21 TOTAL APPROPRIATION	((\$53,517,000))
	<u>\$53,531,000</u>

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

25 (1) \$654,000 of the motor vehicle account--state appropriation is
26 provided solely for the department to time state-owned and operated
27 traffic signals. This funding may also be used to program incident,
28 emergency, or special event signal timing plans.

29 (2) \$346,000 of the motor vehicle account--state appropriation is
30 provided solely for the department to implement a pilot tow truck
31 incentive program. The department may provide incentive payments to
32 towing companies that meet clearance goals on accidents that involve
33 heavy trucks.

34 (3) \$6,800,000 of the motor vehicle account--state appropriation is
35 provided solely for low-cost enhancements. The department shall give
36 priority to low-cost enhancement projects that improve safety or
37 provide congestion relief. The department shall prioritize low-cost

1 enhancement projects on a statewide rather than regional basis. By
2 January 1, 2008, and January 1, 2009, the department shall provide a
3 report to the legislature listing all low-cost enhancement projects
4 prioritized on a statewide rather than regional basis completed in the
5 prior year.

6 (4) The department, in consultation with the Washington state
7 patrol, may conduct a pilot program for the patrol to issue infractions
8 based on information from automated traffic safety cameras in roadway
9 construction zones on state highways when workers are present.

10 (a) In order to ensure adequate time in the 2007-09 biennium to
11 evaluate the effectiveness of the pilot program, any projects
12 authorized by the department must be authorized by December 31, 2007.

13 (b) The department shall use the following guidelines to administer
14 the program:

15 (i) Automated traffic safety cameras may only take pictures of the
16 vehicle and vehicle license plate and only while an infraction is
17 occurring. The picture must not reveal the face of the driver or of
18 passengers in the vehicle;

19 (ii) The department shall plainly mark the locations where the
20 automated traffic safety cameras are used by placing signs on locations
21 that clearly indicate to a driver that he or she is entering a roadway
22 construction zone where traffic laws are enforced by an automated
23 traffic safety camera;

24 (iii) Notices of infractions must be mailed to the registered owner
25 of a vehicle within fourteen days of the infraction occurring;

26 (iv) The owner of the vehicle is not responsible for the violation
27 if the owner of the vehicle, within fourteen days of receiving
28 notification of the violation, mails to the patrol, a declaration under
29 penalty of perjury, stating that the vehicle involved was, at the time,
30 stolen or in the care, custody, or control of some person other than
31 the registered owner, or any other extenuating circumstances;

32 (v) For purposes of the 2007-09 biennium pilot project, infractions
33 detected through the use of automated traffic safety cameras are not
34 part of the registered owner's driving record under RCW 46.52.101 and
35 46.52.120. Additionally, infractions generated by the use of automated
36 traffic safety cameras must be processed in the same manner as parking
37 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
38 46.16.216, and 46.20.270(3). However, the amount of the fine issued

1 for an infraction generated through the use of an automated traffic
2 safety camera is one hundred thirty-seven dollars. The court shall
3 remit thirty-two dollars of the fine to the state treasurer for deposit
4 into the state patrol highway account;

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

20 (vii) By June 30, 2009, the department shall provide a report to
21 the legislature regarding the use, public acceptance, outcomes, and
22 other relevant issues regarding the pilot project.

23 (5) The traffic signal operations along 164th Street SE at the
24 intersections of Mill Creek Boulevard and SR 527 should be optimized to
25 minimize vehicle delay on both corridors based on traffic volumes and
26 not only on functional classification or designation.

27 **Sec. 219.** 2008 c 121 s 221 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
30 **AND RESEARCH--PROGRAM T**

31	Motor Vehicle Account--State Appropriation	((\$27,757,000))
32		<u>\$27,264,000</u>
33	Motor Vehicle Account--Federal Appropriation	((\$19,163,000))
34		<u>\$18,932,000</u>
35	Multimodal Transportation Account--State	
36	Appropriation	\$1,760,000
37	Multimodal Transportation Account--Federal	

1	Appropriation	\$2,809,000
2	Multimodal Transportation Account--Private/Local	
3	Appropriation	\$100,000
4	TOTAL APPROPRIATION	((\$51,589,000))
5		<u>\$50,865,000</u>

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

8 (1) \$1,559,000 of the motor vehicle account--state appropriation is
9 provided solely for costs incurred for the 2007 regional transportation
10 investment district election.

11 (2) \$800,000 of the multimodal transportation account--state
12 appropriation is provided solely for a transportation demand management
13 program, developed by the Whatcom council of governments, to further
14 reduce drive-alone trips and maximize the use of sustainable
15 transportation choices. The community-based program must focus on all
16 trips, not only commute trips, by providing education, assistance, and
17 incentives to four target audiences: (a) Large work sites; (b)
18 employees of businesses in downtown areas; (c) school children; and (d)
19 residents of Bellingham.

20 (3) (~~(\$320,000)~~) \$77,000 of the motor vehicle account--state
21 appropriation and (~~(\$128,000)~~) \$47,000 of the motor vehicle account--
22 federal appropriation are provided solely for development of a freight
23 database to help guide freight investment decisions and track project
24 effectiveness. The database will be based on truck movement tracked
25 through geographic information system technology. TransNow will
26 contribute an additional \$192,000 in federal funds which are not
27 appropriated in the transportation budget. The department shall work
28 with the freight mobility strategic investment board to implement this
29 project.

30 (4) By December 1, 2008, the department shall require confirmation
31 from jurisdictions that plan under the growth management act, chapter
32 36.70A RCW, and that receive state transportation funding under this
33 act, that the jurisdictions have adopted standards for access
34 permitting on state highways that meet or exceed department standards
35 in accordance with RCW 47.50.030. The objective of this subsection is
36 to encourage local governments, through the receipt of state
37 transportation funding, to adhere to best practices in access control
38 applicable to development activity significantly impacting state

1 transportation facilities. By January 1, 2009, the department shall
2 submit a report to the appropriate committees of the legislature
3 detailing the progress of the local jurisdictions in adopting the
4 highway access permitting standards.

5 ~~(5) ((\$150,000 of the motor vehicle account--federal appropriation
6 is provided solely for the costs to develop an electronic map-based
7 computer application that will enable law enforcement officers and
8 others to more easily locate collisions and other incidents in the
9 field.~~

10 ~~(6))~~ The department shall add a position within the freight
11 systems division to provide expertise regarding the trucking aspects of
12 the state's freight system.

13 ~~((7))~~ (6) The department shall evaluate the feasibility of
14 developing a freight corridor bypass from Everett to Gold Bar on US 2,
15 including a connection to SR 522. US 2 is an important freight
16 corridor, and is an alternative route for I-90. Congestion, safety
17 issues, and flooding concerns have all contributed to the need for
18 major improvements to the corridor. The evaluation shall consider the
19 use of toll lanes for the project. The department must report to the
20 transportation committees of the legislature by December 1, 2007, on
21 its analysis and recommendations regarding the benefit of a freight
22 corridor and the potential use of freight toll lanes to improve safety
23 and congestion in the corridor.

24 ~~((8))~~ (7) The department shall work with the department of
25 ecology, the county road administration board, and the transportation
26 improvement board to develop model procedures and municipal and state
27 rules in regard to maximizing the use of recycled asphalt on road
28 construction and preservation projects. The department shall report to
29 the joint transportation committee by December 1, 2008, with
30 recommendations on increasing the use of recycled asphalt at the state
31 and local level.

32 ~~((9))~~ (8) \$140,000 of the multimodal transportation account--
33 state appropriation is provided solely for a full-time employee to
34 develop vehicle miles traveled and other greenhouse gas emissions
35 benchmarks as described in Engrossed Second Substitute House Bill No.
36 2815. If Engrossed Second Substitute House Bill No. 2815 is not
37 enacted by June 30, 2008, the amount provided in this subsection shall
38 lapse.

1 ((+10+)) (9) \$80,000 of the motor vehicle account--state
2 appropriation is provided solely to study the feasibility of a new
3 interchange on interstate 5 between the city of Rochester and Harrison
4 Avenue.

5 ((+11+)) (10) \$100,000 of the multimodal transportation
6 account--state appropriation is provided solely to support the commuter
7 rail study between eastern Snohomish county and eastern King county as
8 defined in Substitute House Bill No. 3224. Funds are provided to the
9 Puget Sound regional council for one time only. If Substitute House
10 Bill No. 3224 is not enacted by June 30, 2008, the amount provided in
11 this subsection shall lapse.

12 **Sec. 220.** 2008 c 121 s 222 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
15 **PROGRAM U**

16	Motor Vehicle Account--State Appropriation	((\$66,102,000))
17		<u>\$60,507,000</u>
18	Motor Vehicle Account--Federal Appropriation	\$400,000
19	Multimodal Transportation Account--State	
20	Appropriation	\$259,000
21	TOTAL APPROPRIATION	((\$66,761,000))
22		<u>\$61,166,000</u>

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

25 (1) ((~~\$36,665,000~~)) \$29,958,000 of the motor vehicle fund--state
26 appropriation is provided solely for the liabilities attributable to
27 the department of transportation. The office of financial management
28 must provide a detailed accounting of the revenues and expenditures of
29 the self-insurance fund to the transportation committees of the
30 legislature on December 31st and June 30th of each year.

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

- 33 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
- | | | |
|----|--|-------------|
| 34 | DIVISION OF RISK MANAGEMENT FEES | \$1,520,000 |
|----|--|-------------|
- 35 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
- | | | |
|----|-------------------|-------------|
| 36 | AUDITOR | \$1,153,000 |
|----|-------------------|-------------|
- 37 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL

1 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
2 MAIL SERVICES \$4,859,000
3 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
4 PERSONNEL \$7,593,000
5 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
6 PREMIUMS AND ADMINISTRATION ((~~\$36,665,000~~))
7 \$29,958,000
8 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
9 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,838,000
10 (g) FOR ARCHIVES AND RECORDS MANAGEMENT \$677,000
11 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS
12 ENTERPRISES \$1,042,000
13 (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY
14 THE OFFICE OF FINANCIAL MANAGEMENT \$1,266,000
15 (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT
16 OF INFORMATION SERVICES ((~~\$945,000~~))
17 \$944,000
18 (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
19 GENERAL'S OFFICE \$9,045,000
20 (l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
21 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT
22 LITIGATION ((~~\$158,000~~))
23 \$271,000
24 (3) \$1,000,000 of the motor vehicle account--state appropriation is
25 provided solely for the purposes of settling all claims that were found
26 against the state in the verdict and judgment issued in the case of
27 Marable v. Nitchman (WSF), United States District Court, Western
28 District of Washington, Cause No. 05-01270MJP.

29 **Sec. 221.** 2008 c 121 s 223 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
32 **V**
33 Regional Mobility Grant Program Account--State
34 Appropriation ((~~\$40,000,000~~))
35 \$12,732,000
36 Multimodal Transportation Account--State
37 Appropriation ((~~\$85,601,000~~))

1		<u>\$80,583,000</u>
2	Multimodal Transportation Account--Federal	
3	Appropriation	\$2,582,000
4	Multimodal Transportation Account--Private/Local	
5	Appropriation	\$659,000
6	TOTAL APPROPRIATION	((\$128,842,000))
7		<u>\$96,556,000</u>

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

10 (1) \$25,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for a grant program for special needs
12 transportation provided by transit agencies and nonprofit providers of
13 transportation.

14 (a) \$5,500,000 of the amount provided in this subsection is
15 provided solely for grants to nonprofit providers of special needs
16 transportation. Grants for nonprofit providers shall be based on need,
17 including the availability of other providers of service in the area,
18 efforts to coordinate trips among providers and riders, and the cost
19 effectiveness of trips provided.

20 (b) \$19,500,000 of the amount provided in this subsection is
21 provided solely for grants to transit agencies to transport persons
22 with special transportation needs. To receive a grant, the transit
23 agency must have a maintenance of effort for special needs
24 transportation that is no less than the previous year's maintenance of
25 effort for special needs transportation. Grants for transit agencies
26 shall be prorated based on the amount expended for demand response
27 service and route deviated service in calendar year 2005 as reported in
28 the "Summary of Public Transportation - 2005" published by the
29 department of transportation. No transit agency may receive more than
30 thirty percent of these distributions.

31 (2) Funds are provided for the rural mobility grant program as
32 follows:

33 (a) \$8,500,000 of the multimodal transportation account--state
34 appropriation is provided solely for grants for those transit systems
35 serving small cities and rural areas as identified in the Summary of
36 Public Transportation - 2005 published by the department of
37 transportation. Noncompetitive grants must be distributed to the

1 transit systems serving small cities and rural areas in a manner
2 similar to past disparity equalization programs.

3 (b) \$8,500,000 of the multimodal transportation account--state
4 appropriation is provided solely to providers of rural mobility service
5 in areas not served or underserved by transit agencies through a
6 competitive grant process.

7 (3) \$8,600,000 of the multimodal transportation account--state
8 appropriation is provided solely for a vanpool grant program for: (a)
9 Public transit agencies to add vanpools; and (b) incentives for
10 employers to increase employee vanpool use. The grant program for
11 public transit agencies will cover capital costs only; no operating
12 costs for public transit agencies are eligible for funding under this
13 grant program. No additional employees may be hired from the funds
14 provided in this section for the vanpool grant program, and supplanting
15 of transit funds currently funding vanpools is not allowed. Additional
16 criteria for selecting grants must include leveraging funds other than
17 state funds.

18 (4) (~~(\$40,000,000)~~) \$12,732,000 of the regional mobility grant
19 program account--state appropriation is provided solely for the
20 regional mobility grant projects identified on the LEAP Transportation
21 Document 2007-B as developed April 20, 2007. The department shall
22 review all projects receiving grant awards under this program at least
23 semiannually to determine whether the projects are making satisfactory
24 progress. Any project that has been awarded funds, but does not report
25 activity on the project within one year of the grant award, shall be
26 reviewed by the department to determine whether the grant should be
27 terminated. The department shall promptly close out grants when
28 projects have been completed, and any remaining funds available to the
29 office of transit mobility shall be used only to fund projects on the
30 LEAP Transportation Document 2007-B as developed April 20, 2007. The
31 department shall provide annual status reports on December 15, 2007,
32 and December 15, 2008, to the office of financial management and the
33 transportation committees of the legislature regarding the projects
34 receiving the grants.

35 (5) (~~(\$17,168,087)~~) \$12,150,087 of the multimodal transportation
36 account--state appropriation is reappropriated and provided solely for
37 the regional mobility grant projects identified on the LEAP
38 Transportation Document 2006-D, regional mobility grant program

1 projects as developed March 8, 2006. The department shall continue to
2 review all projects receiving grant awards under this program at least
3 semiannually to determine whether the projects are making satisfactory
4 progress. The department shall promptly close out grants when projects
5 have been completed, and any remaining funds available to the office of
6 transit mobility shall be used only to fund projects on the LEAP
7 Transportation Document 2007-B as developed April 20, 2007, or the LEAP
8 Transportation Document 2006-D as developed March 8, 2006.

9 (6) \$200,000 of the multimodal transportation account--state
10 appropriation is provided solely for the department to study and then
11 develop pilot programs aimed at addressing commute trip reduction
12 strategies for K-12 students and for college and university students.
13 The department shall submit to the legislature by January 1, 2009, a
14 summary of the program results and recommendations for future student
15 commute trip reduction strategies. The pilot programs are described as
16 follows:

17 (a) The department shall consider approaches, including mobility
18 education, to reducing and removing traffic congestion in front of
19 schools by changing travel behavior for elementary, middle, and high
20 school students and their parents; and

21 (b) The department shall design a program that includes student
22 employment options as part of the pilot program applicable to college
23 and university students.

24 (7) \$2,400,000 of the multimodal account--state appropriation is
25 provided solely for establishing growth and transportation efficiency
26 centers (GTEC). Funds are appropriated for one time only. The
27 department shall provide in its annual report to the legislature an
28 evaluation of the GTEC concept and recommendations on future funding
29 levels.

30 (8) \$381,000 of the multimodal transportation account--state
31 appropriation is provided solely for the implementation of Substitute
32 House Bill No. 1694 (reauthorizing the agency council on coordinated
33 transportation). If Substitute House Bill No. 1694 is not enacted by
34 June 30, 2007, the amount provided in this subsection shall lapse.

35 (9) \$504,000 of the multimodal transportation account--
36 private/local appropriation is provided solely for the implementation
37 of Senate Bill No. 5084 (updating rail transit safety plans). If

1 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
2 provided in this subsection shall lapse.

3 (10) \$60,000 of the multimodal transportation account--state
4 appropriation is provided solely for low-income car ownership programs.
5 The department shall collaborate with interested regional
6 transportation planning organizations and metropolitan planning
7 organizations to determine the effectiveness of the programs at
8 providing transportation solutions for low-income persons who depend
9 upon cars to travel to their places of employment.

10 (11) \$1,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for additional funding for the trip
12 reduction performance program, including telework enhancement projects.
13 Funds are appropriated for one time only.

14 (12) \$2,309,000 of the multimodal transportation account--state
15 appropriation is provided solely for the tri-county connection service
16 for Island, Skagit, and Whatcom transit agencies.

17 (13) \$150,000 of the multimodal transportation account--state
18 appropriation is provided solely as a grant for a telework pilot
19 project to be developed, administered, and monitored by the Kitsap
20 regional coordinating council. Funds are appropriated for one time
21 only. The primary purposes of the pilot project are to educate
22 employers about telecommuting, develop telework policies and resources
23 for employers, and reduce traffic congestion by encouraging teleworking
24 in the workplace. As part of the pilot project, the council shall
25 recruit public and private sector employer participants throughout the
26 county, identify telework sites, develop an employer's toolkit
27 consisting of teleworking resources, and create a telecommuting
28 template that may be applied in other communities. The council shall
29 submit to the legislature by July 1, 2009, a summary of the program
30 results and any recommendations for future telework strategies.

31 **Sec. 222.** 2008 c 121 s 224 (uncodified) is amended to read as
32 follows:

33	FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X	
34	Puget Sound Ferry Operations Account--State	
35	Appropriation	((\$426,761,000))
36		<u>\$441,485,000</u>
37	Multimodal Transportation Account--State	

1	Appropriation	((\$1,914,000))
2		<u>\$3,035,000</u>
3	TOTAL APPROPRIATION	((\$428,675,000))
4		<u>\$444,520,000</u>

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

7 (1) ((~~\$90,299,000~~)) \$96,443,000 of the Puget Sound ferry
8 operations--state appropriation is provided solely for auto ferry
9 vessel operating fuel in the 2007-2009 biennium.

10 (2) The Washington state ferries must work with the department's
11 information technology division to implement an electronic fare system,
12 including the integration of the regional fare coordination system
13 (smart card). Each December and June, semiannual updates must be
14 provided to the transportation committees of the legislature concerning
15 the status of implementing and completing this project, with updates
16 concluding the first December after full project implementation.

17 (3) The Washington state ferries shall continue to provide service
18 to Sidney, British Columbia.

19 (4) \$1,914,000 of the multimodal transportation account--state
20 appropriation is provided solely to provide passenger-only ferry
21 service. The ferry system shall continue passenger-only ferry service
22 from Vashon Island to Seattle through June 30, 2008. Ferry system
23 management shall continue to implement its agreement with the
24 inlandboatmen's union of the pacific and the international organization
25 of masters, mates and pilots providing for part-time passenger-only
26 work schedules.

27 (5) ((~~\$932,000~~)) \$674,000 of the Puget Sound ferries operations
28 account--state appropriation is provided solely for compliance with
29 department of ecology rules regarding the transfer of oil on or near
30 state waters. Funding for compliance with on-board fueling rules is
31 provided for the 2008 fiscal year. The department may request funding
32 for the 2009 fiscal year if the request is submitted with an
33 alternative compliance plan filed with the department of ecology, as
34 allowed by rule.

35 (6) ((~~\$1,116,000~~)) \$1,006,000 of the Puget Sound ferry operations
36 account--state appropriation is provided solely for ferry security
37 operations necessary to comply with the ferry security plan submitted
38 by the Washington state ferry system to the United States coast guard.

1 The department shall track security costs and expenditures. Ferry
2 security operations costs shall not be included as part of the
3 operational costs that are used to calculate farebox recovery.

4 (7) \$378,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely to meet the United States coast guard
6 requirements for appropriate rest hours between shifts for vessel crews
7 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

8 (8) \$694,000 of the Puget Sound ferries operating account--state
9 appropriation is provided solely for implementing Engrossed Substitute
10 House Bill No. 2358 as follows:

11 (a) The department shall allow the joint transportation committee
12 work group established in section 205(1) of this act to participate in
13 the following elements as they are described in Engrossed Substitute
14 House Bill No. 2358:

15 (i) Development and implementation of a survey of ferry customers;

16 (ii) Analysis and reestablishment of vehicle level of service
17 standards. In reestablishing the standards, consideration shall be
18 given to whether boat wait is the appropriate measure. The level of
19 service standard shall be reestablished in conjunction with or after
20 the survey has been implemented;

21 (iii) Development of pricing policy proposals. In developing these
22 policies, the policies, in effect on some routes, of collecting fares
23 in only one direction shall be evaluated to determine whether one-way
24 fare pricing best serves the ferry system. The pricing policy
25 proposals must be developed in conjunction with or after the survey has
26 been implemented;

27 (iv) Development of operational strategies. The operational
28 strategies shall be reestablished in conjunction with the survey or
29 after the survey has been implemented;

30 (v) Development of terminal design standards. The terminal design
31 standards shall be finalized after the provisions of subsections (a)(i)
32 through (iv) and subsection (b) of this section have been developed and
33 reviewed by the joint transportation committee; and

34 (vi) Development of a capital plan. The capital plan shall be
35 finalized after terminal design standards have been developed by the
36 department and reviewed by the joint transportation committee.

37 (b) The department shall develop a ridership demand forecast that

1 shall be used in the development of a long-range capital plan. If more
2 than one forecast is developed they must be reconciled.

3 (c) The department shall update the life cycle cost model to meet
4 the requirements of Engrossed Substitute House Bill No. 2358 no later
5 than August 1, 2007.

6 (d) The department shall develop a cost allocation methodology
7 proposal to meet the requirements described in Engrossed Substitute
8 House Bill No. 2358. The proposal shall be completed and presented to
9 the joint transportation committee no later than August 1, 2007.

10 (9) \$200,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the initial acquisition of
12 transportation worker identification credentials required by the United
13 States department of homeland security for unescorted access to secure
14 areas of ferries and terminals.

15 (10) The legislature finds that a rigorous incident investigation
16 process is an essential component of marine safety. The department is
17 directed to review its accident and incident investigation procedures
18 and report the results of its review with any proposals for changes to
19 the legislature by November 1, 2008.

20 (11) The department shall allow the use, by two separate drivers,
21 of fare media allowing for multiple discounted vehicle trips aboard
22 Washington state ferries vessels.

23 ((+13)) (12) While developing fare and pricing policy proposals,
24 the department may consider the desirability of reasonable fares for
25 persons using the ferry system to commute daily to work and other
26 frequent users who live in ferry-dependent communities.

27 **Sec. 223.** 2008 c 121 s 225 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
30 Multimodal Transportation Account--State
31 Appropriation ((\$37,010,000))
32 \$35,096,000

33 The appropriation in this section is subject to the following
34 conditions and limitations:

35 (1) The department shall publish a final long-range plan for Amtrak
36 Cascades by September 30, 2007. By December 31, 2008, the department
37 shall submit to the office of financial management and the

1 transportation committees of the legislature a midrange plan for Amtrak
2 Cascades that identifies specific steps the department would propose to
3 achieve additional service beyond current levels.

4 (2)(a) (~~(\$29,091,000)~~) \$28,577,000 of the multimodal transportation
5 account--state appropriation is provided solely for the Amtrak service
6 contract and Talgo maintenance contract associated with providing and
7 maintaining the state-supported passenger rail service. Upon
8 completion of the rail platform project in the city of Stanwood, the
9 department shall provide daily Amtrak Cascades service to the city.

10 (b) The department shall negotiate with Amtrak and Burlington
11 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
12 Bellingham at a significantly earlier hour.

13 (c) When Amtrak Cascades expands the second roundtrip between
14 Vancouver, B.C. and Seattle, the department shall negotiate for the
15 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

16 (3) No Amtrak Cascade runs may be eliminated.

17 (4) \$40,000 of the multimodal transportation account--state
18 appropriation is provided solely for the produce railcar program. The
19 department is encouraged to implement the produce railcar program by
20 maximizing private investment.

21 (5) The department shall begin planning for a third roundtrip
22 Cascades train between Seattle and Vancouver, B.C. by 2010.

23 **TRANSPORTATION AGENCIES--CAPITAL**

24 **Sec. 301.** 2008 c 121 s 302 (uncodified) is amended to read as
25 follows:

26 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

27	Rural Arterial Trust Account--State Appropriation	\$64,000,000
28	Motor Vehicle Account--State Appropriation	((\$2,370,000))
29		<u>\$1,555,000</u>
30	County Arterial Preservation Account--State	
31	Appropriation	((\$32,641,000))
32		<u>\$31,541,000</u>
33	TOTAL APPROPRIATION	((\$99,011,000))
34		<u>\$97,096,000</u>

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

3 (1) (~~(\$2,370,000)~~) \$1,555,000 of the motor vehicle account--state
4 appropriation may be used for county ferry projects as set forth in RCW
5 47.56.725(4).

6 (2) The appropriations contained in this section include funding to
7 counties to assist them in efforts to recover from (~~winter storm and~~
8 ~~flood damage~~) federally declared emergencies, by providing
9 capitalization advances and local match for federal emergency funding
10 as determined by the county road administration board. The county road
11 administration board shall specifically identify any such selected
12 projects and shall include information concerning them in its next
13 annual report to the legislature.

14 **Sec. 302.** 2008 c 121 s 303 (uncodified) is amended to read as
15 follows:

16 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

17 Small City Pavement and Sidewalk Account--State

18 Appropriation \$5,900,000

19 Urban Arterial Trust Account--State Appropriation . . (~~(\$126,600,000)~~)
20 \$106,600,000

21 Transportation Improvement Account--State

22 Appropriation (~~(\$87,143,000)~~)
23 \$77,495,000

24 TOTAL APPROPRIATION (~~(\$219,643,000)~~)
25 \$189,995,000

26 (~~The appropriations in this section are subject to the following~~
27 ~~conditions and limitations:~~

28 (~~1) The transportation improvement account state appropriation~~
29 ~~includes up to \$7,143,000 in proceeds from the sale of bonds authorized~~
30 ~~in RCW 47.26.500.~~

31 (~~2) The urban arterial trust account state appropriation includes~~
32 ~~up to \$15,000,000 in proceeds from the sale of bonds authorized in~~
33 ~~Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is~~
34 ~~not enacted by June 30, 2007, the amount provided in this subsection~~
35 ~~shall lapse.))~~

1 **Sec. 303.** 2008 c 121 s 305 (uncodified) is amended to read as
2 follows:

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

5 Motor Vehicle Account--State Appropriation ((~~\$6,255,000~~)
6 \$6,265,000)

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

9 (1) \$584,000 of the motor vehicle account--state appropriation is
10 for statewide administration.

11 (2) \$803,000 of the motor vehicle account--state appropriation is
12 for regional minor projects.

13 (3) \$568,000 of the motor vehicle account--state appropriation is
14 for the Olympic region headquarters property payments.

15 (4) By September 1, 2007, the department shall submit to the
16 transportation committees of the legislature predesign plans, developed
17 using the office of financial management's predesign process, for all
18 facility replacement projects to be proposed in the facilities 2008
19 budget proposal.

20 (5) \$1,600,000 of the motor vehicle account--state appropriation is
21 for site acquisition for the Tri-cities area maintenance facility.

22 (6) \$2,700,000 of the motor vehicle account--state appropriation is
23 for site acquisition for the Vancouver light industrial facility.

24 (7) The department shall work with the office of financial
25 management and staff of the transportation committees of the
26 legislature to develop a statewide inventory of all department-owned
27 surplus property that is suitable for development for department
28 facilities or that should be sold. By December 1, 2008, the department
29 shall report to the joint transportation committee on the findings of
30 this study.

31 (8) \$10,000 of the motor vehicle account--state appropriation is
32 provided solely for reconstruction of the Wandermere facility that was
33 destroyed in the 2008-09 winter storms.

34 **Sec. 304.** 2008 c 121 s 306 (uncodified) is amended to read as
35 follows:

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

37 Transportation Partnership Account--State

1	Appropriation	((\$1,109,593,000))
2		<u>\$900,809,000</u>
3	Motor Vehicle Account--State Appropriation	((\$87,210,000))
4		<u>\$67,416,000</u>
5	Motor Vehicle Account--Federal Appropriation	((\$457,580,000))
6		<u>\$538,126,000</u>
7	Motor Vehicle Account--Private/Local	
8	Appropriation	((\$64,487,000))
9		<u>\$65,902,000</u>
10	Special Category C Account--State Appropriation	((\$29,125,000))
11		<u>\$29,772,000</u>
12	((Multimodal Transportation Account--Federal	
13	Appropriation	(\$86,100,000))
14	Tacoma Narrows Toll Bridge Account--State	
15	Appropriation	((\$32,277,000))
16		<u>\$26,045,000</u>
17	Transportation 2003 Account (Nickel Account)--State	
18	Appropriation	((\$1,147,529,000))
19		<u>\$1,052,094,000</u>
20	Freight Mobility Multimodal Account--State	
21	Appropriation	((\$208,000))
22		<u>\$189,000</u>
23	TOTAL APPROPRIATION	((\$3,014,109,000))
24		<u>\$2,680,353,000</u>

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

27 (1) Except as provided otherwise in this section, the entire
28 transportation 2003 account (nickel account) appropriation and the
29 entire transportation partnership account appropriation are provided
30 solely for the projects and activities as listed by ~~((fund,~~)
31 ~~project((, and amount))~~ in LEAP Transportation Document 2008-1, Highway
32 Improvement Program (I) as developed March 10, 2008. ~~((However,~~
33 ~~limited transfers of specific line item project appropriations may~~
34 ~~occur between projects for those amounts listed subject to the~~
35 ~~conditions and limitations in section 603 of this act.)) Federal funds
36 may be transferred between programs I and P.~~

37 (2) The department shall not commence construction on any part of
38 the state route number 520 bridge replacement and HOV project until a

1 record of decision has been reached providing reasonable assurance that
2 project impacts will be avoided, minimized, or mitigated as much as
3 practicable to protect against further adverse impacts on neighborhood
4 environmental quality as a result of repairs and improvements made to
5 the state route 520 bridge and its connecting roadways, and that any
6 such impacts will be addressed through engineering design choices,
7 mitigation measures, or a combination of both. The requirements of
8 this section shall not apply to off-site pontoon construction
9 supporting the state route number 520 bridge replacement and HOV
10 project.

11 (3) Within the amounts provided in this section, (~~(\$1,895,000)~~)
12 \$11,363 of the transportation partnership account--state appropriation,
13 (~~(\$2,147,000)~~) \$505,099 of the motor vehicle account--federal
14 appropriation, and (~~(\$10,331,000)~~) \$11,031,179 of the transportation
15 2003 account (nickel account)--state appropriation are for project
16 109040T as identified in the LEAP transportation document referenced in
17 subsection (1) of this section: I-90/Two Way Transit-Transit and HOV
18 Improvements - Stage 1. Expenditure of the funds on construction is
19 contingent upon revising the access plan for Mercer Island traffic such
20 that Mercer Island traffic will have access to the outer roadway high
21 occupancy vehicle (HOV) lanes during the period of operation of such
22 lanes following the removal of Mercer Island traffic from the center
23 roadway and prior to conversion of the outer roadway HOV lanes to high
24 occupancy toll (HOT) lanes. Sound transit may only have access to the
25 center lanes when alternative R8A is complete.

26 (4) The Tacoma Narrows toll bridge account--state appropriation
27 includes up to (~~(\$18,000,000)~~) \$26,045,000 in proceeds from the sale of
28 bonds authorized by RCW 47.10.843.

29 (5) The funding described in this section includes (~~(\$36,693,000)~~)
30 \$46,693,000 of the transportation 2003 account (nickel account)--state
31 appropriation (~~and \$208,000~~), \$188,357 of the freight mobility
32 multimodal account--state appropriation, and \$20,000 of the motor
33 vehicle account--private/local appropriation, which are for the SR 519
34 project identified as project number 851902A in the LEAP Transportation
35 Document referenced in subsection (1) of this section. The total
36 project is expected to cost no more than (~~(\$74,400,000)~~) \$84,467,000
37 including (~~(\$10,610,000)~~) \$10,792,000 in contributions from project
38 partners, including Burlington Northern Santa Fe railroad.

1 (6) To promote and support community-specific noise reduction
2 solutions, the department shall:

3 (a) Prepare a draft directive that establishes how each community's
4 priorities and concerns may be identified and addressed in order to
5 allow consideration of a community's preferred methods of advanced
6 visual shielding and aesthetic screening, for the purpose of improving
7 the noise environment of major state roadway projects in locations that
8 do not meet the criteria for standard noise barriers. The intent is
9 for these provisions to be supportable by existing project budgets.
10 The directive shall also include direction on the coordination and
11 selection of visual and aesthetic options with local communities. The
12 draft directive shall be provided to the standing transportation
13 committees of the legislature by January 2008; and

14 (b) Pilot the draft directive established in (a) of this subsection
15 in two locations along major state roadways. If practicable, the
16 department should begin work on the pilot projects while the directive
17 is being developed. One pilot project shall be located in Clark county
18 on a significant capacity improvement project. The second pilot
19 project shall be located in urban King county, which shall be on a
20 corridor highway project through mixed land use areas that is nearing
21 or under construction. The department shall provide a written report
22 to the standing transportation committees of the legislature on the
23 findings of the Clark county pilot project by January 2009, and the
24 King county pilot project by January 2010. Based on results of the
25 pilot projects, the department shall update its design manual,
26 environmental procedures, or other appropriate documents to incorporate
27 the directive.

28 (7) If the "Green Highway" provisions of Engrossed Second
29 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
30 department shall erect signs on the interstate highways included in
31 those provisions noting that these interstates have been designated
32 "Washington Green Highways."

33 (8) If on the I-405/I-90 to SE 8th Street Widening project the
34 department finds that there is an alternative investment to preserve
35 reliable rail accessibility to major manufacturing sites within the
36 I-405 corridor that are less expensive than replacing the Wilburton
37 Tunnel, the department may enter into the necessary agreements to

1 implement that alternative provided that costs remain within the
2 approved project budget.

3 (9) The department shall apply for surface transportation program
4 (STP) enhancement funds to be expended in lieu of or in addition to
5 state funds for eligible costs of projects in Programs I and P,
6 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
7 Way Viaduct projects.

8 (10) \$250,000 of the motor vehicle account--state appropriation and
9 \$226,000 of the motor vehicle account--federal appropriation are
10 provided solely for an inland pacific hub study to develop an inland
11 corridor for the movement of freight and goods to and through eastern
12 Washington; and \$500,000 of the motor vehicle account--state
13 appropriation is provided solely for the SR3/SR16 corridor study to
14 plan and prioritize state and local improvements needed over the next
15 10-20 years to support safety, capacity development, and economic
16 development within the corridor.

17 (11) The department shall, on a quarterly basis beginning July 1,
18 2007, provide to the office of financial management and the legislature
19 reports providing the status on each active project funded in part or
20 whole by the transportation 2003 account (nickel account) or the
21 transportation partnership account. Funding provided at a programmatic
22 level for transportation partnership account and transportation 2003
23 account (nickel account) projects relating to bridge rail, guard rail,
24 fish passage barrier removal, and roadside safety projects should be
25 reported on a programmatic basis. Projects within this programmatic
26 level funding should be completed on a priority basis and scoped to be
27 completed within the current programmatic budget. Other projects may
28 be reported on a programmatic basis. The department shall work with
29 the office of financial management and the transportation committees of
30 the legislature to agree on report formatting and elements. Elements
31 shall include, but not be limited to, project scope, schedule, and
32 costs. The department shall also provide the information required
33 under this subsection on a quarterly basis via the transportation
34 executive information systems (TEIS).

35 (12) The department shall apply for the competitive portion of
36 federal transit administration funds for eligible transit-related costs
37 of the SR 520 bridge replacement and HOV project. The federal funds

1 described in this subsection shall not include those federal transit
2 administration funds distributed by formula.

3 (13) Funding provided by this act for the Alaskan Way Viaduct
4 project shall not be spent for preliminary engineering, design, right-
5 of-way acquisition, or construction on the project if completion of the
6 project would more likely than not reduce the capacity of the facility.
7 Capacity shall be measured by including the consideration of the
8 efficient movement of people and goods on the facility.

9 (14) The governor shall convene a collaborative process involving
10 key leaders to determine the final project design for the Alaskan Way
11 Viaduct.

12 (a) The process shall be guided by the following common principles:
13 Public safety must be maintained; the final project shall meet both
14 capacity and mobility needs; and taxpayer dollars must be spent
15 responsibly.

16 (b) The state's project expenditures shall not exceed
17 \$2,800,000,000.

18 (c) A final design decision shall be made by December 31, 2008.

19 (15) During the 2007-09 biennium, the department shall proceed with
20 a series of projects on the Alaskan Way Viaduct that are common to any
21 design alternative. Those projects include relocation of two
22 electrical transmission lines, Battery Street tunnel upgrades, seismic
23 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
24 Holgate to King Street, and development of transit enhancements and
25 other improvements to mitigate congestion during construction.

26 (16) The transportation 2003 account (nickel account)--state
27 appropriation includes up to (~~(\$874,610,000)~~) \$740,839,000 in proceeds
28 from the sale of bonds authorized by RCW 47.10.861.

29 (17) The transportation partnership account--state appropriation
30 includes up to (~~(\$900,000,000)~~) \$642,100,000 in proceeds from the sale
31 of bonds authorized in RCW 47.10.873.

32 (18) The special category C account--state appropriation includes
33 up to \$21,497,000 in proceeds from the sale of bonds authorized in
34 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
35 not enacted by June 30, 2007, the amount provided in this subsection
36 shall lapse.

37 (19) \$4,500,000 of the motor vehicle account--federal appropriation

1 is provided solely for cost increases on the SR 304/Bremerton tunnel
2 project.

3 (20) \$2,071,000 of the motor vehicle account--federal appropriation
4 is provided solely for initial design and right of way work on a new
5 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

6 (21) \$500,000 of the motor vehicle account--federal appropriation
7 to the SR 543/I-5 to Canadian border project is provided solely for
8 retaining wall facia improvements.

9 (22) (~~(\$950,000)~~) \$846,700 of the motor vehicle account--federal
10 appropriation and (~~(\$24,000)~~) \$17,280 of the motor vehicle
11 account--state appropriation are provided solely for the Westview
12 school noise wall.

13 (23) (~~(\$1,600,000)~~) \$1,567,600 of the motor vehicle account--state
14 appropriation is provided solely for two noise walls on SR 161 in King
15 county.

16 (24) (~~(\$20,000)~~) \$10,640 of the motor vehicle account--state
17 appropriation and (~~(\$280,000)~~) \$252,300 of the motor vehicle account--
18 federal appropriation are provided solely for interchange design and
19 planning work on US 12 at A street and tank farm road.

20 (25) The funding described in this section includes (~~(\$19,939,000)~~)
21 \$19,928,000 of the transportation partnership account--state
22 appropriation, (~~(\$29,000)~~) \$26,000 of the motor vehicle account--state
23 appropriation, (~~(\$308,000)~~) \$6,747,000 of the motor vehicle account--
24 private/local appropriation, and (~~(\$17,900,000)~~) \$17,821,000 of the
25 motor vehicle account--federal appropriation for the I-5/Columbia river
26 crossing/Vancouver project. The funding described in this subsection
27 includes up to \$15,000,000 awarded to Washington and Oregon jointly
28 through the U.S. department of transportation corridors of the future
29 program in the 2007 federal highway authority discretionary fund
30 allocations.

31 (26) The department shall study any outstanding issues, including
32 financial issues that may apply to the I-5/Columbia river
33 crossing/Vancouver project. The department's efforts must include an
34 analysis of current bi-state efforts in planning, coordination, and
35 funding for the project; opportunities for the joining of state and
36 local government agencies and the private sector in a strong
37 partnership that contributes to the completion of the project; and

1 opportunities to work with the congressional delegations of Oregon and
2 Washington to provide federal funding and other assistance that will
3 advance this project of national and regional significance.

4 (27) (~~(\$1,500,000)~~) \$1,928,232 of the motor vehicle
5 account--federal appropriation (~~(and \$4,908,000)~~), \$2,611,000 of the
6 transportation partnership account--state appropriation, and \$14,682 of
7 the transportation 2003 account (nickel account)--state appropriation
8 are provided solely for project 109040Q as identified in the LEAP
9 transportation document in subsection (1) of this section:
10 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of
11 these amounts, up to \$550,000 of the transportation partnership
12 account--state appropriation is to provide funding for an independent
13 technical review, overseen by the joint transportation committee, of
14 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.
15 The technical review shall complement sound transit's current and
16 planned engineering design work to expand light rail in the central
17 Puget Sound region. The department shall coordinate its work with
18 sound transit and seek contributions from sound transit for the review.

19 (28) (~~(\$1,400,000)~~) \$800,000 of the motor vehicle account--state
20 appropriation is provided solely for safety improvements on US Highway
21 2 between Monroe and Gold Bar. Additional project funding of
22 (~~(\$8,600,000)~~) \$9,200,000 is assumed in the 2009-2011 biennium,
23 bringing the total project funding to \$10,000,000. This high priority
24 safety project will provide safety enhancements on US Highway 2 between
25 Gold Bar and Monroe, such as a passing lane or interchange/turning lane
26 improvements. The department shall seek input from the US Highway 2
27 safety coalition to select projects that will help reduce fatalities on
28 this corridor.

29 (29) (~~(\$2,267,000)~~) \$1,663,700 of the motor vehicle account--
30 federal appropriation, (~~(\$218,500)~~) \$234,000 of the motor vehicle
31 account--state appropriation, and \$1,500,000 of the motor vehicle
32 account--private/local appropriation are provided solely for installing
33 centerline rumble strips and related improvements on US Highway 2
34 between Monroe and Sultan. The section of US Highway 2 from Monroe to
35 Deception Creek has a high frequency of centerline crossover
36 collisions. By installing centerline rumble strips, the project will
37 reduce the risk of crossover collisions. This project will also place
38 shoulder rumble strips between Monroe and Sultan.

1 (30) (~~(\$1,500,000)~~) \$688,000 of the motor vehicle account--state
2 appropriation is provided solely for the SR 28/E End of the George
3 Sellar bridge (202802V) for the purpose of funding a pedestrian tunnel
4 connection. This funding is provided in anticipation of a federal
5 grant specific to this project, which, if received, must be used to
6 reimburse the state funding provided in this subsection.

7 (31) For the period of preconstruction tolling on the state route
8 520 bridge, the department shall develop improvements of traffic flow
9 from the eastern Lake Washington shoreline to 108th avenue northeast in
10 Bellevue including:

11 (a) Near-term, low-cost enhancements which relocate the high-
12 occupancy vehicle lanes to the inside of the alignment; and

13 (b) A plan for an accelerated improvement project for the
14 construction of median flyer stops, reconfiguration of interchanges,
15 addition of direct access ramps, community enhancement lids, and
16 pedestrian/bike path connections.

17 The department shall report to the joint transportation committee by
18 September 1, 2008, on the short-term low-cost improvement plans and
19 include in their budget submittal to the office of financial management
20 a proposal for the accelerated improvement project.

21 **Sec. 305.** 2008 c 121 s 307 (uncodified) is amended to read as
22 follows:

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

24 Transportation Partnership Account--State	
25 Appropriation	((\$181,666,000))
26	<u>\$181,316,000</u>
27 Motor Vehicle Account--State Appropriation	((\$86,540,000))
28	<u>\$94,784,000</u>
29 Motor Vehicle Account--Federal Appropriation	((\$463,338,000))
30	<u>\$462,427,000</u>
31 Motor Vehicle Account--Private/Local Appropriation	((\$18,138,000))
32	<u>\$19,049,000</u>
33 Transportation 2003 Account (Nickel Account)--State	
34 Appropriation	((\$11,136,000))
35	<u>\$15,399,000</u>
36 Puyallup Tribal Settlement Account--State	
37 Appropriation	((\$12,500,000))

1 \$6,000,000
2 TOTAL APPROPRIATION ((\$773,318,000))
3 \$778,975,000

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

6 (1) Except as provided otherwise in this section, the entire
7 transportation 2003 account (nickel account) appropriation and the
8 entire transportation partnership account appropriation are provided
9 solely for the projects and activities as listed by ~~((fund,))~~
10 ~~project((, and amount))~~ in LEAP Transportation Document 2008-1, Highway
11 Preservation Program (P) as developed March 10, 2008. ~~((However,~~
12 ~~limited transfers of specific line item project appropriations may~~
13 ~~occur between projects for those amounts listed subject to the~~
14 ~~conditions and limitations in section 603 of this act.))~~ Federal funds
15 may be transferred between programs I and P.

16 (2) \$287,000 of the motor vehicle account--federal appropriation
17 and \$11,000 of the motor vehicle account--state appropriation are
18 provided solely for the department to determine the most cost efficient
19 way to replace the current Keller ferry. Options reviewed shall not
20 include an expansion of the current capacity of the Keller ferry.

21 (3) \$5,308,000 of the transportation partnership account--state
22 appropriation is provided solely for the purposes of settling all
23 identified and potential claims from the Lower Elwha Klallam Tribe
24 related to the construction of a graving dock facility on the graving
25 dock property. In the matter of *Lower Elwha Klallam Tribe et al v.*
26 *State et al*, Thurston county superior court, cause no. 05-2-01595-8,
27 the Lower Elwha Klallam Tribe and the state of Washington entered into
28 a settlement agreement that settles all claims related to graving dock
29 property and associated construction and releases the state from all
30 claims related to the construction of the graving dock facilities. The
31 expenditure of this appropriation is contingent on the conditions and
32 limitations set forth in subsections (a) and (b) of this subsection.

33 (a) \$2,000,000 of the transportation partnership account--state
34 appropriation is provided solely for the benefit of the Lower Elwha
35 Klallam Tribe to be disbursed by the department in accordance with
36 terms and conditions of the settlement agreement.

37 (b) \$3,308,000 of the transportation partnership account--state

1 appropriation is provided solely for the department's remediation work
2 on the graving dock property in accordance with the terms and
3 conditions of the settlement agreement.

4 (4) The department shall apply for surface transportation program
5 (STP) enhancement funds to be expended in lieu of or in addition to
6 state funds for eligible costs of projects in Programs I and P,
7 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
8 Way Viaduct projects.

9 (5) The department shall, on a quarterly basis beginning July 1,
10 2007, provide to the office of financial management and the legislature
11 reports providing the status on each active project funded in part or
12 whole by the transportation 2003 account (nickel account) or the
13 transportation partnership account. Funding provided at a programmatic
14 level for transportation partnership account projects relating to
15 seismic bridges should be reported on a programmatic basis. Projects
16 within this programmatic level funding should be completed on a
17 priority basis and scoped to be completed within the current
18 programmatic budget. Other projects may be reported on a programmatic
19 basis. The department shall work with the office of financial
20 management and the transportation committees of the legislature to
21 agree on report formatting and elements. Elements shall include, but
22 not be limited to, project scope, schedule, and costs. The department
23 shall also provide the information required under this subsection on a
24 quarterly basis via the transportation executive information systems
25 (TEIS).

26 (6) The department of transportation shall continue to implement
27 the lowest life cycle cost planning approach to pavement management
28 throughout the state to encourage the most effective and efficient use
29 of pavement preservation funds. Emphasis should be placed on
30 increasing the number of roads addressed on time and reducing the
31 number of roads past due.

32 (7) \$13,257,000 of the motor vehicle account--federal appropriation
33 and \$5,000,000 of the motor vehicle account--state appropriation are
34 for expenditures on damaged state roads due to flooding, mudslides,
35 rock fall, or other unforeseen events.

36 (8) (~~(\$188,000)~~) \$213,000 of the motor vehicle account--state
37 appropriation, (~~(\$28,749,000)~~) \$52,930,000 of the motor vehicle

1 account--federal appropriation, and (~~(\$105,653,000)~~) \$117,544,000 of
2 the transportation partnership account--state appropriation are
3 provided solely for the Hood Canal bridge project.

4 (9) (~~(\$12,500,000)~~) \$6,000,000 of the Puyallup tribal settlement
5 account--state appropriation is provided solely for mitigation costs
6 associated with the Murray Morgan/11th Street Bridge demolition. The
7 department may negotiate with the city of Tacoma for the purpose of
8 transferring ownership of the Murray Morgan/11th Street Bridge to the
9 city. If the city agrees to accept ownership of the bridge, the
10 department may use the Puyallup tribal settlement account appropriation
11 and other appropriated funds for bridge rehabilitation, bridge
12 replacement, bridge demolition, and related mitigation. In no event
13 shall the department's participation exceed \$39,953,000. No funds may
14 be expended unless the city of Tacoma agrees to take ownership of the
15 bridge in its entirety and provides that the payment of these funds
16 extinguishes any real or implied agreements regarding future bridge
17 expenditures.

18 (10) Within the amounts provided in this section, \$190,000 of the
19 motor vehicle account--state appropriation is provided solely for
20 rehabilitation of the SR 532/84th Ave NW bridge deck. It is the intent
21 of the legislature that an additional \$1,510,000 will be provided in
22 the 2009-11 omnibus transportation appropriations act to complete this
23 project.

24 **Sec. 306.** 2008 c 121 s 308 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
27 **CAPITAL**

28	Motor Vehicle Account--State Appropriation	((\$9,462,000))
29		<u>\$7,588,000</u>
30	Motor Vehicle Account--Federal Appropriation	((\$15,951,000))
31		<u>\$14,809,000</u>
32	Motor Vehicle Account--Private/Local Appropriation	\$74,000
33	TOTAL APPROPRIATION	((\$25,487,000))
34		<u>\$22,471,000</u>

35 The appropriations in this section are subject to the following
36 conditions and limitations: The motor vehicle account--state
37 appropriation includes (~~(\$8,959,335)~~) \$7,085,335 provided solely for

1 state matching funds for federally selected competitive grant or
2 congressional earmark projects. These moneys shall be placed into
3 reserve status until such time as federal funds are secured that
4 require a state match.

5 **Sec. 307.** 2008 c 121 s 309 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
8 **CONSTRUCTION--PROGRAM W**

9	Puget Sound Capital Construction Account--State	
10	Appropriation	((\$142,250,000))
11		<u>\$105,182,000</u>
12	Puget Sound Capital Construction Account--Federal	
13	Appropriation	((\$45,259,000))
14		<u>\$40,174,000</u>
15	Puget Sound Capital Construction Account--	
16	Private/Local Appropriation	\$2,089,000
17	Multimodal Transportation Account--State	
18	Appropriation	\$4,100,000
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation	((\$59,469,000))
21		<u>\$38,402,000</u>
22	TOTAL APPROPRIATION	((\$253,167,000))
23		<u>\$189,947,000</u>

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

26 (1) ((~~\$36,500,000~~)) \$27,380,000 of the Puget Sound capital
27 construction account--state appropriation is provided solely for
28 project 944470A as identified in the LEAP Transportation Document 2008-
29 1, Ferries Construction Program (W) as developed March 10, 2008, for
30 the construction of ((~~three~~)) one marine vessel((~~s~~)) to replace the
31 steel electric auto ferry vessels. The document includes a total of
32 ((~~\$84,500,000~~)) \$76,930,000 for ((~~these~~)) this replacement vessel((~~s~~)).

33 (2) ((~~\$21,460,823~~)) \$17,812,000 of the Puget Sound capital
34 construction account--state appropriation, \$4,100,000 of the multimodal
35 transportation account--state appropriation, \$5,410,000 of the
36 transportation 2003 account (nickel account)--state appropriation,
37 ((~~\$4,490,000~~)) \$1,002,000 of the Puget Sound capital construction

1 account--federal appropriation, and \$2,089,000 of the Puget Sound
2 capital construction account--private/local appropriation are provided
3 solely for the terminal projects listed:

4 (a) Anacortes ferry terminal - utilities work; (~~right-of-way~~
5 ~~purchase for a holding area during construction;~~) and completion of
6 design and permitting on the terminal building, pick-up and drop-off
7 sites, and pedestrian and bicycle facilities;

8 (b) Bainbridge Island ferry terminal - environmental planning and
9 a traffic signalization project in the vicinity of SR 305 Harborview
10 drive;

11 (c) Bremerton ferry terminal - overhead loading control system and
12 moving the terminal agent's office;

13 (d) Clinton ferry terminal - septic system replacement;

14 (e) Edmonds ferry terminal - right-of-way acquisition costs,
15 federal match requirements, and removal of Unocal Pier;

16 (f) Friday Harbor ferry terminal - parking resurfacing;

17 (g) Keystone and Port Townsend ferry terminals - route
18 environmental planning;

19 (h) Kingston ferry terminal - transfer span retrofit and overhead
20 vehicle holding control system modifications;

21 (i) Mukilteo ferry terminal - right-of-way acquisition,
22 archaeological studies, environmental planning, and additional vehicle
23 holding;

24 (j) Orcas ferry terminal - dolphin replacement;

25 (k) Port Townsend ferry terminal - wingwall replacement(~~, interim~~
26 ~~holding, tie-up slip,~~) and initial reservation system;

27 (l) Seattle ferry terminal - environmental planning, coordination
28 with local jurisdictions, coordination with highway projects, and
29 contractor payment for automated re-entry gates;

30 (m) Southworth ferry terminal - (~~federal grant to~~) conduct
31 preliminary studies and planning for (~~a 2nd~~) second operating slip;
32 and

33 (n) Vashon Island and Seattle ferry terminals - modify the
34 passenger-only facilities.

35 (3) (~~(\$46,020,666)~~) \$31,036,000 of the transportation 2003 account
36 (nickel account)--state appropriation and \$3,750,000 of the Puget Sound
37 capital construction account--federal appropriation are provided solely

1 for the procurement of up to three 144-vehicle auto-passenger ferry
2 vessels.

3 (4) (~~(\$18,716,000)~~) \$5,867,000 of the Puget Sound capital
4 construction account--state appropriation is provided solely for the
5 Eagle Harbor maintenance facility preservation project. These funds
6 may not be used for relocating any warehouses not currently on the
7 Eagle Harbor site.

8 (5) The department shall research an asset management system to
9 improve Washington state ferries' management of capital assets and the
10 department's ability to estimate future preservation needs. The
11 department shall report its findings regarding a new asset management
12 system to the governor and the transportation committees of the
13 legislature no later than January 15, 2008.

14 (6) The department shall sell the M.V. Chinook and M.V. Snohomish
15 passenger-only fast ferries as soon as practicable and deposit the
16 proceeds of the sales into the passenger ferry account created in RCW
17 47.60.645. Once the department ceases to provide passenger-only ferry
18 service, the department shall sell the M.V. Kalama and M.V. Skagit
19 passenger-only ferries and deposit the proceeds of the sales into the
20 passenger ferry account created in RCW 47.60.645.

21 (7) The department shall, on a quarterly basis beginning July 1,
22 2007, provide to the office of financial management and the legislature
23 reports providing the status on each project listed in this section and
24 in the project lists submitted pursuant to this act and on any
25 additional projects for which the department has expended funds during
26 the 2007-09 fiscal biennium. Elements shall include, but not be
27 limited to, project scope, schedule, and costs. The department shall
28 also provide the information required under this subsection via the
29 transportation executive information systems (TEIS).

30 (8) \$1,105,000 of the Puget Sound capital construction
31 account--state appropriation and (~~(\$8,038,000)~~) \$1,956,000 of the
32 transportation 2003 account (nickel account)--state appropriation are
33 provided solely for a dolphin replacement project at the Vashon Island
34 ferry terminal. The department shall submit a predesign study to the
35 joint transportation committee before beginning design or construction
36 of this project.

37 (9) The department of transportation is authorized to sell up to

1 ((~~\$105,000,000~~)) \$68,178,000 in bonds authorized by RCW 47.10.843 for
2 vessel and terminal acquisition, major and minor improvements, and long
3 lead-time materials acquisition for the Washington state ferries.

4 (10) The department shall review the costs and benefits of
5 continued use of the primavera scheduling system in the Washington
6 state ferries marine division and include that review with its 2009-
7 2011 budget submittal.

8 (11) The department shall review staffing in its capital
9 engineering divisions to ensure core competency in, and a focus on,
10 terminal and vessel preservation, with staffing sufficient to implement
11 the preservation program in the capital plan. Until the completion of
12 the capital plan, the department shall maintain capital staffing levels
13 at or below the level of staffing on January 1, 2008.

14 (12) The department shall sell, be in the process of selling, or
15 otherwise dispose of the four steel electric auto-ferry vessels in the
16 most cost effective way practicable no later than June 1, 2008.

17 **Sec. 308.** 2008 c 121 s 310 (uncodified) is amended to read as
18 follows:

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

20	((Essential Rail Assistance Account--State Appropriation . . . \$500,000))	
21	Transportation Infrastructure Account--State	
22	Appropriation	((\$1,713,000))
23		<u>\$1,580,000</u>
24	((Transportation Infrastructure Account--Federal	
25	Appropriation \$787,000))	
26	Multimodal Transportation Account--State	
27	Appropriation	((\$165,512,000))
28		<u>\$104,564,000</u>
29	Multimodal Transportation Account--Federal	
30	Appropriation	((\$33,906,000))
31		<u>\$20,165,000</u>
32	Multimodal Transportation Account--Private/Local	
33	Appropriation	((\$2,659,000))
34		<u>\$363,000</u>
35	TOTAL APPROPRIATION	((\$205,077,000))
36		<u>\$126,672,000</u>

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

3 (1)(a) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects and
5 activities as listed by ~~((fund,))~~ project ~~((, and amount))~~ in LEAP
6 Transportation Document 2008-1, Rail Capital Program (Y) as developed
7 March 10, 2008. ~~((However, limited transfers of specific line item
8 project appropriations may occur between projects for those amounts
9 listed subject to the conditions and limitations in section 603 of this
10 act.))~~

11 (b) Within the amounts provided in this section, ~~(((\$1,713,000))~~
12 \$1,080,000 of the transportation infrastructure account--state
13 appropriation ~~((and \$787,000 of the transportation infrastructure
14 account--federal appropriation are))~~ is for low-interest loans for rail
15 capital projects through the freight rail investment bank program. The
16 department shall issue a call for projects based upon the legislative
17 priorities specified in subsection (7)(a) of this section. Application
18 must be received by the department by October 1, 2008. By November 1,
19 2008, the department shall submit a prioritized list of recommended
20 projects to the office of financial management and the transportation
21 committees of the legislature. The department shall award low-interest
22 loans to the port of Moses Lake in the amount of ~~(((\$213,000))~~ \$150,000,
23 and based upon the prioritized list of rail capital projects most
24 recently submitted to the legislature pursuant to this subsection, as
25 follows: Port of Benton County (\$250,000); Port of Everett (\$250,000);
26 ~~((Central Terminals, LLC (\$250,000);))~~ Tacoma Rail--Maintenance
27 Facility (\$250,000); ~~((NW Container Service (\$250,000); Port of
28 Chehalis (\$250,000); Ballard Terminal Railroad (\$250,000); Eastern
29 Washington Gateway Railroad (\$36,875);))~~ Spokane County ~~(((\$250,000))~~
30 (\$150,000); Tacoma Rail--Locomotive Idling ~~(((\$250,000))~~ (\$30,000).

31 (c) Within the amounts provided in this section, \$2,561,000 of the
32 multimodal transportation account--state appropriation is for statewide
33 - emergent freight rail assistance projects as listed in LEAP
34 Transportation Document 2008-1, Rail Capital Program (Y) as developed
35 March 10, 2008. ~~((However, the department shall perform a cost/benefit
36 analysis of the projects according to the legislative priorities
37 specified in subsection (7)(a) of this section, and shall give priority
38 to the following projects: Rail Tacoma rail yard switching upgrades~~

1 ~~(\$500,000); Rail—Port of Ephrata spur rehabilitation (\$127,000); Rail~~
2 ~~—Lewis and Clark rail improvements (\$1,100,000); Rail—Port of Grays~~
3 ~~Harbor rail access improvements (\$543,000); and Rail—Port of Longview~~
4 ~~rail loop construction (\$291,000). If the relative cost of any of the~~
5 ~~six projects identified in this subsection (1)(c) is not substantially~~
6 ~~less than the public benefits to be derived from the project, then the~~
7 ~~department shall not assign the funds to the project, and instead shall~~
8 ~~use those funds toward those projects identified by the department in~~
9 ~~the attachments to the "Washington State Department of Transportation~~
10 ~~FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project~~
11 ~~List and Program Update" dated December 2006 for which the proportion~~
12 ~~of public benefits to be gained compared to the cost of the project is~~
13 ~~greatest.))~~

14 (d) Within the amounts provided in this section, \$339,000 of the
15 multimodal transportation account--state appropriation is for rescoping
16 and completion of required environmental documents for the Kelso to
17 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped
18 project may include funds that are committed to the project by local or
19 private funding partners. However, the rescoped project must be
20 capable of being completed with not more than \$49,470,000 in future
21 state funding, inclusive of inflation costs. Subject to this funding
22 constraint, the rescoped project must maximize capacity improvements
23 along the rail mainline.

24 (e) Within the amounts provided in this section, \$3,600,000 of the
25 multimodal transportation account--state appropriation is for work
26 items on the Palouse River and Coulee City Railroad lines.

27 (2) The multimodal transportation account--state appropriation
28 includes up to (~~(\$144,500,000)~~) \$91,000,000 in proceeds from the sale
29 of bonds authorized by RCW 47.10.867.

30 (3) The department is directed to seek the use of unprogrammed
31 federal rail crossing funds to be expended in lieu of or in addition to
32 state funds for eligible costs of projects in Program Y, including, but
33 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

34 (4) If new federal funding for freight or passenger rail is
35 received, the department shall consult with the transportation
36 committees of the legislature and the office of financial management
37 prior to spending the funds on existing or additional projects.

1 (5) The department shall sell any ancillary property, acquired when
2 the state purchased the right-of-ways to the PCC rail line system, to
3 a lessee of the ancillary property who is willing to pay fair market
4 value for the property. The department shall deposit the proceeds from
5 the sale of ancillary property into the transportation infrastructure
6 account.

7 (6)(a) The department shall develop and implement the
8 benefit/impact evaluation methodology recommended in the statewide rail
9 capacity and needs study finalized in December 2006. The
10 benefit/impact evaluation methodology shall be developed using the
11 following priorities, in order of relative importance:

12 (i) Economic, safety, or environmental advantages of freight
13 movement by rail compared to alternative modes;

14 (ii) Self-sustaining economic development that creates family-wage
15 jobs;

16 (iii) Preservation of transportation corridors that would otherwise
17 be lost;

18 (iv) Increased access to efficient and cost-effective transport to
19 market for Washington's agricultural and industrial products;

20 (v) Better integration and cooperation within the regional,
21 national, and international systems of freight distribution; and

22 (vi) Mitigation of impacts of increased rail traffic on
23 communities.

24 (b) The department shall convene a work group to collaborate on the
25 development of the benefit/impact analysis method to be used in the
26 evaluation. The work group must include, at a minimum, the freight
27 mobility strategic investment board, the department of agriculture, and
28 representatives from the various users and modes of the state's rail
29 system.

30 (c) The department shall use the benefit/impact analysis and
31 priorities in (a) of this subsection when submitting requests for state
32 funding for rail projects. The department shall develop a standardized
33 format for submitting requests for state funding for rail projects that
34 includes an explanation of the analysis undertaken, and the conclusions
35 derived from the analysis.

36 (d) The department and the freight mobility strategic investment
37 board shall collaborate to submit a report to the office of financial
38 management and the transportation committees of the legislature by

1 September 1, 2008, listing proposed freight highway and rail projects.
2 The report must describe the analysis used for selecting such projects,
3 as required by this act for the department and as required by chapter
4 47.06A RCW for the board. When developing its list of proposed freight
5 highway and rail projects, the freight mobility strategic investment
6 board shall use the priorities identified in (a) of this subsection to
7 the greatest extent possible.

8 (7) The department shall apply at the earliest possible date for
9 grants, pursuant to the new competitive intercity rail grant program
10 announced by the federal railroad administration on February 19, 2008,
11 for any projects that may qualify for such federal grants and are
12 currently identified on the project list referenced in subsection
13 (1)(a) of this section.

14 (8) Up to \$8,500,000 of any underexpenditures of state funding
15 designated on the project list referenced in subsection (1)(a) of this
16 section for the "Vancouver-Rail Bypass and W 39th Street Bridge"
17 project may be used to upgrade, to class 2 condition, track owned by
18 Clark county between Vancouver and Battle Ground.

19 (9) Up to \$400,000 of the multimodal transportation account--state
20 appropriation is contingent upon the port of Chehalis submitting a full
21 copy of the FEMA application packet to the department in order to
22 assist the department in verifying the scope of the repairs and the
23 rail transportation value of the project identified on the project list
24 referenced in subsection (1)(a) of this section as "Port of
25 Chehalis-Track Rehabilitation" (F01002A).

26 (10) \$500,000 of the transportation infrastructure account--state
27 appropriation is provided solely for grants to any intergovernmental
28 entity or local rail district to which the department of transportation
29 assigns the management and oversight responsibility for the business
30 and economic development elements of existing operating leases on the
31 Palouse River and Coulee City (PCC) rail lines. The PCC rail line
32 system is made up of the CW, P&L, and PV Hooper rail lines. Business
33 and economic development elements include such items as levels of
34 service and business operating plans, but shall not include the state's
35 oversight of railroad regulatory compliance, rail infrastructure
36 condition, or real property management issues. The PCC rail system
37 must be managed in a self-sustaining manner and best efforts shall be
38 used to ensure that it does not require state capital or operating

1 subsidy beyond the level of state funding expended on it to date. The
2 assignment of the stated responsibilities to an intergovernmental
3 entity or rail district shall be on such terms and conditions as the
4 department of transportation and the intergovernmental entity or rail
5 district mutually agree. The grant funds may be used only to refurbish
6 the rail lines. It is the intent of the legislature to make the funds
7 appropriated in this section available as grants to an
8 intergovernmental entity or local rail district for the purposes stated
9 in this section at least until June 30, 2012, and to reappropriate as
10 necessary any portion of the appropriation in this section that is not
11 used by June 30, 2009.

12 **Sec. 309.** 2008 c 121 s 311 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
15 **CAPITAL**

16	Highway Infrastructure Account--State Appropriation	\$207,000
17	Highway Infrastructure Account--Federal	
18	Appropriation	\$1,602,000
19	Freight Mobility Investment Account--State	
20	Appropriation	((\$12,378,000))
21		<u>\$5,630,000</u>
22	Transportation Partnership Account--State	
23	Appropriation	((\$3,906,000))
24		<u>\$2,543,000</u>
25	Motor Vehicle Account--State Appropriation	((\$12,870,000))
26		<u>\$7,545,000</u>
27	Motor Vehicle Account--Federal Appropriation	((\$63,823,000))
28		<u>\$30,916,000</u>
29	Freight Mobility Multimodal Account--State	
30	Appropriation	((\$12,750,000))
31		<u>\$4,848,000</u>
32	Freight Mobility Multimodal Account--	
33	Private/Local Appropriation	((\$3,755,000))
34		<u>\$750,000</u>
35	Multimodal Transportation Account--Federal	
36	Appropriation	((\$4,224,000))
37		<u>\$3,520,000</u>

1	Multimodal Transportation Account--State	
2	Appropriation	((\$32,134,000))
3		<u>\$17,517,000</u>
4	Transportation 2003 Account (Nickel Account)--State	
5	Appropriation	((\$2,721,000))
6		<u>\$2,012,000</u>
7	Passenger Ferry Account--State Appropriation	((\$8,500,000))
8		<u>\$2,879,000</u>
9	TOTAL APPROPRIATION	((\$158,870,000))
10		<u>\$79,969,000</u>

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

13 (1) The department shall, on a quarterly basis, provide status
14 reports to the legislature on the delivery of projects as outlined in
15 the project lists incorporated in this section. For projects funded by
16 new revenue in the 2003 and 2005 transportation packages, reporting
17 elements shall include, but not be limited to, project scope, schedule,
18 and costs. Other projects may be reported on a programmatic basis.
19 The department shall also provide the information required under this
20 subsection on a quarterly basis via the transportation executive
21 information system (TEIS).

22 (2) ((~~\$8,500,000~~)) \$2,879,000 of the passenger ferry account--state
23 appropriation is provided solely for near and long-term costs of
24 capital improvements in a business plan approved by the governor for
25 passenger ferry service.

26 (3) The department shall seek the use of unprogrammed federal rail
27 crossing funds to be expended in lieu of or in addition to state funds
28 for eligible costs of projects in local programs, program Z capital.

29 (4) The department shall apply for surface transportation program
30 (STP) enhancement funds to be expended in lieu of or in addition to
31 state funds for eligible costs of projects in local programs, program
32 Z capital.

33 (5) Federal funds may be transferred from program Z to programs I
34 and P and state funds shall be transferred from programs I and P to
35 program Z to replace those federal funds in a dollar-for-dollar match.
36 Fund transfers authorized under this subsection shall not affect
37 project prioritization status. Appropriations shall initially be
38 allotted as appropriated in this act. The department may not transfer

1 funds as authorized under this subsection without approval of the
2 office of financial management. The department shall submit a report
3 on those projects receiving fund transfers to the office of financial
4 management and the transportation committees of the legislature by
5 December 1, 2007, and December 1, 2008.

6 (6) The city of Winthrop may utilize a design-build process for the
7 Winthrop bike path project. Of the amount appropriated in this section
8 for this project, \$500,000 of the multimodal transportation account--
9 state appropriation is contingent upon the state receiving from the
10 city of Winthrop \$500,000 in federal funds awarded to the city of
11 Winthrop by its local planning organization.

12 (7) (~~(\$11,591,224)~~) \$4,052,968 of the multimodal transportation
13 account--state appropriation(~~(, \$8,640,239 of the motor vehicle~~
14 ~~account--federal appropriation,)~~) and (~~(\$4,000,000)~~) \$3,412,837 of the
15 motor vehicle account--federal appropriation are provided solely for
16 the pedestrian and bicycle safety program projects and safe routes to
17 schools program projects identified in the LEAP Transportation Document
18 2007-A, pedestrian and bicycle safety program projects and safe routes
19 to schools program projects as developed April 20, 2007, and the LEAP
20 Transportation Document 2006-B, pedestrian and bicycle safety program
21 projects and safe routes to schools program projects as developed March
22 8, 2006. Projects must be allocated funding based on order of
23 priority. The department shall review all projects receiving grant
24 awards under this program at least semiannually to determine whether
25 the projects are making satisfactory progress. Any project that has
26 been awarded funds, but does not report activity on the project within
27 one year of the grant award, shall be reviewed by the department to
28 determine whether the grant should be terminated. The department shall
29 promptly close out grants when projects have been completed, and
30 identify where unused grant funds remain because actual project costs
31 were lower than estimated in the grant award.

32 (8) (~~Up to a maximum of \$5,000,000 of the multimodal~~
33 ~~transportation account--state appropriation and up to a maximum of~~
34 ~~\$2,000,000 of the motor vehicle account--federal appropriation are~~
35 ~~reappropriated for the pedestrian and bicycle safety program projects~~
36 ~~and safe routes to schools program projects identified in the LEAP~~
37 ~~transportation document 2006-B, pedestrian and bicycle safety program~~
38 ~~projects and safe routes to schools program projects as developed March~~

1 8, 2006. Projects must be allocated funding based on order of
2 priority. The department shall review all projects receiving grant
3 awards under this program at least semiannually to determine whether
4 the projects are making satisfactory progress. Any project that has
5 been awarded funds, but does not report activity on the project within
6 one year of the grant award, shall be reviewed by the department to
7 determine whether the grant should be terminated. The department shall
8 promptly close out grants when projects have been completed, and
9 identify where unused grant funds remain because actual project costs
10 were lower than estimated in the grant award.

11 ~~(9))~~ \$3,500,000 of the multimodal transportation account--federal
12 appropriation is provided solely for the Museum of Flight pedestrian
13 bridge safety project.

14 ~~((10) \$250,000))~~ (9) \$100,000 of the multimodal transportation
15 account--state appropriation is provided solely for the icicle rail
16 station in Leavenworth.

17 ~~((11))~~ (10) \$1,500,000 of the motor vehicle account--state
18 appropriation is provided solely for the Union Gap city road project.

19 ~~((12))~~ (11) \$250,000 of the motor vehicle account--state
20 appropriation is provided solely for the Saltwater state park bridge
21 project and off-site traffic control costs.

22 ~~((13))~~ (12) \$1,000,000 of the motor vehicle account--state
23 appropriation and ~~((\$4,688,000))~~ \$5,374,000 of the motor vehicle
24 account--federal appropriation are provided solely for the coal creek
25 parkway project.

26 ~~((14) \$250,000))~~ (13) \$150,790 of the multimodal transportation
27 account--state appropriation is provided solely for a streetcar
28 feasibility study in downtown Spokane.

29 ~~((15))~~ (14) \$500,000 of the motor vehicle account--~~(federal)~~
30 state appropriation is provided solely for slide repairs completed
31 during 2007 and 2008 at or in the vicinity of marine view drive bridge
32 on Marine View Drive and on Des Moines Memorial Drive in Des Moines.

33 ~~((16) \$1,100,000))~~ (15) \$225,000 of the motor vehicle account--
34 state appropriation is provided solely for local road improvements that
35 connect to the I-82 valley mall boulevard project (5082010). ~~((Planned~~
36 ~~funding of an additional \$2,000,000 shall be made available to this~~
37 ~~project in the 2009-11 biennium.~~

1 \$337,000
2 Transportation 2003 Account (Nickel Account)--State
3 Appropriation ((~~\$2,003,000~~))
4 \$2,503,000
5 Urban Arterial Trust Account--State Appropriation \$113,000
6 Special Category C Account Appropriation ((~~\$99,000~~))
7 \$78,000
8 TOTAL APPROPRIATION ((~~\$626,560,000~~))
9 \$593,574,000

10 **Sec. 402.** 2008 c 121 s 402 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
13 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
14 **FISCAL AGENT CHARGES**

15 Transportation Partnership Account--State
16 Appropriation ((~~\$243,000~~))
17 \$369,000
18 Motor Vehicle Account--State Appropriation ((~~\$61,000~~))
19 \$49,000
20 Transportation Improvement Account--State Appropriation \$5,000
21 Multimodal Transportation Account--State Appropriation ((~~\$90,000~~))
22 \$55,000
23 Transportation 2003 Account (Nickel Account)--State
24 Appropriation ((~~\$267,000~~))
25 \$406,000
26 Urban Arterial Trust Account--State Appropriation \$38,000
27 Special Category C Account--State Appropriation \$13,000
28 TOTAL APPROPRIATION ((~~\$717,000~~))
29 \$935,000

30 **Sec. 403.** 2008 c 121 s 403 (uncodified) is amended to read as
31 follows:

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

34 Motor Vehicle Account--State Reappropriation:
35 For transfer to the Tacoma Narrows Toll Bridge
36 Account ((~~\$19,133,000~~))

1 \$12,717,000

2 The department of transportation is authorized to sell up to
3 (~~(\$18,000,000)~~) \$12,717,000 in bonds authorized by RCW 47.10.843 for
4 the Tacoma Narrows bridge project. Proceeds from the sale of the bonds
5 shall be deposited into the motor vehicle account. The department of
6 transportation shall inform the treasurer of the amount to be
7 deposited.

8 NEW SECTION. Sec. 404. A new section is added to 2007 c 518
9 (uncodified) to read as follows:

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

12 Motor Vehicle Account--State Appropriation:
13 For transfer to the Puget Sound Capital Construction
14 Account \$68,178,000

15 The state treasurer is authorized to sell up to \$68,178,000 in
16 bonds authorized by RCW 47.10.843 for vessel and terminal acquisition,
17 major and minor improvements, and long lead-time materials acquisition
18 for the Washington state ferries.

19 **Sec. 405.** 2008 c 121 s 404 (uncodified) is amended to read as
20 follows:

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

22 Motor Vehicle Account Appropriation for
23 motor vehicle fuel tax distributions to cities
24 and counties (~~(\$501,783,827)~~)
25 \$491,628,000

26 **Sec. 406.** 2008 c 121 s 405 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER--TRANSFERS**

29 Motor Vehicle Account--State
30 Appropriation: For motor vehicle fuel tax
31 refunds and statutory transfers (~~(\$902,982,000)~~)
32 \$854,291,000

33 **Sec. 407.** 2008 c 121 s 406 (uncodified) is amended to read as
34 follows:

1 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

2 Motor Vehicle Account--State

3 Appropriation: For motor vehicle

4 fuel tax refunds and transfers ((\$445,345,000))
5 \$480,666,000

6 **Sec. 408.** 2008 c 121 s 407 (uncodified) is amended to read as
7 follows:

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

9 (1) Recreational Vehicle Account--State

10 Appropriation: For transfer to the Motor Vehicle

11 Account--State \$4,505,000

12 (2) License Plate Technology Account--State

13 Appropriation: For transfer to the Multimodal Transportation

14 Account--State \$4,500,000

15 (3) Motor Vehicle Account--State Appropriation:

16 For transfer to the High-Occupancy Toll Lanes Operations--

17 State Account \$3,000,000

18 ~~(4) ((Motor Vehicle Account--State Appropriation:~~

19 ~~For transfer to the Puget Sound Capital Construction~~

20 ~~Account--State \$20,000,000~~

21 ~~(5)) Multimodal Transportation Account--State~~

22 ~~Appropriation: For transfer to the Puget Sound~~

23 ~~Ferry Operations Account--State ((\$66,000,000))~~

24 ~~\$88,000,000~~

25 ~~((6)) (5) Advanced Right-of-Way Revolving Account--State~~

26 ~~Appropriation: For transfer to the Motor Vehicle~~

27 ~~Account--State ((\$30,000,000))~~

28 ~~\$24,000,000~~

29 ~~((7)) (6) Waste Tire Removal Account--State Appropriation:~~

30 ~~For transfer to the Motor Vehicle Account--State \$5,600,000~~

31 ~~((8) Motor Vehicle Account--State Appropriation:~~

32 ~~For transfer to the Puget Sound Ferry Operations Account--~~

33 ~~State \$3,000,000~~

34 ~~(9) Multimodal Transportation Account--State~~

35 ~~Appropriation: For transfer to the Transportation~~

36 ~~Infrastructure Account--State \$6,600,000~~

37 ~~(10)) (7) Highway Safety Account--State Appropriation:~~

1 For transfer to the Multimodal Transportation
2 Account--State ((\$9,500,000))
3 \$14,000,000
4 ~~((11) Urban Arterial Trust Account--State Appropriation:~~
5 ~~For transfer to the Small City Pavement and Sidewalk~~
6 ~~Account--State \$1,400,000))~~
7 (8) Motor Vehicle Account--State Appropriation: For
8 transfer to the State Patrol Highway Account--State \$4,000,000
9 (9) Motorcycle Safety Education Account--State
10 Appropriation: For transfer to the Multimodal
11 Transportation Account--State \$2,500,000
12 (10) Department of Licensing Services Account--State
13 Appropriation: For transfer to the Motor Vehicle
14 Account--State \$3,000,000
15 (11) Motor Vehicle Account--State Appropriation:
16 For transfer to the Special Category C Account--State \$2,000,000
17 (12) Passenger Ferry Account--State Appropriation:
18 For transfer to the Multimodal Transportation
19 Account--State \$1,121,000
20 (13) Multimodal Transportation Account--State
21 Appropriation: For transfer to the Puget Sound Capital
22 Construction Account--State \$12,000,000
23 (14) Transportation Partnership Account--State
24 Appropriation: For transfer to the Transportation
25 2003 Account (Nickel Account)--State \$30,000,000

26 The transfers identified in this section are subject to the
27 following conditions and limitations: The amount transferred in
28 subsection (3) of this section may be spent only on "highway purposes"
29 as that term is construed in Article II, section 40 of the Washington
30 state Constitution.

31 **MISCELLANEOUS 2007-09 BIENNIUM**

32 **Sec. 501.** 2008 c 121 s 605 (uncodified) is amended to read as
33 follows:

34 **SPECIAL APPROPRIATIONS TO THE GOVERNOR--INSURANCE ACCOUNTING SYSTEM**
35 Aeronautics Account--State Appropriation \$2,000

1 through 46.20.520. During the 2007-2009 fiscal biennium, the
2 legislature may transfer from the motorcycle safety education account
3 such amounts as reflect the excess fund balance of the account.

4 **Sec. 503.** RCW 46.68.220 and 1992 c 216 s 5 are each amended to
5 read as follows:

6 The department of licensing services account is created in the
7 motor vehicle fund. All receipts from service fees received under RCW
8 46.01.140(4)(b) shall be deposited into the account. Moneys in the
9 account may be spent only after appropriation. Expenditures from the
10 account may be used only for information and service delivery systems
11 for the department, and for reimbursement of county licensing
12 activities. During the 2007-2009 fiscal biennium, the legislature may
13 transfer from the department of licensing services account such amounts
14 as reflect the excess fund balance of the account.

15 **Sec. 504.** RCW 47.60.645 and 2008 c 45 s 2 are each amended to read
16 as follows:

17 There is hereby established in the transportation fund the
18 passenger ferry account. Money in the account shall be used for
19 operating or capital grants for ferry systems as provided in chapters
20 36.54, 36.57A, and 53.08 RCW. Moneys in the account shall be expended
21 with legislative appropriation. During the 2007-2009 fiscal biennium,
22 the legislature may transfer from the passenger ferry account such
23 amounts as reflect the excess fund balance of the account.

24 NEW SECTION. **Sec. 505.** A new section is added to chapter 46.68
25 RCW to read as follows:

26 During the 2007-2009 fiscal biennium, the legislature may transfer
27 from the transportation partnership account to the transportation 2003
28 account (nickel account) such amounts as reflect the excess fund
29 balance of the transportation partnership account.

30 NEW SECTION. **Sec. 506.** 2008 c 121 s 604 and 2007 c 518 s 713
31 (uncodified) are each repealed.

32 NEW SECTION. **Sec. 507.** 2007 c 518 s 108 (uncodified) is repealed.

1 NEW SECTION. **Sec. 508.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 509.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

(End of bill)

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1 Correct the title.

EFFECT: (1) Requires the Department of Transportation (DOT) to report to both the legislative committees on transportation and the Office of Financial Management, instead of to just the legislative committees on transportation, regarding the status of any federal funds received redistributed from other states.

(2) Provides funding authority to the Joint Transportation Commission from existing unexpended authority to begin a comprehensive analysis of mid-term and long-term transportation funding mechanisms and methods, with a baseline report due at the end of 2009.

(3) Restricts the transfer authority flexibility provided to the Washington State Patrol to funds and accounts in its operating programs and not both operating and capital programs.

(4) Requires the Department of Licensing (DOL), in consultation with the Department of Revenue (DOR), to begin evaluating the potential transfer of fuel tax administration from DOL to DOR, with a report due to the legislature and the governor by November 1, 2009.

(5) Removes a reduction in funding for the DOT-Toll Operations program associated with a renegotiated contract in which the applicable funding change does not take effect until after June 30, 2009.

(6) Provides additional funding authority to the DOT-Ferry Operations program to address cost overruns in the program through June 30, 2009.

(7) Provides \$190,000 in funding from the Motor Vehicle Account-- State from existing funds for the purpose of rehabilitating the SR 532/84th Avenue NW bridge deck.

(8) Corrects a reference in the section governing the DOT-Local program regarding the pedestrian and bicycle safety program projects and safe routes to schools program.

(9) Increases the reappropriation authority for DOT-Local programs to reflect a reduction in the amounts provided to King County as a result of the ferry sales; amounts have been reduced to reflect the transitional costs of storing and maintaining the ferries prior to sale.

(10) Corrects transfer and bond sale amounts to comport with the intention of providing positive fund balances at the end of the biennium while preserving amounts that would be reappropriated in the 2009-11 biennium to complete delayed activities.

(11) Makes minor corrections.

--- END ---