

HOUSE BILL REPORT

SSB 6444

As Reported by House Committee On:
Transportation

Title: An act relating to eligible toll facilities.

Brief Description: Concerning eligible toll facilities.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Haugen and Fain; by request of Department of Transportation).

Brief History:

Committee Activity:

Transportation: 2/21/12 [DP].

Brief Summary of Substitute Bill

- Authorizes tolling on the portion of State Route 99 that is the deep bore tunnel under First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street tunnel.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 22 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Hansen, Jinkins, Johnson, Klippert, Ladenburg, Moeller, Morris, Moscoso, Reykdal, Rivers, Takko, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 5 members: Representatives Hargrove, Assistant Ranking Minority Member; McCune, Overstreet, Rodne and Shea.

Staff: Alison Hellberg (786-7152).

Background:

The State Route 99 (SR 99) Alaskan Way Viaduct is a major arterial serving significant numbers of freight and passenger vehicles through downtown Seattle. The facility sustained

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damage during the 2001 Nisqually earthquake, and is susceptible to damage, closure, or catastrophic failure from additional seismic activity.

Legislation enacted in 2009 required the state to expedite the environmental review and design processes to replace the Alaskan Way Viaduct with a deep bore tunnel under First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street Tunnel. In addition, the SR 99 Alaskan Way Viaduct replacement project finance plan must include no more than \$400 million in toll revenue.

An "eligible toll facility" is defined as a portion of the state highway system specifically identified by the Legislature including transportation corridors, bridges, crossings, interchanges, on-ramps, off-ramps, approaches, bistate facilities, and interconnections between highways. All revenue from an eligible toll facility must be used only to construct, improve, preserve, maintain, manage, or operate the eligible toll facility on or in which the revenue is collected. Unless otherwise delegated, the Washington State Transportation Commission is the tolling authority for all state highways.

Summary of Bill:

Findings are made and the intent of the Legislature is declared. The Legislature finds that there is an urgent need to replace the Alaskan Way Viaduct because it is vulnerable to closure, damage, or catastrophic failure as a result of earthquakes or other events. In 2009 the Legislature determined that the finance plan for the project should include no more than \$400 million in toll funding. It is the Legislature's intent to authorize tolling on the tunnel project, both to help finance the project and to help maintain travel time, speed, and reliability on the portion of SR 99 that would be replaced.

Tolling is authorized on the portion of SR 99 that is the deep bore tunnel under First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street tunnel. This portion of SR 99 is designated as an eligible toll facility and toll revenue generated from this facility may only be expended as allowed under state law.

In setting toll rates, the tolling authority must set a variable schedule of toll rates to maintain travel time, speed, and reliability on this facility and to generate the necessary revenue. The tolling authority may adjust the variable schedule of toll rates at least annually to reflect inflation and pay for the redemption of bonds and other obligations of the tolling authority.

The Alaskan Way Viaduct Replacement Project Account (Account) is created in the State Treasury. Deposits to the Account must include:

- all proceeds of bonds issued for construction of the project, including any capitalized interest;
- all of the tolls and other revenues received from the operation of the toll facility;
- any interest that may be earned from the deposit or investment of those revenues;
- proceeds from the sale of any surplus real property acquired for the purpose of building the project; and

- all damages, liquidated or otherwise, collected under any contract involving the construction of the project.

The Toll Facility Bond Retirement Account and the Alaskan Way Viaduct Replacement Project Account must retain their interest earnings. Various technical corrections are made to statutes impacted by previous tolling-related legislation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill makes an important commitment to tolling the facility. The Washington State Department of Transportation (Department) will be coming back to the Legislature in 2013 for bond authorization. The Department will also be working closely with the city to keep excess traffic off the city streets.

Tolling authorization is an essential financing tool for a construction project that is already underway. The report from the expert review panel states that the project is currently on time and on budget. It further says that tolling authorization is a necessary step to keep the project moving on time and on budget. This is an important bill for the workers on the project.

(Opposed) None.

Persons Testifying: David Dye, Washington State Department of Transportation; and David Myers, Washington State Building and Construction Trades Council.

Persons Signed In To Testify But Not Testifying: None.