

FINAL BILL REPORT

ESSB 6445

C 36 L 12
Synopsis as Enacted

Brief Description: Concerning the Interstate 5 Columbia river crossing project.

Sponsors: Senate Committee on Transportation (originally sponsored by Senator Pridemore; by request of Department of Transportation).

Senate Committee on Transportation
House Committee on Transportation

Background: Under current law, the Legislature is the only entity with the authority to authorize tolls on an eligible toll facility. An eligible toll facility is defined as portions 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. The Legislature has authorized collection of tolls on the following facilities: the Tacoma Narrows Bridge; the SR 520 floating bridge; the SR 167 high-occupancy toll lanes; and the Interstate 405 express toll lanes.

The Legislature has designated the Washington State Transportation Commission as the state tolling authority with responsibility for setting toll rates, including variable pricing, and reviewing toll operations. Prior to the convening of each regular session of the Legislature, the tolling authority must report to the transportation committees of the Legislature on any increase or decrease in toll rates approved by the tolling authority.

The Interstate 5 Bridge crosses the Columbia River and connects Vancouver, Washington, and Portland, Oregon, with two identical bridge structures. One bridge structure carries traffic northbound to Vancouver, and the other bridge structure carries traffic southbound to Portland. The northbound bridge was built in 1917, and the southbound bridge was built in 1958. The Columbia River Crossing (CRC) Project will reportedly replace the I-5 bridges, extend light rail to Vancouver, improve closely-spaced interchanges, and enhance the pedestrian and bicycle paths. The estimated project costs range from \$3.1 billion to \$3.5 billion.

Summary: The CRC Project is defined as a bistate, multimodal corridor improvement program between the state route number 500 interchange in Vancouver, Washington, and the Victory Boulevard interchange in Portland, Oregon. The total cost of the CRC Project may not exceed \$3.413 billion.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The CRC Project is designated as an eligible toll facility. Tolls are authorized to be charged for travel on the existing and replacement Interstate 5 Columbia River Bridge. Tolls may not be charged for travel on any portion of Interstate 205. The tolling authority is authorized to enter into agreements with the Oregon State Transportation Commission regarding the mutual or joint setting, adjustment, and review of toll rates as the tolling authority may find necessary to carry out the purposes of this section. Any agreement between the tolling authority or the Oregon State Transportation Commission takes effect, and is not binding or enforceable until, 30 days after the next ensuing regular legislative session.

Toll revenue generated on the CRC Project must only be expended to construct, improve, preserve, maintain, manage, or operate the CRC Project. Expenditures of toll revenues are subject to appropriation and must only be made: (1) to cover the operating costs of the eligible toll facility, including necessary maintenance, preservation, administration, and toll enforcement by public law enforcement within the boundaries of the facility; (2) to meet obligations for the repayment of debt and interest on the eligible toll facility, and any other associated financing costs including, but not limited to, required reserves and insurance; (3) to meet any other obligations to provide funding contributions for any projects or operations on the eligible toll facility; (4) to provide for the operations of conveyances of people or goods; or, (5) for any other improvements to the eligible toll facility.

The CRC Project Account (Account) is created in the state treasury, and the types of revenue and monies that must be deposited into the account are specified. The account is an appropriated account and retains its own interest income.

Tolls may not be collected on the project until: (1) certification of the Secretary of Transportation to the Governor that the Department of Transportation has received satisfactory evidence that sufficient funding, including federal funds, will be available to complete the phase of the project that includes the bridge and landings; and (2) an agreement between the tolling authority and the Oregon Transportation Commission has taken effect. If the Secretary of Transportation does not provide such certification to the Governor by December 31, 2015, then the authority to toll the project and several other related provisions are null and void.

Votes on Final Passage:

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| Senate | 33 | 15 |
| House | 65 | 33 |

Effective: June 7, 2012 (Section 4)
Contingent (Sections 1-3 and 5-8)