

ESHB 2190 - CONF REPT  
By Conference Committee

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

3 "2011-2013 FISCAL BIENNIUM  
4 GENERAL GOVERNMENT AGENCIES--OPERATING

5 **Sec. 101.** 2011 c 367 s 101 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

8 Motor Vehicle Account--State Appropriation . . . . . ((~~\$430,000~~))  
9 \$416,000

10 The appropriation in this section is subject to the following  
11 conditions and limitations: The entire appropriation is provided  
12 solely for staffing costs to be dedicated to state transportation  
13 activities. Staff hired to support transportation activities must have  
14 practical experience with complex construction projects.

15 **Sec. 102.** 2011 c 367 s 103 (uncodified) is amended to read as  
16 follows:

17 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

18 Motor Vehicle Account--State Appropriation . . . . . ((~~\$2,216,000~~))  
19 \$2,128,000

20 Puget Sound Ferry Operations Account--State  
21 Appropriation . . . . . ((~~\$4,624,000~~))  
22 \$1,260,000

23 Multimodal Transportation Account--State  
24 Appropriation . . . . . \$350,000

25 TOTAL APPROPRIATION . . . . . ((~~\$6,840,000~~))  
26 \$3,738,000

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

1 (1) The office of financial management, in consultation with the  
2 transportation committees of the legislature, shall conduct a budget  
3 evaluation study for the new traffic management center proposed by the  
4 department of transportation. The study must consider data resulting  
5 from the plan identified in section 604 of this act. The budget  
6 evaluation study team approach using value engineering techniques must  
7 be utilized by the office of financial management in conducting the  
8 study. The office of financial management shall select the budget  
9 evaluation study team members, contract for the study, and report the  
10 results to the transportation committees of the legislature and the  
11 department of transportation in a timely manner following the study.  
12 Options reviewed must include use of existing facilities, including the  
13 Wheeler building data center in Olympia. Funds allocated for the new  
14 traffic management center must be used by the office of financial  
15 management through an interagency agreement with the department of  
16 transportation to cover the cost of the study.

17 (2) (~~(\$4,480,000 of the Puget Sound ferry operations account--state~~  
18 ~~appropriation is provided solely for marine insurance. The~~  
19 ~~appropriation is intended to fully fund a two-year policy, and the~~  
20 ~~office of financial management shall increase the deductible to~~  
21 ~~\$10,000,000 and reduce components of the policy in order to keep the~~  
22 ~~total cost of the two-year policy at or below the appropriation in this~~  
23 ~~subsection.~~

24 (5)) \$1,116,000 of the Puget Sound ferry operations account--state  
25 appropriation is provided solely for marine insurance. The amount in  
26 this subsection as well as the amount in section 103(2) of this act is  
27 intended to fully fund a two-year policy. For fiscal year 2012, the  
28 office of financial management shall increase the deductible to ten  
29 million dollars and reduce components of the policy in order to keep  
30 the total cost of the two-year policy at or below the appropriation in  
31 this subsection and section 103(2) of this act.

32 (3) \$840,000 of the motor vehicle account--state appropriation is  
33 provided out of funds set aside out of statewide fuel taxes distributed  
34 to counties according to RCW 46.68.120(3) solely for the office of  
35 financial management to contract with the Washington state association  
36 of counties to identify, evaluate, and implement performance measures  
37 associated with county transportation activities. The performance  
38 measures must include, at a minimum, those related to safety, system

1 preservation, mobility, environmental protection, and project  
2 completion. A report on the county transportation performance  
3 implementation project must be provided to the transportation  
4 committees of the legislature by December 31, 2012.

5 ~~((+6))~~ (4) \$169,000 of the motor vehicle account--state  
6 appropriation is provided solely for the office of regulatory  
7 assistance integrated permitting project.

8 ~~((+7))~~ (5) \$40,000 of the Puget Sound ferry operations account--  
9 state appropriation is provided solely for the state's share of the  
10 marine salary survey.

11 ~~((+8))~~ (6) The office of financial management shall study the  
12 available data regarding statewide transit, bicycle, and pedestrian  
13 trips and recommend additional performance measures that will  
14 effectively measure the state's performance in increasing transit  
15 ridership and bicycle and pedestrian trips. The office of financial  
16 management shall report its findings and recommendations to the  
17 transportation committees of the legislature by November 15, 2011, and  
18 integrate the new performance measures into the report prepared by the  
19 office of financial management pursuant to RCW 47.04.280 regarding  
20 progress towards achieving Washington state's transportation system  
21 policy goals.

22 (7) \$350,000 of the multimodal transportation account--state  
23 appropriation is provided solely for the office of financial management  
24 to contract with a statewide organization representing Washington  
25 cities and a statewide organization representing Washington counties to  
26 work with the Washington state governor's office of regulatory  
27 assistance to:

28 (a) Fulfill completion of recent iPRMT enhancements developed to  
29 consolidate applications and expedite local, state, and regional  
30 transportation and public works maintenance permitting related to (i)  
31 general hydraulic project approval permits issued consistent with  
32 section 103(3), chapter 247, Laws of 2010 and (ii) section 106  
33 consultations completed under the national historic preservation act;

34 (b) Work with local, state, and regional transportation and public  
35 works maintenance agencies to continue to support development of iPRMT  
36 enhancements and customizations based on applicant needs; and

37 (c) Provide outreach and training to advance the state's interest

1 in continuing to leverage iPRMT web infrastructure to support and  
2 accelerate local, regional, and state transportation and public works  
3 planning, permitting, and compliance.

4 (8) \$400,000 of the motor vehicle account--state appropriation is  
5 from the cities statewide fuel tax distributions under RCW 46.68.110(2)  
6 for the department of transportation to contract with the department of  
7 fish and wildlife to inventory, assess, and prioritize fish passage  
8 barriers associated with city roads and streets in the Puget Sound  
9 region. The department of transportation shall submit the results to  
10 the office of financial management and the transportation committees of  
11 the legislature by December 31, 2013.

12 (9) The office of financial management through the chief  
13 information officer shall conduct a technical review of the Washington  
14 state patrol's conversion to narrowbanding and the decision to utilize  
15 the United States department of justice's integrated wireless network  
16 for that transition. The technical review must include an analysis of  
17 whether the conversion constitutes an appropriate opportunity for the  
18 state to leverage existing infrastructure, mitigates any communication  
19 gaps, provides for a risk mitigation strategy, provides opportunities  
20 to move to future emerging technologies, and is consistent with the  
21 elements of the chief information officer's state technology strategy.  
22 The chief information officer must provide a report of findings to the  
23 joint transportation committee by September 1, 2012. The  
24 recommendations must include any essential elements of the conversion  
25 that are necessary to ensure the existence of a comprehensive,  
26 interoperable, and reliable communication system within the United  
27 States department of justice's integrated wireless network with  
28 appropriate risk mitigation plans in place.

29 NEW SECTION. Sec. 103. A new section is added to 2011 c 367  
30 (uncodified) to read as follows:

31 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

32 Motor Vehicle Account--State Appropriation . . . . .	\$462,000
33 Puget Sound Ferry Operations Account--State	
34 Appropriation . . . . .	\$3,360,000
35 TOTAL APPROPRIATION . . . . .	\$3,822,000

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

1 (1) \$462,000 of the motor vehicle account--state appropriation is  
2 provided solely for the transportation executive information system.

3 (2) \$3,360,000 of the Puget Sound ferry operations account--state  
4 appropriation is provided solely for marine insurance. The amount in  
5 this subsection as well as the amount in section 102(2) of this act is  
6 intended to fully fund a two-year policy. For fiscal year 2013, the  
7 department of enterprise services shall increase the deductible to ten  
8 million dollars and reduce components of the policy in order to keep  
9 the total cost of the two-year policy at or below the appropriation in  
10 this subsection and section 102(2) of this act.

11 NEW SECTION. **Sec. 104.** A new section is added to 2011 c 367  
12 (uncodified) to read as follows:

13 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

14 Puget Sound Ferry Operations Account--State  
15 Appropriation . . . . . \$75,000

16 The appropriation in this section is subject to the following  
17 conditions and limitations: \$75,000 of the Puget Sound ferry  
18 operations account--state appropriation is provided solely for  
19 implementing chapter 16, Laws of 2011 1st sp. sess. (Washington state  
20 ferry system). \$43,200 of the appropriation is provided solely for  
21 closing out the marine employees' commission lease agreement in fiscal  
22 year 2012, and the remainder of the appropriation is provided solely  
23 for costs associated with marine employees' commission commissioner  
24 payments and travel.

25 **Sec. 105.** 2011 c 367 s 105 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF AGRICULTURE**

28 Motor Vehicle Account--State Appropriation . . . . . ((~~\$1,210,000~~))  
29 \$1,185,000

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

32 (1) \$351,000 of the motor vehicle account--state appropriation is  
33 provided solely for costs associated with the motor fuel quality  
34 program.

35 (2) \$686,000 of the motor vehicle account--state appropriation is

1 provided solely to test the quality of biofuel. The department must  
2 test fuel quality at the biofuel manufacturer, distributor, and  
3 retailer.

4 **Sec. 106.** 2011 c 367 s 106 (uncodified) is amended to read as  
5 follows:

6 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**  
7 Motor Vehicle Account--State Appropriation . . . . . (~~(\$513,000)~~)  
8 \$494,000

9 **TRANSPORTATION AGENCIES--OPERATING**

10 **Sec. 201.** 2011 c 367 s 201 (uncodified) is amended to read as  
11 follows:

12 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**  
13 Highway Safety Account--State Appropriation . . . . . (~~(\$3,003,000)~~)  
14 \$2,983,000  
15 Highway Safety Account--Federal Appropriation . . . . . (~~(\$42,625,000)~~)  
16 \$42,507,000  
17 Highway Safety Account--Private/Local Appropriation . . . . . \$50,000  
18 School Zone Safety Account--State Appropriation . . . . . \$3,340,000  
19 TOTAL APPROPRIATION . . . . . (~~(\$49,018,000)~~)  
20 \$48,880,000

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

23 (1) \$1,673,900 of the highway safety account--federal appropriation  
24 is provided solely for the conclusion of the target zero trooper pilot  
25 program, which the commission has developed and implemented in  
26 collaboration with the Washington state patrol. The pilot program must  
27 continue to demonstrate the effectiveness of intense, high visibility,  
28 driving under the influence enforcement in Washington. The commission  
29 shall continue to apply to the national highway traffic safety  
30 administration for federal highway safety grants to cover the cost of  
31 the pilot program. State funding is provided in section 207 of this  
32 act for the state patrol to continue the target zero trooper program in  
33 fiscal year 2013.

1 (2) The commission may oversee pilot projects implementing the use  
2 of automated traffic safety cameras to detect speed violations within  
3 cities west of the Cascade mountains that have a population over one  
4 hundred ninety-five thousand. For the purposes of pilot projects in  
5 this subsection, no more than one automated traffic safety camera may  
6 be used to detect speed violations within any one jurisdiction.

7 (a) The commission shall comply with RCW 46.63.170 in administering  
8 the pilot projects.

9 (b) In order to ensure adequate time in the 2011-2013 fiscal  
10 biennium to evaluate the effectiveness of the pilot projects, any  
11 projects authorized by the commission must be authorized by December  
12 31, 2011.

13 (c) By January 1, 2013, the commission shall provide a report to  
14 the legislature regarding the use, public acceptance, outcomes, and  
15 other relevant issues regarding automated traffic safety cameras  
16 demonstrated by the pilot projects.

17 (3) \$460,000 of the highway safety account--state appropriation is  
18 provided solely for the implementation of chapter ... (Engrossed Second  
19 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI  
20 accountability). If chapter ... (Engrossed Second Substitute House  
21 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the  
22 amount provided in this subsection lapses.

23 (4) The commission shall conduct a review of the literature on  
24 potential safety benefits realized from drivers using their headlights  
25 and windshield wipers simultaneously and shall report to the  
26 transportation committees of the legislature by December 1, 2011.

27 (5) \$22,000,000 of the highway safety account--federal  
28 appropriation is provided solely for federal funds that may be  
29 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the  
30 2011-2013 fiscal biennium.

31 **Sec. 202.** 2011 c 367 s 202 (uncodified) is amended to read as  
32 follows:

33 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

34 Rural Arterial Trust Account--State Appropriation . . . .	(( <del>\$948,000</del> ))
	<u>\$915,000</u>
36 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,161,000</del> ))
	<u>\$2,088,000</u>

37





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

3 (1) \$200,000 of the motor vehicle account--state appropriation is  
4 for a study of Washington state ferries fares that recommends the most  
5 appropriate fare media for use with the reservation system and the  
6 implementation of demand management pricing and interoperability with  
7 other payment methods. The study must include direct collaboration  
8 with transportation commission members.

9 ~~((+3))~~ (2) \$200,000 of the motor vehicle account--state  
10 appropriation is from the cities statewide fuel tax distributions under  
11 RCW 46.68.110(2) for the joint transportation committee to study and  
12 make recommendations on RCW 90.03.525. The study must include: (a) An  
13 inventory of state highways subject to the federal clean water act (40  
14 C.F.R. Parts 122 through 124) (national pollutant discharge elimination  
15 system) that are within city boundaries; (b) a survey of cities that  
16 impose storm water fees or charges to the department of transportation,  
17 or otherwise manage storm water runoff from state highways within their  
18 jurisdiction; (c) case studies from a representative cross-section of  
19 cities on how the department and cities have used RCW 90.03.525; and  
20 (d) recommendations on how to achieve efficiencies in the cost and  
21 management of state highway storm water runoff within cities under RCW  
22 90.03.525.

23 ~~((+4))~~ (3) \$425,000 of the motor vehicle account--state  
24 appropriation is for the joint transportation committee to conduct a  
25 study to evaluate the potential for financing state transportation  
26 projects using public-private partnerships. The study must compare the  
27 costs, advantages, and disadvantages of various forms of public-private  
28 partnerships with conventional financing. Projects to be evaluated  
29 include Interstate 405, state route number 509, state route number 167,  
30 the Columbia River crossing, and the Monroe bypass. At a minimum, the  
31 study must identify the public interest in the financing and  
32 construction of transportation projects, the public interest in the  
33 operation of transportation projects, and the provisions in public-  
34 private partnership agreements that best protect the public interest.  
35 To the extent possible, the study must identify the lowest-cost and  
36 best-value model for each project that best protects the public  
37 interest. In addition, the study must evaluate whether public-private  
38 partnerships serve the defined public interest including, but not

1 limited to, the advantage and disadvantage of risk allocation, the  
2 effects of private versus public financing on the state's bonding  
3 capacity, the state's ability to retain public ownership of the asset,  
4 the process that would allow for the most transparency during the  
5 negotiation of terms of a public-private partnership agreement, and the  
6 state's ability to oversee the private entity's management of the  
7 asset. The study must identify any barriers to the implementation of  
8 funding models that best protect the public interest, including  
9 statutory and constitutional barriers. The committee shall issue a  
10 report of its evaluation to the house of representatives and senate  
11 transportation committees by December 16, 2011.

12 ~~((+5))~~ (4) \$100,000 of the motor vehicle account--state  
13 appropriation is for an investigation of the use of liquid natural gas  
14 on existing Washington state ferry vessels as well as the 144-car class  
15 vessels and report to the legislature by December 31, 2011.

16 (5) The joint transportation committee shall convene a study group  
17 to evaluate the most appropriate organization for the aviation search  
18 and rescue program, currently operating from the department of  
19 transportation's aviation division. The joint transportation committee  
20 shall invite a representative from the following organizations to  
21 participate in meetings in the city of Olympia: The aircraft owners  
22 and pilots association; the Washington pilots association; the  
23 Washington wing of the civil air patrol; the civil air patrol - United  
24 States air force; the Washington department of transportation, aviation  
25 division; the emergency management division of the military department;  
26 the Washington association of search and rescue; and the Washington  
27 state patrol. The committee shall issue a report of its findings to  
28 the legislature by December 14, 2012, to include the following  
29 information:

30 (a) Where should aviation search and rescue operations be located  
31 to provide the maximum benefit for these searches?

32 (b) How should the duplication of services and training be  
33 addressed?

34 (c) Is the current structure the best use of state and federal  
35 funding?

36 (d) If aviation search and rescue is relocated, what should be the  
37 source of funding?

1       (6) The joint transportation committee shall convene a series of  
2 meetings between representatives of the Washington state ferries and  
3 British Columbia ferries services as well as the respective shipyard  
4 contractors for new vessel construction for each system. The purpose  
5 of the meetings is to explore joint procurement of additional 144-car  
6 capacity ferry vessels for use in either ferry system. Benefits from  
7 this joint procurement include, but are not limited to, construction  
8 savings accruing to both ferry systems due to the economies of scale of  
9 purchasing multiple vessels, additional relief vessel capacity  
10 available to both ferry systems, and enhanced service on the  
11 international route connecting Washington and British Columbia.

12       (7) The Columbia River Crossing bridge project is a major  
13 initiative to address congestion problems on Interstate 5 between  
14 Portland, Oregon and Vancouver, Washington that requires support by not  
15 only the governors of both states but the legislatures as well. The  
16 joint transportation committee must convene a subcommittee for  
17 legislative oversight of the I-5/Columbia River Crossing bridge  
18 replacement project. The Columbia River Crossing legislative oversight  
19 subcommittee must be made up of six members, two appointed by the chair  
20 and ranking member of the senate transportation committee, two  
21 appointed by the chair and ranking member of the house of  
22 representatives transportation committee, one designee of the governor,  
23 and one citizen jointly appointed by the four members of the joint  
24 transportation executive committee. The citizen appointee must be a  
25 Washington state resident of the area served by the bridge. At least  
26 two of the legislative members must be from the legislative districts  
27 served by the bridge. In addition to reviewing project and financing  
28 information, the subcommittee must also coordinate with the Oregon  
29 legislative oversight committee for the Columbia River Crossing bridge.

30       (8)(a) The joint transportation committee shall convene a study  
31 group to evaluate the effectiveness, transparency, and priorities by  
32 which the department of transportation expends federal transportation  
33 funds. The study group must include representatives from the  
34 department of transportation, the office of financial management, and  
35 local representatives of the federal highway administration. The study  
36 group shall make recommendations on how to:

37       (i) Make the process for programming federal funds more  
38 transparent;

1 (ii) Evaluate assumptions used to predict the availability of  
2 federal funds in future biennia and how those funds will be programmed  
3 between different federal funding programs;

4 (iii) Develop a process for linking statewide priorities to  
5 distributing federal funds from project savings and the redistribution  
6 of federal funds from other states; and

7 (iv) Develop a process for incorporating stakeholder feedback when  
8 developing federal grant and loan applications.

9 (b) The joint transportation committee shall issue a report of its  
10 evaluation to the house of representatives and senate transportation  
11 committees by December 16, 2012.

12 (9) Within the amounts provided in this section, the joint  
13 transportation committee shall conduct research to evaluate the fiscal  
14 health of public transportation in Washington. With the assistance of  
15 staff from the standing transportation committees of the legislature,  
16 the joint transportation committee shall collect and review known and  
17 conventional sources of transit financial and operational data as it  
18 pertains to Washington transit entities. The joint transportation  
19 committee shall evaluate changes to the fiscal and operational status  
20 of transit entities over the last fifteen years. The joint  
21 transportation committee shall compare fiscal results in aggregate  
22 during selected years of the time period examined with state funding  
23 for transportation in the same years. The joint transportation  
24 committee shall report its findings to the standing transportation  
25 committees of the legislature by December 1, 2012.

26 **Sec. 205.** 2011 c 367 s 205 (uncodified) is amended to read as  
27 follows:

28 **FOR THE TRANSPORTATION COMMISSION**

29 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,142,000</del> ))
	<u>\$3,028,000</u>
31 Multimodal Transportation Account--State Appropriation . . . . .	\$112,000
32 TOTAL APPROPRIATION . . . . .	(( <del>\$2,254,000</del> ))
	<u>\$3,140,000</u>

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

36 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,  
37 during the 2011-2013 fiscal biennium, the legislature authorizes the

1 transportation commission to periodically review and, if necessary,  
2 adjust the schedule of fares for the Washington state ferry system only  
3 in amounts not greater than those sufficient to generate the amount of  
4 revenue required by the biennial transportation budget. When adjusting  
5 ferry fares, the commission must consider input from affected ferry  
6 users by public hearing and by review with the affected ferry advisory  
7 committees, in addition to the data gathered from the current ferry  
8 user survey.

9 (2) Consistent with RCW 43.135.055 and 47.46.100, during the  
10 2011-2013 fiscal biennium, the legislature authorizes the  
11 transportation commission to periodically review and, if necessary,  
12 adjust the schedule of toll charges applicable to the Tacoma Narrows  
13 bridge only in amounts not greater than those sufficient to support (a)  
14 any required costs for operating and maintaining the toll bridge,  
15 including the cost of insurance, (b) any amount required by law to meet  
16 the redemption of bonds and applicable interest payments, and (c)  
17 repayment of the motor vehicle fund.

18 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the  
19 transportation commission shall consider the need for a citizen  
20 advisory group that provides oversight on new tolled facilities.

21 (4) \$775,000 of the motor vehicle account--state appropriation is  
22 provided solely to determine the feasibility of transitioning from the  
23 gas tax to a road user assessment system of paying for transportation.

24 (a) The transportation commission, with direction from the steering  
25 committee created in (b) of this subsection, must: Review relevant  
26 reports and data related to models of road user assessments and methods  
27 of transitioning to a road user assessment system; analyze the research  
28 to identify issues for policy decisions in Washington; make  
29 recommendations for the design of systemwide trials; develop a plan to  
30 assess public perspectives and educate the public on the current  
31 transportation funding system and options for a new system; and perform  
32 other tasks as deemed necessary by the steering committee.

33 (b) The transportation commission must convene a steering committee  
34 to provide direction to and guide the transportation commission's work.  
35 Membership of the steering committee must include, but is not limited  
36 to, members representing the following interests: The trucking  
37 industry; business; cities and counties; public transportation;  
38 environmental; user fee technology; auto and light truck manufacturers;

1 and the motoring public. In addition, a member from each of the two  
2 largest caucuses of the senate, appointed by the president of the  
3 senate, and a member from each of the two largest caucuses of the house  
4 of representatives, appointed by the speaker of the house of  
5 representatives, must serve on the steering committee.

6 (c) The transportation commission must update the governor and the  
7 legislature on this work by January 1, 2013. In addition, this update  
8 must include a plan and budget request for work to be completed during  
9 the 2013-2015 fiscal biennium.

10 (5) \$160,000 of the motor vehicle account--state appropriation is  
11 provided solely for the transportation commission to establish a  
12 statewide transportation survey panel and conduct two surveys on  
13 transportation funding and policy issues during the 2011-2013 fiscal  
14 biennium. At a minimum, the results of the first survey must be  
15 submitted to the legislature by January 2013.

16 **Sec. 206.** 2011 c 367 s 206 (uncodified) is amended to read as  
17 follows:

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

19 Motor Vehicle Account--State Appropriation . . . . . ((\$702,000))  
20 \$781,000

21 The appropriation in this section is subject to the following  
22 conditions and limitations:

23 (1) \$100,000 of the motor vehicle account--state appropriation is  
24 provided solely for an additional staff person for the freight mobility  
25 strategic investment board.

26 (2) The freight mobility strategic investment board shall submit a  
27 report to the transportation committees of the legislature by December  
28 1, 2011, on the implementation of the recommendations that resulted  
29 from the evaluation of efficiencies in the delivery of transportation  
30 funding and services to local governments that was required under  
31 section 204(8), chapter 247, Laws of 2010. The report must include a  
32 description of how recommendations were implemented, what efficiencies  
33 were achieved, and an explanation of any recommendations that were not  
34 implemented.

35 **Sec. 207.** 2011 c 367 s 207 (uncodified) is amended to read as  
36 follows:

1 **FOR THE WASHINGTON STATE PATROL**

2 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)

3 Multimodal Transportation Account--State Appropriation . . . . \$132,000

4 Ignition Interlock Device Revolving Account--

5 State Appropriation . . . . . \$212,000

6 State Patrol Highway Account--State

7 Appropriation . . . . . (~~(\$349,812,000)~~)

8 \$350,605,000

9 State Patrol Highway Account--Federal

10 Appropriation . . . . . \$10,903,000

11 State Patrol Highway Account--Private/Local

12 Appropriation . . . . . (~~(\$3,369,000)~~)

13 \$3,494,000

14 Highway Safety Account--State Appropriation . . . . . \$432,000

15 TOTAL APPROPRIATION . . . . . (~~(\$364,184,000)~~)

16 \$365,778,000

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

19 (1) Washington state patrol officers engaged in off-duty uniformed  
20 employment providing traffic control services to the department of  
21 transportation or other state agencies may use state patrol vehicles  
22 for the purpose of that employment, subject to guidelines adopted by  
23 the chief of the Washington state patrol. The Washington state patrol  
24 must be reimbursed for the use of the vehicle at the prevailing state  
25 employee rate for mileage and hours of usage, subject to guidelines  
26 developed by the chief of the Washington state patrol. Cessna pilots  
27 funded from the state patrol highway account who are certified to fly  
28 the King Airs may pilot those aircraft for general fund purposes with  
29 the general fund reimbursing the state patrol highway account an hourly  
30 rate to cover the costs incurred during the flights since the aviation  
31 section is no longer part of the Washington state patrol cost  
32 allocation system as of July 1, 2009.

33 (2) The Washington state patrol shall continue to collaborate with  
34 the Washington traffic safety commission on the target zero trooper  
35 pilot program referenced in section 201(1) of this act.

36 (3) \$370,000 of the state patrol highway account--state  
37 appropriation is provided solely for costs associated with the pilot  
38 program described under section 216(5) of this act. The Washington

1 state patrol may incur costs related only to the assignment of cadets  
2 and necessary computer equipment and to the reimbursement of the  
3 Washington state department of transportation for contract costs. The  
4 appropriation in this subsection must be funded from the portion of the  
5 automated traffic safety camera fines deposited into the state patrol  
6 highway account; however, if the fines deposited into the state patrol  
7 highway account from automated traffic safety camera infractions do not  
8 reach three hundred seventy thousand dollars, the department of  
9 transportation shall remit funds necessary to the Washington state  
10 patrol to ensure the completion of the pilot program. The Washington  
11 state patrol may not incur overtime as a result of this pilot program.  
12 The Washington state patrol shall not assign troopers to operate or  
13 deploy the pilot program equipment used in the roadway construction  
14 zones.

15 (4) (~~(\$12,655,000)~~) \$12,160,000 of the total appropriation is  
16 provided solely for automobile fuel in the 2011-2013 fiscal biennium.  
17 The Washington state patrol shall analyze their fuel consumption and  
18 submit a report to the legislative transportation committees by  
19 December 31, 2011, on fuel conservation methods that could be used to  
20 minimize costs and ensure that the Washington state patrol is managing  
21 fuel consumption effectively.

22 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is  
23 provided solely for the purchase of pursuit vehicles.

24 (6) (~~(\$6,611,000)~~) \$6,686,000 of the total appropriation is  
25 provided solely for vehicle repair and maintenance costs of vehicles  
26 used for highway purposes.

27 (7) \$1,724,000 of the total appropriation is provided solely for  
28 the purchase of mission vehicles used for highway purposes in the  
29 commercial vehicle and traffic investigation sections of the Washington  
30 state patrol.

31 (8) \$1,200,000 of the total appropriation is provided solely for  
32 outfitting officers. The Washington state patrol shall prepare a cost-  
33 benefit analysis of the standard trooper uniform as compared to a  
34 battle dress uniform and uniforms used by other states and  
35 jurisdictions. The Washington state patrol shall report the results of  
36 the analysis to the transportation committees of the legislature by  
37 December 1, 2011.



1 (9) The Washington state patrol shall not account for or record  
2 locally provided DUI cost reimbursement payments as expenditure credits  
3 to the state patrol highway account. The patrol shall report the  
4 amount of expected locally provided DUI cost reimbursements to the  
5 office of financial management and transportation committees of the  
6 legislature by September 30th of each year.

7 (10) During the 2011-2013 fiscal biennium, the Washington state  
8 patrol shall continue to perform traffic accident investigations on  
9 Thurston county roads, and shall work with Thurston county to  
10 transition the traffic accident investigations on Thurston county roads  
11 to Thurston county by July 1, 2013.

12 ~~(((\$100,000 of the vehicle licensing fraud account--state~~  
13 ~~appropriation is provided solely to support the transportation portion~~  
14 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~  
15 ~~biennium))~~ \$2,187,000 of the state patrol highway account--state  
16 appropriation is provided solely for mobile office platforms.

17 (12) \$2,731,000 of the state patrol highway account--state  
18 appropriation is provided solely for the continuation of the target  
19 zero trooper program.

20 (13) \$432,000 of the highway safety account--state appropriation is  
21 provided solely for the implementation of chapter . . . (Second  
22 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If  
23 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is  
24 not enacted by June 30, 2012, the amount provided in this subsection  
25 lapses. Additionally, the total highway safety account--state  
26 appropriation in this section assumes the revenue generated by the fees  
27 that the Washington state patrol is authorized to charge manufacturers,  
28 technicians, and other providers under Second Substitute House Bill No.  
29 2443. Within the amounts provided in this subsection is funding for  
30 three additional troopers to provide oversight of the ignition  
31 interlock industry.

32 (14) \$212,000 of the ignition interlock device revolving account--  
33 state appropriation is provided solely for two additional troopers to  
34 provide oversight of the ignition interlock industry. If chapter . . .  
35 (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by  
36 June 30, 2012, the amount provided in this subsection lapses.

37 (15) \$132,000 of the multimodal transportation account--state  
38 appropriation is provided solely for the implementation of chapter

1 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue  
2 alert system). If chapter . . . (Engrossed Substitute House Bill No.  
3 1820), Laws of 2012 is not enacted by June 30, 2012, the amount  
4 provided in this subsection lapses.

5 **Sec. 208.** 2011 c 367 s 208 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF LICENSING**

8	Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$32,000
9	Motorcycle Safety Education Account--State	
10	Appropriation . . . . .	<del>(\$4,411,000)</del>
11		<u>\$4,367,000</u>
12	Wildlife Account--State Appropriation . . . . .	<del>(\$859,000)</del>
13		<u>\$826,000</u>
14	Highway Safety Account--State Appropriation . . . . .	<del>(\$149,904,000)</del>
15		<u>\$148,666,000</u>
16	Highway Safety Account--Federal Appropriation . . . . .	<del>(\$2,884,000)</del>
17		<u>\$4,299,000</u>
18	<u>Highway Safety Account--Private/Local Appropriation . . . . .</u>	<u>\$200,000</u>
19	Motor Vehicle Account--State Appropriation . . . . .	<del>(\$78,586,000)</del>
20		<u>\$76,511,000</u>
21	Motor Vehicle Account--Private/Local Appropriation . . . . .	<del>(\$1,721,000)</del>
22		<u>\$1,714,000</u>
23	Motor Vehicle Account--Federal Appropriation . . . . .	<del>(\$242,000)</del>
24		<u>\$380,000</u>
25	Department of Licensing Services Account--State	
26	Appropriation . . . . .	<del>(\$5,815,000)</del>
27		<u>\$6,095,000</u>
28	Ignition Interlock Device Revolving Account--State	
29	Appropriation . . . . .	<del>(\$1,315,000)</del>
30		<u>\$1,971,000</u>
31	TOTAL APPROPRIATION . . . . .	<del>(\$245,769,000)</del>
32		<u>\$245,061,000</u>

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

- 35 (1) ~~(\$62,000 of the motor vehicle account--state appropriation is~~  
36 ~~provided solely for the implementation of chapter . . . (Engrossed~~  
37 ~~Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).~~

1 ~~If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of~~  
2 ~~2011 is not enacted by June 30, 2011, the amount provided in this~~  
3 ~~subsection lapses.~~

4 ~~(2))~~ \$231,000 of the motor vehicle account--state appropriation is  
5 provided solely for the implementation of chapter ... (Substitute  
6 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter  
7 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by  
8 June 30, 2011, the amount provided in this subsection lapses.

9 ~~((3))~~ (2) \$193,000 of the department of licensing services  
10 account--state appropriation is provided solely for a phased  
11 implementation of chapter ... (Substitute House Bill No. 1046), Laws of  
12 2011 (vehicle and vessel quick titles). Funding is contingent upon  
13 revenues associated with the vehicle and vessel quick title program  
14 paying all direct and indirect expenditures associated with the  
15 department's implementation of this subsection. If chapter ...  
16 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June  
17 30, 2011, the amount provided in this subsection lapses.

18 ~~((4) The department may seek federal funds to implement a driver's~~  
19 ~~license and identicard biometric matching system pilot program to~~  
20 ~~verify the identity of applicants for, and holders of, drivers'~~  
21 ~~licenses and identicards if applicants are provided the opportunity to~~  
22 ~~opt out of participating in the program, which meets the requirement of~~  
23 ~~RCW 46.20.037 that such a program be voluntary. If funds are received,~~  
24 ~~the department shall report any benefits or problems identified during~~  
25 ~~the course of the pilot program to the transportation committees of the~~  
26 ~~legislature upon the completion of the program.~~

27 ~~(5) \$1,938,000))~~ (3) \$4,299,000 of the highway safety account--  
28 federal appropriation is for federal funds that may be received during  
29 the 2011-2013 fiscal biennium. Upon receipt of the funds, the  
30 department shall provide a report on the use of the funds to the  
31 transportation committees of the legislature and the office of  
32 financial management.

33 ~~((6))~~ (4) By December 31, 2011, the department shall submit to  
34 the office of financial management and the transportation committees of  
35 the legislature draft legislation that rewrites the tow truck statutes  
36 (chapter 46.55 RCW) in plain language and is revenue and policy  
37 neutral.

1        ~~((+7))~~ (5) \$128,000 of the highway safety account--state  
2 appropriation is provided solely for the implementation of chapter ...  
3 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's  
4 license exams). If chapter ... (Engrossed Substitute House Bill No.  
5 1635), Laws of 2011 is not enacted by June 30, 2011, the amount  
6 provided in this subsection lapses.

7        ~~((+8))~~ (6) \$68,000 of the highway safety account--state  
8 appropriation is provided solely for the implementation of chapter ...  
9 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011  
10 (~~((driving under the influence))~~) (addressing DUI accountability). If  
11 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of  
12 2011 is not enacted by June 30, 2011, the amount provided in this  
13 subsection lapses.

14        ~~((+9))~~ (7) \$63,000 of the highway safety account--state  
15 appropriation is provided solely for the implementation of chapter ...  
16 (Substitute House Bill No. 1237), Laws of 2011 (selective service  
17 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011  
18 is not enacted by June 30, 2011, the amount provided in this subsection  
19 lapses.

20        ~~((+10))~~ (8) \$340,000 of the motor vehicle account--private/local  
21 appropriation is provided solely for the implementation of chapter ...  
22 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion  
23 reduction charge). If chapter ... (Engrossed Substitute Senate Bill  
24 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount  
25 provided in this subsection lapses.

26        ~~((+12))~~ (9) \$1,738,000 of the department of licensing services  
27 account--state appropriation is provided solely for purchasing  
28 equipment for field licensing service offices and subagent offices.

29        (10) \$2,500,000 of the highway safety account--state appropriation  
30 is provided solely for information technology field system  
31 modernization.

32        (11) \$963,000 of the highway safety account--state appropriation is  
33 provided solely for implementation of chapter 374, Laws of 2011  
34 (limousine carriers) and chapter 298, Laws of 2011 (master license  
35 service program).

36        (12) \$99,000 of the motor vehicle account--state appropriation is  
37 provided solely for the implementation of chapter . . . (Substitute  
38 House Bill No. 2299), Laws of 2012 (special license plates). If

1 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not  
2 enacted by June 30, 2012, the amount provided in this subsection  
3 lapses.

4 (13) \$174,000 of the highway safety account--state appropriation is  
5 provided solely for the implementation of chapter . . . (Substitute  
6 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If  
7 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not  
8 enacted by June 30, 2012, the amount provided in this subsection  
9 lapses. Additionally, the total appropriation in this section assumes  
10 the revenue generated by the fee established in Substitute Senate Bill  
11 No. 6075. Within the amounts provided in this subsection, the  
12 department must improve on the information that the department makes  
13 publicly available to victims of domestic violence and sexual assault  
14 on how to better protect their personal information, especially their  
15 residential addresses. Specifically, the department must provide a  
16 link to the secretary of state's address confidentiality program web  
17 site. The department also must provide information regarding a  
18 person's ability to provide a mailing address in addition to the  
19 person's residential address when registering a vehicle with the  
20 department.

21 (14) \$289,000 of the highway safety account--state appropriation is  
22 provided solely for the implementation of chapter . . . (Engrossed  
23 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition  
24 matching system). If chapter . . . (Engrossed Substitute Senate Bill  
25 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount  
26 provided in this subsection lapses.

27 (15) \$397,000 of the highway safety account--state appropriation is  
28 provided solely for the implementation of chapter . . . (Engrossed  
29 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic  
30 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.  
31 6284), Laws of 2012 is not enacted by June 30, 2012, the amount  
32 provided in this subsection lapses. Additionally, the total highway  
33 safety account--state appropriation in this section assumes the revenue  
34 generated by the policy changes in chapter . . . (Engrossed Substitute  
35 Senate Bill No. 6284), Laws of 2012.

36 (16) \$222,000 of the motor vehicle account--state appropriation and  
37 \$36,000 of the highway safety account--state appropriation are provided  
38 solely for the implementation of chapter . . . (Engrossed Substitute

1 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If  
2 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012  
3 is not enacted by June 30, 2012, the amount provided in this subsection  
4 lapses.

5 (17) \$274,000 of the motor vehicle account--state appropriation is  
6 provided solely for the implementation of chapter . . . (Engrossed  
7 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation  
8 revenue options). If chapter . . . (Engrossed Substitute Senate Bill  
9 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount  
10 provided in this subsection lapses.

11 (18) Within the amounts provided in this section, the department  
12 must develop a transition plan for moving to a paperless renewal notice  
13 for drivers' licenses and vehicle registrations. The plan must  
14 consider people that do not have access to the internet and must  
15 include an opportunity for people to opt-in to a paper renewal notice.  
16 Prior to the implementation of a paperless renewal system, the  
17 department must consult with the joint transportation committee.

18 (19) Within existing resources, the department shall develop a plan  
19 to transition to a ten-year license plate replacement cycle. At a  
20 minimum, the plan must include the following provisions: (a) A ten-  
21 year replacement cycle for license plates only on vehicles that are  
22 subject to annual vehicle registration renewal; (b) a requirement that  
23 new license plates and registration, including all fees and taxes due  
24 upon annual registration, are required when a vehicle changes  
25 ownership, except when a vehicle is sold to a vehicle dealer for  
26 resale, in which case they are due only when the dealer sells the  
27 vehicle; (c) an original issue license plate fee that is equal to the  
28 current license plate replacement fee; and (d) an estimate of the  
29 plan's costs to implement and revenues generated. The department shall  
30 submit the plan with draft legislation implementing the plan to the  
31 transportation committees of the legislature by December 31, 2012.

32 (20) Consistent with RCW 43.135.055 and 43.24.086, during the  
33 2011-2013 fiscal biennium, the legislature authorizes the department to  
34 adjust the business and vehicle fees for the for hire licensing program  
35 in amounts sufficient to recover the costs of administering the for  
36 hire licensing program.

37 (21) The legislature intends to establish a veteran designation for  
38 drivers' licenses and identicards issued under chapter 46.20 RCW, as

1 proposed under House Bill No. 2378, during the 2013 legislative  
2 session. The designation would serve to establish a person's service  
3 in the armed forces and be granted to a person who provides a United  
4 States department of defense discharge document, DD Form 214, that  
5 shows a discharge status of "honorable" or "general under honorable  
6 conditions." The department shall report to the transportation  
7 committees of the legislature by December 1, 2012, with a plan to  
8 implement the designation. The plan must include the most cost-  
9 effective options for implementation, a proposed fee amount to cover  
10 the costs of the designation, and any other recommendations on the  
11 implementation of the designation.

12 (22) \$59,000 of the motor vehicle account--state appropriation is  
13 provided solely for the implementation of chapter . . . (Substitute  
14 House Bill No. 2312), Laws of 2012 (military service award emblems).  
15 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not  
16 enacted by June 30, 2012, the amount provided in this subsection  
17 lapses.

18 (23) \$656,000 of the ignition interlock device revolving account--  
19 state appropriation is provided solely for the implementation of  
20 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012  
21 (DUI accountability). If chapter . . . (Second Substitute House Bill  
22 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount  
23 provided in this subsection lapses.

24 (24) \$134,000 of the highway safety account--state appropriation  
25 and \$134,000 of the motor vehicle account--state appropriation are  
26 provided solely for the implementation of chapter . . . (Engrossed  
27 Second Substitute House Bill No. 2373), Laws of 2012 (state  
28 recreational resources). If chapter . . . (Engrossed Second Substitute  
29 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the  
30 amount provided in this subsection lapses.

31 **Sec. 209.** 2011 c 367 s 209 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**  
34 **MAINTENANCE--PROGRAM B**

35 High Occupancy Toll Lanes Operations Account--State  
36 Appropriation . . . . . ((\$1,295,000))  
37 \$1,276,000

1	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$550,000</del> ))
2		<u>\$538,000</u>
3	Tacoma Narrows Toll Bridge Account--State	
4	Appropriation . . . . .	(( <del>\$23,429,000</del> ))
5		<u>\$23,365,000</u>
6	State Route Number 520 Corridor Account--State	
7	Appropriation . . . . .	\$27,295,000
8	State Route Number 520 Civil Penalties	
9	Account--State Appropriation . . . . .	(( <del>\$4,622,000</del> ))
10		<u>\$3,622,000</u>
11	TOTAL APPROPRIATION . . . . .	(( <del>\$57,191,000</del> ))
12		<u>\$56,096,000</u>

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

15       (1) The department shall make detailed quarterly expenditure  
16 reports available to the transportation commission and to the public on  
17 the department's web site using current department resources. The  
18 reports must include a summary of toll revenue by facility on all  
19 operating toll facilities and high occupancy toll lane systems, and an  
20 itemized depiction of the use of that revenue.

21       (2) ((~~\$4,622,000~~)) \$3,622,000 of the state route number 520 civil  
22 penalties account--state appropriation and \$1,458,000 of the Tacoma  
23 Narrows toll bridge account--state appropriation are provided solely  
24 for expenditures related to the toll adjudication process. All costs  
25 associated with the toll adjudication process are anticipated to be  
26 covered by revenue collected from the toll adjudication process. The  
27 department shall report quarterly on the civil penalty process to the  
28 office of financial management and the house of representatives and  
29 senate transportation committees beginning September 30, 2011. The  
30 reports must include a summary table for each toll facility that  
31 includes: The number of notices of civil penalty issued; the number of  
32 recipients who pay before the notice becomes a penalty; the number of  
33 recipients who request a hearing and the number who do not respond;  
34 workload costs related to hearings; the cost and effectiveness of debt  
35 collection activities; and revenues generated from notices of civil  
36 penalty.

37       (3) It is the intent of the legislature that transitioning to a  
38 statewide tolling operations center and preparing for all-electronic



1 tolling on certain toll facilities will have no adverse revenue or  
2 expenditure impact on the Tacoma Narrows toll bridge account. Any  
3 increased costs related to this transition shall not be allocated to  
4 the Tacoma Narrows toll bridge account. All costs associated with the  
5 toll adjudication process are anticipated to be covered by revenue  
6 collected from the toll adjudication process.

7 (4) The department shall ensure that, at no cost to the Tacoma  
8 Narrows toll bridge account, new electronic tolling tag readers are  
9 installed on the Tacoma Narrows bridge as soon as practicable that are  
10 able to read existing and new electronic tolling tags.

11 (5) \$17,786,000 of the state route number 520 corridor account--  
12 state appropriation is provided solely for nonvendor costs associated  
13 with tolling the state route number 520 bridge. Funds from the state  
14 route number 520 corridor account--state appropriation shall not be  
15 used to pay for items prohibited by Executive Order No. 1057, including  
16 subscriptions to technical publications, employee educational expenses,  
17 professional membership dues and fees, employee recognition and safety  
18 awards, meeting meals and light refreshments, commute trip reduction  
19 incentives, and employee travel.

20 **Sec. 210.** 2011 c 367 s 210 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**  
23 **C**

24	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$69,107,000</del> ))
25		<u>\$67,398,000</u>
26	Transportation Partnership Account--State	
27	Appropriation . . . . .	\$1,460,000
28	Multimodal Transportation Account--State	
29	Appropriation . . . . .	\$363,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation . . . . .	\$1,460,000
32	TOTAL APPROPRIATION . . . . .	(( <del>\$72,390,000</del> ))
33		<u>\$70,681,000</u>

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

36 (1) The department shall consult with the office of financial  
37 management and the department of (~~information~~) enterprise services

1 to: (a) Ensure that the department's current and future system  
2 development is consistent with the overall direction of other key state  
3 systems; and (b) when possible, use or develop common statewide  
4 information systems to encourage coordination and integration of  
5 information used by the department and other state agencies and to  
6 avoid duplication.

7 (2) \$1,460,000 of the transportation partnership account--state  
8 appropriation and \$1,460,000 of the transportation 2003 account (nickel  
9 account)--state appropriation are provided solely for maintaining the  
10 department's project management reporting system.

11 (3) \$210,000 of the motor vehicle account--state appropriation is  
12 provided solely for the department's compliance with its national  
13 pollution discharge elimination system permit.

14 ((+5)) (4) \$502,000 of the motor vehicle account--state  
15 appropriation is provided solely to provide support for the  
16 transportation executive information system.

17 **Sec. 211.** 2011 c 367 s 211 (uncodified) is amended to read as  
18 follows:

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

21 Motor Vehicle Account--State Appropriation . . . . . ((\$25,851,000))  
22 \$25,466,000

23 The appropriation in this section is subject to the following  
24 conditions and limitations:

25 (1) The department shall submit a predesign proposal for a new  
26 traffic management center to the office of financial management  
27 consistent with the process followed by nontransportation capital  
28 construction projects. The department shall not award a contract for  
29 construction of a new traffic management center until the predesign  
30 proposal has been submitted and the office of financial management has  
31 completed a budget evaluation study that indicates a new building is  
32 the recommended option for accommodating additional traffic management  
33 operations.

34 (2) \$850,000 of the motor vehicle account--state appropriation is  
35 provided solely for the department's compliance with its national  
36 pollution discharge elimination system permit.

1 **Sec. 212.** 2011 c 367 s 212 (uncodified) is amended to read as  
2 follows:

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

4	Aeronautics Account--State Appropriation . . . . .	(((\$6,066,000))
5		<u>\$6,002,000</u>
6	Aeronautics Account--Federal Appropriation . . . . .	\$2,150,000
7	TOTAL APPROPRIATION . . . . .	(((\$8,216,000))
8		<u>\$8,152,000</u>

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

11 (1) \$200,000 of the aeronautics account--state appropriation is a  
12 reappropriation provided solely to complete runway preservation  
13 projects.

14 (2) The department of transportation's aviation stakeholder forum  
15 shall submit a final report regarding the possible move of the aviation  
16 division from Arlington, Washington to Olympia, Washington by December  
17 31, 2012, to the legislature. The legislature shall consider the  
18 recommendations and make a final determination on the proposed move  
19 during the 2013 legislative session. Until that decision has been  
20 made, the aviation division must remain in its existing location.

21 **Sec. 213.** 2011 c 367 s 213 (uncodified) is amended to read as  
22 follows:

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

25	Motor Vehicle Account--State Appropriation . . . . .	(((\$47,418,000))
26		<u>\$45,796,000</u>
27	Motor Vehicle Account--Federal Appropriation . . . . .	\$500,000
28	Multimodal Transportation Account--State	
29	Appropriation . . . . .	\$250,000
30	TOTAL APPROPRIATION . . . . .	(((\$48,168,000))
31		<u>\$46,546,000</u>

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

34 ~~(1) ((The department shall provide updated information on six~~  
35 ~~project milestones for all active projects, funded in part or in whole~~  
36 ~~with 2005 transportation partnership account funds or 2003 nickel~~  
37 ~~account funds, on a quarterly basis in the transportation executive~~

1 ~~information system. The department shall also provide updated~~  
2 ~~information on six project milestones for projects funded with~~  
3 ~~preexisting funds and that are agreed to by the legislature, office of~~  
4 ~~financial management, and the department, on a quarterly basis.~~

5 ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation  
6 is provided solely for the department's compliance with its national  
7 pollution discharge elimination system permit.

8 ~~((3))~~ (2) It is the intent of the legislature that the real  
9 estate services division of the department will recover the cost of its  
10 efforts from future sale proceeds.

11 ~~((4))~~ (3) The legislature recognizes that the Dryden pit site  
12 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned  
13 real property under the jurisdiction of the department of  
14 transportation, and that the public would benefit significantly from  
15 the complete enjoyment of the natural scenic beauty and recreational  
16 opportunities available at the site. Therefore, pursuant to RCW  
17 47.12.080, the legislature declares that transferring the property to  
18 the department of fish and wildlife for recreational use and fish and  
19 wildlife restoration efforts is consistent with the public interest in  
20 order to preserve the area for the use of the public and the betterment  
21 of the natural environment. The department of transportation shall  
22 work with the department of fish and wildlife, and shall transfer and  
23 convey the Dryden pit site to the department of fish and wildlife as is  
24 for an adjusted fair market value reflecting site conditions, the  
25 proceeds of which must be deposited in the motor vehicle fund. The  
26 department of transportation is not responsible for any costs  
27 associated with the cleanup or transfer of this property. By July 1,  
28 2011, and annually thereafter until the entire Dryden pit property has  
29 been transferred, the department shall submit a status report regarding  
30 the transaction to the chairs of the legislative transportation  
31 committees.

32 (4) The legislature recognizes that the trail known as the Apple  
33 Capital Loop, and its extensions, serve to separate motor vehicle  
34 traffic from pedestrians and bicyclists, increasing motor vehicle  
35 safety on existing state route number 28. Consistent with chapter  
36 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that  
37 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537  
38 and 2-09-04569 to Douglas county and the city of East Wenatchee is

1 consistent with the public interest. The legislature directs the  
2 department to transfer the property to Douglas county and the city of  
3 East Wenatchee. The department must be paid fair market value for any  
4 portions of the transferred real property that is later abandoned,  
5 vacated, or ceases to be publicly maintained for trail purposes.  
6 Douglas county and the city of East Wenatchee must agree to accept  
7 responsibility for trail segments within their respective jurisdictions  
8 and sign an agreement with the state that the transfer of these parcels  
9 to their respective jurisdictions extinguishes any state obligations to  
10 improve, maintain, or be in any way responsible for these assets. The  
11 department shall report to the transportation committees of the  
12 legislature by June 30, 2013, and annually thereafter, on the status of  
13 the transfer until complete.

14 **Sec. 214.** 2011 c 367 s 214 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**  
17 **K**

18 Motor Vehicle Account--State Appropriation . . . . .	(\$622,000)
	<u>\$827,000</u>
20 Multimodal Transportation Account--State Appropriation . . . . .	\$110,000
21 TOTAL APPROPRIATION . . . . .	(\$732,000)
	<u>\$937,000</u>

22

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

25 (1)(a) \$225,000 of the motor vehicle account--state appropriation  
26 is provided solely to carry out work related to assessing the  
27 operational feasibility of a road user assessment, including  
28 technology, agency administration, multistate and federal standards,  
29 and other necessary elements. This work must be carried out under the  
30 guidance of the steering committee and in coordination with the  
31 transportation commission's policy assessment and public outreach  
32 planning authorized in section 205(4) of this act.

33 (b) If subsequent appropriations are provided, the department may  
34 conduct a limited scope pilot project to test the feasibility of a road  
35 user assessment system to be applied to electric vehicles. The pilot  
36 project must be carried out under the guidance of the steering

1 committee described under section 205(4) of this act and in  
2 coordination with the transportation commission.

3 (2) The department shall conduct a study on the potential to  
4 generate revenue from off-premise outdoor advertising signs that are  
5 erected or maintained adjacent and visible to the interstate system  
6 highways, primary system highways, or scenic system highways. The  
7 study must provide an evaluation of the market for outdoor advertising  
8 signs, including an evaluation of the number of potential advertisers  
9 and the amount charged by other jurisdictions for sign permits, and  
10 must provide a recommendation for a revised fee structure that  
11 recognizes the market value for off-premise signs and considers  
12 charging differential fees based on the size, type, and location of the  
13 sign.

14 (3) The public-private partnerships office must explore retail  
15 partnerships at state-owned park-and-ride facilities, as authorized in  
16 RCW 47.04.295, and if feasible, solicit proposals to implement a retail  
17 partnership pilot project at one park-and-ride facility by June 30,  
18 2013.

19 **Sec. 215.** 2011 c 367 s 215 (uncodified) is amended to read as  
20 follows:

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

22 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$380,327,000</del> ))
	<u>\$373,709,000</u>
24 Motor Vehicle Account--Federal Appropriation . . . . .	\$7,000,000
25 TOTAL APPROPRIATION . . . . .	(( <del>\$387,327,000</del> ))
	<u>\$380,709,000</u>

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

29 (1) The department shall request an unanticipated receipt for any  
30 federal moneys received for emergency snow and ice removal and shall  
31 place an equal amount of the motor vehicle account--state appropriation  
32 into unallotted status. This exchange shall not affect the amount of  
33 funding available for snow and ice removal.

34 (2) \$7,000,000 of the motor vehicle account--state appropriation is  
35 provided solely for third-party damages to the highway system where the  
36 responsible party is known and reimbursement is anticipated. The

1 department shall request additional appropriation authority for any  
2 funds received for reimbursements of third-party damages that are in  
3 excess of this appropriation.

4 (3) \$7,000,000 of the motor vehicle account--federal appropriation  
5 is for unanticipated federal funds that may be received during the  
6 2011-2013 fiscal biennium. Upon receipt of the funds, the department  
7 shall provide a report on the use of the funds to the transportation  
8 committees of the legislature and the office of financial management.

9 (4) The department may work with the department of corrections to  
10 utilize corrections crews for the purposes of litter pickup on state  
11 highways.

12 (5) \$4,530,000 of the motor vehicle account--state appropriation is  
13 provided solely for the department's compliance with its national  
14 pollution discharge elimination system permit.

15 (6) The department shall continue to report maintenance  
16 accountability process (MAP) targets and achievements on an annual  
17 basis. The department shall use available funding to target and  
18 deliver a minimum MAP grade of C for the activity of roadway striping.

19 (7) \$6,884,000 of the motor vehicle account--state appropriation is  
20 provided solely for the high priority maintenance backlog. Addressing  
21 the maintenance backlog must result in increased levels of service. If  
22 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011  
23 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the  
24 appropriation provided in this subsection lapses.

25 (8) (~~(\$317,000 of the motor vehicle account--state appropriation is~~  
26 ~~provided solely for maintaining a new active traffic management system~~  
27 ~~on Interstate 5, Interstate 90, and state route number 520.)) The~~  
28 department shall track the costs associated with ((these)) active  
29 traffic management systems on a corridor basis and report to the  
30 transportation committees of the legislature on the costs and benefits  
31 of the systems by December 1, ((2011)) 2012.

32 **Sec. 216.** 2011 c 367 s 216 (uncodified) is amended to read as  
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
35 **OPERATING**

36 Motor Vehicle Account--State Appropriation . . . . . ((\$50,166,000))  
37 \$48,818,000

1	Motor Vehicle Account--Federal Appropriation . . . . .	\$2,050,000
2	Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$127,000</del> ))
3		<u>\$250,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$52,343,000</del> ))
5		<u>\$51,118,000</u>

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

8 (1) \$6,000,000 of the motor vehicle account--state appropriation is  
9 provided solely for low-cost enhancements. Of this amount, \$10,000 of  
10 the motor vehicle account--state appropriation is provided solely for  
11 the department to install additional farm machinery signs to promote  
12 safety in agricultural areas along state highways. The department  
13 shall give priority to low-cost enhancement projects that improve  
14 safety or provide congestion relief. The department shall prioritize  
15 low-cost enhancement projects on a statewide rather than regional  
16 basis. By September 1st of each even-numbered year, the department  
17 shall provide a report to the legislature listing all low-cost  
18 enhancement projects prioritized on a statewide rather than regional  
19 basis completed in the prior year.

20 (2) \$145,000 of the motor vehicle account--state appropriation is  
21 provided solely for the department to continue a pilot tow truck  
22 incentive program and to expand the program to other areas of the  
23 state. The department may provide incentive payments to towing  
24 companies that meet clearance goals on accidents that involve heavy  
25 trucks.

26 (3) During the 2011-2013 fiscal biennium, the department shall  
27 implement a pilot program that expands private transportation  
28 providers' access to high occupancy vehicle lanes. Under the pilot  
29 program, when the department reserves a portion of a highway based on  
30 the number of passengers in a vehicle, the following vehicles must be  
31 authorized to use the reserved portion of the highway if the vehicle  
32 has the capacity to carry eight or more passengers, regardless of the  
33 number of passengers in the vehicle: (a) Auto transportation company  
34 vehicles regulated under chapter 81.68 RCW; (b) passenger charter  
35 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
36 unmarked stretch limousines and stretch sport utility vehicles as  
37 defined under department of licensing rules; (c) private nonprofit  
38 transportation provider vehicles regulated under chapter 81.66 RCW; and



1 (d) private employer transportation service vehicles. For purposes of  
2 this subsection, "private employer transportation service" means  
3 regularly scheduled, fixed-route transportation service that is offered  
4 by an employer for the benefit of its employees. By June 30, 2013, the  
5 department shall report to the transportation committees of the  
6 legislature on whether private transportation provider use of high  
7 occupancy vehicle lanes under the pilot program reduces the speeds of  
8 high occupancy vehicle lanes. Nothing in this subsection is intended  
9 to authorize the conversion of public infrastructure to private, for-  
10 profit purposes or to otherwise create an entitlement or other claim by  
11 private users to public infrastructure. If chapter ... (Substitute  
12 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this  
13 subsection is null and void.

14 (4) \$9,000,000 of the motor vehicle account--state appropriation is  
15 provided solely for the department's incident response program.

16 (5) The department, in consultation with the Washington state  
17 patrol, must continue a pilot program for the patrol to issue  
18 infractions based on information from automated traffic safety cameras  
19 in roadway construction zones on state highways. The department must  
20 report to the joint transportation committee by January 1, 2012, and  
21 January 1, 2013, on the status of this pilot program. For the purpose  
22 of this pilot program, during the 2011-2013 fiscal biennium, a roadway  
23 construction zone includes areas where public employees or private  
24 contractors may be present or where a driving condition exists that  
25 would make it unsafe to drive at higher speeds, such as, when the  
26 department is redirecting or realigning lanes on any public roadway  
27 pursuant to ongoing construction. The department shall use the  
28 following guidelines to administer the program:

29 (a) Automated traffic safety cameras may only take pictures of the  
30 vehicle and vehicle license plate and only while an infraction is  
31 occurring. The picture must not reveal the face of the driver or of  
32 passengers in the vehicle;

33 (b) The department shall plainly mark the locations where the  
34 automated traffic safety cameras are used by placing signs on locations  
35 that clearly indicate to a driver that he or she is entering a roadway  
36 construction zone where traffic laws are enforced by an automated  
37 traffic safety camera;

1 (c) Notices of infractions must be mailed to the registered owner  
2 of a vehicle within fourteen days of the infraction occurring;

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

9 (e) For purposes of the 2011-2013 fiscal biennium pilot program,  
10 infractions detected through the use of automated traffic safety  
11 cameras are not part of the registered owner's driving record under RCW  
12 46.52.101 and 46.52.120. Additionally, infractions generated by the  
13 use of automated traffic safety cameras must be processed in the same  
14 manner as parking infractions for the purposes of RCW 3.50.100,  
15 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the  
16 fine issued under this subsection (5) for an infraction generated  
17 through the use of an automated traffic safety camera is one hundred  
18 thirty-seven dollars. The court shall remit thirty-two dollars of the  
19 fine to the state treasurer for deposit into the state patrol highway  
20 account; and

21 (f) If a notice of infraction is sent to the registered owner and  
22 the registered owner is a rental car business, the infraction must be  
23 dismissed against the business if it mails to the patrol, within  
24 fourteen days of receiving the notice, a declaration under penalty of  
25 perjury of the name and known mailing address of the individual driving  
26 or renting the vehicle when the infraction occurred. If the business  
27 is unable to determine who was driving or renting the vehicle at the  
28 time the infraction occurred, the business must sign a declaration  
29 under penalty of perjury to this effect. The declaration must be  
30 mailed to the patrol within fourteen days of receiving the notice of  
31 traffic infraction. Timely mailing of this declaration to the issuing  
32 agency relieves a rental car business of any liability under this  
33 section for the notice of infraction. A declaration form suitable for  
34 this purpose must be included with each automated traffic infraction  
35 notice issued, along with instructions for its completion and use.

36 (6) The department shall track the costs associated with active  
37 traffic management systems on a corridor basis and report to the

1 transportation committees of the legislature on the cost and benefits  
2 of the systems by December 1, 2011.

3 (7) State university research and extension centers serve as  
4 important research hubs for university graduate students and, as such,  
5 there is a safety concern with any centers being located on a state  
6 highway. Therefore, consistent with RCW 46.61.415, and upon request of  
7 a county with a state university research and extension center located  
8 on a state highway within its respective jurisdiction, the secretary of  
9 transportation shall approve a reduction of the maximum speed limit on  
10 the state highway in the vicinity of the center. The speed on the  
11 state highway may be less than the maximum speed permitted under RCW  
12 46.61.400(2).

13 **Sec. 217.** 2011 c 367 s 217 (uncodified) is amended to read as  
14 follows:

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

17	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$28,430,000</del> ))
18		<u>\$27,389,000</u>
19	Motor Vehicle Account--Federal Appropriation . . . . .	\$30,000
20	Multimodal Transportation Account--State	
21	Appropriation . . . . .	\$973,000
22	TOTAL APPROPRIATION . . . . .	(( <del>\$29,433,000</del> ))
23		<u>\$28,392,000</u>

24 The appropriations in this section are subject to the following  
25 conditions and limitations: The department shall utilize existing  
26 resources and customer service staff to develop and implement new  
27 policies and procedures to ensure compliance with new federal passenger  
28 vessel Americans with disabilities act requirements.

29 **Sec. 218.** 2011 c 367 s 218 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**  
32 **AND RESEARCH--PROGRAM T**

33	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$23,394,000</del> ))
34		<u>\$22,304,000</u>
35	Motor Vehicle Account--Federal Appropriation . . . . .	\$21,885,000
36	Multimodal Transportation Account--State	

1	Appropriation . . . . .	\$662,000
2	Multimodal Transportation Account--Federal	
3	Appropriation . . . . .	\$3,559,000
4	Multimodal Transportation Account--Private/Local	
5	Appropriation . . . . .	\$100,000
6	TOTAL APPROPRIATION . . . . .	<del>(\$49,600,000)</del>
7		<u>\$48,510,000</u>

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

10 (1) \$70,000 of the motor vehicle account--state appropriation is a  
11 reappropriation provided solely for a corridor study of state route  
12 number 516 from the eastern border of Maple Valley to state route  
13 number 167 to determine whether improvements are needed and the costs  
14 of any needed improvements.

15 (2) \$200,000 of the motor vehicle account--state appropriation is  
16 provided solely for extending the freight database pilot project that  
17 began in 2009. Global positioning system (GPS) data is intended to  
18 help guide freight investment decisions and track highway project  
19 effectiveness as it relates to freight traffic.

20 (3) Within available resources, the department must collaborate  
21 with the affected metropolitan planning organizations, regional  
22 transportation planning organizations, transit agencies, and private  
23 transportation providers to develop a plan to reduce vehicle demand,  
24 increase public transportation options, and reduce vehicle miles  
25 traveled on corridors affected by growth at Joint Base Lewis-McChord.

26 (4) As part of their ongoing regional transportation planning, the  
27 regional transportation planning organizations across the state shall  
28 work together to provide a comprehensive framework for sources and uses  
29 of next-stage investments in transportation needed to improve  
30 structural conditions and ongoing operations and lay the groundwork for  
31 the transportation systems to support the long-term economic vitality  
32 of the state. This planning must include all forms of transportation  
33 to reflect the state's interests, including: Highways, streets, and  
34 roads; ferries; public transportation; systems for freight; and walking  
35 and biking systems. The department shall support this planning by  
36 providing information on potential state transportation uses and an  
37 analysis of potential sources of revenue to implement investments. In  
38 carrying out this planning, regional transportation planning

1 organizations must be broadly inclusive of business, civic, labor,  
2 governmental, and environmental interests in regional communities  
3 across the state.

4 (5) \$190,000 of the motor vehicle account--state appropriation is  
5 provided solely for the regional transportation planning organizations  
6 across the state to implement the comprehensive transportation planning  
7 and data framework. The framework must provide regional transportation  
8 planning organizations with the ability to identify the spatial and  
9 temporal status of current and future high priority projects, and the  
10 next stage investment necessary to implement those projects. The  
11 framework must be accessible to the public and provide transparency and  
12 accountability to the regional transportation planning process.

13 (6) Within existing resources, the department shall work with the  
14 department of archaeology and historic preservation to develop a  
15 statewide policy regarding the curation of artifacts and the use of  
16 museums and information centers as potential mitigation under the  
17 national environmental policy act. This policy must address the  
18 following issues: How to minimize costs associated with information  
19 centers and museums; when to use existing facilities to preserve and  
20 display artifacts; how to minimize the time that stand-alone facilities  
21 are needed; and how to transfer artifacts and other items to facilities  
22 that are not owned or rented by the department. A report regarding  
23 this policy must be submitted to the joint transportation committee by  
24 September 1, 2012.

25 **Sec. 219.** 2011 c 367 s 219 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**  
28 **PROGRAM U**

29	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$85,209,000</del> ))
30		<u>\$74,734,000</u>
31	Motor Vehicle Account--Federal Appropriation . . . . .	\$400,000
32	Multimodal Transportation Account--State	
33	Appropriation . . . . .	(( <del>\$3,320,000</del> ))
34		<u>\$1,798,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$88,929,000</del> ))
36		<u>\$76,932,000</u>

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

3 (1) The (~~office of financial management~~) department of enterprise  
4 services must provide a detailed accounting of the revenues and  
5 expenditures of the self-insurance fund to the transportation  
6 committees of the legislature on December 31st and June 30th of each  
7 year.

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

10 (~~(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT~~  
11 ~~DIVISION OF RISK MANAGEMENT FEES . . . . .~~ \$1,639,000

12 ~~(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE~~  
13 ~~STATE AUDITOR . . . . .~~ \$937,000

14 ~~(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~  
15 ~~GENERAL ADMINISTRATION . . . . .~~ \$6,060,000

16 ~~(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~  
17 ~~PERSONNEL . . . . .~~ \$6,347,000

18 ~~(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY~~  
19 ~~PREMIUMS AND ADMINISTRATION . . . . .~~ \$44,418,000

20 ~~(f) FOR ARCHIVES AND RECORDS MANAGEMENT . . . . .~~ \$623,000

21 ~~(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS~~  
22 ~~ENTERPRISES . . . . .~~ \$1,008,000

23 ~~(h) FOR USE OF FINANCIAL AND REPORTING SYSTEMS~~  
24 ~~PROVIDED BY THE OFFICE OF FINANCIAL MANAGEMENT . . . . .~~ \$1,143,000

25 ~~(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE~~  
26 ~~DEPARTMENT OF INFORMATION SERVICES . . . . .~~ \$1,980,000

27 ~~(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~  
28 ~~GENERAL'S OFFICE . . . . .~~ \$8,526,000

29 ~~(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~  
30 ~~GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT~~  
31 ~~LITIGATION . . . . .~~ \$672,000))

32 (a) TO THE SECRETARY OF STATE--ARCHIVES AND  
33 RECORDS MANAGEMENT . . . . . \$512,000

34 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR  
35 SERVICES . . . . . \$488,000

36 (c) TO THE OFFICE OF THE ATTORNEY  
37 GENERAL--ATTORNEY GENERAL SERVICES . . . . . \$7,127,000

38 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR

1	<u>RELATIONS SERVICES . . . . .</u>	<u>\$266,000</u>
2	<u>(e) TO THE OFFICE OF FINANCIAL</u>	
3	<u>MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER . . . . .</u>	<u>\$473,000</u>
4	<u>(f) TO THE OFFICE OF MINORITY AND WOMEN'S</u>	
5	<u>BUSINESS ENTERPRISES . . . . .</u>	<u>\$840,000</u>
6	<u>(g) TO CONSOLIDATED TECHNICAL SERVICES . . . . .</u>	<u>\$182,000</u>
7	<u>(h) TO THE DEPARTMENT OF ENTERPRISE</u>	
8	<u>SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM . . . . .</u>	<u>\$3,495,000</u>
9	<u>(i) TO THE DEPARTMENT OF ENTERPRISE</u>	
10	<u>SERVICES--PRODUCTION SUPPORT . . . . .</u>	<u>\$974,000</u>
11	<u>(j) TO THE DEPARTMENT OF ENTERPRISE</u>	
12	<u>SERVICES--REAL ESTATE SERVICES . . . . .</u>	<u>\$108,000</u>
13	<u>(k) TO THE DEPARTMENT OF ENTERPRISE</u>	
14	<u>SERVICES--PUBLICATIONS AND HISTORICAL SERVICES . . . . .</u>	<u>\$691,000</u>
15	<u>(l) TO THE DEPARTMENT OF ENTERPRISE</u>	
16	<u>SERVICES--CAMPUS RENT . . . . .</u>	<u>\$3,293,000</u>
17	<u>(m) TO THE DEPARTMENT OF ENTERPRISE</u>	
18	<u>SERVICES--CAPITAL PROJECT SURCHARGE . . . . .</u>	<u>\$879,000</u>
19	<u>(n) TO THE DEPARTMENT OF ENTERPRISE</u>	
20	<u>SERVICES--PERSONAL SERVICE CONTRACTS . . . . .</u>	<u>\$100,000</u>
21	<u>(o) TO THE DEPARTMENT OF ENTERPRISE</u>	
22	<u>SERVICES--SECURE FILE TRANSFER SERVICES . . . . .</u>	<u>\$39,000</u>
23	<u>(p) TO THE DEPARTMENT OF ENTERPRISE</u>	
24	<u>SERVICES--ACCESS SERVICES . . . . .</u>	<u>\$179,000</u>
25	<u>(q) TO THE DEPARTMENT OF ENTERPRISE</u>	
26	<u>SERVICES--RISK MANAGEMENT SERVICES . . . . .</u>	<u>\$1,290,000</u>
27	<u>(r) TO THE DEPARTMENT OF ENTERPRISE</u>	
28	<u>SERVICES--INFORMATION TECHNOLOGY SERVICES . . . . .</u>	<u>\$1,557,000</u>

29       **Sec. 220.** 2011 c 367 s 220 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**  
32 **V**

33	<u>Motor Vehicle Account--Federal Appropriation . . . . .</u>	<u>\$160,000</u>
34	State Vehicle Parking Account--State Appropriation . . . . .	\$452,000
35	Regional Mobility Grant Program Account--State	
36	Appropriation . . . . .	\$48,942,000
37	Multimodal Transportation Account--State	

1	Appropriation . . . . .	(( <del>\$41,706,000</del> ))
2		<u>\$42,939,000</u>
3	Multimodal Transportation Account--Federal	
4	Appropriation . . . . .	\$2,582,000
5	Multimodal Transportation Account--Private/Local	
6	Appropriation . . . . .	\$1,027,000
7	Rural Mobility Grant Program Account--State	
8	Appropriation . . . . .	\$17,000,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$111,709,000</del> ))
10		<u>\$113,102,000</u>

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

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

17 (a) \$5,500,000 of the (~~amount provided in this subsection~~)  
18 multimodal transportation account--state appropriation is provided  
19 solely for grants to nonprofit providers of special needs  
20 transportation. Grants for nonprofit providers must be based on need,  
21 including the availability of other providers of service in the area,  
22 efforts to coordinate trips among providers and riders, and the cost  
23 effectiveness of trips provided.

24 (b) \$19,500,000 of the (~~amount provided in this subsection~~)  
25 multimodal transportation account--state appropriation is provided  
26 solely for grants to transit agencies to transport persons with special  
27 transportation needs. To receive a grant, the transit agency must have  
28 a maintenance of effort for special needs transportation that is no  
29 less than the previous year's maintenance of effort for special needs  
30 transportation. Grants for transit agencies must be prorated based on  
31 the amount expended for demand response service and route deviated  
32 service in calendar year 2009 as reported in the "Summary of Public  
33 Transportation - 2009" published by the department of transportation.  
34 No transit agency may receive more than thirty percent of these  
35 distributions.

36 (2) Funds are provided for the rural mobility grant program as  
37 follows:



1 (a) \$8,500,000 of the rural mobility grant program account--state  
2 appropriation is provided solely for grants for those transit systems  
3 serving small cities and rural areas as identified in the "Summary of  
4 Public Transportation - 2009" published by the department of  
5 transportation. Noncompetitive grants must be distributed to the  
6 transit systems serving small cities and rural areas in a manner  
7 similar to past disparity equalization programs. If the funding  
8 provided in this subsection (2)(a) exceeds the amount required for  
9 recipient counties to reach eighty percent of the average per capita  
10 sales tax, funds in excess of that amount may be used for the  
11 competitive grant process established in (b) of this subsection.

12 (b) \$8,500,000 of the rural mobility grant program account--state  
13 appropriation is provided solely to providers of rural mobility service  
14 in areas not served or underserved by transit agencies through a  
15 competitive grant process.

16 (3)(a) \$6,000,000 of the multimodal transportation account--state  
17 appropriation is provided solely for a vanpool grant program for: (a)  
18 Public transit agencies to add vanpools or replace vans; and (b)  
19 incentives for employers to increase employee vanpool use. The grant  
20 program for public transit agencies will cover capital costs only;  
21 operating costs for public transit agencies are not eligible for  
22 funding under this grant program. Additional employees may not be  
23 hired from the funds provided in this section for the vanpool grant  
24 program, and supplanting of transit funds currently funding vanpools is  
25 not allowed. The department shall encourage grant applicants and  
26 recipients to leverage funds other than state funds.

27 (b) At least \$1,600,000 of the amount provided in this subsection  
28 must be used for vanpool grants in congested corridors.

29 (c) \$520,000 of the amount provided in this subsection is provided  
30 solely for the purchase of additional vans for use by vanpools serving  
31 soldiers and civilian employees at Joint Base Lewis-McChord.

32 (4) \$8,942,000 of the regional mobility grant program account--  
33 state appropriation is reappropriated and provided solely for the  
34 regional mobility grant projects identified in LEAP Transportation  
35 Document ((~~2007-B, as developed April 20, 2007, or LEAP Transportation~~  
36 ~~Document 2009-B, as developed April 24, 2009~~)) 2012-1 ALL PROJECTS -  
37 Public Transportation - Program (V) as developed March 8, 2012. The  
38 department shall continue to review all projects receiving grant awards

1 under this program at least semiannually to determine whether the  
2 projects are making satisfactory progress. The department shall  
3 promptly close out grants when projects have been completed, and any  
4 remaining funds must be used only to fund projects identified in((+))  
5 the LEAP Transportation Document ((2007-B, as developed April 20, 2007;  
6 LEAP Transportation Document 2009-B, as developed April 24, 2009; or  
7 LEAP Transportation Document 2011-B, as developed April 19, 2011))  
8 referenced in this subsection. It is the intent of the legislature to  
9 appropriate funds through the regional mobility grant program only for  
10 projects that will be completed on schedule and that all funds in the  
11 regional mobility grant program be used as soon as practicable to  
12 advance eligible projects.

13 (5)(a) \$40,000,000 of the regional mobility grant program account--  
14 state appropriation is provided solely for the regional mobility grant  
15 projects identified in LEAP Transportation Document ((2011-B, as  
16 developed April 19, 2011)) 2012-1 ALL PROJECTS - Public Transportation  
17 - Program (V) as developed March 8, 2012. The department shall review  
18 all projects receiving grant awards under this program at least  
19 semiannually to determine whether the projects are making satisfactory  
20 progress. Any project that has been awarded funds, but does not report  
21 activity on the project within one year of the grant award, must be  
22 reviewed by the department to determine whether the grant should be  
23 terminated. The department shall promptly close out grants when  
24 projects have been completed, and any remaining funds must be used only  
25 to fund projects identified in the LEAP Transportation Document ((2011-  
26 B, as developed April 19, 2011)) referenced in this subsection. The  
27 department shall provide annual status reports on December 15, 2011,  
28 and December 15, 2012, to the office of financial management and the  
29 transportation committees of the legislature regarding the projects  
30 receiving the grants. It is the intent of the legislature to  
31 appropriate funds through the regional mobility grant program only for  
32 projects that will be completed on schedule.

33 (b) In order to be eligible to receive a grant under (a) of this  
34 subsection during the 2011-2013 fiscal biennium, a transit agency must  
35 establish a process for private transportation providers to apply for  
36 the use of park and ride facilities. For purposes of this subsection,  
37 (i) "private transportation provider" means: An auto transportation  
38 company regulated under chapter 81.68 RCW; a passenger charter carrier

1 regulated under chapter 81.70 RCW, except marked or unmarked stretch  
2 limousines and stretch sport utility vehicles as defined under  
3 department of licensing rules; a private nonprofit transportation  
4 provider regulated under chapter 81.66 RCW; or a private employer  
5 transportation service provider; and (ii) "private employer  
6 transportation service" means regularly scheduled, fixed-route  
7 transportation service that is offered by an employer for the benefit  
8 of its employees.

9 (6) \$2,309,000 of the multimodal transportation account--state  
10 appropriation is provided solely for the tri-county connection service  
11 for Island, Skagit, and Whatcom transit agencies.

12 (7) \$200,000 of the multimodal transportation account--state  
13 appropriation is contingent on the timely development of an annual  
14 report summarizing the status of public transportation systems as  
15 identified under RCW 35.58.2796.

16 (8) Funds provided for the commute trip reduction program may also  
17 be used for the growth and transportation efficiency center program.

18 (9) An affected urban growth area that has not previously  
19 implemented a commute trip reduction program is exempt from the  
20 requirements in RCW 70.94.527 if a solution to address the state  
21 highway deficiency that exceeds the person hours of delay threshold has  
22 been funded and is in progress during the 2011-2013 fiscal biennium.

23 (10) \$300,000 of the multimodal transportation account--state  
24 appropriation is provided solely for the continuation of state support  
25 for the Whatcom smart trips commute trip reduction program.

26 (11) \$818,000 of the multimodal transportation account--state  
27 appropriation is provided solely for state support of the Everett  
28 connector bus service.

29 (12) The department shall contact all transit agencies with a  
30 nonvoting member recommended by a labor organization and request  
31 information regarding the participation of board members, both voting  
32 and nonvoting, for all transit agency meetings in 2012 and the three  
33 previous calendar years. The department shall provide a report to the  
34 transportation committees of the legislature regarding the findings of  
35 this survey, which must include the transit agencies, if any, that  
36 refuse to respond either in whole or in part, by January 15, 2013.

37 (13) \$250,000 of the multimodal transportation account--state  
38 appropriation is provided solely for the Clark county public

1 transportation benefit area to comply with the requirements of RCW  
2 81.104.110 regarding the formation of an expert review panel to provide  
3 an independent technical review of any plan that relies on any voter-  
4 approved local funding options.

5 (14) \$100,000 of the multimodal transportation account--state  
6 appropriation is provided solely for community transit to conduct a  
7 federally mandated alternatives analysis study to allow a second swift  
8 line to be funded through the federal transit administration's new  
9 starts or small starts process.

10 (15) \$160,000 of the motor vehicle account--federal appropriation  
11 is provided solely for King county metro to study demand potential for  
12 a state route number 18 and Interstate 90 park-and-ride location, to  
13 size the facilities appropriately, to perform site analysis, and to  
14 develop preliminary design concepts.

15 **Sec. 221.** 2011 c 367 s 221 (uncodified) is amended to read as  
16 follows:

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

18 Puget Sound Ferry Operations Account--State  
19 Appropriation . . . . . ((\$467,773,000))  
20 \$468,135,000

21 The appropriation in this section is subject to the following  
22 conditions and limitations:

23 (1) The office of financial management budget instructions require  
24 agencies to recast enacted budgets into activities. The Washington  
25 state ferries shall include a greater level of detail in its 2011-2013  
26 supplemental and 2013-2015 omnibus transportation appropriations act  
27 requests, as determined jointly by the office of financial management,  
28 the Washington state ferries, and the transportation committees of the  
29 legislature. This level of detail must include the administrative  
30 functions in the operating as well as capital programs.

31 (2) When purchasing uniforms that are required by collective  
32 bargaining agreements, the department shall contract with the lowest  
33 cost provider.

34 ~~((+5))~~ (3) Until a reservation system is operational on the San  
35 Juan islands inner-island route, the department shall provide the same  
36 priority loading benefits on the San Juan islands inner-island route to

1 home health care workers as are currently provided to patients  
2 traveling for purposes of receiving medical treatment.

3 ~~((+6+))~~ (4) The department shall request from the United States  
4 coast guard variable minimum staffing levels on all of its vessels by  
5 December 31, 2011.

6 ~~((+10+))~~ (5) The department shall continue to provide service to  
7 Sidney, British Columbia and shall explore the option of purchasing a  
8 foreign built vehicle and passenger ferry vessel either with safety of  
9 life at sea (SOLAS) certification or the ability to be retrofitted for  
10 SOLAS certification to operate solely on the Anacortes to Sidney,  
11 British Columbia route currently served by vessels of the Washington  
12 state ferries fleet. The vessel should have the capability of carrying  
13 at least one hundred standard vehicles and approximately four hundred  
14 to five hundred passengers. Further, the department shall explore the  
15 possibilities of contracting a commercial company to operate the vessel  
16 exclusively on this route so long as the contractor's employees  
17 assigned to the vessel are represented by the same employee  
18 organizations as the Washington state ferries. The department shall  
19 report back to the transportation committees of the legislature  
20 regarding: The availability of a vessel; the cost of the vessel,  
21 including transport to the Puget Sound region; and the need for any  
22 statutory changes for the operation of the Sydney, British Columbia  
23 service by a private company.

24 ~~((+11+))~~ (6) For the 2011-2013 fiscal biennium, the department of  
25 transportation may enter into a distributor controlled fuel hedging  
26 program and other methods of hedging approved by the fuel hedging  
27 committee.

28 ~~((+12) The department shall target service reductions totaling~~  
29 ~~\$4,000,000, such that the shortening of shoulder seasons and~~  
30 ~~eliminations of off peak runs on all routes are considered. Prior to~~  
31 ~~implementing the reductions, the department shall consult with ferry~~  
32 ~~employees and ferry advisory committees to determine which reductions~~  
33 ~~would impact the fewest number of riders. The reductions must be~~  
34 ~~identified and implementation must begin no later than the fall 2011~~  
35 ~~schedule.~~

36 ~~(+13) \$135,248,000))~~ (7) \$136,648,000 of the Puget Sound ferry  
37 operations account--state appropriation is provided solely for auto

1 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The  
2 amount provided in this appropriation represents the fuel budget for  
3 the purposes of calculating any ferry fare fuel surcharge.

4 ~~((+14))~~ (8) \$150,000 of the Puget Sound ferry operations account--  
5 state appropriation is provided solely for the department to increase  
6 recreation and tourist ridership by entering into agreements for  
7 marketing and outreach strategies with local economic development  
8 agencies. The department shall identify the number of tourist and  
9 recreation riders on the applicable ferry routes both before and after  
10 implementation of marketing and outreach strategies developed through  
11 the agreements. The department shall report results of the marketing  
12 and outreach strategies to the transportation committees of the  
13 legislature by October 15, 2012.

14 ~~((+15))~~ (9) The Washington state ferries shall participate in the  
15 facilities plan included in section 604 of this act and shall include  
16 an investigation and identification of less costly relocation options  
17 for the Seattle headquarters office. The department shall include  
18 relocation options for the Washington state ferries Seattle  
19 headquarters office in the facilities plan. Until September 1, 2012,  
20 the department may not enter into a lease renewal for the Seattle  
21 headquarters office.

22 ~~((+16))~~ (10) The department, office of financial management, and  
23 transportation committees of the legislature shall make recommendations  
24 regarding an appropriate budget structure for the Washington state  
25 ferries. The recommendation may include a potential restructuring of  
26 the Washington state ferries budget. The recommendation must  
27 facilitate transparency in reporting and budgeting as well as provide  
28 the opportunity to link revenue sources with expenditures. Findings  
29 and recommendations must be reported to the office of financial  
30 management and the joint transportation committee by September 1, 2011.

31 ~~((+17))~~ (11) Two Kwa-di-tabil class ferry vessels must be placed  
32 on the Port Townsend/Coupeville (Keystone) route to provide service at  
33 the same levels provided when the steel electric vessels were in  
34 service. After the vessels as funded under section 308~~((+7))~~ (5) of  
35 this act are in service, the two most appropriate of these vessels for  
36 the Port Townsend/Coupeville (Keystone) route must be placed on the  
37 route. \$100,000 of the Puget Sound ferry operations account--state

1 appropriation is provided solely for the additional staffing required  
2 to maintain a reservation system at this route when the second vessel  
3 is in service.

4 ~~((+19))~~ (12) \$706,000 of the Puget Sound ferry operations  
5 account--state appropriation is provided solely for terminal operations  
6 to implement new federal passenger vessel Americans with disabilities  
7 act requirements.

8 ~~((+20))~~ (13) \$152,000 of the Puget Sound ferry operations  
9 account--state appropriation is provided solely for the department's  
10 compliance with its national pollution discharge elimination system  
11 permit.

12 ~~((+21) If chapter ... (Substitute House Bill No. 2053), Laws of  
13 2011 (additive transportation funding) is not enacted by June 30, 2011,  
14 the \$4,000,000 in service reductions identified in subsection (12) of  
15 this section must be restored and an identical amount must be reduced  
16 from the amount provided for the second 144-car vessel identified in  
17 section 308(8) of this act.))~~

18 **Sec. 222.** 2011 c 367 s 222 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

21 Multimodal Transportation Account--State	
22 Appropriation . . . . .	(((\$29,688,000))
23	<u>\$33,642,000</u>
24 Multimodal Transportation Account--Federal	
25 Appropriation . . . . .	(((\$300,000))
26	<u>\$400,000</u>
27 TOTAL APPROPRIATION . . . . .	(((\$29,988,000))
28	<u>\$34,042,000</u>

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

31 (1) ~~(((\$24,091,000))~~ \$27,816,000 of the multimodal transportation  
32 account--state appropriation is provided solely for the Amtrak service  
33 contract and Talgo maintenance contract associated with providing and  
34 maintaining state-supported passenger rail service. The department is  
35 directed to continue to pursue efforts to reduce costs, increase  
36 ridership, and review fares or fare schedules. Within thirty days of  
37 each annual cost/revenue reconciliation under the Amtrak service

1 contract, the department shall report annual credits to the office of  
2 financial management and the legislative transportation committees.  
3 Annual credits from Amtrak to the department including, but not limited  
4 to, credits for increased revenue due to higher ridership, and fare or  
5 fare schedule adjustments, must be used to offset corresponding amounts  
6 of the multimodal transportation account--state appropriation, which  
7 must be placed in reserve. Upon completion of the rail platform  
8 project in the city of Stanwood, the department shall continue to  
9 provide daily Amtrak Cascades service to the city.

10 (2) Amtrak Cascade runs may not be eliminated.

11 (3) The department shall plan for a third roundtrip Cascades train  
12 between Seattle and Vancouver, B.C.

13 (4) The department shall conduct a pilot program by partnering with  
14 the travel industry on the Amtrak Cascades service between Vancouver,  
15 British Columbia, and Seattle to test opportunities for increasing  
16 ridership, maximizing farebox recovery, and stimulating private  
17 investment. The pilot program must run from July 1, 2011, to June 30,  
18 2012. The department shall report on the results of the pilot program  
19 to the office of financial management and the legislature by September  
20 30, 2012.

21 (5) \$300,000 of the multimodal transportation account--state  
22 appropriation is provided solely for the department to conduct a study  
23 to examine the interconnectivity benefits of, and potential for, a  
24 future Amtrak Cascades stop in the vicinity of the city of Auburn. As  
25 part of its consideration, the department shall conduct a thorough  
26 market analysis of the potential for adding or changing stops on the  
27 Amtrak Cascades route.

28 **Sec. 223.** 2011 c 367 s 223 (uncodified) is amended to read as  
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
31 **OPERATING**

32 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$8,853,000</del> ))
	<u>\$8,518,000</u>
34 Motor Vehicle Account--Federal Appropriation . . . . .	\$2,567,000
35 TOTAL APPROPRIATION . . . . .	(( <del>\$11,420,000</del> ))
	<u>\$11,085,000</u>



1 The appropriations in this section are subject to the following  
2 conditions and limitations: The department shall submit a report to  
3 the transportation committees of the legislature by December 1, 2011,  
4 on the implementation of the recommendations that resulted from the  
5 evaluation of efficiencies in the delivery of transportation funding  
6 and services to local governments that was required under section  
7 204(8), chapter 247, Laws of 2010. The report must include a  
8 description of how recommendations were implemented, what efficiencies  
9 were achieved, and an explanation of any recommendations that were not  
10 implemented.

11 **TRANSPORTATION AGENCIES--CAPITAL**

12 **Sec. 301.** 2011 c 367 s 301 (uncodified) is amended to read as  
13 follows:

14 **FOR THE WASHINGTON STATE PATROL**

15 State Patrol Highway Account--State Appropriation . . . (~~(\$6,487,000)~~)  
16 \$6,681,000

17 The appropriation in this section is subject to the following  
18 conditions and limitations:

19 (1) (~~(\$653,000)~~) \$1,357,000 of the state patrol highway account--  
20 state appropriation is provided solely for the following minor works  
21 projects: \$200,000 for emergency infrastructure repairs; \$75,000 for  
22 water and sewer upgrades; \$210,000 for emergency backup system  
23 replacement; \$85,000 for chiller replacement; (~~and~~) \$83,000 for roof  
24 replacements; \$128,000 for septic system repairs; and \$576,000 for HVAC  
25 replacement and energy upgrades.

26 (2) (~~(\$3,226,000)~~) \$4,903,000 of the state patrol highway account--  
27 state appropriation is provided solely for the Shelton academy of the  
28 Washington state patrol for the new waste water treatment lines, waste  
29 water plants, water lines, and water systems. (~~However, \$2,129,000 of~~  
30 ~~this amount is contingent on the department of corrections receiving~~  
31 ~~funding for its portion of the regional water project in the 2011-2013~~  
32 ~~omnibus capital appropriations act. If this funding is not provided by~~  
33 ~~June 30, 2011, \$2,129,000 of the appropriation provided in this~~  
34 ~~subsection lapses.)) Of the amount provided in this subsection,  
35 \$1,758,000 is for the Washington state patrol's portion of the costs~~

1 associated with constructing a water line to the Shelton academy and  
2 \$2,047,000 is for the department of corrections' portion to construct  
3 the water line as far as the Washington state patrol's Shelton academy.  
4 If funding is provided in the 2012 supplemental omnibus capital  
5 appropriations act for any portion of the project to construct a water  
6 line to the Washington state patrol's Shelton academy, that portion of  
7 the funds included in this subsection lapses.

8 (3) \$421,000 of the state patrol highway account--state  
9 appropriation is provided solely for the reappropriation of the Shelton  
10 regional water project.

11 (4) (~~(\$2,187,000 of the total appropriation is provided solely for~~  
12 ~~mobile office platforms.~~

13 (5)) It is the intent of the legislature that the omnibus  
14 operating appropriations act provide funding for the portion of any  
15 applicable debt service payments, resulting from financial contracts  
16 identified under section 601 of this act, that are attributable to the  
17 general fund as identified in the Washington state patrol's cost  
18 allocation model.

19 **Sec. 302.** 2011 c 367 s 302 (uncodified) is amended to read as  
20 follows:

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

22 Motor Vehicle Account--State Appropriation . . . . .	\$874,000
23 Rural Arterial Trust Account--State Appropriation . . . . .	((\$37,417,000))
24	<u>\$62,510,000</u>
25 County Arterial Preservation Account--State	
26 Appropriation . . . . .	\$29,360,000
27 TOTAL APPROPRIATION . . . . .	((\$67,651,000))
28	<u>\$92,744,000</u>

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

31 (1) \$874,000 of the motor vehicle account--state appropriation may  
32 be used for county ferry projects as developed pursuant to RCW  
33 47.56.725(4).

34 (2) (~~(\$37,417,000))~~ \$62,510,000 of the rural arterial trust  
35 account--state appropriation is provided solely for county road  
36 preservation grant projects as approved by the county road  
37 administration board. These funds may be used to assist counties

1 recovering from federally declared emergencies by providing  
2 capitalization advances and local match for federal emergency funding,  
3 and may only be made using existing fund balances. It is the intent of  
4 the legislature that the rural arterial trust account be managed based  
5 on cash flow. The county road administration board shall specifically  
6 identify any of the selected projects and shall include information  
7 concerning the selected projects in its next annual report to the  
8 legislature.

9 **Sec. 303.** 2011 c 367 s 303 (uncodified) is amended to read as  
10 follows:

11 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

12	Small City Pavement and Sidewalk Account--State	
13	Appropriation . . . . .	(( <del>\$3,812,000</del> ))
14		<u>\$5,270,000</u>
15	Transportation Improvement Account--State	
16	Appropriation . . . . .	(( <del>\$201,050,000</del> ))
17		<u>\$237,545,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$204,862,000</del> ))
19		<u>\$242,815,000</u>

20 The appropriations in this section are subject to the following  
21 conditions and limitations: The transportation improvement  
22 account--state appropriation includes up to \$22,143,000 in proceeds  
23 from the sale of bonds authorized in RCW 47.26.500.

24 **Sec. 304.** 2011 c 367 s 304 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**  
27 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

28	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$5,433,000</del> ))
29		<u>\$5,545,000</u>
30	<u>Transportation Partnership Account--State</u>	
31	<u>Appropriation . . . . .</u>	<u>\$1,575,000</u>
32	<u>TOTAL APPROPRIATION . . . . .</u>	<u>\$7,120,000</u>

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

35 (1) \$1,364,000 of the motor vehicle account--state appropriation is

1 provided solely for the Olympic region site acquisition debt service  
2 payments and administrative costs associated with capital improvement  
3 and preservation project and financial management.

4 (2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state  
5 appropriation is provided solely for high priority safety projects that  
6 are directly linked to employee safety, environmental risk, or minor  
7 works that prevent facility deterioration.

8 (3) \$400,000 of the motor vehicle account--state appropriation is  
9 provided solely for the department's compliance with its national  
10 pollution discharge elimination system permit.

11 (4) \$1,575,000 of the transportation partnership account--state  
12 appropriation is provided solely for the traffic management center  
13 (100010T).

14 **Sec. 305.** 2011 c 367 s 305 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**  
17 (~~(Multimodal Transportation Account--State~~  
18 ~~Appropriation . . . . . \$1,000)~~)  
19 Transportation Partnership Account--State  
20 Appropriation . . . . . ((~~\$1,991,547,000~~))  
21 \$1,636,316,000  
22 Motor Vehicle Account--State Appropriation . . . . . ((~~\$86,139,000~~))  
23 \$103,889,000  
24 Motor Vehicle Account--Federal Appropriation . . . . . ((~~\$450,691,000~~))  
25 \$790,068,000  
26 Motor Vehicle Account--Private/Local  
27 Appropriation . . . . . ((~~\$50,485,000~~))  
28 \$124,917,000  
29 Transportation 2003 Account (Nickel Account)--State  
30 Appropriation . . . . . ((~~\$436,005,000~~))  
31 \$416,125,000  
32 State Route Number 520 Corridor Account--State  
33 Appropriation . . . . . ((~~\$1,019,460,000~~))  
34 \$1,752,138,000  
35 Special Category C Account--State Appropriation . . . . . \$124,000  
36 Tacoma Narrows Toll Bridge Account--State  
37 Appropriation . . . . . \$5,791,000

1 TOTAL APPROPRIATION . . . . . ((\$4,034,328,000))  
2 \$4,829,368,000

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

5 (1) Except as provided otherwise in this section, the entire  
6 transportation 2003 account (nickel account) appropriation and the  
7 entire transportation partnership account appropriation are provided  
8 solely for the projects and activities as listed by fund, project, and  
9 amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed  
10 ((April 19, 2011)) March 8, 2012, Program - Highway Improvement Program  
11 (I). However, limited transfers of specific line-item project  
12 appropriations may occur between projects for those amounts listed  
13 subject to the conditions and limitations in section 603 of this act.

14 ((2) ((The department shall, on a quarterly basis beginning July 1,  
15 2011, provide to the office of financial management and the legislature  
16 reports providing the status on each active project funded in part or  
17 whole by the transportation 2003 account (nickel account) or the  
18 transportation partnership account. Funding provided at a programmatic  
19 level for transportation partnership account and transportation 2003  
20 account (nickel account) projects relating to bridge rail, guard rail,  
21 fish passage barrier removal, and roadside safety projects must be  
22 reported on a programmatic basis. Projects within this programmatic  
23 level funding must be completed on a priority basis and scoped to be  
24 completed within the current programmatic budget. Report formatting  
25 and elements must be consistent with the October 2009 quarterly project  
26 report. The department shall also provide the information required  
27 under this subsection on a quarterly basis.

28 ((3)) Within the motor vehicle account--state appropriation and  
29 motor vehicle account--federal appropriation, the department may  
30 transfer funds between programs I and P, except for funds that are  
31 otherwise restricted in this act.

32 ((4)) (3) The department shall apply for surface transportation  
33 program enhancement funds to be expended in lieu of or in addition to  
34 state funds for eligible costs of projects in programs I and P  
35 including, but not limited to, the state route number 518, state route  
36 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

37 ((5)) (4) The department shall apply for the competitive portion  
38 of federal transit administration funds for eligible transit-related

1 costs of the state route number 520 bridge replacement and HOV project  
2 and the Columbia river crossing project. The federal funds described  
3 in this subsection must not include those federal transit  
4 administration funds distributed by formula. The department shall  
5 provide a report regarding this effort to the legislature by October 1,  
6 2011.

7 ~~((+7))~~ (5) The department shall work with the department of  
8 archaeology and historic preservation to ensure that the cultural  
9 resources investigation is properly conducted on all mega-highway  
10 projects and large ferry terminal projects. These projects must be  
11 conducted with active archaeological management. Additionally, the  
12 department shall establish a scientific peer review of independent  
13 archaeologists that are knowledgeable about the region and its cultural  
14 resources.

15 ~~((+8))~~ (6) For highway construction projects where the department  
16 considers agricultural lands of long-term commercial significance, as  
17 defined in RCW 36.70A.030, in reviewing and selecting sites to meet  
18 environmental mitigation requirements under the national environmental  
19 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental  
20 policy act (chapter 43.21C RCW), the department shall, to the greatest  
21 extent possible, consider using public land first. If public lands are  
22 not available that meet the required environmental mitigation needs,  
23 the department may use other sites while making every effort to avoid  
24 any net loss of agricultural lands that have a designation of long-term  
25 commercial significance.

26 ~~((+9) \$361,000))~~ (7) \$561,000 of the transportation partnership  
27 account--state appropriation and ~~((+\$1,245,000))~~ \$1,176,000 of the  
28 transportation 2003 account (nickel account)--state appropriation are  
29 provided solely for project OBI4ENV, Environmental Mitigation Reserve -  
30 Nickel/TPA project, as indicated in the LEAP transportation document  
31 referenced in subsection (1) of this section. Funds may be used only  
32 for environmental mitigation work that is required by permits that were  
33 issued for projects funded by the transportation partnership account or  
34 transportation 2003 account (nickel account). ~~((As part of the 2012  
35 budget submittal, the department shall provide a list of all projects  
36 and associated amounts that are being charged to project OBI4ENV during  
37 the 2011-2013 fiscal biennium.~~

1       ~~(10)~~) (8) The transportation 2003 account (nickel account)--state  
2 appropriation includes up to (~~(\$361,005,000)~~) \$339,608,000 in proceeds  
3 from the sale of bonds authorized by RCW 47.10.861.

4       ~~((11))~~) (9) The transportation partnership account--state  
5 appropriation includes up to (~~(\$1,427,696,000)~~) \$972,392,000 in  
6 proceeds from the sale of bonds authorized in RCW 47.10.873.

7       ~~((12))~~) (10) The motor vehicle account--state appropriation  
8 includes up to (~~(\$66,373,000)~~) \$55,870,000 in proceeds from the sale of  
9 bonds authorized in RCW 47.10.843.

10       ~~((13))~~) (11) The state route number 520 corridor account--state  
11 appropriation includes up to (~~(\$987,717,000)~~) \$1,779,000,000 in  
12 proceeds from the sale of bonds authorized in RCW 47.10.879.

13       ~~((14) \$391,000)~~) (12) \$767,000 of the motor vehicle account--state  
14 appropriation and (~~(\$4,027,000)~~) \$3,736,000 of the motor vehicle  
15 account--federal appropriation are provided solely for the US 2 High  
16 Priority Safety project (100224I). Expenditure of these funds is for  
17 safety projects on state route number 2 between Monroe and Gold Bar,  
18 which may include median rumble strips, traffic cameras, and electronic  
19 message signs.

20       ~~((15) \$687,000)~~) (13) \$820,000 of the motor vehicle account--  
21 federal appropriation, \$16,308,000 of the motor vehicle account--  
22 private/local appropriation, and (~~(\$22,000)~~) \$48,000 of the motor  
23 vehicle account--state appropriation are provided solely for the US  
24 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

25       ~~((16) \$435,000)~~) (14) \$1,025,000 of the motor vehicle account--  
26 state appropriation is provided solely for environmental work on the  
27 Belfair Bypass project (300344C).

28       ~~((17) \$108,000)~~) (15) \$372,000 of the motor vehicle account--  
29 federal appropriation and (~~(\$3,000)~~) \$9,000 of the motor vehicle  
30 account--state appropriation are provided solely for the I-5/Vicinity  
31 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

32       ~~((18) \$253,444,000)~~) (16) \$202,863,000 of the transportation  
33 partnership account--state appropriation and (~~(\$66,034,000)~~)  
34 \$51,138,000 of the transportation 2003 account (nickel account)--state  
35 appropriation are provided solely for the I-5/Tacoma HOV Improvements  
36 (Nickel/TPA) project (300504A). The use of funds in this subsection to  
37 renovate any buildings is subject to the requirements of section 604 of

1 this act. The department shall report to the legislature and the  
2 office of financial management on any costs associated with building  
3 renovations funded in this subsection.

4 ~~((+19))~~ (17)(a) ((\$8,321,000)) \$7,423,000 of the transportation  
5 partnership account--state appropriation and ~~(((\$31,380,000))~~  
6 \$54,461,000 of the motor vehicle account--federal appropriation are  
7 provided solely for the I-5/Columbia River Crossing project (400506A).  
8 ~~((Of this amount,))~~ Of the amounts appropriated in this subsection,  
9 \$15,000,000 of the motor vehicle account--federal appropriation must be  
10 put into unallotted status and is subject to the review of the office  
11 of financial management. This funding may only be allotted once the  
12 state of Oregon's total contribution of shared expenses on the project  
13 are within five million dollars of the state of Washington's shared  
14 expenses.

15 (b) It is the intent of the legislature that Washington and Oregon  
16 have equal funding commitments and equal total expenditures to date on  
17 the shared components of the Columbia river crossing project. The  
18 department shall provide a quarterly report on this project beginning  
19 March 31, 2012. This report must include:

20 (i) An update on preliminary engineering and right-of-way  
21 acquisition for the previous quarter;

22 (ii) Planned objectives for right-of-way and preliminary  
23 engineering for the ensuing quarter;

24 (iii) An updated comparison of the total appropriation authority  
25 for the project by state;

26 (iv) An updated comparison of the total expenditures to date on the  
27 project by state; and

28 (v) The committed funding provided by the state of Oregon to right-  
29 of-way acquisition.

30 (c) \$200,000 of the transportation partnership account--state  
31 appropriation in this subsection is provided solely for the department  
32 to work with the department of archaeology and historic preservation to  
33 ensure that the cultural resources investigation is properly conducted  
34 on the Columbia river crossing project. This project must be conducted  
35 with active archaeological management and result in one report that  
36 spans the single cultural area in Oregon and Washington. Additionally,  
37 the department shall establish a scientific peer review of independent  
38 archaeologists that are knowledgeable about the region and its cultural



1 resources. (~~No funding from any account may be expended until written~~  
2 ~~confirmation has been received by the department that the state of~~  
3 ~~Oregon is providing an equal amount of additional funding to the~~  
4 ~~project.~~

5 ~~(b))~~ (d) Consistent with the draft environmental impact statement  
6 and the Columbia river crossing project's independent review panel  
7 report, the Columbia river crossing project's financial plan must  
8 include recognition of state transportation funding contributions from  
9 both Washington and Oregon, federal transportation funding, and a  
10 funding contribution from toll bond proceeds. Following the refinement  
11 of the finance plan as recommended by the independent review panel, the  
12 department may seek authorization from the legislature to collect tolls  
13 on the existing Columbia river crossing or on a replacement crossing  
14 over Interstate 5.

15 (e) The Washington state department of transportation budget  
16 includes resources to continue work on solutions that advance the  
17 Columbia river crossing project to completion of the required  
18 environmental impact statement. The department must report to the  
19 Columbia river crossing legislative oversight subcommittee of the joint  
20 transportation committee, established in section 204(7) of this act, on  
21 the progress made on the Columbia river crossing project at each  
22 meeting of the oversight subcommittee. Reporting must include updated  
23 information on cost estimates, rights-of-way purchases and procurement  
24 schedules, and financing plans for the Columbia river crossing project,  
25 including projected traffic volumes, fuel and gas price assumptions,  
26 toll rates, costs of toll collections, as well as potential need for  
27 general transportation funding. By January 1, 2013, the department  
28 shall provide to the oversight subcommittee of the joint transportation  
29 committee a phased master plan for the Columbia river crossing project.

30 ~~((20) \$107,000)~~ (18) Within the amounts provided for the Columbia  
31 river crossing project (400506A), the department shall conduct a  
32 traffic and revenue analysis for the Columbia river crossing project  
33 that will lay the foundation for investment grade traffic and revenue  
34 analysis. While conducting the analysis, the department must  
35 coordinate with the Oregon department of transportation, the Washington  
36 state transportation commission, and the Washington state legislative  
37 oversight committee.

1 (a) The department's analysis must include the assessment and  
2 review of the following variables within the project:

- 3 (i) Exemptions from tolls for vehicles with two or more occupants;  
4 (ii) A variable toll where the tolls vary by time of day and day of  
5 the week; and  
6 (iii) A frequency-based toll rate for the facility.

7 (b) The analysis must also assess the following:  
8 (i) The impact that light rail service in the corridor will have on  
9 estimated toll revenues;

10 (ii) The level of diversion from the Interstate 5 corridor and the  
11 impact on estimated toll revenues; and

12 (iii) The estimated toll revenues from vehicle trips originating  
13 within the region and outside the region by vehicle type.

14 (c) The department must submit a report of findings to the  
15 transportation committees of the legislature by July 1, 2013.

16 (19) \$309,000 of the motor vehicle account--federal appropriation  
17 and (~~(\$27,000)~~) \$78,000 of the motor vehicle account--state  
18 appropriation are provided solely for the SR 9/SR 204 Intersection  
19 Improvement project (L2000040).

20 (~~(21) \$2,134,000~~) (20) \$3,385,000 of the motor vehicle account--  
21 federal appropriation and (~~(\$47,000)~~) \$50,000 of the motor vehicle  
22 account--state appropriation are provided solely for the US 12/Nine  
23 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

24 (~~(22) \$294,000~~) (21) \$5,791,000 of the Tacoma Narrows toll bridge  
25 account--state appropriation is provided solely for deferred sales tax  
26 expenses on the construction of the new Tacoma Narrows bridge.  
27 However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales  
28 tax exemption on SR 16 projects) is enacted by June 30, 2012, the  
29 amount provided in this subsection lapses.

30 (22) \$391,000 of the motor vehicle account--federal appropriation  
31 and (~~(\$13,000)~~) \$16,000 of the motor vehicle account--state  
32 appropriation are provided solely for the SR 16/Rosedale Street NW  
33 Vicinity - Frontage Road project (301639C). The frontage road must be  
34 built for driving speeds of no more than thirty-five miles per hour.

35 (23) (~~(\$1,000,000)~~) \$621,000 of the motor vehicle account--federal  
36 appropriation is provided solely for the SR 20/Race Road to Jacob's  
37 Road safety project (L2200042).

1 (24) (~~(\$24,002,000)~~) \$32,162,000 of the transportation partnership  
2 account--state appropriation is provided solely for the SR 28/ US 2 and  
3 US 97 Eastmont Avenue Extension project (202800D).

4 (25) (~~(\$569,000)~~) \$1,227,000 of the motor vehicle account--federal  
5 appropriation and (~~(\$9,000)~~) \$38,000 of the motor vehicle account--  
6 state appropriation are provided solely for design and right-of-way  
7 work on the I-82/Red Mountain Vicinity project (508208M). The  
8 department shall continue to work with the local partners in developing  
9 transportation solutions necessary for the economic growth in the Red  
10 Mountain American viticulture area of Benton county.

11 (26) \$1,500,000 of the motor vehicle account--federal appropriation  
12 is provided solely for the I-90 Comprehensive Tolling Study and  
13 Environmental Review project (100067T). The department shall undertake  
14 a comprehensive environmental review of tolling Interstate 90 between  
15 Interstate 5 and Interstate 405 for the purposes of both managing  
16 traffic and providing funding for construction of the unfunded state  
17 route number 520 from Interstate 5 to Medina project. The  
18 environmental review must include significant outreach to potentially  
19 affected communities. The department may consider traffic management  
20 options that extend as far east as Issaquah.

21 (27) (~~(\$9,422,000)~~) \$12,149,000 of the motor vehicle account--  
22 federal appropriation and (~~(\$193,000)~~) \$362,000 of the motor vehicle  
23 account--state appropriation are provided solely for the I-90/Sullivan  
24 Road to Barker Road - Additional Lanes project (609049N).

25 (28) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie  
26 Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be  
27 used for design work on the next two-mile segment of the corridor. Any  
28 additional savings on this project must remain on the corridor.  
29 (~~(\$590,000 of the funds appropriated for this project may be used to~~  
30 ~~purchase land currently owned by the state parks department.)) Project  
31 funds may not be used to build or improve buildings until the plan  
32 described in section 604 of this act is complete.~~

33 (29) (~~(\$932,000)~~) \$657,000 of the motor vehicle account--federal  
34 appropriation is provided solely for the US 97A/North of Wenatchee -  
35 Wildlife Fence project (209790B).

36 (30) The department shall reconvene an expert review panel of no  
37 more than three members as described under RCW 47.01.400 for the  
38 purpose of updating the work that was previously completed by the panel

1 on the Alaskan Way viaduct replacement project and to ensure that an  
2 appropriate and viable financial plan is created and regularly  
3 reviewed. The expert review panel must be selected cooperatively by  
4 the chairs of the senate and house of representatives transportation  
5 committees, the secretary of transportation, and the governor. The  
6 expert review panel must report findings and recommendations to the  
7 transportation committees of the legislature, the governor's Alaskan  
8 Way viaduct project oversight committee, and the transportation  
9 commission by October 2011, and annually thereafter until the project  
10 is operationally complete.

11 (31) It is important that the public and policymakers have accurate  
12 and timely access to information related to the Alaskan Way viaduct  
13 replacement project as it proceeds to, and during, the construction of  
14 all aspects of the project including, but not limited to, information  
15 regarding costs, schedules, contracts, project status, and neighborhood  
16 impacts. Therefore, it is the intent of the legislature that the  
17 state, city, and county departments of transportation establish a  
18 single source of accountability for integration, coordination,  
19 tracking, and information of all requisite components of the  
20 replacement project, which must include, at a minimum:

21 (a) A master schedule of all subprojects included in the full  
22 replacement project or program; and

23 (b) A single point of contact for the public, media, stakeholders,  
24 and other interested parties.

25 (32) Within the amounts provided in this section, \$20,000 of the  
26 motor vehicle account--state appropriation and \$980,000 of the motor  
27 vehicle account--federal appropriation are provided solely for the  
28 department to continue work on a comprehensive tolling study of the  
29 state route number 167 corridor (project 316718S). As funding allows,  
30 the department shall also continue work on a comprehensive tolling  
31 study of the state route number 509 corridor.

32 (33)(a) (~~(\$131,303,000)~~) \$137,022,000 of the transportation  
33 partnership account--state appropriation(~~(,---\$51,410,000)~~) and  
34 \$50,623,000 of the transportation 2003 account (nickel account)--state  
35 appropriation(~~(, and \$10,000,000 of the motor vehicle account--federal~~  
36 ~~appropriation)~~) are provided solely for the I-405/Kirkland Vicinity  
37 Stage 2 - Widening project (8BI1002). This project must be completed

1 as soon as practicable as a design-build project and must be  
2 constructed with a footprint that would accommodate potential future  
3 express toll lanes.

4 (b) As part of the project, the department shall conduct a traffic  
5 and revenue analysis and complete a financial plan to provide  
6 additional information on the revenues, expenditures, and financing  
7 options available for active traffic management and congestion relief  
8 in the Interstate 405 and state route number 167 corridors. A report  
9 must be provided to the transportation committees of the legislature  
10 and the office of financial management by January 2012. However, this  
11 subsection (33)(b) is null and void if chapter . . . (Engrossed House  
12 Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by  
13 June 30, 2011.

14 (c) Of the amount appropriated in (a) of this subsection,  
15 \$15,000,000 of the transportation partnership account--state  
16 appropriation is provided solely for the preliminary design and  
17 purchase of rights-of-way on the state route number 167 direct  
18 connector. It is the intent of the legislature to fund an additional  
19 \$25,000,000 of the transportation partnership account--state  
20 appropriation for the preliminary design and purchase of rights-of-way  
21 on the state route number 167 direct connector during the 2013-2015  
22 biennium.

23 (34) Funding for a signal at state route number 507 and Yew Street  
24 is included in the appropriation for intersection and spot improvements  
25 (0BI2002).

26 (35) (~~(\$226,809,000)~~) \$224,592,000 of the transportation  
27 partnership account--state appropriation and (~~(\$1,019,460,000)~~)  
28 \$898,286,000 of the state route number 520 corridor account--state  
29 appropriation are provided solely for the state route number 520 bridge  
30 replacement and HOV program (8BI1003). When developing the financial  
31 plan for the program, the department shall assume that all maintenance  
32 and operation costs for the new facility are to be covered by tolls  
33 collected on the toll facility, and not by the motor vehicle account.

34 (~~(\$650,000 of the motor vehicle account--federal appropriation~~  
35 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~  
36 ~~181st Street project (L1000055)-~~

37 ~~(+37))~~) \$500,000 of the motor vehicle account--state appropriation

1 is provided solely for a multimodal corridor plan on state route number  
2 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

3 (37) \$300,000 of the motor vehicle account--federal appropriation  
4 is provided solely for the SR 523 Corridor study (L1000059).

5 (38) The department shall consider using the city of Mukilteo's  
6 off-site mitigation program in the event any projects on state route  
7 number 525 or 526 require environmental mitigation.

8 (39) Any savings on projects on the state route number 532 corridor  
9 must be used within the corridor to begin work on flood prevention and  
10 raising portions of the highway above flood and storm influences.

11 (40) The total appropriation provided in this section assumes  
12 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),  
13 Laws of 2012 (design-build procedures) and reflects efficiencies and  
14 cost savings generated by this innovative design and contracting tool.

15 (41) Construction of a new traffic management center may not  
16 commence until the budget evaluation study in section 102(1) of this  
17 act is complete and the office of financial management has determined  
18 that a new traffic management center is the preferred option and has  
19 approved this project.

20 (42) The department shall itemize all future requests for the  
21 construction of new buildings on a project list. Each building  
22 construction project must be listed in the project list along with all  
23 other highway construction projects and submitted by the department as  
24 part of its budget submittal. It is the intent of the legislature that  
25 new facility construction must be transparent and not appropriated  
26 within larger highway construction projects.

27 (43) \$250,000 of the motor vehicle account--federal appropriation  
28 is provided solely for planning a proposed off-ramp eastbound from  
29 state route number 518 to Des Moines Memorial Drive in Burien  
30 (L1100045).

31 (44) \$1,100,000 of the motor vehicle account--federal appropriation  
32 is provided solely for preliminary engineering on the I-5/Marvin Road  
33 Interchange study (L2200087).

34 (45) \$400,000 of the motor vehicle account--federal appropriation  
35 is provided solely for the SR 150/No-See-Um Road Intersection -  
36 Realignment project (L2200092).

37 (46) \$750,000 of the motor vehicle account--federal appropriation

1 is provided solely for preliminary engineering on the SR 305/Suquamish  
2 Way Intersection Improvements project (L2200093).

3 (47) \$700,000 of the motor vehicle account--federal appropriation  
4 is provided solely for the US 395/Lind Road Intersection project  
5 (L2200086).

6 **Sec. 306.** 2011 c 367 s 306 (uncodified) is amended to read as  
7 follows:

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

9 Transportation Partnership Account--State

10	Appropriation . . . . .	(( \$34,182,000 ))
11		<u>\$44,463,000</u>
12	Motor Vehicle Account--State Appropriation . . . . .	(( \$67,790,000 ))
13		<u>\$81,741,000</u>
14	Motor Vehicle Account--Federal Appropriation . . . . .	(( \$632,489,000 ))
15		<u>\$540,306,000</u>
16	Motor Vehicle Account--Private/Local Appropriation . . . . .	(( \$19,253,000 ))
17		<u>\$21,585,000</u>
18	<u>Tacoma Narrows Toll Bridge Account--State</u>	
19	Appropriation . . . . .	\$259,000
20	<u>Transportation 2003 Account (Nickel Account)--State</u>	
21	Appropriation . . . . .	\$23,000
22	TOTAL APPROPRIATION . . . . .	(( \$753,714,000 ))
23		<u>\$691,877,000</u>

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

26 (1) Except as provided otherwise in this section, the entire  
27 transportation 2003 account (nickel account) appropriation and the  
28 entire transportation partnership account appropriation are provided  
29 solely for the projects and activities as listed by fund, project, and  
30 amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed  
31 ((~~April 19, 2011~~)) March 8, 2012, Program - Highway Preservation  
32 Program (P). However, limited transfers of specific line-item project  
33 appropriations may occur between projects for those amounts listed  
34 subject to the conditions and limitations in section 603 of this act.

35 (2) ((~~The department shall, on a quarterly basis beginning July 1,~~  
36 ~~2011, provide to the office of financial management and the legislature~~  
37 ~~reports providing the status on each active project funded in part or~~

1 whole by the transportation 2003 account (nickel account) or the  
2 transportation partnership account. Funding provided at a programmatic  
3 level for transportation partnership account projects relating to  
4 seismic bridges must be reported on a programmatic basis. Projects  
5 within this programmatic level funding must be completed on a priority  
6 basis and scoped to be completed within the current programmatic  
7 budget. The department shall work with the office of financial  
8 management and the transportation committees of the legislature to  
9 agree on report formatting and elements. Elements must include, but  
10 not be limited to, project scope, schedule, and costs. The department  
11 shall also provide the information required under this subsection on a  
12 quarterly basis.

13 ~~(3)~~) The department of transportation shall continue to implement  
14 the lowest life-cycle cost planning approach to pavement management  
15 throughout the state to encourage the most effective and efficient use  
16 of pavement preservation funds. Emphasis should be placed on  
17 increasing the number of roads addressed on time and reducing the  
18 number of roads past due.

19 ~~((+5))~~ (3) Within the motor vehicle account--state appropriation  
20 and motor vehicle account--federal appropriation, the department may  
21 transfer funds between programs I and P, except for funds that are  
22 otherwise restricted in this act.

23 ~~((+6))~~ (4) The department shall apply for surface transportation  
24 program enhancement funds to be expended in lieu of or in addition to  
25 state funds for eligible costs of projects in programs I and P.

26 ~~((+7))~~ (5) The motor vehicle account--state appropriation includes  
27 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW  
28 47.10.843.

29 ~~((+8))~~ (6) The department must work with cities and counties to  
30 develop a comparison of direct and indirect labor costs, overhead  
31 rates, and other costs for high-cost bridge inspections charged by the  
32 state, counties, and other entities. The comparison is due to the  
33 transportation committees of the legislature on September 1, 2011.

34 ~~((+9) \$277,000)~~ (7) \$789,000 of the motor vehicle account--federal  
35 appropriation and ~~((+10) \$10,000)~~ \$6,000 of the motor vehicle account--  
36 state appropriation are provided solely for the environmental impact  
37 statement and preliminary planning for the replacement of the state  
38 route number 9 Snohomish river bridge (project L2000018).



1 ((~~(10)~~ \$9,641,000)) (8) \$10,843,000 of the motor vehicle account--  
2 federal appropriation, ((~~\$2,000,000~~)) \$1,992,000 of the motor vehicle  
3 account--private/local appropriation, and ((~~\$361,000~~)) \$390,000 of the  
4 motor vehicle account--state appropriation are provided solely for the  
5 SR 21/Keller Ferry - Replace Boat project (602110J).

6 ((~~(11)~~ \$3,093,000)) (9) \$165,000 of the motor vehicle account--  
7 federal appropriation is provided solely for the I-90/Ritzville to  
8 Tokio - Paving of Outside Lanes project (609041G).

9 ((~~(12)~~ \$2,733,000)) (10) \$5,565,000 of the motor vehicle account--  
10 federal appropriation and ((~~\$114,000~~)) \$232,000 of the motor vehicle  
11 account--state appropriation are provided solely for the SR  
12 167/Puyallup River Bridge Replacement project (316725A). This project  
13 must be completed as a design-build project. The department must work  
14 with local jurisdictions and the community during the environmental  
15 review process to develop appropriate esthetic design elements, at no  
16 additional cost to the department, and traffic management plans  
17 pertaining to this project. The department must report to the  
18 transportation committees of the legislature on estimated cost and/or  
19 time savings realized as a result of using the design-build process.

20 ((~~(13)~~ \$295,000)) (11) \$507,000 of the motor vehicle account--  
21 federal appropriation and ((~~\$5,000~~)) \$13,000 of the motor vehicle  
22 account--state appropriation are provided solely for the SR  
23 906/Travelers Rest - Building Renovation project (090600A).

24 (12) The department shall submit a renewal and rehabilitation plan  
25 for the new state route number 16 Tacoma Narrows bridge as a decision  
26 package as part of its 2013-2015 biennial budget submittal.

27 **Sec. 307.** 2011 c 367 s 307 (uncodified) is amended to read as  
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
30 **CAPITAL**

31	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$6,439,000</del> ))
32		<u>\$8,779,000</u>
33	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$5,600,000</del> ))
34		<u>\$7,283,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$12,039,000</del> ))
36		<u>\$16,062,000</u>

1 The appropriations in this section are subject to the following  
2 conditions and limitations: \$1,000,000 of the motor vehicle account--  
3 state appropriation for project 000005Q is provided solely for state  
4 matching funds for federally selected competitive grants or  
5 congressional earmark projects. These moneys must be placed into  
6 reserve status until such time as federal funds are secured that  
7 require a state match.

8 **Sec. 308.** 2011 c 367 s 308 (uncodified) is amended to read as  
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**  
11 **CONSTRUCTION--PROGRAM W**

12	Puget Sound Capital Construction Account--State	
13	Appropriation . . . . .	(((\$68,013,000))
14		<u>\$61,965,000</u>
15	Puget Sound Capital Construction Account--Federal	
16	Appropriation . . . . .	(((\$41,500,000))
17		<u>\$61,736,000</u>
18	<u>Puget Sound Capital Construction Account--Private/Local</u>	
19	<u>Appropriation . . . . .</u>	<u>\$200,000</u>
20	Transportation 2003 Account (Nickel Account)--State	
21	Appropriation . . . . .	(((\$118,027,000))
22		<u>\$119,000,000</u>
23	Transportation Partnership Account--State	
24	Appropriation . . . . .	(((\$12,536,000))
25		<u>\$12,838,000</u>
26	Multimodal Transportation Account--State	
27	Appropriation . . . . .	(((\$43,265,000))
28		<u>\$27,527,000</u>
29	TOTAL APPROPRIATION . . . . .	(((\$283,341,000))
30		<u>\$284,194,000</u>

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

33 (1) ~~(((\$68,013,000 of the Puget Sound capital construction~~  
34 ~~account state appropriation, \$41,500,000 of the Puget Sound capital~~  
35 ~~construction account federal appropriation, \$12,536,000 of the~~  
36 ~~transportation partnership account state appropriation, \$118,027,000~~  
37 ~~of the transportation 2003 account (nickel account) state~~

1 ~~appropriation, and \$43,265,000 of the multimodal transportation~~  
2 ~~account state appropriation are provided solely for ferry projects,))~~  
3 Except as provided otherwise in this section, the entire appropriations  
4 in this section are provided solely for the projects and activities as  
5 listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS  
6 as developed ((April 19, 2011)) March 8, 2012, Program - Washington  
7 State Ferries Capital Program (W).

8 (2) The department shall work with the department of archaeology  
9 and historic preservation to ensure that the cultural resources  
10 investigation is properly conducted on all large ferry terminal  
11 projects. These projects must be conducted with active archaeological  
12 management.

13 (3) The multimodal transportation account--state appropriation  
14 includes up to ((~~\$43,265,000~~)) \$27,527,000 in proceeds from the sale of  
15 bonds authorized in RCW 47.10.867.

16 (4) ((~~The transportation 2003 account (nickel account) state~~  
17 ~~appropriation includes up to \$82,143,000 in proceeds from the sale of~~  
18 ~~bonds authorized in RCW 47.10.861.~~

19 ~~(5))~~ The Puget Sound capital construction account--state  
20 appropriation includes up to ((~~\$52,516,000~~)) \$45,000,000 in proceeds  
21 from the sale of bonds authorized in RCW 47.10.843.

22 ((~~(7) \$20,906,000~~)) (5) \$17,970,000 of the transportation 2003  
23 account (nickel account)--state appropriation((~~, \$9,711,000 of the~~  
24 ~~multimodal transportation account state appropriation, and \$1,537,000~~  
25 ~~of the Puget Sound capital construction account state appropriation~~  
26 ~~are)) is provided solely for the acquisition of new Kwa-di-tabil class  
27 ferry vessels (project 944470A) subject to the conditions of RCW  
28 47.56.780.~~

29 ((~~(8) \$33,404,000~~)) (6) \$25,404,000 of the multimodal  
30 transportation account--state appropriation, ((~~\$2,000,000~~)) \$1,000,000  
31 of the Puget Sound capital construction account--((~~state~~)) federal  
32 appropriation, \$11,500,000 of the transportation partnership account--  
33 state appropriation, and ((~~\$81,085,000~~)) \$85,924,000 of the  
34 transportation 2003 account (nickel account)--state appropriation are  
35 provided solely for the acquisition of ((~~two~~)) one 144-car vessel((~~s~~  
36 ~~contingent upon new and sufficient resources. Of these amounts,~~  
37 ~~\$123,828,000 is provided solely for the first 144 car vessel)) (project  
38 L2200038). The department shall use as much already procured equipment~~

1 as practicable on the 144-car vessel. The vendor must present to the  
2 joint transportation committee and the office of financial management,  
3 by August 15, 2011, a list of options that will result in significant  
4 cost savings changes in terms of construction or the long-term  
5 maintenance and operations of the vessel. The vendor must allow for  
6 exercising the options without a penalty. If neither chapter ...  
7 (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter  
8 ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011,  
9 \$75,000,000 of the transportation 2003 account (nickel account)--state  
10 appropriation in this subsection lapses.

11 ~~((9) The department shall provide to the office of financial~~  
12 ~~management and the legislature quarterly reports providing the status~~  
13 ~~on each project listed in this section and in the project lists~~  
14 ~~submitted pursuant to this act and on any additional projects for which~~  
15 ~~the department has expended funds during the 2011-2013 fiscal biennium.~~  
16 ~~Elements must include, but not be limited to, project scope, schedule,~~  
17 ~~and costs. The department shall also provide the information required~~  
18 ~~under this subsection via the transportation executive information~~  
19 ~~system. The quarterly report regarding the status of projects~~  
20 ~~identified on the list referenced in subsection (1) of this section~~  
21 ~~must be developed according to an earned value method of project~~  
22 ~~monitoring.~~

23 ~~((11) \$3,932,000))~~ (7) \$5,749,000 of the total appropriation is  
24 provided solely for continued permitting work on the Mukilteo ferry  
25 terminal (project 952515P). The department shall seek additional  
26 federal funding for this project. Prior to beginning terminal  
27 improvements, the department shall report to the legislature on the  
28 final environmental impact statement by December 31, 2012. The report  
29 must include an overview of the costs and benefits of each of the  
30 alternatives considered, as well as an identification of costs and a  
31 funding plan for the preferred alternative.

32 ~~((13))~~ (8) The department shall review all terminal project cost  
33 estimates to identify projects where similar design requirements could  
34 result in reduced preliminary engineering or miscellaneous items costs.  
35 The department shall report to the legislature by September 1, 2011.  
36 The report must use programmatic design and include estimated cost  
37 savings by reducing repetitive design costs or miscellaneous costs, or  
38 both, applied to projects.

1        ~~((14) \$2,000,000))~~ (9) \$3,000,000 of the Puget Sound capital  
2 construction account--state appropriation is provided solely for  
3 emergency capital repair costs (project 999910K). Funds may be spent  
4 only after approval from the office of financial management.

5        ~~((15) \$7,167,000))~~ (10) \$4,851,000 of the Puget Sound capital  
6 construction account--state appropriation is provided solely for the  
7 reservation and communications system projects (L200041 & L200042).

8        (11) \$1,000,000 of the Puget Sound capital construction account--  
9 state appropriation is provided solely for security and operational  
10 planning as a first step in introducing liquid natural gas (LNG) to the  
11 Washington ferry fleet, including the issuance of a request for  
12 proposals (RFP). \$750,000 is provided solely for the department to  
13 work with appropriate agencies of the state and federal government to  
14 amend the state's current alternative security plan to account for the  
15 use of LNG as a propulsion fuel in the ferry fleet, and to begin public  
16 outreach efforts. \$250,000 is provided solely to issue an RFP for a  
17 design-build contract to fully convert the existing diesel powered  
18 Issaquah class fleet to be solely powered by LNG. The successful  
19 bidder must be awarded the \$250,000 appropriation and must be able to  
20 offer detailed design services, attain coast guard approval regarding  
21 vessel safety and any other requirements pertaining to design, acquire  
22 engines with LNG as a sole fuel source, provide public outreach and  
23 education regarding the conversion of ferry vessels to LNG, perform all  
24 conversion work, and supply dependable and suitable quantities of LNG.  
25 The RFP must include incentives for proposals that include alternative  
26 financing arrangements, such as a delayed payment plan based on fuel  
27 savings. To the extent allowable under current law, the bidder awarded  
28 the design-build contract for converting the Issaquah fleet to LNG  
29 under this subsection must be given bidding preferences in any future  
30 LNG-related ferry proposals or projects. The RFP referenced in this  
31 subsection must be issued by the department by August 1, 2012. The  
32 department must provide a report to the joint transportation committee  
33 on the development of the RFP in July 2012 and an update report again  
34 in September 2012.

35        (12) \$500,000 of the Puget Sound capital construction account--  
36 state appropriation is provided solely for the ADA visual paging  
37 project (L2200083). If any new federal grants are received by the

1 department that may supplant the state funds in this appropriation, the  
2 state funds in this appropriation must be placed in unallotted status.

3 (13) Consistent with RCW 47.60.662, which requires the Washington  
4 state ferry system to collaborate with passenger-only ferry and transit  
5 providers to provide service at existing terminals, the department  
6 shall ensure that multimodal access, including for passenger-only  
7 ferries and transit service providers, is not precluded by any future  
8 modifications at the terminal.

9 **Sec. 309.** 2011 c 367 s 309 (uncodified) is amended to read as  
10 follows:

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

12	Essential Rail Assistance Account--State	
13	Appropriation . . . . .	(((\$1,000,000))
14		<u>\$1,565,000</u>
15	Transportation Infrastructure Account--State	
16	Appropriation . . . . .	(((\$5,838,000))
17		<u>\$5,693,000</u>
18	Multimodal Transportation Account--State	
19	Appropriation . . . . .	(((\$52,000,000))
20		<u>\$58,220,000</u>
21	Multimodal Transportation Account--Federal	
22	Appropriation . . . . .	(((\$366,314,000))
23		<u>\$236,597,000</u>
24	Multimodal Transportation Account--Private/Local	
25	Appropriation . . . . .	(((\$1,292,000))
26		<u>\$1,010,000</u>
27	TOTAL APPROPRIATION . . . . .	(((\$426,444,000))
28		<u>\$303,085,000</u>

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

31 (1)(a) Except as provided otherwise in this section, the entire  
32 appropriations in this section are provided solely for the projects and  
33 activities as listed by project and amount in LEAP Transportation  
34 Document ((2011-2)) 2012-1 ALL PROJECTS as developed ((April 19, 2011))  
35 March 8, 2012, Program-Rail Capital Program (Y).

36 (b) Within the amounts provided in this section, (((\$2,903,000))  
37 \$4,757,000 of the transportation infrastructure account--state

1 appropriation is for low-interest loans through the freight rail  
2 investment bank program for specific projects listed as recipients of  
3 these loans in the LEAP transportation document identified in (a) of  
4 this subsection. The department shall issue freight rail investment  
5 bank program loans with a repayment period of no more than ten years,  
6 and only so much interest as is necessary to recoup the department's  
7 costs to administer the loans.

8 (c) Within the amounts provided in this section, (~~(\$1,754,000)~~)  
9 \$2,047,000 of the multimodal transportation account--state  
10 appropriation, \$10,000 of the multimodal transportation account--  
11 private/local appropriation, and \$1,000,000 of the essential rail  
12 assistance account--state appropriation are for statewide emergent  
13 freight rail assistance projects identified in the LEAP transportation  
14 document identified in (a) of this subsection.

15 (2)(a) (~~(If any funds remain in the program reserves (F01001A &~~  
16 ~~F01000A) for the program and projects listed in subsection (1)(b) and~~  
17 ~~(c) of this section,~~) The department shall issue a call for projects  
18 for the freight rail investment bank (FRIB) loan program and the  
19 emergent freight rail assistance program (FRAP) grants, and shall  
20 evaluate the applications according to the cost-benefit methodology  
21 developed during the 2008 interim using the legislative priorities  
22 specified in (c) of this subsection. Unsuccessful FRAP grant  
23 applicants should be encouraged to apply to the FRIB loan program, if  
24 eligible. By November 1, (~~(2011)~~) 2012, the department shall submit a  
25 prioritized list of recommended projects to the office of financial  
26 management and the transportation committees of the legislature.

27 (b) When the department identifies a prospective rail project that  
28 may have strategic significance for the state, or at the request of a  
29 proponent of a prospective rail project or a member of the legislature,  
30 the department shall evaluate the prospective project according to the  
31 cost-benefit methodology developed during the 2008 interim using the  
32 legislative priorities specified in (c) of this subsection. The  
33 department shall report its cost-benefit evaluation of the prospective  
34 rail project, as well as the department's best estimate of an  
35 appropriate construction schedule and total project costs, to the  
36 office of financial management and the transportation committees of the  
37 legislature.

1 (c) The legislative priorities to be used in the cost-benefit  
2 methodology are, in order of relative importance:

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

5 (ii) Self-sustaining economic development that creates family-wage  
6 jobs;

7 (iii) Preservation of transportation corridors that would otherwise  
8 be lost;

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

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

13 (vi) Mitigation of impacts of increased rail traffic on  
14 communities.

15 (3) The department is directed to expend unallocated federal rail  
16 crossing funds in lieu of or in addition to state funds for eligible  
17 costs of projects in program Y.

18 (4) The department shall provide quarterly reports to the office of  
19 financial management and the transportation committees of the  
20 legislature regarding applications that the department submits for  
21 federal funds and the status of such applications.

22 ~~((The department shall, on a quarterly basis, provide to the~~  
23 ~~office of financial management and the legislature reports providing~~  
24 ~~the status on active projects identified in the LEAP transportation~~  
25 ~~document described in subsection (1)(a) of this section. Report~~  
26 ~~formatting and elements must be consistent with the October 2009~~  
27 ~~quarterly project report.~~

28 ~~(6))~~ The multimodal transportation account--state appropriation  
29 includes up to ~~(((\$19,684,000))~~ \$12,103,000 in proceeds from the sale of  
30 bonds authorized in RCW 47.10.867.

31 ~~((7) When the balance of that portion of the miscellaneous program~~  
32 ~~account apportioned to the department for the grain train program~~  
33 ~~reaches \$1,180,000, the department shall acquire additional grain train~~  
34 ~~railcars.~~

35 ~~(8) \$1,087,000 of the multimodal transportation account--state~~  
36 ~~appropriation is provided solely as state matching funds for successful~~  
37 ~~grant applications to either the federal rail line relocation and~~



1 ~~improvement program (project 798999D) or new federal high speed rail~~  
2 ~~grants.~~

3       ~~(9))~~ (6) The Burlington Northern Santa Fe Skagit river bridge is  
4 an integral part of the rail system. Constructed in 1916, the bridge  
5 does not meet current design standards and is at risk during flood  
6 events that occur on the Skagit river. The department shall work with  
7 Burlington Northern Santa Fe and local jurisdictions to secure federal  
8 funding for the Skagit river bridge and to develop an appropriate  
9 replacement plan and schedule.

10       ~~((10)---\$339,139,000))~~ (7) \$218,341,000 of the multimodal  
11 transportation account--federal appropriation and ~~(((\$5,099,000))~~  
12 \$3,639,000 of the multimodal transportation account--state  
13 appropriation are provided solely for expenditures related to passenger  
14 high-speed rail grants. At one and one-half percent of the total  
15 project funds, the multimodal transportation account--state funds are  
16 provided solely for expenditures that are not federally reimbursable.  
17 Funding in this subsection is the initial portion of multiyear  
18 high-speed rail program grants awarded to Washington state for  
19 high-speed intercity passenger rail investments. Funding will allow  
20 for two additional round trips between Seattle and Portland and other  
21 rail improvements.

22       ~~((11))~~ (8) \$750,000 of the multimodal transportation account--  
23 state appropriation is provided solely for the Port of Royal Slope  
24 rehabilitation project (L1000053). Funding is contingent upon the  
25 project completing the rail cost-benefit methodology process developed  
26 during the 2008 interim using the legislative priorities outlined in  
27 subsection (2)(c) of this section.

28       (9) As allowable under federal rail authority rules and existing  
29 competitive bidding practices, when purchasing new train sets, the  
30 department shall give preference to bidders that propose train sets  
31 with characteristics and maintenance requirements most similar to those  
32 currently owned by the department.

33       (10) Funds generated by the grain train program are solely for  
34 operating, sustaining, and enhancing the grain train program including,  
35 but not limited to, operations, capital investments, inspection,  
36 developing business plans for future growth, and fleet management. Any  
37 funds deemed by the department, in consultation with relevant port  
38 districts, to be in excess of current operating needs or capital

1 reserves of the grain train program may be transferred from the  
2 miscellaneous program account to the essential rail assistance account  
3 for the purpose of sustaining the grain train program through  
4 maintaining the Palouse river and Coulee City railroad line, on which  
5 the grain train program operates.

6 (11) \$500,000 of the essential rail assistance account--state  
7 appropriation is provided solely for the purpose of rehabilitation and  
8 maintenance of the Palouse river and Coulee City railroad line.  
9 Expenditures from this appropriation may not exceed the combined total  
10 of:

11 (a) The revenues deposited into the essential rail assistance  
12 account from leases and sale of property pursuant to RCW 47.76.290; and

13 (b) Revenues transferred from the miscellaneous program account for  
14 the purpose of sustaining the grain train program through maintaining  
15 the Palouse river and Coulee City railroad line.

16 (12) \$200,000 of the multimodal transportation account--state  
17 appropriation is provided solely for the Clark county chelatchie  
18 prairie rail road (project L2200085).

19 **Sec. 310.** 2011 c 367 s 310 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
22 **CAPITAL**

23	Highway Infrastructure Account--State Appropriation . . . . .	\$207,000
24	Highway Infrastructure Account--Federal	
25	Appropriation . . . . .	\$1,602,000
26	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$3,754,000</del> ))
27		<u>\$4,179,000</u>
28	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$31,856,000</del> ))
29		<u>\$37,935,000</u>
30	Freight Mobility Investment Account--State	
31	Appropriation . . . . .	\$11,278,000
32	Transportation Partnership Account--State	
33	Appropriation . . . . .	(( <del>\$6,035,000</del> ))
34		<u>\$7,181,000</u>
35	Freight Mobility Multimodal Account--State	
36	Appropriation . . . . .	(( <del>\$15,117,000</del> ))
37		<u>\$15,668,000</u>

1	Freight Mobility Multimodal Account--Local	
2	Appropriation . . . . .	(( <del>\$4,752,000</del> ))
3		<u>\$2,834,000</u>
4	Multimodal Transportation Account--State	
5	Appropriation . . . . .	(( <del>\$18,453,000</del> ))
6		<u>\$22,575,000</u>
7	Passenger Ferry Account--State Appropriation . . . . .	\$1,115,000
8	TOTAL APPROPRIATION . . . . .	(( <del>\$94,169,000</del> ))
9		<u>\$104,574,000</u>

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

12       ~~(1) ((The department shall, on a quarterly basis beginning July 1,~~  
13 ~~2011, provide to the office of financial management and the legislature~~  
14 ~~reports providing the status on each active project funded in part or~~  
15 ~~whole by the transportation 2003 account (nickel account) or the~~  
16 ~~transportation partnership account. Report formatting and elements~~  
17 ~~must be consistent with the October 2009 quarterly project report. The~~  
18 ~~department shall also provide the information required under this~~  
19 ~~subsection on a quarterly basis via the transportation executive~~  
20 ~~information system.~~

21       ~~(2))~~ \$1,115,000 of the passenger ferry account--state  
22 appropriation is provided solely for near and long-term costs of  
23 capital improvements and operating expenses that are consistent with  
24 the business plan approved by the governor for passenger ferry service.

25       ~~((3))~~ (2) The department shall apply for surface transportation  
26 program enhancement funds to be expended in lieu of or in addition to  
27 state funds for eligible costs of projects in local programs, program  
28 Z--capital.

29       ~~((4))~~ (3) Federal funds may be transferred from program Z to  
30 programs I and P and state funds must be transferred from programs I  
31 and P to program Z to replace those federal funds in a dollar-for-  
32 dollar match. Fund transfers authorized under this subsection shall  
33 not affect project prioritization status. Appropriations must  
34 initially be allotted as appropriated in this act. The department may  
35 not transfer funds as authorized under this subsection without approval  
36 of the office of financial management. The department shall submit a  
37 report on those projects receiving fund transfers to the office of

1 financial management and the transportation committees of the  
2 legislature by December 1, 2011, and December 1, 2012.

3 ~~((+5))~~ (4) The city of Winthrop may utilize a design-build process  
4 for the Winthrop bike path project.

5 ~~((+6)---\$11,557,000))~~ (5) \$14,813,000 of the multimodal  
6 transportation account--state appropriation, ~~((+\$12,136,000))~~  
7 \$12,804,000 of the motor vehicle account--federal appropriation, and  
8 ~~((+\$5,195,000))~~ \$6,241,000 of the transportation partnership account--  
9 state appropriation are provided solely for the pedestrian and bicycle  
10 safety program projects and safe routes to schools program projects  
11 identified in: LEAP Transportation Document 2011-A, pedestrian and  
12 bicycle safety program projects and safe routes to schools program  
13 projects, as developed April 19, 2011; LEAP Transportation Document  
14 2009-A, pedestrian and bicycle safety program projects and safe routes  
15 to schools program projects, as developed March 30, 2009; LEAP  
16 Transportation Document 2007-A, pedestrian and bicycle safety program  
17 projects and safe routes to schools program projects, as developed  
18 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and  
19 bicycle safety program projects and safe routes to schools program  
20 projects, as developed March 8, 2006. Projects must be allocated  
21 funding based on order of priority. The department shall review all  
22 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 must 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 identify where unused grant funds  
29 remain because actual project costs were lower than estimated in the  
30 grant award.

31 ~~((+7))~~ (6) Except as provided otherwise in this section, the  
32 entire appropriations in this section are provided solely for the  
33 projects and activities as listed by project and amount in LEAP  
34 Transportation Document ~~((2011-2))~~ 2012-1 ALL PROJECTS as developed  
35 ~~((April 19, 2011))~~ March 8, 2012, Program - Local Program (Z).

36 ~~((+8))~~ (7) For the 2011-2013 project appropriations, unless  
37 otherwise provided in this act, the director of the office of financial  
38 management may authorize a transfer of appropriation authority between

1 projects managed by the freight mobility strategic investment board and  
2 may also advance projects in future biennia, as identified in LEAP  
3 Transportation Document 2012-1 ALL PROJECTS as developed March 8, 2012,  
4 into the current biennium in order for the board to manage project  
5 spending and efficiently deliver all projects in the respective  
6 program.

7 ((+9)) (8) With each department budget submittal, the department  
8 shall provide an update on the status of the repayment of the twenty  
9 million dollars of unobligated federal funds authority advanced by the  
10 department in September 2010 to the city of Tacoma for the Murray  
11 Morgan/11th Street bridge project.

12 ~~((+10) The department shall prepare a list of main street projects,~~  
13 ~~consistent with chapter ... (Engrossed Substitute House Bill No. 1071),~~  
14 ~~Laws of 2011, for approval in the 2013-2015 fiscal biennium. In order~~  
15 ~~to ensure that any proposed list of projects is consistent with~~  
16 ~~legislative intent, the department shall provide a report to the joint~~  
17 ~~transportation committee by December 1, 2011. The report must identify~~  
18 ~~the eligible segments of main streets highways, the department's~~  
19 ~~proposed project selection and ranking method, criteria to be~~  
20 ~~considered, and a plan for soliciting project proposals.~~

21 (+11)) (9) If funding is specifically designated in this act for  
22 main street projects, the department shall prepare a list of projects  
23 that is consistent with chapter 257, Laws of 2011, for approval in the  
24 2013-2015 fiscal biennium.

25 (10) \$267,000 of the motor vehicle account--state appropriation and  
26 \$2,859,000 of the motor vehicle account--federal appropriation are  
27 provided solely for completion of the US 101 northeast peninsula safety  
28 rest area and associated roadway improvements east of Port Angeles at  
29 the Deer Park scenic view point (3LP187A). The department must surplus  
30 any right-of-way previously purchased for this project near Sequim.  
31 Approval to proceed with construction is contingent on surplus of  
32 previously purchased right-of-way.

33 ((+12)) (11) Up to ~~(((\$3,650,000))~~ \$3,702,000 of the motor vehicle  
34 account--federal appropriation and ~~(((\$23,000))~~ \$75,000 of the motor  
35 vehicle account--state appropriation are provided solely to reimburse  
36 the cities of Kirkland and Redmond for pavement and bridge deck  
37 rehabilitation on state route number 908 (1LP611A). These funds may  
38 not be expended unless the cities sign an agreement stating that the

1 cities agree to take ownership of state route number 908 in its  
2 entirety and agree that the payment of these funds represents the  
3 entire state commitment to the cities for state route number 908  
4 expenditures.

5 ~~((+13))~~ (12) \$225,000 of the multimodal transportation account--  
6 state appropriation is provided solely for the Shell Valley emergency  
7 road and bicycle/pedestrian path (L1000036).

8 ~~((+14) \$150,000)~~ (13) \$188,000 of the motor vehicle account--state  
9 appropriation is provided solely for flood reduction solutions on state  
10 route number 522 caused by the lower McAleer and Lyon creek basins  
11 (L1000041).

12 ~~((+15))~~ (14) \$896,000 of the multimodal transportation account--  
13 state appropriation is provided solely for realignment of Parker Road  
14 and construction of secondary access off of state route number 20  
15 (L2200040).

16 ~~((+16))~~ (15) An additional \$2,500,000 of the motor vehicle  
17 account--federal appropriation is provided solely for the Strander  
18 Blvd/SW 27th St Connection project (1LP902F), which amount is reflected  
19 in the LEAP transportation document identified in subsection ~~((+7))~~  
20 (6) of this section. These funds may only be committed if needed, may  
21 not be used to supplant any other committed project partnership  
22 funding, and must be the last funds expended.

23 ~~((+17))~~ (16) \$500,000 of the motor vehicle account--federal  
24 appropriation is provided solely for safety improvements at the  
25 intersection of South Wapato and McDonald Road (L1000052).

26 ~~((+18))~~ (17) \$2,000,000 of the multimodal transportation account--  
27 state appropriation is provided solely for the state route number 432  
28 rail realignment and highway improvements project (L1000056).

29 ~~((+19) \$500,000 of the multimodal transportation account--state  
30 appropriation is provided solely for a multimodal corridor plan on  
31 state route number 520 between Interstate 405 and Avondale Road in  
32 Redmond (L1000054)).~~

33 ~~(+20))~~ (18) \$100,000 of the motor vehicle account--federal  
34 appropriation is provided solely for state route number 164 and Auburn  
35 Way South pedestrian improvements (L1000057).

36 ~~((+21))~~ (19) \$115,000 of the motor vehicle account--federal  
37 appropriation is provided solely for median street lighting on state  
38 route number 410 (L1000058).

1        ~~((+22))~~ (20) \$60,000 of the multimodal transportation account--  
2 state appropriation is provided solely for a cross docking study for  
3 the port of Douglas county (L1000060).

4        ~~((+23))~~ (21) \$100,000 of the motor vehicle account--federal  
5 appropriation is provided solely for city of Auburn - 8th and R Street  
6 NE intersection improvements (L2200043).

7        ~~((+24))~~ (22) \$65,000 of the multimodal transportation account--  
8 state appropriation is provided solely for the Puget Sound regional  
9 council to further the implementation of multimodal concurrency  
10 practice through a transit service overlay zone implemented at the  
11 local level (L1000061). This approach will improve the linkage of land  
12 use and transportation investment decisions, improve the efficiency of  
13 transit service by encouraging transit-supportive development, provide  
14 incentives for developers, and support integrated regional growth,  
15 economic development, and transportation plans. In carrying out this  
16 work, the council shall involve representatives from cities and  
17 counties, developers, transit agencies, and other interested  
18 stakeholders, and shall consult with other regional transportation  
19 planning organizations across the state. The council shall report the  
20 results of their work and recommendations to the joint transportation  
21 committee by December 2011, with a final report to the transportation  
22 committees of the legislature by January 31, 2012.

23        (23) \$1,750,000 of the motor vehicle account--federal appropriation  
24 is provided solely for the SR 522 Improvements/61st Avenue NE and NE  
25 181st Street project (L1000055).

26        (24) The department shall implement a call for projects eligible  
27 for the bicycle and pedestrian grant program similar to the call for  
28 projects conducted in 2010, although the department may adjust the  
29 criteria to include mobility and connectivity. The department shall  
30 include a list of prioritized bicycle and pedestrian grant projects for  
31 approval in the 2013-2015 biennial transportation budget.

32        (25) \$100,000 of the multimodal transportation account--state  
33 appropriation is provided solely for the design of a stand-alone ADA  
34 accessible bicycle/pedestrian bridge across the Sultan river in the  
35 city of Sultan (L1100044).

36        (26) \$445,000 of the motor vehicle account--federal appropriation  
37 is provided solely for pedestrian lighting on the main span of the  
38 Chehalis river bridge in Aberdeen (L1100046).

1        (27) \$500,000 of the motor vehicle account--federal appropriation  
2 is provided solely for resurfacing Alder Avenue in the city of Sultan  
3 (L1100047).

4        (28) \$800,000 of the motor vehicle account--federal appropriation  
5 is provided solely for rights-of-way acquisition on state route number  
6 516 from Jenkins creek to 185th (L2000017).

7        (29) \$1,100,000 of the motor vehicle account--federal appropriation  
8 is provided solely for traffic analysis, right-of-way, and design work  
9 on the 31st Avenue Southwest overpass on Puyallup's South Hill  
10 (L1100048).

11        (30) \$2,000,000 of the motor vehicle account--federal appropriation  
12 is provided solely for environmental documentation and preliminary  
13 engineering for the Scott Avenue Reconnection Project in the city of  
14 Woodland (L1100049).

15        (31) \$350,000 of the motor vehicle account--federal appropriation  
16 is provided solely for preliminary engineering and rights-of-way on the  
17 Slater Road Bridge project (L2200089).

18        (32) \$380,000 of the motor vehicle account--federal appropriation  
19 is provided solely for rehabilitation work for 156th/160th Avenue in  
20 the city of Covington (L2200088).

21        (33) \$380,000 of the motor vehicle account--federal appropriation  
22 is provided solely for improvements to Penney Avenue in the town of  
23 Naches (L2200090).

24        (34) \$450,000 of the motor vehicle account--federal appropriation  
25 is provided solely for preliminary engineering on NW Friberg Street and  
26 Goodwin Road in the city of Camas (L2200091).

27        NEW SECTION. Sec. 311. A new section is added to 2011 c 367  
28 (uncodified) to read as follows:

29 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

30        On a quarterly basis, the department of transportation shall  
31 provide to the office of financial management and the legislative  
32 transportation committees the following reports for all capital  
33 programs:

34        (1) For active projects, the report must include:

35        (a) A TEIS version containing actual capital expenditures for all  
36 projects consistent with the structure of the most recently enacted  
37 budget;



1 (b) Anticipated cost savings, cost increases, reappropriations, and  
2 schedule adjustments for all projects consistent with the structure of  
3 the most recently enacted budget;

4 (c) The award amount, the engineer's estimate, and the number of  
5 bidders for all active projects consistent with the structure of the  
6 most recently enacted budget;

7 (d) Projected costs and schedule for individual projects that are  
8 funded at a programmatic level for projects relating to bridge rail,  
9 guard rail, fish passage barrier removal, roadside safety projects, and  
10 seismic bridges. Projects within this programmatic level funding must  
11 be completed on a priority basis and scoped to be completed within the  
12 current programmatic budget;

13 (e) Highway projects that may be reduced in scope and still achieve  
14 a functional benefit;

15 (f) Highway projects that have experienced scope increases and that  
16 can be reduced in scope;

17 (g) Highway projects that have lost significant local or regional  
18 contributions that were essential to completing the project; and

19 (h) Contingency amounts for all projects consistent with the  
20 structure of the most recently enacted budget.

21 (2) For completed projects, the report must:

22 (a) Compare the original project cost estimates and schedule  
23 approved in the transportation 2003 and 2005 transportation partnership  
24 project lists to the completed cost of the project;

25 (b) Compare the costs and operationally complete date for projects  
26 on the transportation 2003 and 2005 transportation partnership project  
27 lists to the last legislatively adopted project list prior to the  
28 completion of a project;

29 (c) Compare the costs and operationally complete date for projects  
30 with budgets of twenty million dollars that are funded with preexisting  
31 funds to the original project cost estimates and schedule; and

32 (d) Provide a list of nickel and TPA projects charging to the  
33 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount  
34 each project is charging.

35 (3) For prospective projects, the report must:

36 (a) Identify the estimated advertisement date for all projects  
37 consistent with the structure of the most recently enacted budget that  
38 are going to advertisement during the current biennium;



1 Multimodal Transportation Account--State  
2 Appropriation . . . . . ((\$138,000))  
3 \$158,000  
4 Toll Facility Bond Retirement Account--State  
5 Appropriation . . . . . ((\$33,792,000))  
6 \$48,807,000  
7 Toll Facility Bond Retirement Account--Federal  
8 Appropriation . . . . . ((\$14,649,000))  
9 \$7,500,000  
10 TOTAL APPROPRIATION . . . . . ((\$1,048,403,000))  
11 \$1,015,913,000

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

14 (1) ~~\$4,610,000 of the highway bond retirement account state~~  
15 ~~appropriation is provided solely for debt service on bonds issued to~~  
16 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~  
17 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~  
18 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~  
19 ~~enacted by June 30, 2011, the amount provided in this subsection~~  
20 ~~lapses.~~

21 (2) ~~\$165,000 of the transportation 2003 account (nickel account)--~~  
22 ~~state appropriation is provided solely for discounts on bonds sold to~~  
23 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~  
24 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~  
25 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~  
26 ~~enacted by June 30, 2011, the amount provided in this subsection~~  
27 ~~lapses.))~~

28 **Sec. 402.** 2011 c 367 s 402 (uncodified) is amended to read as  
29 follows:

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

33 State Route Number 520 Corridor Account--State  
34 Appropriation . . . . . ((\$68,000))  
35 \$960,000  
36 Transportation Partnership Account--State  
37 Appropriation . . . . . ((\$608,000))

	<u>\$587,000</u>
Motor Vehicle Account--State Appropriation . . . . .	((\$60,000))
	<u>\$58,000</u>
Transportation 2003 Account (Nickel Account)--State	
Appropriation . . . . .	((\$219,000))
	<u>\$255,000</u>
Transportation Improvement Account--State Appropriation . . . .	\$5,000
Multimodal Transportation Account--State	
Appropriation . . . . .	((\$26,000))
	<u>\$23,000</u>
TOTAL APPROPRIATION . . . . .	((\$986,000))
	<u>\$1,888,000</u>

~~((The appropriations in this section are subject to the following conditions and limitations: \$30,000 of the transportation 2003 account (nickel account) state appropriation is provided solely for expenses associated with bonds sold to construct a ferry boat vessel with a carrying capacity of one hundred forty four cars. If neither chapter . . . (House Bill No. 2083), Laws of 2011 nor chapter . . . (Engrossed Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the amount provided in this subsection lapses.))~~

**Sec. 403.** 2011 c 367 s 403 (uncodified) is amended to read as follows:

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

Motor Vehicle Account--State Appropriation: For transfer to the Puget Sound Capital Construction Account . . . . . ((\$52,516,000))

\$45,000,000

The department of transportation is authorized to sell up to ~~(((\$52,516,000))~~ \$45,000,000 in bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead-time materials acquisition for the Washington state ferries. ~~((Of the authorized amounts, \$14,500,000 is provided solely for expenditures made during the fiscal biennium ending June 30, 2011.))~~

**Sec. 404.** 2011 c 367 s 404 (uncodified) is amended to read as follows:

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

2 Motor Vehicle Account--State Appropriation for motor  
3 vehicle fuel tax distributions to cities and  
4 counties . . . . . ((\$478,155,000))  
5 \$470,701,000

6 **Sec. 405.** 2011 c 367 s 405 (uncodified) is amended to read as  
7 follows:

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

9 Motor Vehicle Account--State Appropriation: For  
10 motor vehicle fuel tax refunds and statutory  
11 transfers . . . . . ((\$1,246,357,000))  
12 \$1,227,005,000

13 **Sec. 406.** 2011 c 367 s 406 (uncodified) is amended to read as  
14 follows:

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

16 Motor Vehicle Account--State Appropriation: For  
17 motor vehicle fuel tax refunds and transfers . . . ((\$127,984,000))  
18 \$151,870,000

19 **Sec. 407.** 2011 c 367 s 407 (uncodified) is amended to read as  
20 follows:

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

22 (1) (~~Tacoma Narrows Toll Bridge Account--State~~  
23 ~~Appropriation: For transfer to the Motor Vehicle~~  
24 ~~Account--State . . . . . \$543,000~~

25 (+2)) Motor Vehicle Account--State Appropriation:  
26 For transfer to the Puget Sound Ferry Operations  
27 Account--State . . . . . ((\$46,500,000))  
28 \$45,500,000

29 ((+3)) (2) Recreational Vehicle Account--State  
30 Appropriation: For transfer to the Motor Vehicle  
31 Account--State . . . . . ((\$1,450,000))  
32 \$1,150,000

33 ((+4)) (3) License Plate Technology Account--State  
34 Appropriation: For transfer to the Highway Safety  
35 Account--State . . . . . ((\$3,200,000))

1 \$3,000,000  
 2       ((+5)) (4) Multimodal Transportation Account--State  
 3 Appropriation: For transfer to the Puget Sound  
 4 Ferry Operations Account--State . . . . . (~~(\$43,000,000)~~)  
 5 \$42,000,000  
 6       ((+6)) (5) Highway Safety Account--State Appropriation:  
 7 For transfer to the Motor Vehicle Account--State . . . . . \$23,000,000  
 8       (~~(7) Department of Licensing Services Account~~  
 9 ~~--State Appropriation: For transfer to the Motor Vehicle~~  
 10 ~~Account--State . . . . . \$400,000~~)  
 11       (+8)) (6) Advanced Right-of-Way Revolving Fund: For  
 12 transfer to the Motor Vehicle Account--State . . . . . \$5,000,000  
 13       (~~(9) State Route Number 520 Civil Penalties~~  
 14 ~~Account--State Appropriation: For transfer to the~~  
 15 ~~State Route Number 520 Corridor Account--State . . . . . \$754,000~~)  
 16       (+10)) (7) Rural Mobility Grant Program Account--State  
 17 Appropriation: For transfer to the Multimodal  
 18 Transportation Account--State . . . . . \$3,000,000  
 19       ((+11)) (8) Motor Vehicle Account--State  
 20 Appropriation: For transfer to the State Patrol  
 21 Highway Account--State . . . . . (~~(\$14,000,000)~~)  
 22 \$16,000,000  
 23       ((+12)) (9) State Route Number 520 Corridor  
 24 Account--State Appropriation: For transfer to the  
 25 Motor Vehicle Account--State(~~(, in an amount equal to~~  
 26 ~~funds dispersed during the 2009-2011 fiscal biennium~~  
 27 ~~authorized under section 805(7) of this act.)) . . . . . \$58,000  
 28       ((+13)) (10) Motor Vehicle Account--State  
 29 Appropriation: For transfer to the Special Category C  
 30 Account--State . . . . . (~~(\$1,500,000)~~)  
 31 \$2,500,000  
 32       ((+14)) (11) Regional Mobility Grant Program  
 33 Account--State Appropriation: For transfer to the  
 34 Multimodal Transportation Account--State . . . . . \$1,000,000  
 35       ((+15)) (12) State Patrol Highway Account--State  
 36 Appropriation: For transfer to the Vehicle  
 37 Licensing Fraud Account . . . . . \$100,000  
 38       (~~(16) State Route Number 520 Corridor Account--State~~)~~

1 ~~Appropriation: For transfer to the Motor Vehicle~~  
2 ~~Account . . . . . \$2,435,000))~~  
3 (13) Capital Vessel Replacement Account--State

4 Appropriation: For transfer to the Transportation 2003  
5 Account (Nickel Account)--State . . . . . \$6,367,000

6 ~~((+17))~~ (14) The transfers identified in this section are subject  
7 to the following conditions and limitations:

8 ~~(a) ((The amount transferred in subsection (1) of this section~~  
9 ~~represents repayment of operating loans and reserve payments provided~~  
10 ~~to the Tacoma Narrows toll bridge account from the motor vehicle~~  
11 ~~account in the 2005-2007 fiscal biennium.~~

12 ~~(b) The transfer in subsection (9) of this section represents toll~~  
13 ~~revenue collected from toll violations))~~ The transfer in subsection (9)  
14 of this section represents the repayment of an amount equal to  
15 subprogram B5 expenditures that occurred in the motor vehicle account  
16 in the 2009-2011 fiscal biennium.

17 (b) The amount transferred in subsection (2) of this section shall  
18 not exceed the expenditures incurred from the motor vehicle account--  
19 state for the recreational vehicle sanitary disposal systems program.

20 **COMPENSATION**

21 **Sec. 501.** 2011 c 367 s 502 (uncodified) is amended to read as  
22 follows:

23 **COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION**

24 (1) No agreement has been reached between the governor and the  
25 Washington state patrol trooper's association under chapter 41.56 RCW  
26 for ((the 2011-2013 fiscal biennium)) fiscal year 2012. Appropriations  
27 for the Washington state patrol in this act are sufficient to fund the  
28 provisions of the 2009-2011 agreement.

29 (2) An agreement has been reached between the governor and the  
30 Washington state patrol troopers association under chapter 41.56 RCW  
31 for fiscal year 2013. Appropriations for the Washington state patrol  
32 in this act provide funding to implement the fiscal year 2013  
33 agreement. The fiscal year 2013 agreement contains no change in  
34 compensation from the 2009-2011 agreement; therefore, no additional  
35 funding is appropriated.

1       **Sec. 502.** 2011 c 367 s 503 (uncodified) is amended to read as  
2 follows:

3 **COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION**

4       (1) No agreement has been reached between the governor and the  
5 Washington state patrol lieutenant's association under chapter 41.56  
6 RCW for ((the 2011-2013 fiscal biennium)) fiscal year 2012.  
7 Appropriations for the Washington state patrol in this act are  
8 sufficient to fund the provisions of the 2009-2011 agreement.

9       (2) An agreement has been reached between the governor and the  
10 Washington state patrol lieutenants association under chapter 41.56 RCW  
11 for fiscal year 2013. Appropriations for the Washington state patrol  
12 in this act provide funding to implement the fiscal year 2013  
13 agreement. The fiscal year 2013 agreement contains no change in  
14 compensation from the 2009-2011 agreement; therefore, no additional  
15 funding is appropriated.

16       **Sec. 503.** 2011 c 367 s 505 (uncodified) is amended to read as  
17 follows:

18 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
19 **AGREEMENTS--TERMS AND CONDITIONS**

20       No agreement has been reached between the governor and the masters,  
21 mates, and pilots marine operations watch supervisors under chapter  
22 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this  
23 act reflect funding to maintain the provisions or terms and conditions  
24 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013  
25 appropriations are reduced to reflect a 6.0 percent temporary salary  
26 reduction effective July 1, 2012, through June 29, 2013, a reduction to  
27 overtime calculation, reduced vacation accruals, and other management  
28 priorities in collective bargaining. Effective June 30, 2013, the  
29 salary schedules effective July 1, 2009, through June 30, 2011, will be  
30 reinstated.

31 NEW SECTION. **Sec. 504. TRANSPORTATION EMPLOYEES--COMPENSATION**

32 The following acts or parts of acts are each repealed:

33       (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF  
34 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
35 CONTRIBUTIONS);



- 1 (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF  
2 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
3 CONTRIBUTIONS);  
4 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF  
5 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and  
6 (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF  
7 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM  
8 CONTRIBUTIONS).

9 **IMPLEMENTING PROVISIONS**

10 NEW SECTION. **Sec. 601.** A new section is added to 2011 c 367  
11 (uncodified) to read as follows:

12 The department of transportation may provide up to \$163,000 in toll  
13 credits to the Port of Kingston for its role in the new passenger-only  
14 ferry service and ferry corridor-related projects. The number of toll  
15 credits provided to the Port of Kingston must be equal to, but no more  
16 than, the number sufficient to meet federal match requirements for  
17 grant funding for passenger-only ferry service, but shall not exceed  
18 the amount authorized in this section.

19 **Sec. 602.** 2011 c 367 s 608 (uncodified) is amended to read as  
20 follows:

21 **STAFFING LEVELS**

22 (1) As the department of transportation completes delivery of the  
23 projects funded by the 2003 and 2005 transportation revenue packages,  
24 it is clear that the current staffing levels necessary to deliver these  
25 projects are not sustainable into the future. Therefore, the  
26 department is directed to quickly move forward to develop and implement  
27 new business practices so that a smaller, more nimble state workforce  
28 can effectively and efficiently deliver transportation improvement  
29 programs as they are approved in the future, in strong partnership with  
30 the private sector, while protecting the public's interests and assets.

31 (2) To this end, the department of transportation is directed to  
32 reduce the size of its engineering and technical workforce to a level  
33 sustained by current law revenue levels currently estimated at two  
34 thousand FTEs by the end of the 2013-2015 fiscal biennium. The

1 department's current two thousand eight hundred FTE engineering and  
2 technical workforce levels for highway construction will be reduced in  
3 the 2011-2013 fiscal biennium, with a target of two thousand four  
4 hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by  
5 June 30, 2015.

6 (3) In order to successfully deliver the highway construction  
7 program as funded, the department of transportation may continue to  
8 contract out engineering and technical services. In addition, the  
9 department may continue the incentive program for retirements and  
10 employee separations. (~~The department shall report quarterly to the  
11 office of financial management and the transportation committees of the  
12 legislature on its progress and plans to reduce highway construction  
13 workforce levels to two thousand FTEs by June 2015. This report must  
14 also be posted on the department's web site.~~)

15 (4) The department of transportation is directed to reduce the size  
16 of its administrative operating programs for the 2013-2015 biennium.  
17 As part of the department's biennial budget submittal, the department  
18 shall reduce its workforce in Programs C, H, T, and S by three percent.  
19 The ratio of executive management service or Washington management  
20 services employee staff must be at least six staff for every manager by  
21 the end of the 2013-2015 biennium.

22 **Sec. 603.** 2011 c 367 s 603 (uncodified) is amended to read as  
23 follows:

24 **FUND TRANSFERS**

25 (1) The transportation 2003 projects or improvements and the 2005  
26 transportation partnership projects or improvements are listed in LEAP  
27 Transportation Document (~~(2011-1)~~) 2012-2 as developed (~~(April 19,~~  
28 ~~2011)~~) March 8, 2012, which consists of a list of specific projects by  
29 fund source and amount over a sixteen-year period. Current fiscal  
30 biennium funding for each project is a line-item appropriation, while  
31 the outer year funding allocations represent a sixteen-year plan. The  
32 department is expected to use the flexibility provided in this section  
33 to assist in the delivery and completion of all transportation  
34 partnership account and transportation 2003 account (nickel account)  
35 projects on the LEAP transportation documents referenced in this act.  
36 For the 2009-2011 and 2011-2013 project appropriations, unless  
37 otherwise provided in this act, the director of financial management

1 may authorize a transfer of appropriation authority between projects  
2 funded with transportation 2003 account (nickel account)  
3 appropriations, or transportation partnership account appropriations,  
4 in order to manage project spending and efficiently deliver all  
5 projects in the respective program under the following conditions and  
6 limitations:

7 (a) Transfers may only be made within each specific fund source  
8 referenced on the respective project list;

9 (b) Transfers from a project may not be made as a result of the  
10 reduction of the scope of a project or be made to support increases in  
11 the scope of a project;

12 (c) Each transfer between projects may only occur if the director  
13 of financial management finds that any resulting change will not hinder  
14 the completion of the projects as approved by the legislature. Until  
15 the legislature reconvenes to consider the 2012 supplemental  
16 transportation budget, any unexpended 2009-2011 appropriation balance  
17 as approved by the office of financial management, in consultation with  
18 the legislative staff of the house of representatives and senate  
19 transportation committees, may be considered when transferring funds  
20 between projects;

21 (d) Transfers from a project may be made if the funds appropriated  
22 to the project are in excess of the amount needed to complete the  
23 project;

24 (e) Transfers may not occur for projects not identified on the  
25 applicable project list;

26 (f) Transfers may not be made while the legislature is in session;  
27 and

28 (g) Transfers between projects may be made by the department of  
29 transportation until the transfer amount by project exceeds two hundred  
30 fifty thousand dollars, or ten percent of the total project, whichever  
31 is less. These transfers must be reported quarterly to the director of  
32 financial management and the chairs of the house of representatives and  
33 senate transportation committees.

34 (2) At the time the department submits a request to transfer funds  
35 under this section, a copy of the request must be submitted to the  
36 transportation committees of the legislature.

37 (3) The office of financial management shall work with legislative

1 staff of the house of representatives and senate transportation  
2 committees to review the requested transfers in a timely manner.

3 (4) The office of financial management shall document approved  
4 transfers and schedule changes in the transportation executive  
5 information system, compare changes to the legislative baseline funding  
6 and schedules identified by project identification number identified in  
7 the LEAP transportation documents referenced in this act, and transmit  
8 revised project lists to chairs of the transportation committees of the  
9 legislature on a quarterly basis.

10 NEW SECTION. **Sec. 604.** A new section is added to 2011 c 367  
11 (uncodified) to read as follows:

12 A narrowbanding financing contract adopted by the Washington state  
13 patrol is contingent upon the completion of an independent financial,  
14 technical, and compliance review that must include the review of the  
15 utilization of the United States department of justice's integrated  
16 wireless network, which includes a risk mitigation strategy and plans,  
17 age and platform of the communication equipment's technology, and  
18 contractual services and obligations, to be completed and approved by  
19 the office of financial management by July 31, 2012, before any  
20 financial contracts using certificates of participation can be  
21 executed. The office of financial management must request from the  
22 federal communications commission an extension of ninety days for  
23 meeting the January 1, 2013, narrowbanding mandate to allow the time  
24 required to perform the review.

25 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

26 NEW SECTION. **Sec. 701.** A new section is added to 2011 c 367  
27 (uncodified) to read as follows:

28 It is the intent of the legislature that the appropriations in  
29 sections 702 through 713 of this act be an initial commitment to the  
30 programs and activities funded and that the commitment continue through  
31 the 2013-2015 fiscal biennium. To that end, it is the intent of the  
32 legislature that the spending plan for the 2013-2015 fiscal biennium  
33 reflect the programmatic areas and amounts described in LEAP  
34 Transportation Document 2012-4, as developed March 8, 2012.

1        NEW SECTION.    **Sec. 702.**    A new section is added to 2011 c 367  
2    (uncodified) to read as follows:

3    **FOR THE WASHINGTON STATE PATROL**

4    State Patrol Highway Account--State Appropriation . . . . .	\$3,500,000
5    Highway Safety Account--State Appropriation . . . . .	\$6,000,000
6        TOTAL APPROPRIATION . . . . .	\$9,500,000

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

9        (1)    \$1,642,000 of the state patrol highway account--state  
10    appropriation is provided solely for the auto theft investigation units  
11    in King county, the city of Spokane, and the city of Tacoma.

12        (2)    \$5,000,000 of the highway safety account--state appropriation  
13    is provided solely to train an additional trooper cadet class in the  
14    current biennium.

15        NEW SECTION.    **Sec. 703.**    A new section is added to 2011 c 367  
16    (uncodified) to read as follows:

17    **FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL**

18    Highway Safety Account--State Appropriation . . . . .	\$3,500,000
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19        The appropriation in this section is subject to the following  
20    conditions and limitations:    The appropriation in this section is  
21    provided solely for the county arterial preservation program to help  
22    counties meet urgent preservation needs.

23        NEW SECTION.    **Sec. 704.**    A new section is added to 2011 c 367  
24    (uncodified) to read as follows:

25    **FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL**

26    Highway Safety Account--State Appropriation . . . . .	\$3,500,000
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27        The appropriation in this section is subject to the following  
28    conditions and limitations:

29        (1)    \$3,150,000 of the highway safety account--state appropriation  
30    is provided solely for the urban arterial program to help cities meet  
31    urgent preservation and storm water needs.

32        (2)    \$350,000 of the highway safety account--state appropriation is  
33    provided solely for the small city pavement program to help cities meet  
34    urgent preservation and storm water needs.



1 conditions and limitations: The appropriation in this section is  
2 provided solely for urgent preservation needs on the state highway  
3 system.

4 NEW SECTION. **Sec. 708.** A new section is added to 2011 c 367  
5 (uncodified) to read as follows:

6 **FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES**

7 Public Transportation Grant Program Account--State  
8 Appropriation . . . . . \$9,000,000

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

11 (1) The appropriation in this section must be distributed statewide  
12 to transit authorities according to the distribution formula in  
13 subsection (2) of this section. Funding must be used for operations.

14 (2) Of the amounts provided in this section:

15 (a) One-third must be distributed based on vehicle miles of service  
16 provided;

17 (b) One-third must be distributed based on the number of vehicle  
18 hours of service provided; and

19 (c) One-third must be distributed based on the number of passenger  
20 trips.

21 (3) For the purposes of this section:

22 (a) "Transit authorities" has the same meaning as in RCW  
23 9.91.025(2)(c).

24 (b) "Vehicle miles of service," "vehicle hours of service," and  
25 "passenger trips" are transit service metrics as reported by the public  
26 transportation program of the department of transportation in the  
27 annual report required in RCW 35.58.2796 for calendar year 2010.

28 NEW SECTION. **Sec. 709.** A new section is added to 2011 c 367  
29 (uncodified) to read as follows:

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

31 Highway Safety Account--State Appropriation . . . . . \$7,000,000

32 The appropriation in this section is subject to the following  
33 conditions and limitations: The appropriation in this section is  
34 provided solely for the purchase of fuel for marine operations.





1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**  
2 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**  
3 **REVENUE**

4 Highway Bond Retirement Account--State Appropriation . . . . \$6,500,000

5 NEW SECTION. **Sec. 713.** A new section is added to 2011 c 367  
6 (uncodified) to read as follows:

7 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**  
9 **FISCAL AGENT CHARGES**

10 Transportation 2003 Account  
11 (Nickel Account)--State Appropriation . . . . . \$58,000

12 NEW SECTION. **Sec. 714.** Sections 702 through 709 and 711 of this  
13 act take effect November 1, 2012.

14 NEW SECTION. **Sec. 715.** Sections 701, 710, 712, and 713 of this  
15 act take effect July 1, 2012.

16 NEW SECTION. **Sec. 716.** If chapter . . . (Engrossed Substitute  
17 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,  
18 the appropriations in sections 703, 704, 706, 707, 709, and 711(1) of  
19 this act are null and void.

20 NEW SECTION. **Sec. 717.** If chapter . . . (Engrossed Substitute  
21 Senate Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012,  
22 the appropriations in sections 702, 705, 708, 710, 711(2), 712, and 713  
23 of this act are null and void.

24 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

25 NEW SECTION. **Sec. 801.** A new section is added to chapter 47.76  
26 RCW to read as follows:

27 Funds deemed by the department of transportation, in consultation  
28 with relevant port districts, to be in excess of current operating  
29 needs or capital reserves of the grain train program may be transferred

1 from the miscellaneous program account to the essential rail assistance  
2 account created in RCW 47.76.250 for the purpose of sustaining the  
3 grain train program.

4 **Sec. 802.** RCW 43.19.642 and 2010 c 247 s 701 are each amended to  
5 read as follows:

6 (1) Effective June 1, 2006, for agencies complying with the ultra-  
7 low sulfur diesel mandate of the United States environmental protection  
8 agency for on-highway diesel fuel, agencies shall use biodiesel as an  
9 additive to ultra-low sulfur diesel for lubricity, provided that the  
10 use of a lubricity additive is warranted and that the use of biodiesel  
11 is comparable in performance and cost with other available lubricity  
12 additives. The amount of biodiesel added to the ultra-low sulfur  
13 diesel fuel shall be not less than two percent.

14 (2) Except as provided in subsection (5) of this section, effective  
15 June 1, 2009, state agencies are required to use a minimum of twenty  
16 percent biodiesel as compared to total volume of all diesel purchases  
17 made by the agencies for the operation of the agencies' diesel-powered  
18 vessels, vehicles, and construction equipment.

19 (3) All state agencies using biodiesel fuel shall, beginning on  
20 July 1, 2006, file biannual reports with the department of ((general  
21 administration)) enterprise services documenting the use of the fuel  
22 and a description of how any problems encountered were resolved.

23 (4) ~~((For the 2009-2011 fiscal biennium, all fuel purchased by the  
24 Washington state ferries at Harbor Island for the operation of the  
25 Washington state ferries diesel powered vessels must be a minimum of  
26 five percent biodiesel blend so long as the per gallon price of diesel  
27 containing a five percent biodiesel blend level does not exceed the per  
28 gallon price of diesel by more than five percent. If the per gallon  
29 price of diesel containing a five percent biodiesel blend level exceeds  
30 the per gallon price of diesel by more than five percent, the  
31 requirements of this section do not apply to vessel fuel purchases by  
32 the Washington state ferries.~~

33 (5)) By December 1, 2009, the department of ((general  
34 administration)) enterprise services shall:

35 (a) Report to the legislature on the average true price  
36 differential for biodiesel by blend and location; and

1 (b) Examine alternative fuel procurement methods that work to  
2 address potential market barriers for in-state biodiesel producers and  
3 report these findings to the legislature.

4 (5) During the 2011-2013 fiscal biennium, the Washington state  
5 ferries is required to use a minimum of five percent biodiesel as  
6 compared to total volume of all diesel purchased made by the Washington  
7 state ferries for the operation of the Washington state ferries diesel-  
8 powered vessels, as long as the price of a B5 biodiesel blend does not  
9 exceed the price of conventional diesel fuel by five percent or more.

10 **Sec. 803.** RCW 46.12.630 and 2011 c 171 s 37 are each amended to  
11 read as follows:

12 In addition to any other authority which it may have, the  
13 department of licensing may furnish lists of registered and legal  
14 owners of motor vehicles only for the purposes specified in this  
15 section to:

16 (1) The manufacturers of motor vehicles, or their authorized  
17 agents, to be used:

18 (a) To enable those manufacturers to carry out the provisions of  
19 the national traffic and motor vehicle safety act of 1966 (15 U.S.C.  
20 Sec. 1382-1418), including amendments or additions thereto, respecting  
21 safety-related defects in motor vehicles; or

22 (b) During the 2011-2013 fiscal biennium, in research activities,  
23 and in producing statistical reports, as long as the personal  
24 information is not published, redisclosed, or used to contact  
25 individuals;

26 (2) Any governmental agency of the United States or Canada, or  
27 political subdivisions thereof, to be used by it or by its authorized  
28 commercial agents or contractors only in connection with the  
29 enforcement of motor vehicle or traffic laws by, or programs related to  
30 traffic safety of, that government agency. Only such parts of the list  
31 as are required for completion of the work required of the agent or  
32 contractor shall be provided to such agent or contractor;

33 (3) A commercial parking company requiring the names and addresses  
34 of registered owners to notify them of outstanding parking violations.  
35 Subject to the disclosure agreement provisions of RCW 46.12.635 and the  
36 requirements of Executive Order 97-01, the department may provide only

1 the parts of the list that are required for completion of the work  
2 required of the company;

3 (4) An authorized agent or contractor of the department, to be used  
4 only in connection with providing motor vehicle excise tax, licensing,  
5 title, and registration information to motor vehicle dealers;

6 (5) Any business regularly making loans to other persons to finance  
7 the purchase of motor vehicles, to be used to assist the person  
8 requesting the list to determine ownership of specific vehicles for the  
9 purpose of determining whether or not to provide such financing; or

10 (6) A company or its agents operating a toll facility under chapter  
11 47.46 RCW or other applicable authority requiring the names, addresses,  
12 and vehicle information of motor vehicle registered owners to identify  
13 toll violators.

14 Where both a mailing address and residence address are recorded on  
15 the vehicle record and are different, only the mailing address will be  
16 disclosed. Both addresses will be disclosed in response to requests  
17 for disclosure from courts, law enforcement agencies, or government  
18 entities with enforcement, investigative, or taxing authority and only  
19 for use in the normal course of conducting their business.

20 If a list of registered and legal owners of motor vehicles is used  
21 for any purpose other than that authorized in this section, the  
22 manufacturer, governmental agency, commercial parking company,  
23 authorized agent, contractor, financial institution, toll facility  
24 operator, or their authorized agents or contractors responsible for the  
25 unauthorized disclosure or use will be denied further access to such  
26 information by the department of licensing.

27 **Sec. 804.** RCW 46.44.0915 and 2011 c 115 s 1 are each amended to  
28 read as follows:

29 (1)(a) Except as provided in (b) of this subsection, the department  
30 of transportation, with respect to state highways maintained within  
31 port district property, may, at the request of a port commission, make  
32 and enter into agreements with port districts and adjacent  
33 jurisdictions or agencies of the districts, for the purpose of  
34 identifying, managing, and maintaining short heavy haul industrial  
35 corridors within port district property for the movement of overweight  
36 sealed containers used in international trade.

1 (b) The department of transportation shall designate that portion  
2 of state route number 97 from the Canadian border to milepost 331.12 as  
3 a heavy haul industrial corridor for the movement of overweight  
4 vehicles to and from the Oroville railhead. The department may issue  
5 special permits to vehicles operating in the heavy haul industrial  
6 corridor to carry weight in excess of weight limits established in RCW  
7 46.44.041, but not to exceed a gross vehicle weight of 139,994 pounds.

8 (2) Except as provided in subsection (1)(b) of this section, the  
9 department may issue special permits to vehicles operating in a heavy  
10 haul industrial corridor to carry weight in excess of weight limits  
11 established in RCW 46.44.041. However, the excess weight on a single  
12 axle, tandem axle, or any axle group must not exceed that allowed by  
13 RCW 46.44.091 (1) and (2), weight per tire must not exceed six hundred  
14 pounds per inch width of tire, and gross vehicle weight must not exceed  
15 one hundred five thousand five hundred pounds.

16 (3) The entity operating or hiring vehicles under subsection (1)(b)  
17 of this section or moving overweight sealed containers used in  
18 international trade must pay a fee for each special permit of one  
19 hundred dollars per month or one thousand dollars annually, beginning  
20 from the date of issue, for all movements under the special permit made  
21 on state highways within a heavy haul industrial corridor. Within a  
22 port district property, under no circumstances are the for hire  
23 carriers or rail customers responsible for the purchase or cost of the  
24 permits. All funds collected, except the amount retained by authorized  
25 agents of the department under RCW 46.44.096, must be forwarded to the  
26 state treasurer and deposited in the motor vehicle fund.

27 (4) For purposes of this section, an overweight sealed container  
28 used in international trade, including its contents, is considered  
29 nondivisible when transported within a heavy haul industrial corridor  
30 defined by the department.

31 (5) Any agreement entered into by the department as authorized  
32 under this section with a port district adjacent to Puget Sound and  
33 located within a county that has a population of more than seven  
34 hundred thousand, but less than one million, must limit the  
35 applicability of any established heavy haul corridor to that portion of  
36 state route no. 509 beginning at milepost 0.25 in the vicinity of East  
37 'D' Street and ending at milepost 3.88 in the vicinity of Taylor Way.  
38 For the 2011-2013 fiscal biennium, the limit for any established heavy

1 haul corridor established pursuant to this subsection (5) must be  
2 within that portion of state route number 509 beginning at milepost  
3 0.25 in the vicinity of East 'D' Street and ending at milepost 5.7 in  
4 the vicinity of Norpoint Way Northeast.

5 (6) The department of transportation may adopt reasonable rules to  
6 implement this section.

7 NEW SECTION. Sec. 805. A new section is added to chapter 72.09  
8 RCW to read as follows:

9 Prior to connection of the Washington correction center in Shelton  
10 to the city water system and consistent with Article II, section 40 of  
11 the state Constitution, the department must reimburse the state patrol  
12 highway account created in RCW 46.68.030 for any expenses incurred by  
13 the Washington state patrol for the department's share of the cost to  
14 construct a water line to the Washington state patrol's Shelton academy  
15 as identified in this act.

16 NEW SECTION. Sec. 806. If funding is provided in the 2012  
17 supplemental omnibus capital appropriations act for more than  
18 \$2,047,000, for the purposes of constructing a water line to the  
19 Washington state patrol's Shelton academy, section 805 of this act is  
20 null and void.

21 **MISCELLANEOUS**

22 NEW SECTION. Sec. 901. If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

26 NEW SECTION. Sec. 902. Except for sections 701 through 713, 805,  
27 and 806 of this act, this act is necessary for the immediate  
28 preservation of the public peace, health, or safety, or support of the  
29 state government and its existing public institutions, and takes effect  
30 immediately.

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**ESHB 2190** - CONF REPT  
By Conference Committee

1       On page 1, beginning on line 2 of the title, strike the remainder  
2 of the title and insert "amending RCW 43.19.642, 46.12.630, and  
3 46.44.0915; amending 2011 c 367 ss 101, 103, 105, 106, 201, 202, 203,  
4 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217,  
5 218, 219, 220, 221, 222, 223, 301, 302, 303, 304, 305, 306, 307, 308,  
6 309, 310, 401, 402, 403, 404, 405, 406, 407, 502, 503, 505, 603, and  
7 608 (uncodified); adding a new section to chapter 47.76 RCW; adding a  
8 new section to chapter 72.09 RCW; adding new sections to 2011 c 367  
9 (uncodified); creating new sections; repealing 2011 1st sp.s. c 50 ss  
10 718, 719, 720, and 721 (uncodified); making appropriations and  
11 authorizing expenditures for capital improvements; providing effective



1 dates; and declaring an emergency."

--- END ---