

**SUBSTITUTE HOUSE BILL 2190**

**State of Washington                      62nd Legislature                      2012 Regular Session**

**By** House Transportation (originally sponsored by Representatives Clibborn, Armstrong, Billig, and Hargrove; by request of Governor Gregoire)

READ FIRST TIME 02/21/12.

1            AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 43.19.642; amending 2011 c 367 ss 101, 103, 105, 106, 201,  
3 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,  
4 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304, 305, 306,  
5 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 502, 503, 505,  
6 and 603 (uncodified); adding new sections to 2011 c 367 (uncodified);  
7 repealing 2011 1st sp.s. c 50 ss 718, 719, 720, and 721 (uncodified);  
8 making appropriations and authorizing expenditures for capital  
9 improvements; and declaring an emergency.

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

**2011-2013 FISCAL BIENNIUM**

**GENERAL GOVERNMENT AGENCIES--OPERATING**

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

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

16 Motor Vehicle Account--State Appropriation . . . . . ((\$430,000))  
17 \$415,000

1 The appropriation in this section is subject to the following  
2 conditions and limitations: The entire appropriation is provided  
3 solely for staffing costs to be dedicated to state transportation  
4 activities. Staff hired to support transportation activities must have  
5 practical experience with complex construction projects.

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

8 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

9 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,216,000</del> ))
	<u>\$1,727,000</u>
11 Puget Sound Ferry Operations Account--State	
12 Appropriation . . . . .	(( <del>\$4,624,000</del> ))
	<u>\$1,260,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$6,840,000</del> ))
	<u>\$2,987,000</u>

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

18 (1) The office of financial management, in consultation with the  
19 transportation committees of the legislature, shall conduct a budget  
20 evaluation study for the new traffic management center proposed by the  
21 department of transportation. The study must consider data resulting  
22 from the plan identified in section 604 of this act. The budget  
23 evaluation study team approach using value engineering techniques must  
24 be utilized by the office of financial management in conducting the  
25 study. The office of financial management shall select the budget  
26 evaluation study team members, contract for the study, and report the  
27 results to the transportation committees of the legislature and the  
28 department of transportation in a timely manner following the study.  
29 Options reviewed must include use of existing facilities, including the  
30 Wheeler building data center in Olympia. Funds allocated for the new  
31 traffic management center must be used by the office of financial  
32 management through an interagency agreement with the department of  
33 transportation to cover the cost of the study.

34 (2) (~~(\$4,480,000 of the Puget Sound ferry operations account--state~~  
35 ~~appropriation is provided solely for marine insurance. The~~  
36 ~~appropriation is intended to fully fund a two-year policy, and the~~  
37 ~~office of financial management shall increase the deductible to~~

1 ~~\$10,000,000 and reduce components of the policy in order to keep the~~  
2 ~~total cost of the two-year policy at or below the appropriation in this~~  
3 ~~subsection.~~

4 ~~(5))~~ \$1,116,000 of the Puget Sound ferry operations account--state  
5 appropriation is provided solely for marine insurance. The amount in  
6 this subsection as well as the amount in section 103(2) of this act is  
7 intended to fully fund a two-year policy. For fiscal year 2012, the  
8 office of financial management shall increase the deductible to ten  
9 million dollars and reduce components of the policy in order to keep  
10 the total cost of the two-year policy at or below the appropriation in  
11 this subsection and section 103(2) of this act.

12 (3) \$840,000 of the motor vehicle account--state appropriation is  
13 provided out of funds set aside out of statewide fuel taxes distributed  
14 to counties according to RCW 46.68.120(3) solely for the office of  
15 financial management to contract with the Washington state association  
16 of counties to identify, evaluate, and implement performance measures  
17 associated with county transportation activities. The performance  
18 measures must include, at a minimum, those related to safety, system  
19 preservation, mobility, environmental protection, and project  
20 completion. A report on the county transportation performance  
21 implementation project must be provided to the transportation  
22 committees of the legislature by December 31, 2012.

23 ~~((6))~~ (4) \$169,000 of the motor vehicle account--state  
24 appropriation is provided solely for the office of regulatory  
25 assistance integrated permitting project.

26 ~~((7))~~ (5) \$40,000 of the Puget Sound ferry operations account--  
27 state appropriation is provided solely for the state's share of the  
28 marine salary survey.

29 ~~((8))~~ (6) The office of financial management shall study the  
30 available data regarding statewide transit, bicycle, and pedestrian  
31 trips and recommend additional performance measures that will  
32 effectively measure the state's performance in increasing transit  
33 ridership and bicycle and pedestrian trips. The office of financial  
34 management shall report its findings and recommendations to the  
35 transportation committees of the legislature by November 15, 2011, and  
36 integrate the new performance measures into the report prepared by the  
37 office of financial management pursuant to RCW 47.04.280 regarding

1 progress towards achieving Washington state's transportation system  
2 policy goals.

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

5 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

6 Motor Vehicle Account--State Appropriation . . . . .	\$462,000
7 Puget Sound Ferry Operations Account--State	
8 Appropriation . . . . .	\$3,360,000
9 TOTAL APPROPRIATION . . . . .	\$3,822,000

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

12 (1) \$462,000 of the motor vehicle account--state appropriation is  
13 provided solely for the transportation executive management system.

14 (2) \$3,360,000 of the Puget Sound ferry operations account--state  
15 appropriation is provided solely for marine insurance. The amount in  
16 this subsection as well as the amount in section 102(2) of this act is  
17 intended to fully fund a two-year policy. For fiscal year 2013, the  
18 department of enterprise services shall increase the deductible to ten  
19 million dollars and reduce components of the policy in order to keep  
20 the total cost of the two-year policy at or below the appropriation in  
21 this subsection and section 102(2) of this act.

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

24 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

25 Puget Sound Ferry Operations Account--State	
26 Appropriation . . . . .	\$75,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations: \$75,000 of the Puget Sound ferry  
29 operations account--state appropriation is provided solely for  
30 implementing chapter 16, Laws of 2011 1st sp. sess. (Washington state  
31 ferry system). \$43,200 of the appropriation is provided solely for  
32 closing out the marine employees' commission lease agreement in fiscal  
33 year 2012, and the remainder of the appropriation is provided solely  
34 for costs associated with marine employees' commission commissioner  
35 payments and travel.

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

3       **FOR THE DEPARTMENT OF AGRICULTURE**

4 Motor Vehicle Account--State Appropriation . . . . . ((~~\$1,210,000~~))  
5   \$1,183,000

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

8       (1) \$351,000 of the motor vehicle account--state appropriation is  
9 provided solely for costs associated with the motor fuel quality  
10 program.

11       (2) \$686,000 of the motor vehicle account--state appropriation is  
12 provided solely to test the quality of biofuel. The department must  
13 test fuel quality at the biofuel manufacturer, distributor, and  
14 retailer.

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

17       **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

18 Motor Vehicle Account--State Appropriation . . . . . ((~~\$513,000~~))  
19   \$492,000

20   **TRANSPORTATION AGENCIES--OPERATING**

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

23       **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

24 Highway Safety Account--State Appropriation . . . . . ((~~\$3,003,000~~))  
25   \$2,982,000

26 Highway Safety Account--Federal Appropriation . . . . . ((~~\$42,625,000~~))  
27   \$42,502,000

28 Highway Safety Account--Private/Local Appropriation . . . . . \$50,000

29 School Zone Safety Account--State Appropriation . . . . . \$3,340,000

30           TOTAL APPROPRIATION . . . . . ((~~\$49,018,000~~))  
31   \$48,874,000

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

1 (1) \$1,673,900 of the highway safety account--federal appropriation  
2 is provided solely for the conclusion of the target zero trooper pilot  
3 program, which the commission has developed and implemented in  
4 collaboration with the Washington state patrol. The pilot program must  
5 continue to demonstrate the effectiveness of intense, high visibility,  
6 driving under the influence enforcement in Washington. The commission  
7 shall continue to apply to the national highway traffic safety  
8 administration for federal highway safety grants to cover the cost of  
9 the pilot program. State funding is provided in section 207 of this  
10 act for the state patrol to continue the target zero trooper program in  
11 fiscal year 2013.

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

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

20 (b) In order to ensure adequate time in the 2011-2013 fiscal  
21 biennium to evaluate the effectiveness of the pilot projects, any  
22 projects authorized by the commission must be authorized by December  
23 31, 2011.

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

28 (3) \$460,000 of the highway safety account--state appropriation is  
29 provided solely for the implementation of chapter ... (Engrossed Second  
30 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI  
31 accountability). If chapter ... (Engrossed Second Substitute House  
32 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the  
33 amount provided in this subsection lapses.

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

1 (5) \$22,000,000 of the highway safety account--federal  
2 appropriation is provided solely for federal funds that may be  
3 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the  
4 2011-2013 fiscal biennium.

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

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8 Rural Arterial Trust Account--State Appropriation . . . . .	(( <del>\$948,000</del> ))
9	<u>\$914,000</u>
10 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,161,000</del> ))
11	<u>\$2,086,000</u>
12 County Arterial Preservation Account--State	
13 Appropriation . . . . .	(( <del>\$1,480,000</del> ))
14	<u>\$1,426,000</u>
15 TOTAL APPROPRIATION . . . . .	(( <del>\$4,589,000</del> ))
16	<u>\$4,426,000</u>

17 The appropriations in this section are subject to the following  
18 conditions and limitations: The county road administration board shall  
19 submit a report to the transportation committees of the legislature by  
20 December 1, 2011, on the implementation of the recommendations that  
21 resulted from the evaluation of efficiencies in the delivery of  
22 transportation funding and services to local governments that was  
23 required under section 204(8), chapter 247, Laws of 2010. The report  
24 must include a description of how recommendations were implemented,  
25 what efficiencies were achieved, and an explanation of any  
26 recommendations that were not implemented.

27 **Sec. 203.** 2011 c 367 s 203 (uncodified) is amended to read as  
28 follows:

29 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30 Transportation Improvement Account--State	
31 Appropriation . . . . .	(( <del>\$3,707,000</del> ))
32	<u>\$3,621,000</u>

33 The appropriation in this section is subject to the following  
34 conditions and limitations: The transportation improvement board shall  
35 submit a report to the transportation committees of the legislature by  
36 December 1, 2011, on the implementation of the recommendations that

1 resulted from the evaluation of efficiencies in the delivery of  
2 transportation funding and services to local governments that was  
3 required under section 204(8), chapter 247, Laws of 2010. The report  
4 must include a description of how recommendations were implemented,  
5 what efficiencies were achieved, and an explanation of any  
6 recommendations that were not implemented.

7 **Sec. 204.** 2011 c 367 s 204 (uncodified) is amended to read as  
8 follows:

9 **FOR THE JOINT TRANSPORTATION COMMITTEE**

10 Motor Vehicle Account--State Appropriation . . . . . (~~(\$2,060,000)~~)  
11 \$1,978,000

12 The appropriation in this section is subject to the following  
13 conditions and limitations:

14 (1) \$200,000 of the motor vehicle account--state appropriation is  
15 for a study of Washington state ferries fares that recommends the most  
16 appropriate fare media for use with the reservation system and the  
17 implementation of demand management pricing and interoperability with  
18 other payment methods. The study must include direct collaboration  
19 with transportation commission members.

20 ~~((+3))~~ (2) \$200,000 of the motor vehicle account--state  
21 appropriation is from the cities statewide fuel tax distributions under  
22 RCW 46.68.110(2) for the joint transportation committee to study and  
23 make recommendations on RCW 90.03.525. The study must include: (a) An  
24 inventory of state highways subject to the federal clean water act (40  
25 C.F.R. Parts 122 through 124) (national pollutant discharge elimination  
26 system) that are within city boundaries; (b) a survey of cities that  
27 impose storm water fees or charges to the department of transportation,  
28 or otherwise manage storm water runoff from state highways within their  
29 jurisdiction; (c) case studies from a representative cross-section of  
30 cities on how the department and cities have used RCW 90.03.525; and  
31 (d) recommendations on how to achieve efficiencies in the cost and  
32 management of state highway storm water runoff within cities under RCW  
33 90.03.525.

34 ~~((+4))~~ (3) \$425,000 of the motor vehicle account--state  
35 appropriation is for the joint transportation committee to conduct a  
36 study to evaluate the potential for financing state transportation  
37 projects using public-private partnerships. The study must compare the



1 costs, advantages, and disadvantages of various forms of public-private  
 2 partnerships with conventional financing. Projects to be evaluated  
 3 include Interstate 405, state route number 509, state route number 167,  
 4 the Columbia River crossing, and the Monroe bypass. At a minimum, the  
 5 study must identify the public interest in the financing and  
 6 construction of transportation projects, the public interest in the  
 7 operation of transportation projects, and the provisions in public-  
 8 private partnership agreements that best protect the public interest.  
 9 To the extent possible, the study must identify the lowest-cost and  
 10 best-value model for each project that best protects the public  
 11 interest. In addition, the study must evaluate whether public-private  
 12 partnerships serve the defined public interest including, but not  
 13 limited to, the advantage and disadvantage of risk allocation, the  
 14 effects of private versus public financing on the state's bonding  
 15 capacity, the state's ability to retain public ownership of the asset,  
 16 the process that would allow for the most transparency during the  
 17 negotiation of terms of a public-private partnership agreement, and the  
 18 state's ability to oversee the private entity's management of the  
 19 asset. The study must identify any barriers to the implementation of  
 20 funding models that best protect the public interest, including  
 21 statutory and constitutional barriers. The committee shall issue a  
 22 report of its evaluation to the house of representatives and senate  
 23 transportation committees by December 16, 2011.

24 ((+5)) (4) \$100,000 of the motor vehicle account--state  
 25 appropriation is for an investigation of the use of liquid natural gas  
 26 on existing Washington state ferry vessels as well as the 144-car class  
 27 vessels and report to the legislature by December 31, 2011.

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

30 **FOR THE TRANSPORTATION COMMISSION**

31 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$2,142,000</del> ))
	<u>\$2,866,000</u>
32 Multimodal Transportation Account--State Appropriation . . . . .	\$112,000
33 TOTAL APPROPRIATION . . . . .	(( <del>\$2,254,000</del> ))
	<u>\$2,978,000</u>

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

1 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,  
2 during the 2011-2013 fiscal biennium, the legislature authorizes the  
3 transportation commission to periodically review and, if necessary,  
4 adjust the schedule of fares for the Washington state ferry system only  
5 in amounts not greater than those sufficient to generate the amount of  
6 revenue required by the biennial transportation budget. When adjusting  
7 ferry fares, the commission must consider input from affected ferry  
8 users by public hearing and by review with the affected ferry advisory  
9 committees, in addition to the data gathered from the current ferry  
10 user survey.

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

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

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

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

35 (b) The transportation commission must convene a steering committee  
36 to provide direction to and guide the transportation commission's work.  
37 Membership of the steering committee must include, but is not limited  
38 to, members representing the following interests: The trucking

1 industry; business; cities and counties; public transportation;  
2 environmental; user fee technology; auto and light truck manufacturers;  
3 and the motoring public. In addition, a member from each of the two  
4 largest caucuses of the senate, appointed by the president of the  
5 senate, and a member from each of the two largest caucuses of the house  
6 of representatives, appointed by the speaker of the house of  
7 representatives, must serve on the steering committee.

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

12 (5) Within the amounts provided pursuant to section 305(17)(c) of  
13 this act, the commission shall retain appropriate independent experts  
14 and conduct an investment-grade traffic and revenue analysis for the  
15 Columbia river crossing project, including origin and destination and  
16 stated preferences studies.

17 (a) The commission's analysis must include the assessment and  
18 review of the following variables within the project:

19 (i) Exemptions from tolls for vehicles with two, three, or more  
20 occupants;

21 (ii) A variable toll where the tolls vary by time of day and day of  
22 the week; and

23 (iii) A toll of one dollar per day for individuals who use the  
24 bridge ten times or more in a seven day time period.

25 (b) The analysis must also assess the following:

26 (i) The impact light rail service in the corridor will have on  
27 estimated toll revenues;

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

30 (iii) The estimated toll revenues from vehicle trips originating  
31 within the region, within the two states, and outside the two states,  
32 by vehicle type.

33 (c) The commission must submit its final report of findings and  
34 recommendations to the transportation committees of the legislature on  
35 or before July 1, 2014.

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

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

2 Motor Vehicle Account--State Appropriation . . . . . ((\$702,000))  
3 \$680,000

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

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

16 **FOR THE WASHINGTON STATE PATROL**

17 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)  
18 State Patrol Highway Account--State  
19 Appropriation . . . . . (~~(\$349,812,000)~~)  
20 \$355,048,000  
21 Highway Safety Account--State Appropriation . . . . . \$6,432,000  
22 State Patrol Highway Account--Federal  
23 Appropriation . . . . . \$10,903,000  
24 State Patrol Highway Account--Private/Local  
25 Appropriation . . . . . (~~(\$3,369,000)~~)  
26 \$3,494,000  
27 TOTAL APPROPRIATION . . . . . (~~(\$364,184,000)~~)  
28 \$375,877,000

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

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

1 developed by the chief of the Washington state patrol. Cessna pilots  
2 funded from the state patrol highway account who are certified to fly  
3 the King Airs may pilot those aircraft for general fund purposes with  
4 the general fund reimbursing the state patrol highway account an hourly  
5 rate to cover the costs incurred during the flights since the aviation  
6 section is no longer part of the Washington state patrol cost  
7 allocation system as of July 1, 2009.

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

11 (3) \$370,000 of the state patrol highway account--state  
12 appropriation is provided solely for costs associated with the pilot  
13 program described under section 216(5) of this act. The Washington  
14 state patrol may incur costs related only to the assignment of cadets  
15 and necessary computer equipment and to the reimbursement of the  
16 Washington state department of transportation for contract costs. The  
17 appropriation in this subsection must be funded from the portion of the  
18 automated traffic safety camera fines deposited into the state patrol  
19 highway account; however, if the fines deposited into the state patrol  
20 highway account from automated traffic safety camera infractions do not  
21 reach three hundred seventy thousand dollars, the department of  
22 transportation shall remit funds necessary to the Washington state  
23 patrol to ensure the completion of the pilot program. The Washington  
24 state patrol may not incur overtime as a result of this pilot program.  
25 The Washington state patrol shall not assign troopers to operate or  
26 deploy the pilot program equipment used in the roadway construction  
27 zones.

28 (4) (~~(\$12,655,000)~~) \$12,178,000 of the total appropriation is  
29 provided solely for automobile fuel in the 2011-2013 fiscal biennium.  
30 The Washington state patrol shall analyze their fuel consumption and  
31 submit a report to the legislative transportation committees by  
32 December 31, 2011, on fuel conservation methods that could be used to  
33 minimize costs and ensure that the Washington state patrol is managing  
34 fuel consumption effectively.

35 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is  
36 provided solely for the purchase of pursuit vehicles.

37 (6) (~~(\$6,611,000)~~) \$6,695,000 of the total appropriation is

1 provided solely for vehicle repair and maintenance costs of vehicles  
2 used for highway purposes.

3 (7) (~~(\$1,724,000)~~) \$1,865,000 of the total appropriation is  
4 provided solely for the purchase of mission vehicles used for highway  
5 purposes in the commercial vehicle and traffic investigation sections  
6 of the Washington state patrol.

7 (8) \$1,200,000 of the total appropriation is provided solely for  
8 outfitting officers. The Washington state patrol shall prepare a cost-  
9 benefit analysis of the standard trooper uniform as compared to a  
10 battle dress uniform and uniforms used by other states and  
11 jurisdictions. The Washington state patrol shall report the results of  
12 the analysis to the transportation committees of the legislature by  
13 December 1, 2011.

14 (9) The Washington state patrol shall not account for or record  
15 locally provided DUI cost reimbursement payments as expenditure credits  
16 to the state patrol highway account. The patrol shall report the  
17 amount of expected locally provided DUI cost reimbursements to the  
18 office of financial management and transportation committees of the  
19 legislature by September 30th of each year.

20 (10) During the 2011-2013 fiscal biennium, the Washington state  
21 patrol shall continue to perform traffic accident investigations on  
22 Thurston county roads, and shall work with Thurston county to  
23 transition the traffic accident investigations on Thurston county roads  
24 to Thurston county by July 1, 2013.

25 (~~(\$100,000 of the vehicle licensing fraud account--state~~  
26 ~~appropriation is provided solely to support the transportation portion~~  
27 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~  
28 ~~biennium--)) \$2,187,000 of the state patrol highway account--state  
29 appropriation is provided solely for mobile office platforms.~~

30 (12) \$1,500,000 of the state patrol highway account--state  
31 appropriation is provided solely for the auto theft investigation units  
32 in King county, the city of Spokane, and the city of Tacoma. If  
33 chapter ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012  
34 is not enacted by June 30, 2012, the amount provided in this subsection  
35 lapses.

36 (13) \$3,500,000 of the highway safety account--state appropriation  
37 is provided solely for equipment acquisition, installation,  
38 integration, and financing needs associated with the conversion of the

1 existing communication system to narrowbanding as required by the  
2 federal communications commission. If chapter ... (Engrossed  
3 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June  
4 30, 2012, the amount provided in this subsection lapses.

5 (14) \$900,000 of the highway safety account--state appropriation is  
6 provided solely for: The cadet detachment used to manage traffic and  
7 augment security at the Seattle ferry terminals; contracts for  
8 additional traffic control personnel for the Edmonds and Seattle ferry  
9 terminals; and K-9 explosives dogs. If chapter ... (Engrossed  
10 Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June  
11 30, 2012, the amount provided in this subsection lapses.

12 (15) \$3,500,000 of the state patrol highway account--state  
13 appropriation and \$1,600,000 of the highway safety account--state  
14 appropriation are provided solely for the ongoing operations of the  
15 Washington state patrol. If chapter ... (Engrossed Substitute Senate  
16 Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the  
17 amount provided in this subsection lapses.

18 (16) \$432,000 of the highway safety account--state appropriation is  
19 provided solely for implementation of chapter . . . (Second Substitute  
20 House Bill No. 2443), Laws of 2012 (persons who drive impaired). If  
21 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is  
22 not enacted by June 30, 2012, the amount provided in this subsection  
23 lapses.

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

26 **FOR THE DEPARTMENT OF LICENSING**

27	Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$32,000
28	<u>License Plate Technology Account--State</u>	
29	<u>Appropriation . . . . .</u>	<u>\$1,250,000</u>
30	Motorcycle Safety Education Account--State	
31	Appropriation . . . . .	(( <del>\$4,411,000</del> ))
32		\$4,365,000
33	Wildlife Account--State Appropriation . . . . .	(( <del>\$859,000</del> ))
34		\$825,000
35	Highway Safety Account--State Appropriation . . . . .	(( <del>\$149,904,000</del> ))
36		\$146,889,000
37	Highway Safety Account--Federal Appropriation . . . . .	(( <del>\$2,884,000</del> ))

1		<u>\$4,299,000</u>
2	<u>Highway Safety Account--Private/Local Appropriation . . . . .</u>	<u>\$200,000</u>
3	Motor Vehicle Account--State Appropriation . . . . .	((\$78,586,000))
4		<u>\$76,034,000</u>
5	Motor Vehicle Account--Private/Local Appropriation . . . . .	((\$1,721,000))
6		<u>\$1,714,000</u>
7	Motor Vehicle Account--Federal Appropriation . . . . .	((\$242,000))
8		<u>\$380,000</u>
9	Department of Licensing Services Account--State	
10	Appropriation . . . . .	((\$5,815,000))
11		<u>\$6,095,000</u>
12	Ignition Interlock Device Revolving Account--State	
13	Appropriation . . . . .	((\$1,315,000))
14		<u>\$2,027,000</u>
15	TOTAL APPROPRIATION . . . . .	((\$245,769,000))
16		<u>\$244,110,000</u>

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

19       ~~(1) ((\$62,000 of the motor vehicle account--state appropriation is  
20 provided solely for the implementation of chapter ... (Engrossed  
21 Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).  
22 If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of  
23 2011 is not enacted by June 30, 2011, the amount provided in this  
24 subsection lapses.~~

25       (+2)) \$231,000 of the motor vehicle account--state appropriation is  
26 provided solely for the implementation of chapter ... (Substitute  
27 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter  
28 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by  
29 June 30, 2011, the amount provided in this subsection lapses.

30       ((+3)) (2) \$193,000 of the department of licensing services  
31 account--state appropriation is provided solely for a phased  
32 implementation of chapter ... (Substitute House Bill No. 1046), Laws of  
33 2011 (vehicle and vessel quick titles). Funding is contingent upon  
34 revenues associated with the vehicle and vessel quick title program  
35 paying all direct and indirect expenditures associated with the  
36 department's implementation of this subsection. If chapter ...  
37 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June  
38 30, 2011, the amount provided in this subsection lapses.



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

10       ~~(5) \$1,938,000))~~ (3) The department may seek federal funds to  
11 implement a facial recognition matching system for drivers' licenses,  
12 permits, and identicards, consistent with Substitute House Bill No.  
13 2433 (facial recognition matching system).

14       (4) \$4,299,000 of the highway safety account--federal appropriation  
15 is for federal funds that may be received during the 2011-2013 fiscal  
16 biennium. Upon receipt of the funds, the department shall provide a  
17 report on the use of the funds to the transportation committees of the  
18 legislature and the office of financial management.

19       ~~((6))~~ (5) By December 31, 2011, the department shall submit to  
20 the office of financial management and the transportation committees of  
21 the legislature draft legislation that rewrites the tow truck statutes  
22 (chapter 46.55 RCW) in plain language and is revenue and policy  
23 neutral.

24       ~~((7))~~ (6) \$128,000 of the highway safety account--state  
25 appropriation is provided solely for the implementation of chapter ...  
26 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's  
27 license exams). If chapter ... (Engrossed Substitute House Bill No.  
28 1635), Laws of 2011 is not enacted by June 30, 2011, the amount  
29 provided in this subsection lapses.

30       ~~((8))~~ (7) \$68,000 of the highway safety account--state  
31 appropriation is provided solely for the implementation of chapter ...  
32 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011  
33 ~~((driving under the influence))~~ (addressing DUI accountability). If  
34 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of  
35 2011 is not enacted by June 30, 2011, the amount provided in this  
36 subsection lapses.

37       ~~((9))~~ (8) \$63,000 of the highway safety account--state  
38 appropriation is provided solely for the implementation of chapter ...

1 (Substitute House Bill No. 1237), Laws of 2011 (selective service  
2 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011  
3 is not enacted by June 30, 2011, the amount provided in this subsection  
4 lapses.

5 ~~((+10))~~ (9) \$340,000 of the motor vehicle account--private/local  
6 appropriation is provided solely for the implementation of chapter ...  
7 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion  
8 reduction charge). If chapter ... (Engrossed Substitute Senate Bill  
9 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount  
10 provided in this subsection lapses.

11 ~~((+12))~~ (10) \$1,738,000 of the department of licensing services  
12 account--state appropriation is provided solely for purchasing  
13 equipment for field licensing service offices and subagent offices.

14 (11) \$176,000 of the highway safety account--state appropriation is  
15 provided solely for the implementation of Substitute House Bill No.  
16 2234 (notifying employers of commercial driver's license suspension).  
17 If Substitute House Bill No. 2234 is not enacted by June 30, 2012, the  
18 amount provided in this subsection lapses.

19 (12) \$34,000 of the motor vehicle account--state appropriation is  
20 provided solely for the implementation of Substitute House Bill No.  
21 2299 (4-H special license plates). If Substitute House Bill No. 2299  
22 is not enacted by June 30, 2012, the amount provided in this subsection  
23 lapses.

24 (13) \$69,000 of the motor vehicle account--state appropriation is  
25 provided solely for the implementation of Substitute House Bill No.  
26 2312 (military service award emblems). If Substitute House Bill No.  
27 2312 is not enacted by June 30, 2012, the amount provided in this  
28 subsection lapses.

29 (14) \$275,000 of the motor vehicle account--state appropriation is  
30 provided solely for the implementation of Substitute House Bill No.  
31 2751 (local option transportation revenue). If Substitute House Bill  
32 No. 2751 is not enacted by June 30, 2012, the amount provided in this  
33 subsection lapses.

34 (15) \$712,000 of the ignition interlock device revolving account--  
35 state appropriation is provided solely for the implementation of Second  
36 Substitute House Bill No. 2443 (DUI accountability). If Second  
37 Substitute House Bill No. 2443 is not enacted by June 30, 2012, the  
38 amount provided in this subsection lapses.

1       (16) \$420,000 of the highway safety account--state appropriation is  
2 provided solely for the implementation of chapter ... (Engrossed  
3 Substitute Senate Bill No. 6150), Laws of 2012 and chapter ...  
4 (Engrossed Substitute Senate Bill No. 6455), Laws of 2012. If chapter  
5 ... (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 or  
6 chapter ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012  
7 are not enacted by June 30, 2012, the amount provided in this  
8 subsection lapses.

9       (17) Consistent with RCW 43.135.055 and 43.24.086, during the  
10 2011-2013 fiscal biennium, the legislature authorizes the department to  
11 adjust the business and vehicle fees for the for hire licensing program  
12 in amounts sufficient to recover the costs of administering the for  
13 hire licensing program.

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

16 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**  
17 **MAINTENANCE--PROGRAM B**

18	High Occupancy Toll Lanes Operations Account--State	
19	Appropriation . . . . .	(( <del>\$1,295,000</del> ))
20		<u>\$1,274,000</u>
21	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$550,000</del> ))
22		<u>\$537,000</u>
23	Tacoma Narrows Toll Bridge Account--State	
24	Appropriation . . . . .	(( <del>\$23,429,000</del> ))
25		<u>\$23,361,000</u>
26	State Route Number 520 Corridor Account--State	
27	Appropriation . . . . .	\$27,295,000
28	State Route Number 520 Civil Penalties	
29	Account--State Appropriation . . . . .	(( <del>\$4,622,000</del> ))
30		<u>\$3,622,000</u>
31	TOTAL APPROPRIATION . . . . .	(( <del>\$57,191,000</del> ))
32		<u>\$56,089,000</u>

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

35       (1) The department shall make detailed quarterly expenditure  
36 reports available to the transportation commission and to the public on  
37 the department's web site using current department resources. The

1 reports must include a summary of toll revenue by facility on all  
2 operating toll facilities and high occupancy toll lane systems, and an  
3 itemized depiction of the use of that revenue.

4 (2) (~~(\$4,622,000)~~) \$3,622,000 of the state route number 520 civil  
5 penalties account--state appropriation and \$1,458,000 of the Tacoma  
6 Narrows toll bridge account--state appropriation are provided solely  
7 for expenditures related to the toll adjudication process. All costs  
8 associated with the toll adjudication process are anticipated to be  
9 covered by revenue collected from the toll adjudication process. The  
10 department shall report quarterly on the civil penalty process to the  
11 office of financial management and the house of representatives and  
12 senate transportation committees beginning September 30, 2011. The  
13 reports must include a summary table for each toll facility that  
14 includes: The number of notices of civil penalty issued; the number of  
15 recipients who pay before the notice becomes a penalty; the number of  
16 recipients who request a hearing and the number who do not respond;  
17 workload costs related to hearings; the cost and effectiveness of debt  
18 collection activities; and revenues generated from notices of civil  
19 penalty.

20 (3) It is the intent of the legislature that transitioning to a  
21 statewide tolling operations center and preparing for all-electronic  
22 tolling on certain toll facilities will have no adverse revenue or  
23 expenditure impact on the Tacoma Narrows toll bridge account. Any  
24 increased costs related to this transition shall not be allocated to  
25 the Tacoma Narrows toll bridge account. (~~(All costs associated with~~  
26 ~~the toll adjudication process are anticipated to be covered by revenue~~  
27 ~~collected from the toll adjudication process.)~~)

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

32 (5) \$17,786,000 of the state route number 520 corridor account--  
33 state appropriation is provided solely for nonvendor costs associated  
34 with tolling the state route number 520 bridge. Funds from the state  
35 route number 520 corridor account--state appropriation shall not be  
36 used to pay for items prohibited by Executive Order No. 1057, including  
37 subscriptions to technical publications, employee educational expenses,

1 professional membership dues and fees, employee recognition and safety  
2 awards, meeting meals and light refreshments, commute trip reduction  
3 incentives, and employee travel.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**  
7 **C**

8	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$69,107,000</del> ))
9		<u>\$67,327,000</u>
10	Transportation Partnership Account--State	
11	Appropriation . . . . .	\$1,460,000
12	Multimodal Transportation Account--State	
13	Appropriation . . . . .	\$363,000
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation . . . . .	\$1,460,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$72,390,000</del> ))
17		<u>\$70,610,000</u>

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

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

28 (2) \$1,460,000 of the transportation partnership account--state  
29 appropriation and \$1,460,000 of the transportation 2003 account (nickel  
30 account)--state appropriation are provided solely for maintaining the  
31 department's project management reporting system.

32 (3) \$210,000 of the motor vehicle account--state appropriation is  
33 provided solely for the department's compliance with its national  
34 pollution discharge elimination system permit.

35 (~~(+5)~~) (4) \$502,000 of the motor vehicle account--state  
36 appropriation is provided solely to provide support for the  
37 transportation executive information system.

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

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

5 Motor Vehicle Account--State Appropriation . . . . . ((~~\$25,851,000~~))  
6 \$25,440,000

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

9       (1) The department shall submit a predesign proposal for a new  
10 traffic management center to the office of financial management  
11 consistent with the process followed by nontransportation capital  
12 construction projects. The department shall not award a contract for  
13 construction of a new traffic management center until the predesign  
14 proposal has been submitted and the office of financial management has  
15 completed a budget evaluation study that indicates a new building is  
16 the recommended option for accommodating additional traffic management  
17 operations.

18       (2) \$850,000 of the motor vehicle account--state appropriation is  
19 provided solely for the department's compliance with its national  
20 pollution discharge elimination system permit.

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

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

24 Aeronautics Account--State Appropriation . . . . . ((~~\$6,066,000~~))  
25 \$5,999,000  
26 Aeronautics Account--Federal Appropriation . . . . . \$2,150,000  
27       TOTAL APPROPRIATION . . . . . ((~~\$8,216,000~~))  
28 \$8,149,000

29       The appropriations in this section are subject to the following  
30 conditions and limitations: \$200,000 of the aeronautics account--state  
31 appropriation is a reappropriation provided solely to complete runway  
32 preservation projects.

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

35       **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**

1 **SUPPORT--PROGRAM H**

2	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$47,418,000</del> ))
3		<u>\$45,725,000</u>
4	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$500,000</del> ))
5		<u>\$1,796,000</u>
6	Multimodal Transportation Account--State	
7	Appropriation . . . . .	\$250,000
8	TOTAL APPROPRIATION . . . . .	(( <del>\$48,168,000</del> ))
9		<u>\$47,771,000</u>

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

12       ~~(1) ((The department shall provide updated information on six  
13 project milestones for all active projects, funded in part or in whole  
14 with 2005 transportation partnership account funds or 2003 nickel  
15 account funds, on a quarterly basis in the transportation executive  
16 information system. The department shall also provide updated  
17 information on six project milestones for projects funded with  
18 preexisting funds and that are agreed to by the legislature, office of  
19 financial management, and the department, on a quarterly basis.~~

20       ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation  
21 is provided solely for the department's compliance with its national  
22 pollution discharge elimination system permit.

23       ~~((3))~~ (2) It is the intent of the legislature that the real  
24 estate services division of the department will recover the cost of its  
25 efforts from future sale proceeds.

26       ~~((4))~~ (3) The legislature recognizes that the Dryden pit site  
27 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned  
28 real property under the jurisdiction of the department of  
29 transportation, and that the public would benefit significantly from  
30 the complete enjoyment of the natural scenic beauty and recreational  
31 opportunities available at the site. Therefore, pursuant to RCW  
32 47.12.080, the legislature declares that transferring the property to  
33 the department of fish and wildlife for recreational use and fish and  
34 wildlife restoration efforts is consistent with the public interest in  
35 order to preserve the area for the use of the public and the betterment  
36 of the natural environment. The department of transportation shall  
37 work with the department of fish and wildlife, and shall transfer and  
38 convey the Dryden pit site to the department of fish and wildlife as is

1 for an adjusted fair market value reflecting site conditions, the  
2 proceeds of which must be deposited in the motor vehicle fund. The  
3 department of transportation is not responsible for any costs  
4 associated with the cleanup or transfer of this property. By July 1,  
5 2011, and annually thereafter until the entire Dryden pit property has  
6 been transferred, the department shall submit a status report regarding  
7 the transaction to the chairs of the legislative transportation  
8 committees.

9 (4) The legislature recognizes that the trail known as the Apple  
10 Capital Loop, and its extensions, serve to separate motor vehicle  
11 traffic from pedestrians and bicyclists, increasing motor vehicle  
12 safety on existing state route number 28. Consistent with chapter  
13 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that  
14 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537  
15 and 2-09-04569 to Douglas county and the city of East Wenatchee is  
16 consistent with the public interest. The legislature directs the  
17 department to transfer the property to Douglas county and the city of  
18 East Wenatchee. The department must be paid fair market value for any  
19 portions of the transferred real property that is later abandoned,  
20 vacated, or ceases to be publicly maintained for trail purposes.  
21 Douglas county and the city of East Wenatchee must agree to accept  
22 responsibility for trail segments within their respective jurisdictions  
23 and sign an agreement with the state that the transfer of these parcels  
24 to their respective jurisdictions extinguishes any state obligations to  
25 improve, maintain, or be in any way responsible for these assets. The  
26 department shall report to the transportation committees of the  
27 legislature by June 30, 2013, and annually thereafter, on the status of  
28 the transfer until complete.

29 (5) If the department determines that all or portion of real  
30 property or an interest in real property that was acquired through  
31 condemnation within the previous ten years is no longer necessary for  
32 a transportation purpose, the former owner has a right of repurchase as  
33 described in this subsection. For the purposes of this subsection,  
34 "former owner" means the person or entity from whom the department  
35 acquired title. At least ninety days prior to the date on which the  
36 property is intended to be sold by the department, the department must  
37 mail notice of the planned sale to the former owner of the property at  
38 the former owner's last known address or to a forwarding address if



1 that owner has provided the department with a forwarding address. If  
2 the former owner of the property's last known address, or forwarding  
3 address if a forwarding address has been provided, is no longer the  
4 former owner of the property's address, the right of repurchase is  
5 extinguished. If the former owner notifies the department within  
6 thirty days of the date of the notice that the former owner intends to  
7 repurchase the property, the department shall proceed with the sale of  
8 the property to the former owner for fair market value and shall not  
9 list the property for sale to other owners. If the former owner does  
10 not provide timely written notice to the department of the intent to  
11 exercise a repurchase right, or if the sale to the former owner is not  
12 completed within seven months of the date of notice that the former  
13 owner intends to repurchase the property, the right of repurchase is  
14 extinguished.

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

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

19 Motor Vehicle Account--State Appropriation . . . . .	(((\$622,000))
	\$826,000
21 Multimodal Transportation Account--State Appropriation . . . . .	\$110,000
22 TOTAL APPROPRIATION . . . . .	(((\$732,000))
	\$936,000

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

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

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

1 project must be carried out under the guidance of the steering  
2 committee described under section 205(4)(a) of this act and in  
3 coordination with the transportation commission.

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

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

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

18 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$380,327,000</del> ))
19	<u>\$373,209,000</u>
20 Motor Vehicle Account--Federal Appropriation . . . . .	\$7,000,000
21 <u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
22 TOTAL APPROPRIATION . . . . .	(( <del>\$387,327,000</del> ))
23	<u>\$384,209,000</u>

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

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

31 (2) \$7,000,000 of the motor vehicle account--state appropriation is  
32 provided solely for third-party damages to the highway system where the  
33 responsible party is known and reimbursement is anticipated. The  
34 department shall request additional appropriation authority for any  
35 funds received for reimbursements of third-party damages that are in  
36 excess of this appropriation.

1 (3) \$7,000,000 of the motor vehicle account--federal appropriation  
2 is for unanticipated federal funds that may be received during the  
3 2011-2013 fiscal biennium. Upon receipt of the funds, the department  
4 shall provide a report on the use of the funds to the transportation  
5 committees of the legislature and the office of financial management.

6 (4) The department may work with the department of corrections to  
7 utilize corrections crews for the purposes of litter pickup on state  
8 highways.

9 (5) \$4,530,000 of the motor vehicle account--state appropriation is  
10 provided solely for the department's compliance with its national  
11 pollution discharge elimination system permit.

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

16 (7) \$6,884,000 of the motor vehicle account--state appropriation is  
17 provided solely for the high priority maintenance backlog. Addressing  
18 the maintenance backlog must result in increased levels of service. If  
19 chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of 2011  
20 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the  
21 appropriation provided in this subsection lapses.

22 (8) \$317,000 of the motor vehicle account--state appropriation is  
23 provided solely for maintaining a new active traffic management system  
24 on Interstate 5, Interstate 90, and state route number 520. The  
25 department shall track the costs associated with these systems on a  
26 corridor basis and report to the transportation committees of the  
27 legislature on the costs and benefits of the systems by December 1,  
28 ((2011)) 2012.

29 (9) \$4,000,000 of the highway safety account--state appropriation  
30 is provided solely to further reduce the highway maintenance backlog in  
31 order to maintain or increase levels of service. If chapter ...  
32 (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not  
33 enacted by June 30, 2012, the amount provided in this subsection  
34 lapses.

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

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
2 **OPERATING**

3	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$50,166,000</del> ))
4		<u>\$48,741,000</u>
5	Motor Vehicle Account--Federal Appropriation . . . . .	\$2,050,000
6	Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$127,000</del> ))
7		<u>\$250,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$52,343,000</del> ))
9		<u>\$51,041,000</u>

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

12 (1) \$6,000,000 of the motor vehicle account--state appropriation is  
13 provided solely for low-cost enhancements. The department shall give  
14 priority to low-cost enhancement projects that improve safety or  
15 provide congestion relief. The department shall prioritize low-cost  
16 enhancement projects on a statewide rather than regional basis. By  
17 September 1st of each even-numbered year, the department shall provide  
18 a report to the legislature listing all low-cost enhancement projects  
19 prioritized on a statewide rather than regional basis completed in the  
20 prior year.

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

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

1 transportation provider vehicles regulated under chapter 81.66 RCW; and  
2 (d) private employer transportation service vehicles. For purposes of  
3 this subsection, "private employer transportation service" means  
4 regularly scheduled, fixed-route transportation service that is offered  
5 by an employer for the benefit of its employees. By June 30, 2013, the  
6 department shall report to the transportation committees of the  
7 legislature on whether private transportation provider use of high  
8 occupancy vehicle lanes under the pilot program reduces the speeds of  
9 high occupancy vehicle lanes. Nothing in this subsection is intended  
10 to authorize the conversion of public infrastructure to private, for-  
11 profit purposes or to otherwise create an entitlement or other claim by  
12 private users to public infrastructure. If chapter ... (Substitute  
13 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this  
14 subsection is null and void.

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

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

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

34 (b) The department shall plainly mark the locations where the  
35 automated traffic safety cameras are used by placing signs on locations  
36 that clearly indicate to a driver that he or she is entering a roadway  
37 construction zone where traffic laws are enforced by an automated  
38 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 **Sec. 217.** 2011 c 367 s 217 (uncodified) is amended to read as  
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**  
6 **SUPPORT--PROGRAM S**

7	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$28,430,000</del> ))
8		<u>\$27,335,000</u>
9	Motor Vehicle Account--Federal Appropriation . . . . .	\$30,000
10	Multimodal Transportation Account--State	
11	Appropriation . . . . .	\$973,000
12	TOTAL APPROPRIATION . . . . .	(( <del>\$29,433,000</del> ))
13		<u>\$28,338,000</u>

14 The appropriations in this section are subject to the following  
15 conditions and limitations: The department shall utilize existing  
16 resources and customer service staff to develop and implement new  
17 policies and procedures to ensure compliance with new federal passenger  
18 vessel Americans with disabilities act requirements.

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

21 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**  
22 **AND RESEARCH--PROGRAM T**

23	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$23,394,000</del> ))
24		<u>\$22,055,000</u>
25	Motor Vehicle Account--Federal Appropriation . . . . .	\$21,885,000
26	Multimodal Transportation Account--State	
27	Appropriation . . . . .	\$662,000
28	Multimodal Transportation Account--Federal	
29	Appropriation . . . . .	\$3,559,000
30	Multimodal Transportation Account--Private/Local	
31	Appropriation . . . . .	\$100,000
32	TOTAL APPROPRIATION . . . . .	(( <del>\$49,600,000</del> ))
33		<u>\$48,261,000</u>

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

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

6 (2) \$200,000 of the motor vehicle account--state appropriation is  
7 provided solely for extending the freight database pilot project that  
8 began in 2009. Global positioning system (GPS) data is intended to  
9 help guide freight investment decisions and track highway project  
10 effectiveness as it relates to freight traffic.

11 (3) Within available resources, the department must collaborate  
12 with the affected metropolitan planning organizations, regional  
13 transportation planning organizations, transit agencies, and private  
14 transportation providers to develop a plan to reduce vehicle demand,  
15 increase public transportation options, and reduce vehicle miles  
16 traveled on corridors affected by growth at Joint Base Lewis-McChord.

17 (4) As part of their ongoing regional transportation planning, the  
18 regional transportation planning organizations across the state shall  
19 work together to provide a comprehensive framework for sources and uses  
20 of next-stage investments in transportation needed to improve  
21 structural conditions and ongoing operations and lay the groundwork for  
22 the transportation systems to support the long-term economic vitality  
23 of the state. This planning must include all forms of transportation  
24 to reflect the state's interests, including: Highways, streets, and  
25 roads; ferries; public transportation; systems for freight; and walking  
26 and biking systems. The department shall support this planning by  
27 providing information on potential state transportation uses and an  
28 analysis of potential sources of revenue to implement investments. In  
29 carrying out this planning, regional transportation planning  
30 organizations must be broadly inclusive of business, civic, labor,  
31 governmental, and environmental interests in regional communities  
32 across the state.

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

35 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**  
36 **PROGRAM U**

37 Motor Vehicle Account--State Appropriation . . . . . (~~(\$85,209,000)~~)



1		\$74,734,000
2	Motor Vehicle Account--Federal Appropriation . . . . .	\$400,000
3	Multimodal Transportation Account--State	
4	Appropriation . . . . .	(((\$3,320,000))
5		<u>\$1,798,000</u>
6	TOTAL APPROPRIATION . . . . .	(((\$88,929,000))
7		<u>\$76,932,000</u>

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

10       (1) The (~~office of financial management~~) department of enterprise  
11 services must provide a detailed accounting of the revenues and  
12 expenditures of the self-insurance fund to the transportation  
13 committees of the legislature on December 31st and June 30th of each  
14 year.

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

17	<del>((a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT</del>	
18	<del>DIVISION OF RISK MANAGEMENT FEES . . . . .</del>	<del>\$1,639,000</del>
19	<del>(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE</del>	
20	<del>STATE AUDITOR . . . . .</del>	<del>\$937,000</del>
21	<del>(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF</del>	
22	<del>GENERAL ADMINISTRATION . . . . .</del>	<del>\$6,060,000</del>
23	<del>(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF</del>	
24	<del>PERSONNEL . . . . .</del>	<del>\$6,347,000</del>
25	<del>(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY</del>	
26	<del>PREMIUMS AND ADMINISTRATION . . . . .</del>	<del>\$44,418,000</del>
27	<del>(f) FOR ARCHIVES AND RECORDS MANAGEMENT . . . . .</del>	<del>\$623,000</del>
28	<del>(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS</del>	
29	<del>ENTERPRISES . . . . .</del>	<del>\$1,008,000</del>
30	<del>(h) FOR USE OF FINANCIAL AND REPORTING SYSTEMS</del>	
31	<del>PROVIDED BY THE OFFICE OF FINANCIAL MANAGEMENT . . . . .</del>	<del>\$1,143,000</del>
32	<del>(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE</del>	
33	<del>DEPARTMENT OF INFORMATION SERVICES . . . . .</del>	<del>\$1,980,000</del>
34	<del>(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY</del>	
35	<del>GENERAL'S OFFICE . . . . .</del>	<del>\$8,526,000</del>
36	<del>(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY</del>	
37	<del>GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT</del>	
38	<del>LITIGATION . . . . .</del>	<del>\$672,000))</del>

1	<u>(a) TO THE SECRETARY OF STATE--ARCHIVES AND</u>	
2	<u>RECORDS MANAGEMENT . . . . .</u>	<u>\$512,000</u>
3	<u>(b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR</u>	
4	<u>SERVICES . . . . .</u>	<u>\$488,000</u>
5	<u>(c) TO THE OFFICE OF THE ATTORNEY</u>	
6	<u>GENERAL--ATTORNEY GENERAL SERVICES . . . . .</u>	<u>\$7,127,000</u>
7	<u>(d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR</u>	
8	<u>RELATIONS SERVICES . . . . .</u>	<u>\$266,000</u>
9	<u>(e) TO THE OFFICE OF FINANCIAL</u>	
10	<u>MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER . . . . .</u>	<u>\$473,000</u>
11	<u>(f) TO THE OFFICE OF MINORITY AND WOMEN'S</u>	
12	<u>BUSINESS ENTERPRISES . . . . .</u>	<u>\$840,000</u>
13	<u>(g) TO CONSOLIDATED TECHNICAL SERVICES . . . . .</u>	<u>\$182,000</u>
14	<u>(h) TO THE DEPARTMENT OF ENTERPRISE</u>	
15	<u>SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM . . . . .</u>	<u>\$3,495,000</u>
16	<u>(i) TO THE DEPARTMENT OF ENTERPRISE</u>	
17	<u>SERVICES--PRODUCTION SUPPORT . . . . .</u>	<u>\$974,000</u>
18	<u>(j) TO THE DEPARTMENT OF ENTERPRISE</u>	
19	<u>SERVICES--REAL ESTATE SERVICES . . . . .</u>	<u>\$108,000</u>
20	<u>(k) TO THE DEPARTMENT OF ENTERPRISE</u>	
21	<u>SERVICES--PUBLICATIONS AND HISTORICAL SERVICES . . . . .</u>	<u>\$691,000</u>
22	<u>(l) TO THE DEPARTMENT OF ENTERPRISE</u>	
23	<u>SERVICES--CAMPUS RENT . . . . .</u>	<u>\$3,293,000</u>
24	<u>(m) TO THE DEPARTMENT OF ENTERPRISE</u>	
25	<u>SERVICES--CAPITAL PROJECT SURCHARGE . . . . .</u>	<u>\$879,000</u>
26	<u>(n) TO THE DEPARTMENT OF ENTERPRISE</u>	
27	<u>SERVICES--PERSONAL SERVICE CONTRACTS . . . . .</u>	<u>\$100,000</u>
28	<u>(o) TO THE DEPARTMENT OF ENTERPRISE</u>	
29	<u>SERVICES--SECURE FILE TRANSFER SERVICES . . . . .</u>	<u>\$39,000</u>
30	<u>(p) TO THE DEPARTMENT OF ENTERPRISE</u>	
31	<u>SERVICES--ACCESS SERVICES . . . . .</u>	<u>\$179,000</u>
32	<u>(q) TO THE DEPARTMENT OF ENTERPRISE</u>	
33	<u>SERVICES--RISK MANAGEMENT SERVICES . . . . .</u>	<u>\$1,290,000</u>
34	<u>(r) TO THE DEPARTMENT OF ENTERPRISE</u>	
35	<u>SERVICES--INFORMATION TECHNOLOGY SERVICES . . . . .</u>	<u>\$1,557,000</u>

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

1	<b>FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM</b>	
2	<b>V</b>	
3	State Vehicle Parking Account--State Appropriation . . . . .	\$452,000
4	Regional Mobility Grant Program Account--State	
5	Appropriation . . . . .	\$48,942,000
6	Multimodal Transportation Account--State	
7	Appropriation . . . . .	(( <del>\$41,706,000</del> ))
8		<u>\$51,857,000</u>
9	Multimodal Transportation Account--Federal	
10	Appropriation . . . . .	\$2,582,000
11	Multimodal Transportation Account--Private/Local	
12	Appropriation . . . . .	\$1,027,000
13	Rural Mobility Grant Program Account--State	
14	Appropriation . . . . .	\$17,000,000
15	TOTAL APPROPRIATION . . . . .	(( <del>\$111,709,000</del> ))
16		<u>\$121,860,000</u>

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

19       (1) \$25,000,000 of the multimodal transportation account--state  
20 appropriation is provided solely for a grant program for special needs  
21 transportation provided by transit agencies and nonprofit providers of  
22 transportation.

23       (a) \$5,500,000 of the amount provided in this subsection is  
24 provided solely for grants to nonprofit providers of special needs  
25 transportation. Grants for nonprofit providers must be based on need,  
26 including the availability of other providers of service in the area,  
27 efforts to coordinate trips among providers and riders, and the cost  
28 effectiveness of trips provided.

29       (b) \$19,500,000 of the amount provided in this subsection is  
30 provided solely for grants to transit agencies to transport persons  
31 with special transportation needs. To receive a grant, the transit  
32 agency must have a maintenance of effort for special needs  
33 transportation that is no less than the previous year's maintenance of  
34 effort for special needs transportation. Grants for transit agencies  
35 must be prorated based on the amount expended for demand response  
36 service and route deviated service in calendar year 2009 as reported in  
37 the "Summary of Public Transportation - 2009" published by the

1 department of transportation. No transit agency may receive more than  
2 thirty percent of these distributions.

3 (2) \$395,000 of the multimodal transportation account--state  
4 appropriation is provided solely for administration costs of the  
5 regional and rural mobility grant programs.

6 (3) Funds are provided for the rural mobility grant program as  
7 follows:

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

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

23 (~~((3))~~) (4)(a) \$6,000,000 of the multimodal transportation  
24 account--state appropriation is provided solely for a vanpool grant  
25 program for: (a) Public transit agencies to add vanpools or replace  
26 vans; and (b) incentives for employers to increase employee vanpool  
27 use. The grant program for public transit agencies will cover capital  
28 costs only; operating costs for public transit agencies are not  
29 eligible for funding under this grant program. Additional employees  
30 may not be hired from the funds provided in this section for the  
31 vanpool grant program, and supplanting of transit funds currently  
32 funding vanpools is not allowed. The department shall encourage grant  
33 applicants and recipients to leverage funds other than state funds.

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

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

1           (~~(4)~~) (5) \$8,942,000 of the regional mobility grant program  
2 account--state appropriation is reappropriated and provided solely for  
3 the regional mobility grant projects identified in LEAP Transportation  
4 Document 2007-B, as developed April 20, 2007, or LEAP Transportation  
5 Document 2009-B, as developed April 24, 2009. The department shall  
6 continue to review all projects receiving grant awards under this  
7 program at least semiannually to determine whether the projects are  
8 making satisfactory progress. The department shall promptly close out  
9 grants when projects have been completed, and any remaining funds must  
10 be used only to fund projects identified in: LEAP Transportation  
11 Document 2007-B, as developed April 20, 2007; LEAP Transportation  
12 Document 2009-B, as developed April 24, 2009; or LEAP Transportation  
13 Document 2011-B, as developed April 19, 2011. It is the intent of the  
14 legislature to appropriate funds through the regional mobility grant  
15 program only for projects that will be completed on schedule and that  
16 all funds in the regional mobility grant program be used as soon as  
17 practicable to advance eligible projects.

18           (~~(5)~~) (6)(a) \$40,000,000 of the regional mobility grant program  
19 account--state appropriation is provided solely for the regional  
20 mobility grant projects identified in LEAP Transportation Document  
21 2011-B, as developed April 19, 2011. 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 any remaining funds must be used only  
29 to fund projects identified in LEAP Transportation Document 2011-B, as  
30 developed April 19, 2011. The department shall provide annual status  
31 reports on December 15, 2011, and December 15, 2012, to the office of  
32 financial management and the transportation committees of the  
33 legislature regarding the projects receiving the grants. It is the  
34 intent of the legislature to appropriate funds through the regional  
35 mobility grant program only for projects that will be completed on  
36 schedule.

37           (b) In order to be eligible to receive a grant under (a) of this  
38 subsection during the 2011-2013 fiscal biennium, a transit agency must

1 establish a process for private transportation providers to apply for  
2 the use of park and ride facilities. For purposes of this subsection,  
3 (i) "private transportation provider" means: An auto transportation  
4 company regulated under chapter 81.68 RCW; a passenger charter carrier  
5 regulated under chapter 81.70 RCW, except marked or unmarked stretch  
6 limousines and stretch sport utility vehicles as defined under  
7 department of licensing rules; a private nonprofit transportation  
8 provider regulated under chapter 81.66 RCW; or a private employer  
9 transportation service provider; and (ii) "private employer  
10 transportation service" means regularly scheduled, fixed-route  
11 transportation service that is offered by an employer for the benefit  
12 of its employees.

13 ~~((+6))~~ (7) \$2,309,000 of the multimodal transportation account--  
14 state appropriation is provided solely for the tri-county connection  
15 service for Island, Skagit, and Whatcom transit agencies.

16 ~~((+7))~~ (8) \$200,000 of the multimodal transportation account--  
17 state appropriation is contingent on the timely development of an  
18 annual report summarizing the status of public transportation systems  
19 as identified under RCW 35.58.2796.

20 ~~((+8))~~ (9) Funds provided for the commute trip reduction program  
21 may also be used for the growth and transportation efficiency center  
22 program.

23 ~~((+9))~~ (10) An affected urban growth area that has not previously  
24 implemented a commute trip reduction program is exempt from the  
25 requirements in RCW 70.94.527 if a solution to address the state  
26 highway deficiency that exceeds the person hours of delay threshold has  
27 been funded and is in progress during the 2011-2013 fiscal biennium.

28 (11) \$10,000,000 of the multimodal transportation account--state  
29 appropriation is provided solely for a grant program for transit  
30 authorities. The funding provided in this subsection must be  
31 distributed statewide to transit authorities according to the  
32 distribution formula in (a) of this subsection. Funding must be used  
33 for operations.

34 (a) Of the amounts provided in this subsection:

35 (i) One-third must be distributed based on vehicle miles of service  
36 provided;

37 (ii) One-third must be distributed based on the number of vehicle  
38 hours of service provided; and

1 (iii) One-third must be distributed based on the number of  
2 passenger trips.

3 (b) For the purposes of this subsection:

4 (i) "Transit authorities" has the same meaning as in RCW  
5 9.91.025(2).

6 (ii) "Vehicle miles of service," "vehicle hours of service," and  
7 "passenger trips" are transit service metrics as reported by the public  
8 transportation program of the department of transportation in the  
9 annual report required in RCW 35.58.2796 for calendar year 2010.

10 (c) If chapter ... (Engrossed Substitute Senate Bill No. 6455),  
11 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
12 this subsection lapses.

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

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

16 Puget Sound Ferry Operations Account--State	
17 Appropriation . . . . .	(( <del>\$467,773,000</del> ))
18	<u>\$475,654,000</u>

19 The appropriation in this section is subject to the following  
20 conditions and limitations:

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

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

32 ~~((+5))~~ (3) Until a reservation system is operational on the San  
33 Juan islands inner-island route, the department shall provide the same  
34 priority loading benefits on the San Juan islands inner-island route to  
35 home health care workers as are currently provided to patients  
36 traveling for purposes of receiving medical treatment.

1           ~~((+6+))~~ (4) The department shall request from the United States  
2 coast guard variable minimum staffing levels on all of its vessels by  
3 December 31, 2011.

4           ~~((+10+))~~ (5) The department shall continue to provide service to  
5 Sidney, British Columbia and shall explore the option of purchasing a  
6 foreign built vehicle and passenger ferry vessel either with safety of  
7 life at sea (SOLAS) certification or the ability to be retrofitted for  
8 SOLAS certification to operate solely on the Anacortes to Sidney,  
9 British Columbia route currently served by vessels of the Washington  
10 state ferries fleet. The vessel should have the capability of carrying  
11 at least one hundred standard vehicles and approximately four hundred  
12 to five hundred passengers. Further, the department shall explore the  
13 possibilities of contracting a commercial company to operate the vessel  
14 exclusively on this route so long as the contractor's employees  
15 assigned to the vessel are represented by the same employee  
16 organizations as the Washington state ferries. The department shall  
17 report back to the transportation committees of the legislature  
18 regarding: The availability of a vessel; the cost of the vessel,  
19 including transport to the Puget Sound region; and the need for any  
20 statutory changes for the operation of the Sydney, British Columbia  
21 service by a private company.

22           ~~((+11+))~~ (6) For the 2011-2013 fiscal biennium, the department of  
23 transportation may enter into a distributor controlled fuel hedging  
24 program and other methods of hedging approved by the fuel hedging  
25 committee.

26           ~~((+12) The department shall target service reductions totaling~~  
27 ~~\$4,000,000, such that the shortening of shoulder seasons and~~  
28 ~~eliminations of off-peak runs on all routes are considered. Prior to~~  
29 ~~implementing the reductions, the department shall consult with ferry~~  
30 ~~employees and ferry advisory committees to determine which reductions~~  
31 ~~would impact the fewest number of riders. The reductions must be~~  
32 ~~identified and implementation must begin no later than the fall 2011~~  
33 ~~schedule.~~

34           ~~(+13) \$135,248,000))~~ (7) \$136,648,000 of the Puget Sound ferry  
35 operations account--state appropriation is provided solely for auto  
36 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The  
37 amount provided in this appropriation represents the fuel budget for  
38 purposes of calculating any ferry fare fuel surcharge.



1        ~~((14))~~ (8) \$8,000,000 of the Puget Sound ferry operations  
2 account--state appropriation is provided solely for the purchase of  
3 fuel for marine operations. If chapter ... (Engrossed Substitute  
4 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,  
5 the amount provided in this subsection lapses.

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

16        ~~((15))~~ (10) The Washington state ferries shall participate in the  
17 facilities plan included in section 604 of this act and shall include  
18 an investigation and identification of less costly relocation options  
19 for the Seattle headquarters office. The department shall include  
20 relocation options for the Washington state ferries Seattle  
21 headquarters office in the facilities plan. Until September 1, 2012,  
22 the department may not enter into a lease renewal for the Seattle  
23 headquarters office.

24        ~~((16))~~ (11) The department, office of financial management, and  
25 transportation committees of the legislature shall make recommendations  
26 regarding an appropriate budget structure for the Washington state  
27 ferries. The recommendation may include a potential restructuring of  
28 the Washington state ferries budget. The recommendation must  
29 facilitate transparency in reporting and budgeting as well as provide  
30 the opportunity to link revenue sources with expenditures. Findings  
31 and recommendations must be reported to the office of financial  
32 management and the joint transportation committee by September 1, 2011.

33        ~~((17))~~ (12) Two Kwa-di-tabil class ferry vessels must be placed  
34 on the Port Townsend/Coupeville (Keystone) route to provide service at  
35 the same levels provided when the steel electric vessels were in  
36 service. After the vessels as funded under section 308~~((7))~~ (6) of  
37 this act are in service, the two most appropriate of these vessels for  
38 the Port Townsend/Coupeville (Keystone) route must be placed on the

1 route. \$100,000 of the Puget Sound ferry operations account--state  
2 appropriation is provided solely for the additional staffing required  
3 to maintain a reservation system at this route when the second vessel  
4 is in service.

5 ~~((+19))~~ (13) \$706,000 of the Puget Sound ferry operations  
6 account--state appropriation is provided solely for terminal operations  
7 to implement new federal passenger vessel Americans with disabilities  
8 act requirements.

9 ~~((+20))~~ (14) \$152,000 of the Puget Sound ferry operations  
10 account--state appropriation is provided solely for the department's  
11 compliance with its national pollution discharge elimination system  
12 permit.

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

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

21 <b>FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING</b>	
22 Multimodal Transportation Account--State	
23 Appropriation . . . . .	(((\$29,688,000))
24	<u>\$33,339,000</u>
25 Multimodal Transportation Account--Federal	
26 Appropriation . . . . .	(((\$300,000))
27	<u>\$400,000</u>
28 TOTAL APPROPRIATION . . . . .	(((\$29,988,000))
29	<u>\$33,739,000</u>

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

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

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

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

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

14 (4) The department shall conduct a pilot program by partnering with  
15 the travel industry on the Amtrak Cascades service between Vancouver,  
16 British Columbia, and Seattle to test opportunities for increasing  
17 ridership, maximizing farebox recovery, and stimulating private  
18 investment. The pilot program must run from July 1, 2011, to June 30,  
19 2012. The department shall report on the results of the pilot program  
20 to the office of financial management and the legislature by September  
21 30, 2012.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
25 **OPERATING**

26	Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$8,853,000</del> ))
27		<u>\$8,605,000</u>
28	Motor Vehicle Account--Federal Appropriation . . . . .	\$2,567,000
29	TOTAL APPROPRIATION . . . . .	(( <del>\$11,420,000</del> ))
30		<u>\$11,172,000</u>

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

33 (1) \$100,000 of the motor vehicle account--state appropriation is  
34 provided solely for an additional staff person for the freight mobility  
35 strategic investment board.

36 (2) The department shall submit a report to the transportation  
37 committees of the legislature by December 1, 2011, on the

1 implementation of the recommendations that resulted from the evaluation  
2 of efficiencies in the delivery of transportation funding and services  
3 to local governments that was required under section 204(8), chapter  
4 247, Laws of 2010. The report must include a description of how  
5 recommendations were implemented, what efficiencies were achieved, and  
6 an explanation of any recommendations that were not implemented.

7 **TRANSPORTATION AGENCIES--CAPITAL**

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

10 **FOR THE WASHINGTON STATE PATROL**

11 State Patrol Highway Account--State Appropriation . . . ((~~\$6,487,000~~))  
12 \$2,875,000

13 The appropriation in this section is subject to the following  
14 conditions and limitations:

15 (1) ((~~\$653,000~~)) \$1,357,000 of the state patrol highway account--  
16 state appropriation is provided solely for the following minor works  
17 projects: \$200,000 for emergency infrastructure repairs; \$75,000 for  
18 water and sewer upgrades; \$210,000 for emergency backup system  
19 replacement; \$85,000 for chiller replacement; ((and)) \$83,000 for roof  
20 replacements; \$128,000 for septic system repairs; and \$576,000 for HVAC  
21 replacements and energy upgrades.

22 (2) ((~~\$3,226,000~~)) \$1,097,000 of the state patrol highway account--  
23 state appropriation is provided solely for the Shelton academy of the  
24 Washington state patrol for the new waste water treatment lines, waste  
25 water plants, reclaimed water lines, and water systems. ((However,  
26 ~~\$2,129,000 of this amount is contingent on the department of~~  
27 ~~corrections receiving funding for its portion of the regional water~~  
28 ~~project in the 2011-2013 omnibus capital appropriations act. If this~~  
29 ~~funding is not provided by June 30, 2011, \$2,129,000 of the~~  
30 ~~appropriation provided in this subsection lapses.))~~

31 (3) \$421,000 of the state patrol highway account--state  
32 appropriation is provided solely for the reappropriation of the Shelton  
33 regional water project.

34 (4) ((~~\$2,187,000 of the total appropriation is provided solely for~~  
35 ~~mobile office platforms.~~

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

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

9       **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

10 Motor Vehicle Account--State Appropriation . . . . .	\$874,000
11 Rural Arterial Trust Account--State Appropriation . . . . .	<del>(\$37,417,000)</del>
12	<u>\$62,510,000</u>
13 County Arterial Preservation Account--State	
14       Appropriation . . . . .	\$29,360,000
15 <u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
16       TOTAL APPROPRIATION . . . . .	<del>(\$67,651,000)</del>
17	<u>\$96,744,000</u>

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

20       (1) \$874,000 of the motor vehicle account--state appropriation may  
21 be used for county ferry projects as developed pursuant to RCW  
22 47.56.725(4).

23       (2) ~~(\$37,417,000)~~ \$62,510,000 of the rural arterial trust  
24 account--state appropriation is provided solely for county road  
25 preservation grant projects as approved by the county road  
26 administration board. These funds may be used to assist counties  
27 recovering from federally declared emergencies by providing  
28 capitalization advances and local match for federal emergency funding,  
29 and may only be made using existing fund balances. It is the intent of  
30 the legislature that the rural arterial trust account be managed based  
31 on cash flow. The county road administration board shall specifically  
32 identify any of the selected projects and shall include information  
33 concerning the selected projects in its next annual report to the  
34 legislature.

35       (3) \$4,000,000 of the highway safety account--state appropriation  
36 is provided solely for the county arterial preservation program to help

1 counties meet urgent preservation needs. If chapter ... (Engrossed  
2 Substitute Senate Bill No. 6150), Laws of 2012 is not enacted by June  
3 30, 2012, the amount provided in this subsection lapses.

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

6 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

7 Small City Pavement and Sidewalk Account--State	
8 Appropriation . . . . .	(( <del>\$3,812,000</del> ))
9	<u>\$5,270,000</u>
10 Transportation Improvement Account--State	
11 Appropriation . . . . .	(( <del>\$201,050,000</del> ))
12	<u>\$237,545,000</u>
13 <u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$204,862,000</del> ))
15	<u>\$246,815,000</u>

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

18 (1) The transportation improvement account--state appropriation  
19 includes up to \$22,143,000 in proceeds from the sale of bonds  
20 authorized in RCW 47.26.500.

21 (2) \$4,000,000 of the highway safety account--state appropriation  
22 is provided solely to help cities meet urgent preservation and storm  
23 water needs.

24 (a) \$3,600,000 of the amount provided in this subsection is  
25 provided solely for the urban arterial program.

26 (b) \$400,000 of the amount provided in this subsection is provided  
27 solely for the small city pavement program.

28 (c) If chapter ... (Engrossed Substitute Senate Bill No. 6150),  
29 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
30 this subsection lapses.

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

33 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D--(DEPARTMENT OF**  
34 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

35 Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$5,433,000</del> ))
36	<u>\$5,545,000</u>

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

3 (1) \$1,364,000 of the motor vehicle account--state appropriation is  
4 provided solely for the Olympic region site acquisition debt service  
5 payments and administrative costs associated with capital improvement  
6 and preservation project and financial management.

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

11 (3) \$400,000 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 **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 \$1,621,875,000  
22 Motor Vehicle Account--State Appropriation . . . . . (~~(\$86,139,000)~~)  
23 \$111,459,000  
24 Motor Vehicle Account--Federal Appropriation . . . . . (~~(\$450,691,000)~~)  
25 \$849,944,000  
26 Motor Vehicle Account--Private/Local  
27 Appropriation . . . . . (~~(\$50,485,000)~~)  
28 \$129,115,000  
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 \$1,779,000,000  
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 \$4,913,433,000

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 as developed April 19,~~  
10 ~~2011, Program - Highway Improvement Program (I))~~ LEAP Transportation  
11 Document 2012-1 as developed February 16, 2012, Program - Highway  
12 Improvement Program (I). However, limited transfers of specific  
13 line-item project appropriations may occur between projects for those  
14 amounts listed subject to the conditions and limitations in section 603  
15 of this act.

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

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

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



1        ~~((+5))~~ (4) The department shall apply for the competitive portion  
2 of federal transit administration funds for eligible transit-related  
3 costs of the state route number 520 bridge replacement and HOV project  
4 and the Columbia river crossing project. The federal funds described  
5 in this subsection must not include those federal transit  
6 administration funds distributed by formula. The department shall  
7 provide a report regarding this effort to the legislature by October 1,  
8 2011.

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

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

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

1 ~~and associated amounts that are being charged to project OBI4ENV during~~  
2 ~~the 2011-2013 fiscal biennium.~~

3 ~~(10))~~ (8) The transportation 2003 account (nickel account)--state  
4 appropriation includes up to ~~((\$361,005,000))~~ \$378,105,000 in proceeds  
5 from the sale of bonds authorized by RCW 47.10.861.

6 ~~((11))~~ (9) The transportation partnership account--state  
7 appropriation includes up to ~~((\$1,427,696,000))~~ \$869,365,000 in  
8 proceeds from the sale of bonds authorized in RCW 47.10.873.

9 ~~((12))~~ (10) The motor vehicle account--state appropriation  
10 includes up to ~~((\$66,373,000))~~ \$48,354,000 in proceeds from the sale of  
11 bonds authorized in RCW 47.10.843.

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

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

22 ~~((15) \$687,000))~~ (13) \$820,000 of the motor vehicle account--  
23 federal appropriation, \$16,308,000 of the motor vehicle account--  
24 private/local appropriation, and ~~((\$22,000))~~ \$48,000 of the motor  
25 vehicle account--state appropriation are provided solely for the US  
26 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

27 ~~((16) \$435,000))~~ (14) \$595,000 of the motor vehicle account--state  
28 appropriation is provided solely for environmental work on the Belfair  
29 Bypass project (300344C).

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

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

1 renovate any buildings is subject to the requirements of section 604 of  
2 this act. The department shall report to the legislature and the  
3 office of financial management on any costs associated with building  
4 renovations funded in this subsection.

5 ~~((+19))~~ (17)(a) ((\$8,321,000)) \$7,423,000 of the transportation  
6 partnership account--state appropriation ~~((and—\$31,380,000))~~,  
7 \$62,779,000 of the motor vehicle account--federal appropriation, and  
8 \$29,548,000 of the motor vehicle account--private/local appropriation  
9 are provided solely for the I-5/Columbia River Crossing project  
10 (400506A). Of this amount, \$200,000 of the transportation partnership  
11 account--state appropriation is provided solely for the department to  
12 work with the department of archaeology and historic preservation to  
13 ensure that the cultural resources investigation is properly conducted  
14 on the Columbia river crossing project. This project must be conducted  
15 with active archaeological management and result in one report that  
16 spans the single cultural area in Oregon and Washington. Additionally,  
17 the department shall establish a scientific peer review of independent  
18 archaeologists that are knowledgeable about the region and its cultural  
19 resources. No funding from any account may be expended until written  
20 confirmation has been received by the department that the state of  
21 Oregon is providing an equal amount of additional funding to the  
22 project.

23 (b) Consistent with the draft environmental impact statement and  
24 the Columbia river crossing project's independent review panel report,  
25 the Columbia river crossing project's financial plan must include  
26 recognition of state transportation funding contributions from both  
27 Washington and Oregon, federal transportation funding, and a funding  
28 contribution from toll bond proceeds. Following the refinement of the  
29 finance plan as recommended by the independent review panel, the  
30 department may seek authorization from the legislature to collect tolls  
31 on the existing Columbia river crossing or on a replacement crossing  
32 over Interstate 5.

33 (c) Of the amounts provided in this subsection (17), \$1,800,000 of  
34 the motor vehicle account--federal appropriation is provided solely for  
35 the investment-grade traffic and revenue analysis described in section  
36 205(5) of this act, and this is the maximum amount the department may  
37 expend for this purpose. The department shall enter into an

1 interagency agreement with the transportation commission to cover the  
2 costs of the investment-grade traffic and revenue analysis described in  
3 section 205(5) of this act.

4 ~~((20) \$107,000))~~ (18) \$309,000 of the motor vehicle account--  
5 federal appropriation and ~~((27,000))~~ \$78,000 of the motor vehicle  
6 account--state appropriation are provided solely for the SR 9/SR 204  
7 Intersection Improvement project (L2000040).

8 ~~((21) \$2,134,000))~~ (19) \$3,385,000 of the motor vehicle account--  
9 federal appropriation and ~~((47,000))~~ \$50,000 of the motor vehicle  
10 account--state appropriation are provided solely for the US 12/Nine  
11 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

12 ~~((22) \$294,000))~~ (20) \$391,000 of the motor vehicle account--  
13 federal appropriation and ~~((13,000))~~ \$16,000 of the motor vehicle  
14 account--state appropriation are provided solely for the SR 16/Rosedale  
15 Street NW Vicinity - Frontage Road project (301639C). The frontage  
16 road must be built for driving speeds of no more than thirty-five miles  
17 per hour.

18 ~~((23) \$1,000,000))~~ (21) \$621,000 of the motor vehicle account--  
19 federal appropriation is provided solely for the SR 20/Race Road to  
20 Jacob's Road safety project (L2200042).

21 ~~((24) \$24,002,000))~~ (22) \$32,162,000 of the transportation  
22 partnership account--state appropriation is provided solely for the SR  
23 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

24 ~~((25) \$569,000))~~ (23) \$1,227,000 of the motor vehicle account--  
25 federal appropriation and ~~((9,000))~~ \$38,000 of the motor vehicle  
26 account--state appropriation are provided solely for design and right-  
27 of-way work on the I-82/Red Mountain Vicinity project (508208M). The  
28 department shall continue to work with the local partners in developing  
29 transportation solutions necessary for the economic growth in the Red  
30 Mountain American viticulture area of Benton county.

31 ~~((26))~~ (24) \$1,500,000 of the motor vehicle account--federal  
32 appropriation is provided solely for the I-90 Comprehensive Tolling  
33 Study and Environmental Review project (100067T). The department shall  
34 undertake a comprehensive environmental review of tolling Interstate 90  
35 between Interstate 5 and Interstate 405 for the purposes of both  
36 managing traffic and providing funding for construction of the unfunded  
37 state route number 520 from Interstate 5 to Medina project. The

1 environmental review must include significant outreach to potentially  
2 affected communities. The department may consider traffic management  
3 options that extend as far east as Issaquah.

4 ~~((+27) \$9,422,000))~~ (25) \$12,149,000 of the motor vehicle account--  
5 federal appropriation and ~~((+193,000))~~ \$362,000 of the motor vehicle  
6 account--state appropriation are provided solely for the I-90/Sullivan  
7 Road to Barker Road - Additional Lanes project (609049N).

8 ~~((+28))~~ (26) Up to \$8,000,000 in savings realized on the I-  
9 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project  
10 (509009B) may be used for design work on the next two-mile segment of  
11 the corridor. Any additional savings on this project must remain on  
12 the corridor. ~~((+590,000 of the funds appropriated for this project~~  
13 ~~may be used to purchase land currently owned by the state parks~~  
14 ~~department.))~~ Project funds may not be used to build or improve  
15 buildings until the plan described in section 604 of this act is  
16 complete.

17 ~~((+29) \$932,000))~~ (27) \$657,000 of the motor vehicle account--  
18 federal appropriation is provided solely for the US 97A/North of  
19 Wenatchee - Wildlife Fence project (209790B).

20 ~~((+30))~~ (28) The department shall reconvene an expert review panel  
21 of no more than three members as described under RCW 47.01.400 for the  
22 purpose of updating the work that was previously completed by the panel  
23 on the Alaskan Way viaduct replacement project and to ensure that an  
24 appropriate and viable financial plan is created and regularly  
25 reviewed. The expert review panel must be selected cooperatively by  
26 the chairs of the senate and house of representatives transportation  
27 committees, the secretary of transportation, and the governor. The  
28 expert review panel must report findings and recommendations to the  
29 transportation committees of the legislature, the governor's Alaskan  
30 Way viaduct project oversight committee, and the transportation  
31 commission by October 2011, and annually thereafter until the project  
32 is operationally complete.

33 ~~((+31))~~ (29) It is important that the public and policymakers have  
34 accurate and timely access to information related to the Alaskan Way  
35 viaduct replacement project as it proceeds to, and during, the  
36 construction of all aspects of the project including, but not limited  
37 to, information regarding costs, schedules, contracts, project status,  
38 and neighborhood impacts. Therefore, it is the intent of the

1 legislature that the state, city, and county departments of  
2 transportation establish a single source of accountability for  
3 integration, coordination, tracking, and information of all requisite  
4 components of the replacement project, which must include, at a  
5 minimum:

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

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

10 ~~((+32+))~~ (30) Within the amounts provided in this section, \$20,000  
11 of the motor vehicle account--state appropriation and \$980,000 of the  
12 motor vehicle account--federal appropriation are provided solely for  
13 the department to continue work on a comprehensive tolling study of the  
14 state route number 167 corridor (project 316718S). As funding allows,  
15 the department shall also continue work on a comprehensive tolling  
16 study of the state route number 509 corridor.

17 ~~((+33+))~~ (31)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the  
18 transportation partnership account--state appropriation(~~(-~~  
19 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account  
20 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~  
21 ~~vehicle account--federal appropriation))~~ are provided solely for the I-  
22 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This  
23 project must be completed as soon as practicable as a design-build  
24 project and must be constructed with a footprint that would accommodate  
25 potential future express toll lanes.

26 (b) As part of the project, the department shall conduct a traffic  
27 and revenue analysis and complete a financial plan to provide  
28 additional information on the revenues, expenditures, and financing  
29 options available for active traffic management and congestion relief  
30 in the Interstate 405 and state route number 167 corridors. A report  
31 must be provided to the transportation committees of the legislature  
32 and the office of financial management by January 2012. However, this  
33 subsection ~~((+33+))~~ (31)(b) is null and void if chapter . . .  
34 (Engrossed House Bill No. 1382), Laws of 2011 (I-405 express toll  
35 lanes) is enacted by June 30, 2011.

36 (c) Within the amounts provided for this project, funding is  
37 provided solely for tolling equipment, such as gantries, barriers, or  
38 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.

1 The department shall place amounts for tolling equipment into  
2 unallotted status until the traffic and revenue analysis required in  
3 RCW 47.56.886 is submitted to the governor and the legislature. Once  
4 the report has been submitted, the office of financial management may  
5 approve the allotment of funds for tolling equipment only after  
6 consultation with the joint transportation committee.

7 (32) \$40,000,000 in savings realized on the I-405/Kirkland Vicinity  
8 Stage 2--Widening project (8BI1002) shall be used for preliminary  
9 engineering, construction, and rights-of-way purchase on the Interstate  
10 405/state route number 167 direct connector.

11 ~~((34))~~ (33) Funding for a signal at state route number 507 and  
12 Yew Street is included in the appropriation for intersection and spot  
13 improvements (0BI2002).

14 ~~((35) \$226,809,000)~~ (34) \$226,167,000 of the transportation  
15 partnership account--state appropriation ((and \$1,019,460,000))  
16 \$898,286,000 of the state route number 520 corridor account--state  
17 appropriation, and \$63,003,000 of the motor vehicle account--federal  
18 appropriation are provided solely for the state route number 520 bridge  
19 replacement and HOV program (8BI1003). When developing the financial  
20 plan for the program, the department shall assume that all maintenance  
21 and operation costs for the new facility are to be covered by tolls  
22 collected on the toll facility, and not by the motor vehicle account.

23 ~~((36) \$650,000 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 ~~(37))~~ (35) \$500,000 of the motor vehicle account--state  
27 appropriation is provided solely for a multimodal corridor plan on  
28 state route number 520 between Interstate 405 and Avondale Road in  
29 Redmond (L1000054).

30 (36) \$300,000 of the motor vehicle account--federal appropriation  
31 is provided solely for the SR 523 Corridor study (L1000059).

32 ~~((38))~~ (37) The department shall consider using the city of  
33 Mukilteo's off-site mitigation program in the event any projects on  
34 state route number 525 or 526 require environmental mitigation.

35 ~~((39))~~ (38) Any savings on projects on the state route number 532  
36 corridor must be used within the corridor to begin work on flood  
37 prevention and raising portions of the highway above flood and storm  
38 influences.

1 (39) \$5,791,000 of the Tacoma Narrows toll bridge account--state  
2 appropriation is provided solely for deferred sales tax expenses on the  
3 construction of the new Tacoma Narrows bridge (L1000054).

4 (40) Construction of a new traffic management center may not  
5 commence until the budget evaluation study in section 102(1) of this  
6 act is complete and the office of financial management has determined  
7 that a new traffic management center is the preferred option and has  
8 approved this project.

9 (41) \$8,000,000 of the motor vehicle account--state appropriation  
10 is provided solely for the design and preliminary engineering of  
11 projects and for rights-of-way acquisition, as provided in LEAP  
12 Transportation Document 2012-3 and referenced as project (L110040) on  
13 LEAP Transportation Document 2012-2 ALL PROJECTS as developed February  
14 16, 2012, except that the following interchanges are added to the JBLM  
15 Corridor project: Martin Way and Marvin Road. The department shall  
16 work collaboratively with the south sound military and communities  
17 partnership on the JBLM Corridor project. Funds must be used to  
18 promote the initial development of these projects for the purpose of  
19 expediting the delivery of the associated major investments when  
20 funding for such investments becomes available. Funding may be  
21 reallocated between projects to maximize the accomplishment of design  
22 and preliminary engineering work and rights-of-way acquisition,  
23 provided that all projects are addressed. It is the intent of the  
24 legislature that, while seeking to maximize the outcomes sought in this  
25 section, the department use an approach to retain core agency  
26 competencies of its workforce while strategically utilizing private  
27 sector involvement to avoid growth in the state workforce. If chapter  
28 ... (Engrossed Substitute Senate Bill No. 6455), Laws of 2012 is not  
29 enacted by June 30, 2012, the amount provided in this subsection  
30 lapses.

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

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

34 Transportation Partnership Account--State

35 Appropriation . . . . .	(((\$34,182,000))
	\$44,463,000
36	
37 Motor Vehicle Account--State Appropriation . . . . .	(((\$67,790,000))



1		<u>\$85,241,000</u>
2	Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$632,489,000</del> ))
3		<u>\$540,306,000</u>
4	Motor Vehicle Account--Private/Local Appropriation . . . . .	(( <del>\$19,253,000</del> ))
5		<u>\$21,585,000</u>
6	<u>Tacoma Narrows Toll Bridge Account--State</u>	
7	<u>Appropriation . . . . .</u>	<u>\$259,000</u>
8	<u>Transportation 2003 Account (Nickel Account)--State</u>	
9	<u>Appropriation . . . . .</u>	<u>\$23,000</u>
10	<u>State Transportation Operations and Maintenance</u>	
11	<u>Account--State Appropriation . . . . .</u>	<u>\$43,000,000</u>
12	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$4,000,000</u>
13	TOTAL APPROPRIATION . . . . .	(( <del>\$753,714,000</del> ))
14		<u>\$738,877,000</u>

15       The appropriations in this section are subject to the following  
16 conditions and limitations:

17       (1) Except as provided otherwise in this section, the entire  
18 transportation 2003 account (nickel account) appropriation and the  
19 entire transportation partnership account appropriation are provided  
20 solely for the projects and activities as listed by fund, project, and  
21 amount in ((~~LEAP Transportation Document 2011-1 as developed April 19,~~  
22 ~~2011, Program — Highway Preservation Program (P))~~) LEAP Transportation  
23 Document 2012-1 as developed February 16, 2012, Program - Highway  
24 Preservation Program (P). However, limited transfers of specific  
25 line-item project appropriations may occur between projects for those  
26 amounts listed subject to the conditions and limitations in section 603  
27 of this act.

28       (2) ((~~The department shall, on a quarterly basis beginning July 1,~~  
29 ~~2011, provide to the office of financial management and the legislature~~  
30 ~~reports providing the status on each active project funded in part or~~  
31 ~~whole by the transportation 2003 account (nickel account) or the~~  
32 ~~transportation partnership account. Funding provided at a programmatic~~  
33 ~~level for transportation partnership account projects relating to~~  
34 ~~seismic bridges must be reported on a programmatic basis. Projects~~  
35 ~~within this programmatic level funding must be completed on a priority~~  
36 ~~basis and scoped to be completed within the current programmatic~~  
37 ~~budget. The department shall work with the office of financial~~  
38 ~~management and the transportation committees of the legislature to~~

1 agree on report formatting and elements. Elements must include, but  
2 not be limited to, project scope, schedule, and costs. The department  
3 shall also provide the information required under this subsection on a  
4 quarterly basis.

5 ~~(3))~~ The department of transportation shall continue to implement  
6 the lowest life-cycle cost planning approach to pavement management  
7 throughout the state to encourage the most effective and efficient use  
8 of pavement preservation funds. Emphasis should be placed on  
9 increasing the number of roads addressed on time and reducing the  
10 number of roads past due.

11 ~~((5))~~ (3) Within the motor vehicle account--state appropriation  
12 and motor vehicle account--federal appropriation, the department may  
13 transfer funds between programs I and P, except for funds that are  
14 otherwise restricted in this act.

15 ~~((6))~~ (4) The department shall apply for surface transportation  
16 program enhancement funds to be expended in lieu of or in addition to  
17 state funds for eligible costs of projects in programs I and P.

18 ~~((7) The motor vehicle account--state appropriation includes up to~~  
19 ~~\$17,652,000 in proceeds from the sale of bonds authorized in RCW~~  
20 ~~47.10.843.~~

21 ~~(8))~~ (5) The department must work with cities and counties to  
22 develop a comparison of direct and indirect labor costs, overhead  
23 rates, and other costs for high-cost bridge inspections charged by the  
24 state, counties, and other entities. The comparison is due to the  
25 transportation committees of the legislature on September 1, 2011.

26 ~~((9) \$277,000))~~ (6) \$789,000 of the motor vehicle account--federal  
27 appropriation and ~~((10,000))~~ \$6,000 of the motor vehicle account--  
28 state appropriation are provided solely for the environmental impact  
29 statement and preliminary planning for the replacement of the state  
30 route number 9 Snohomish river bridge (project L2000018).

31 ~~((10) \$9,641,000))~~ (7) \$10,843,000 of the motor vehicle account--  
32 federal appropriation, ~~((2,000,000))~~ \$1,992,000 of the motor vehicle  
33 account--private/local appropriation, and ~~((361,000))~~ \$390,000 of the  
34 motor vehicle account--state appropriation are provided solely for the  
35 SR 21/Keller Ferry - Replace Boat project (602110J).

36 ~~((11) \$3,093,000))~~ (8) \$165,000 of the motor vehicle account--  
37 federal appropriation is provided solely for the I-90/Ritzville to  
38 Tokio - Paving of Outside Lanes project (609041G).

1           (~~(12) \$2,733,000~~) (9) \$5,565,000 of the motor vehicle account--  
2 federal appropriation and (~~(\$114,000)~~) \$232,000 of the motor vehicle  
3 account--state appropriation are provided solely for the SR  
4 167/Puyallup River Bridge Replacement project (316725A). This project  
5 must be completed as a design-build project. The department must work  
6 with local jurisdictions and the community during the environmental  
7 review process to develop appropriate esthetic design elements, at no  
8 additional cost to the department, and traffic management plans  
9 pertaining to this project. The department must report to the  
10 transportation committees of the legislature on estimated cost and/or  
11 time savings realized as a result of using the design-build process.

12           (~~(13) \$295,000~~) (10) \$507,000 of the motor vehicle account--  
13 federal appropriation and (~~(\$5,000)~~) \$13,000 of the motor vehicle  
14 account--state appropriation are provided solely for the SR  
15 906/Travelers Rest - Building Renovation project (090600A).

16           (11) \$43,000,000 of the state transportation operations and  
17 maintenance account--state appropriation is provided solely for asphalt  
18 and concrete preservation. If Substitute House Bill No. 2660  
19 (petroleum product barrel fee) is not enacted by June 30, 2012, the  
20 amount provided in this subsection lapses.

21           (12) \$4,000,000 of the highway safety account--state appropriation  
22 is provided solely for urgent preservation needs on the state highway  
23 system (L110041). If chapter ... (Engrossed Substitute Senate Bill No.  
24 6150), Laws of 2012 is not enacted by June 30, 2012, the amount  
25 provided in this subsection lapses.

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

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

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

36           The appropriations in this section are subject to the following  
37 conditions and limitations: (~~(\$1,000,000)~~) \$835,000 of the motor

1 vehicle account--state appropriation for project 000005Q is provided  
2 solely for state matching funds for federally selected competitive  
3 grants or congressional earmark projects. These moneys must be placed  
4 into reserve status until such time as federal funds are secured that  
5 require a state match.

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

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

10	Puget Sound Capital Construction Account--State	
11	Appropriation . . . . .	(( <del>\$68,013,000</del> ))
12		<u>\$70,381,000</u>
13	Puget Sound Capital Construction Account--Federal	
14	Appropriation . . . . .	(( <del>\$41,500,000</del> ))
15		<u>\$53,802,000</u>
16	<u>Puget Sound Capital Construction Account--Private/Local</u>	
17	<u>Appropriation . . . . .</u>	<u>\$200,000</u>
18	Transportation 2003 Account (Nickel Account)--State	
19	Appropriation . . . . .	(( <del>\$118,027,000</del> ))
20		<u>\$158,376,000</u>
21	Transportation Partnership Account--State	
22	Appropriation . . . . .	(( <del>\$12,536,000</del> ))
23		<u>\$12,838,000</u>
24	Multimodal Transportation Account--State	
25	Appropriation . . . . .	(( <del>\$43,265,000</del> ))
26		<u>\$35,054,000</u>
27	TOTAL APPROPRIATION . . . . .	(( <del>\$283,341,000</del> ))
28		<u>\$330,651,000</u>

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

31 (1) ((~~\$68,013,000~~)) \$70,381,000 of the Puget Sound capital  
32 construction account--state appropriation, ((~~\$41,500,000~~)) \$53,802,000  
33 of the Puget Sound capital construction account--federal appropriation,  
34 ((~~\$12,536,000~~)) \$12,838,000 of the transportation partnership account--  
35 state appropriation, ((~~\$118,027,000~~)) \$158,376,000 of the  
36 transportation 2003 account (nickel account)--state appropriation,  
37 ((~~and \$43,265,000~~)) \$35,054,000 of the multimodal transportation

1 account--state appropriation, and \$200,000 of the Puget Sound capital  
2 construction account--private/local appropriation are provided solely  
3 for ferry projects, as listed in LEAP Transportation Document ((2011))  
4 2012-2 ALL PROJECTS as developed ((April 19, 2011)) February 16, 2012,  
5 Program - Washington State Ferries Capital Program (W).

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

11 (3) The multimodal transportation account--state appropriation  
12 includes up to ((~~\$43,265,000~~)) \$35,054,000 in proceeds from the sale of  
13 bonds authorized in RCW 47.10.867.

14 (4) The transportation 2003 account (nickel account)--state  
15 appropriation includes up to ((~~\$82,143,000~~)) \$43,447,000 in proceeds  
16 from the sale of bonds authorized in RCW 47.10.861.

17 (5) The Puget Sound capital construction account--state  
18 appropriation includes up to ((~~\$52,516,000~~)) \$48,615,000 in proceeds  
19 from the sale of bonds authorized in RCW 47.10.843.

20 ((~~(7) \$20,906,000~~)) (6) \$17,970,000 of the transportation 2003  
21 account (nickel account)--state appropriation((~~(, \$9,711,000 of the~~  
22 ~~multimodal transportation account--state appropriation, and \$1,537,000~~  
23 ~~of the Puget Sound capital construction account--state appropriation~~  
24 ~~are))~~ is provided solely for the acquisition of new Kwa-di-tabil class  
25 ferry vessels subject to the conditions of RCW 47.56.780 (944470A).

26 ((~~(8) \$33,404,000~~)) (7) \$30,404,000 of the multimodal  
27 transportation account--state appropriation, ((~~\$2,000,000~~)) \$1,000,000  
28 of the Puget Sound capital construction account--((~~state~~)) federal  
29 appropriation, \$11,500,000 of the transportation partnership account--  
30 state appropriation, and ((~~\$81,085,000~~)) \$80,924,057 of the  
31 transportation 2003 account (nickel account)--state appropriation are  
32 provided solely for the acquisition of ((~~two~~)) one 144-car vessel((~~s~~  
33 ~~contingent upon new and sufficient resources. Of these amounts,~~  
34 ~~\$123,828,000 is provided solely for the first 144 car vessel~~))  
35 L2200038. The department shall use as much already procured equipment  
36 as practicable on the 144-car vessel. The vendor must present to the  
37 joint transportation committee and the office of financial management,  
38 by August 15, 2011, a list of options that will result in significant

1 cost savings changes in terms of construction or the long-term  
2 maintenance and operations of the vessel. The vendor must allow for  
3 exercising the options without a penalty. If neither chapter ...  
4 (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter  
5 ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011,  
6 \$75,000,000 of the transportation 2003 account (nickel account)--state  
7 appropriation in this subsection lapses.

8 ~~((+9))~~ (7) \$43,447,000 of the transportation 2003 account (nickel  
9 account)--state appropriation and \$2,500,000 of the Puget Sound capital  
10 construction account--federal appropriation are provided solely for a  
11 second 144-car diesel vessel. If chapter ... (Engrossed Substitute  
12 House Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the  
13 amount provided in this subsection lapses.

14 (8) The department shall provide to the office of financial  
15 management and the legislature quarterly reports providing the status  
16 on each project listed in this section and in the project lists  
17 submitted pursuant to this act and on any additional projects for which  
18 the department has expended funds during the 2011-2013 fiscal biennium.  
19 Elements must include, but not be limited to, project scope, schedule,  
20 and costs. The department shall also provide the information required  
21 under this subsection via the transportation executive information  
22 system. (~~The quarterly report regarding the status of projects~~  
23 identified on the list referenced in subsection (1) of this section  
24 must be developed according to an earned value method of project  
25 monitoring.)) The earned value method of project monitoring must be  
26 used for the following projects while in the design phase: Seattle  
27 Terminal Building Replacement project; Seattle Slip 3 Transfer Span and  
28 OHL Replacement project; Mukilteo Multimodal project; Vashon Trestle  
29 Replacement project; and Southworth Trestle Replacement project.

30 ~~((+11) \$3,932,000))~~ (9) \$7,048,000 of the total appropriation is  
31 provided solely for continued permitting work on the Mukilteo ferry  
32 terminal (project 952515P). The department shall seek additional  
33 federal funding for this project. Prior to beginning terminal  
34 improvements, the department shall report to the legislature on the  
35 final environmental impact statement by December 31, 2012. The report  
36 must include an overview of the costs and benefits of each of the  
37 alternatives considered, as well as an identification of costs and a  
38 funding plan for the preferred alternative.

1       (10) The state shall take the necessary steps to expedite the  
2 environmental review and design processes to replace the Mukilteo ferry  
3 terminal with an alternative that relocates the terminal to the  
4 Mukilteo tank farm as part of an integrated multimodal center.

5       ~~((+13))~~ (11) The department shall review all terminal project cost  
6 estimates to identify projects where similar design requirements could  
7 result in reduced preliminary engineering or miscellaneous items costs.  
8 The department shall report to the legislature by September 1, 2011.  
9 The report must use programmatic design and include estimated cost  
10 savings by reducing repetitive design costs or miscellaneous costs, or  
11 both, applied to projects.

12       ~~((+14) \$2,000,000)~~ (12) \$3,000,000 of the Puget Sound capital  
13 construction account--state appropriation is provided solely for  
14 emergency capital repair costs (999901K). Funds may be spent only  
15 after approval from the office of financial management.

16       ~~((+15) \$7,167,000)~~ (13) \$4,851,000 of the Puget Sound capital  
17 construction account--state appropriation is provided solely for the  
18 reservation (L2000041) and communications (L2000042) system project.

19       (14) Consistent with RCW 47.60.662, which requires the Washington  
20 state ferry system to collaborate with passenger-only ferry and transit  
21 providers to provide service at existing terminals, the department  
22 shall ensure that multimodal access, including for passenger-only  
23 ferries and transit service providers, is maintained at the Seattle  
24 terminal and included in any future modifications at the terminal.

25       (15) \$641,500 of the Puget Sound capital construction account--  
26 state appropriation is provided solely for the department to work with  
27 the United States coast guard and other relevant agencies to conduct  
28 security and operational planning, and public outreach, in order to  
29 provide additional information for decision-making regarding the use of  
30 liquefied natural gas-powered vessels in the Washington state ferry  
31 fleet. The department shall invite representatives of Alaska and  
32 Canada to participate in this process.

33       (16) For any projects for which state ferry vessels are to be  
34 retrofitted for liquefied natural gas use, the department shall use an  
35 alternative procurement procedure, such as design-build or design-  
36 build-operate. The department may not use full-time equivalent staff  
37 for aspects of such projects other than for conceptual design or  
38 performance specification definition.

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

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

4	Essential Rail Assistance Account--State	
5	Appropriation . . . . .	(( <del>\$1,000,000</del> ))
6		<u>\$1,064,000</u>
7	Transportation Infrastructure Account--State	
8	Appropriation . . . . .	(( <del>\$5,838,000</del> ))
9		<u>\$5,693,000</u>
10	Multimodal Transportation Account--State	
11	Appropriation . . . . .	(( <del>\$52,000,000</del> ))
12		<u>\$58,779,000</u>
13	Multimodal Transportation Account--Federal	
14	Appropriation . . . . .	(( <del>\$366,314,000</del> ))
15		<u>\$236,597,000</u>
16	Multimodal Transportation Account--Private/Local	
17	Appropriation . . . . .	(( <del>\$1,292,000</del> ))
18		<u>\$1,010,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <del>\$426,444,000</del> ))
20		<u>\$303,143,000</u>

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

23        (1)(a) Except as provided otherwise in this section, the entire  
24 appropriations in this section are provided solely for the projects and  
25 activities as listed by project and amount in LEAP Transportation  
26 Document (~~(2011)~~) 2012-2 ALL PROJECTS as developed (~~(April 19, 2011)~~)  
27 February 16, 2012, Program-Rail Capital Program (Y).

28        (b) Within the amounts provided in this section, (~~(\$2,903,000)~~)  
29 \$3,180,000 of the transportation infrastructure account--state  
30 appropriation is for low-interest loans through the freight rail  
31 investment bank program for specific projects listed as recipients of  
32 these loans in the LEAP transportation document identified in (a) of  
33 this subsection. The department shall issue freight rail investment  
34 bank program loans with a repayment period of no more than ten years,  
35 and only so much interest as is necessary to recoup the department's  
36 costs to administer the loans.

37        (~~(c) Within the amounts provided in this section, \$1,754,000 of~~  
38 ~~the multimodal transportation account state appropriation and~~



1 ~~\$1,000,000 of the essential rail assistance account state~~  
2 ~~appropriation are for statewide emergent freight rail assistance~~  
3 ~~projects identified in the LEAP transportation document identified in~~  
4 ~~(a) of this subsection.))~~

5 (2)(a) If any funds remain in the program reserves (F01001A &  
6 F01000A) for the program and projects listed in subsection (1)(b) (~~and~~  
7 ~~(e))~~) of this section, the department shall issue a call for projects  
8 for the freight rail investment bank (FRIB) loan program and the  
9 emergent freight rail assistance program (FRAP) grants, and shall  
10 evaluate the applications according to the cost-benefit methodology  
11 developed during the 2008 interim using the legislative priorities  
12 specified in (c) of this subsection. Unsuccessful FRAP grant  
13 applicants should be encouraged to apply to the FRIB loan program, if  
14 eligible. By November 1, 2011, the department shall submit a  
15 prioritized list of recommended projects to the office of financial  
16 management and the transportation committees of the legislature.

17 (b) When the department identifies a prospective rail project that  
18 may have strategic significance for the state, or at the request of a  
19 proponent of a prospective rail project or a member of the legislature,  
20 the department shall evaluate the prospective project according to the  
21 cost-benefit methodology developed during the 2008 interim using the  
22 legislative priorities specified in (c) of this subsection. The  
23 department shall report its cost-benefit evaluation of the prospective  
24 rail project, as well as the department's best estimate of an  
25 appropriate construction schedule and total project costs, to the  
26 office of financial management and the transportation committees of the  
27 legislature.

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

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

32 (ii) Self-sustaining economic development that creates family-wage  
33 jobs;

34 (iii) Preservation of transportation corridors that would otherwise  
35 be lost;

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

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

3 (vi) Mitigation of impacts of increased rail traffic on  
4 communities.

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

8 (4) The department shall provide quarterly reports to the office of  
9 financial management and the transportation committees of the  
10 legislature regarding applications that the department submits for  
11 federal funds and the status of such applications.

12 (5) The department shall, on a quarterly basis, provide to the  
13 office of financial management and the legislature reports providing  
14 the status on active projects identified in the LEAP transportation  
15 document described in subsection (1)(a) of this section. Report  
16 formatting and elements must be consistent with the October 2009  
17 quarterly project report.

18 (6) The multimodal transportation account--state appropriation  
19 includes up to (~~(\$19,684,000)~~) \$2,946,000 in proceeds from the sale of  
20 bonds authorized in RCW 47.10.867.

21 ~~(7) ((When the balance of that portion of the miscellaneous program~~  
22 ~~account apportioned to the department for the grain train program~~  
23 ~~reaches \$1,180,000, the department shall acquire additional grain train~~  
24 ~~railcars.~~

25 ~~(8) \$1,087,000 of the multimodal transportation account--state~~  
26 ~~appropriation is provided solely as state matching funds for successful~~  
27 ~~grant applications to either the federal rail line relocation and~~  
28 ~~improvement program (project 798999D) or new federal high speed rail~~  
29 ~~grants.~~

30 ~~(9))~~ Revenues from the grain train railcar program must be used to  
31 support grain train railcar maintenance and program costs accrued by  
32 ports. Upon legislative approval, excess grain train railcar revenues  
33 may be used for maintenance of state-owned railroads and future  
34 purchases of grain train railcars.

35 (8) The Burlington Northern Santa Fe Skagit river bridge is an  
36 integral part of the rail system. Constructed in 1916, the bridge does  
37 not meet current design standards and is at risk during flood events  
38 that occur on the Skagit river. The department shall work with

1 Burlington Northern Santa Fe and local jurisdictions to secure federal  
2 funding for the Skagit river bridge and to develop an appropriate  
3 replacement plan and schedule.

4 ~~((10) \$339,139,000))~~ (9) \$155,572,000 of the multimodal  
5 transportation account--federal appropriation and ~~((5,099,000))~~  
6 \$2,697,000 of the multimodal transportation account--state  
7 appropriation are provided solely for expenditures related to passenger  
8 high-speed rail grants. At one and one-half percent of the total  
9 project funds, the multimodal transportation account--state funds are  
10 provided solely for expenditures that are not federally reimbursable.  
11 Funding in this subsection is the initial portion of multiyear  
12 high-speed rail program grants awarded to Washington state for  
13 high-speed intercity passenger rail investments. Funding will allow  
14 for two additional round trips between Seattle and Portland and other  
15 rail improvements.

16 ~~((11))~~ (10) \$750,000 of the multimodal transportation account--  
17 state appropriation is provided solely for the Port of Royal Slope  
18 rehabilitation project (L1000053). Funding is contingent upon the  
19 project completing the rail cost-benefit methodology process developed  
20 during the 2008 interim using the legislative priorities outlined in  
21 subsection (2)(c) of this section.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
25 **CAPITAL**

26	Highway Infrastructure Account--State Appropriation . . . . .	\$207,000
27	Highway Infrastructure Account--Federal	
28	Appropriation . . . . .	\$1,602,000
29	Motor Vehicle Account--State Appropriation . . . . .	<del>((3,754,000))</del>
30		<u>\$4,179,000</u>
31	Motor Vehicle Account--Federal Appropriation . . . . .	<del>((31,856,000))</del>
32		<u>\$30,430,000</u>
33	Freight Mobility Investment Account--State	
34	Appropriation . . . . .	\$11,278,000
35	Transportation Partnership Account--State	
36	Appropriation . . . . .	<del>((6,035,000))</del>
37		<u>\$7,181,000</u>

1	Freight Mobility Multimodal Account--State	
2	Appropriation . . . . .	(( <del>\$15,117,000</del> ))
3		<u>\$15,668,000</u>
4	Freight Mobility Multimodal Account--Local	
5	Appropriation . . . . .	(( <del>\$4,752,000</del> ))
6		<u>\$2,834,000</u>
7	Multimodal Transportation Account--State	
8	Appropriation . . . . .	(( <del>\$18,453,000</del> ))
9		<u>\$22,475,000</u>
10	Passenger Ferry Account--State Appropriation . . . . .	\$1,115,000
11	<u>Highway Safety Account--State Appropriation . . . . .</u>	<u>\$3,500,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$94,169,000</del> ))
13		<u>\$100,469,000</u>

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

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

25       ~~(2))~~ \$1,115,000 of the passenger ferry account--state  
26 appropriation is provided solely for near and long-term costs of  
27 capital improvements and operating expenses that are consistent with  
28 the business plan approved by the governor for passenger ferry service.

29       ~~((3))~~ (2) The department shall apply for surface transportation  
30 program enhancement funds to be expended in lieu of or in addition to  
31 state funds for eligible costs of projects in local programs, program  
32 Z--capital.

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

1 funds as authorized under this subsection without approval of the  
2 office of financial management. The department shall submit a report  
3 on those projects receiving fund transfers to the office of financial  
4 management and the transportation committees of the legislature by  
5 December 1, 2011, and December 1, 2012.

6 ~~(5))~~ (3) The city of Winthrop may utilize a design-build process  
7 for the Winthrop bike path project.

8 ~~((6)---\$11,557,000))~~ (4) \$14,813,000 of the multimodal  
9 transportation account--state appropriation, ~~(((\$12,136,000))~~  
10 \$12,804,000 of the motor vehicle account--federal appropriation, and  
11 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--  
12 state appropriation are provided solely for the pedestrian and bicycle  
13 safety program projects and safe routes to schools program projects  
14 identified in: LEAP Transportation Document 2011-A, pedestrian and  
15 bicycle safety program projects and safe routes to schools program  
16 projects, as developed April 19, 2011; LEAP Transportation Document  
17 2009-A, pedestrian and bicycle safety program projects and safe routes  
18 to schools program projects, as developed March 30, 2009; LEAP  
19 Transportation Document 2007-A, pedestrian and bicycle safety program  
20 projects and safe routes to schools program projects, as developed  
21 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and  
22 bicycle safety program projects and safe routes to schools program  
23 projects, as developed March 8, 2006. Projects must be allocated  
24 funding based on order of priority. The department shall review all  
25 projects receiving grant awards under this program at least  
26 semiannually to determine whether the projects are making satisfactory  
27 progress. Any project that has been awarded funds, but does not report  
28 activity on the project within one year of the grant award must be  
29 reviewed by the department to determine whether the grant should be  
30 terminated. The department shall promptly close out grants when  
31 projects have been completed, and identify where unused grant funds  
32 remain because actual project costs were lower than estimated in the  
33 grant award.

34 ~~((7))~~ (5) Except as provided otherwise in this section, the  
35 entire appropriations in this section are provided solely for the  
36 projects and activities as listed by project and amount in ~~((LEAP~~  
37 ~~Transportation Document 2011-2 ALL PROJECTS as developed April 19,~~

1 ~~2011, Program—Local Program (Z))~~ LEAP Transportation Document 2012-2  
2 ALL PROJECTS as developed February 16, 2012.

3 ((+8)) (6) For the 2011-2013 project appropriations, unless  
4 otherwise provided in this act, the director of the office of financial  
5 management may authorize a transfer of appropriation authority between  
6 projects managed by the freight mobility strategic investment board and  
7 may also advance projects in future biennia, as identified in LEAP  
8 Transportation Document 2012-2 ALL PROJECTS as developed February 16,  
9 2012, into the current biennium in order for the board to manage  
10 project spending and efficiently deliver all projects in the respective  
11 program.

12 ((+9)) (7) With each department budget submittal, the department  
13 shall provide an update on the status of the repayment of the twenty  
14 million dollars of unobligated federal funds authority advanced by the  
15 department in September 2010 to the city of Tacoma for the Murray  
16 Morgan/11th Street bridge project.

17 ((+10)) (8) The department shall prepare a list of main street  
18 projects, consistent with chapter ... (Engrossed Substitute House Bill  
19 No. 1071), Laws of 2011, for approval in the 2013-2015 fiscal biennium.  
20 In order to ensure that any proposed list of projects is consistent  
21 with legislative intent, the department shall provide a report to the  
22 joint transportation committee by December 1, 2011. The report must  
23 identify the eligible segments of main streets highways, the  
24 department's proposed project selection and ranking method, criteria to  
25 be considered, and a plan for soliciting project proposals. The call  
26 for projects for the main streets highways program must be suspended  
27 until funding for the program is identified.

28 ((+11)) (9) \$267,000 of the motor vehicle account--state  
29 appropriation and \$2,859,000 of the motor vehicle account--federal  
30 appropriation are provided solely for completion of the US 101  
31 northeast peninsula safety rest area and associated roadway  
32 improvements east of Port Angeles at the Deer Park scenic view point  
33 (3LP187A). The department must surplus any right-of-way previously  
34 purchased for this project near Sequim. Approval to proceed with  
35 construction is contingent on surplus of previously purchased right-of-  
36 way.

37 ((+12)) (10) Up to (~~(\$3,650,000)~~) \$3,702,000 of the motor vehicle  
38 account--federal appropriation and (~~(\$23,000)~~) \$75,000 of the motor

1 vehicle account--state appropriation are provided solely to reimburse  
2 the cities of Kirkland and Redmond for pavement and bridge deck  
3 rehabilitation on state route number 908 (1LP611A). These funds may  
4 not be expended unless the cities sign an agreement stating that the  
5 cities agree to take ownership of state route number 908 in its  
6 entirety and agree that the payment of these funds represents the  
7 entire state commitment to the cities for state route number 908  
8 expenditures.

9 ~~((+13))~~ (11) \$225,000 of the multimodal transportation account--  
10 state appropriation is provided solely for the Shell Valley emergency  
11 road and bicycle/pedestrian path (L1000036).

12 ~~((+14) \$150,000)~~ (12) \$188,000 of the motor vehicle account--state  
13 appropriation is provided solely for flood reduction solutions on state  
14 route number 522 caused by the lower McAleer and Lyon creek basins  
15 (L1000041).

16 ~~((+15))~~ (13) \$896,000 of the multimodal transportation account--  
17 state appropriation is provided solely for realignment of Parker Road  
18 and construction of secondary access off of state route number 20  
19 (L2200040).

20 ~~((+16))~~ (14) An additional ~~((+\$2,500,000))~~ \$2,623,000 of the motor  
21 vehicle account--federal appropriation is provided solely for the  
22 Strander Blvd/SW 27th St Connection project (1LP902F), which amount is  
23 reflected in the LEAP transportation document identified in subsection  
24 ~~((+7))~~ (5) of this section. These funds may only be committed if  
25 needed, may not be used to supplant any other committed project  
26 partnership funding, and must be the last funds expended.

27 ~~((+17))~~ (15) \$500,000 of the motor vehicle account--federal  
28 appropriation is provided solely for safety improvements at the  
29 intersection of South Wapato and McDonald Road (L1000052).

30 ~~((+18))~~ (16) \$2,000,000 of the multimodal transportation account--  
31 state appropriation is provided solely for the state route number 432  
32 rail realignment and highway improvements project (L1000056).

33 ~~((+19) \$500,000 of the multimodal transportation account--state  
34 appropriation is provided solely for a multimodal corridor plan on  
35 state route number 520 between Interstate 405 and Avondale Road in  
36 Redmond (L1000054)).~~

37 ~~(+20))~~ (17) \$100,000 of the motor vehicle account--federal

1 appropriation is provided solely for state route number 164 and Auburn  
2 Way South pedestrian improvements (L1000057).

3 ~~((+21))~~ (18) \$115,000 of the motor vehicle account--federal  
4 appropriation is provided solely for median street lighting on state  
5 route number 410 (L1000058).

6 ~~((+22))~~ (19) \$60,000 of the multimodal transportation account--  
7 state appropriation is provided solely for a cross docking study for  
8 the port of Douglas county (L1000060).

9 ~~((+23))~~ (20) \$100,000 of the motor vehicle account--federal  
10 appropriation is provided solely for city of Auburn - 8th and R Street  
11 NE intersection improvements (L2200043).

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

28 (22) \$650,000 of the motor vehicle account--federal appropriation  
29 is provided solely for the SR 522 Improvements/61st Avenue NE and NE  
30 181st Street project (L1000055).

31 (23) The department shall implement an invitational call for  
32 projects eligible for the bicycle and pedestrian grant program similar  
33 to the call for projects conducted in 2010, although the department may  
34 adjust the criteria to include mobility and connectivity. The  
35 department shall include a list of prioritized bicycle and pedestrian  
36 grant projects for approval in the 2013-2015 biennial transportation  
37 budget.



1 (24)(a) \$3,500,000 of the highway safety account--state  
2 appropriation is provided solely for the following purposes:

3 (i) \$1,000,000 of the amount provided in this subsection is  
4 provided solely for the freight mobility strategic investment board for  
5 grants to meet urgent freight corridor improvement and preservation  
6 needs (L1100042).

7 (ii) \$2,500,000 of the amount provided in this subsection is  
8 provided solely for safe routes to schools program projects, in rank  
9 order, and identified as contingency projects in the LEAP  
10 Transportation Document 2011-A, pedestrian and bicycle safety program  
11 projects and safe routes to school program projects, referenced in  
12 chapter 367, Laws of 2011 (the omnibus transportation appropriations  
13 act).

14 (b) If chapter ... (Engrossed Substitute Senate Bill No. 6150),  
15 Laws of 2012 is not enacted by June 30, 2012, the amount provided in  
16 this subsection lapses.

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

19 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

20 (1) On a monthly basis, the department of transportation shall  
21 provide to the office of financial management and the legislative  
22 transportation committees:

23 (a) A TEIS version containing actual capital expenditures  
24 consistent with the structure of the most recently enacted budget; and

25 (b) An update on awarded highway construction projects and  
26 associated savings or increases.

27 (2) On a quarterly basis, the department of transportation shall  
28 provide to the office of financial management and the legislative  
29 transportation committees a status report on each active project funded  
30 in part or in whole by the transportation 2003 account (nickel account)  
31 or the transportation partnership act revenue packages. The department  
32 of transportation shall also provide updated information for projects  
33 funded with preexisting funds and agreed to by the legislature, office  
34 of financial management, and the department. Funding provided at a  
35 programmatic level for projects relating to bridge rail, guard rail,  
36 fish passage barrier removal, roadside safety projects, and seismic  
37 bridges must be reported on a programmatic basis; detail that shows

1 which projects comprise each project reported on a programmatic basis  
2 must be provided separately. Projects within this programmatic level  
3 funding must be completed on a priority basis and scoped to be  
4 completed within the current programmatic budget. The quarterly report  
5 must:

6 (a) Compare the original project cost estimates approved in the  
7 transportation 2003 and 2005 transportation partnership project lists  
8 to the completed cost of the project, or the most recent legislatively  
9 approved budget and total project costs for projects not yet completed;

10 (b) Identify highway projects that may be reduced in scope and  
11 still achieve a functional benefit;

12 (c) Identify highway projects that have experienced scope increases  
13 and that can be reduced in scope;

14 (d) Identify highway projects that have lost significant local or  
15 regional contributions that were essential to completing the project;

16 (e) Identify contingency amounts allocated to projects; and

17 (f) Identify updated information on the six major project  
18 milestones.

19 (3) On an annual basis, the department of transportation shall  
20 provide to the office of financial management and the legislative  
21 transportation committees reports that:

22 (a) Identify, for all capital projects, the amount of cost savings  
23 or increases in funding that have been identified as compared to the  
24 most recently enacted transportation budget;

25 (b) Identify the financial status and schedule for mega-projects,  
26 which are defined as individual or groups of related projects that cost  
27 one billion dollars or more. These projects include, but are not  
28 limited to: Alaskan Way viaduct, SR 520, SR 167, I-405, North Spokane  
29 corridor, I-5 Tacoma HOV, I-90 Snoqualmie Pass, and the Columbia river  
30 crossing; and

31 (c) List all projects and associated amounts that are being charged  
32 to project OBI4ENV during the current fiscal biennium.

33 **TRANSFERS AND DISTRIBUTIONS**

34 **Sec. 401.** 2011 c 367 s 401 (uncodified) is amended to read as  
35 follows:

1 FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING  
 2 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND  
 3 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND  
 4 REVENUE

5	Highway Bond Retirement Account--State	
6	Appropriation . . . . .	(((\$920,560,000))
7		<u>\$797,062,000</u>
8	Ferry Bond Retirement Account--State Appropriation . . . . .	\$31,801,000
9	State Route Number 520 Corridor Account--State	
10	Appropriation . . . . .	\$1,075,000
11	Transportation Improvement Board Bond Retirement	
12	Account--State Appropriation . . . . .	(((\$16,544,000))
13		<u>\$16,504,000</u>
14	Nondebt-Limit Reimbursable Account Appropriation . . . . .	(((\$25,200,000))
15		<u>\$19,843,000</u>
16	Transportation Partnership Account--State	
17	Appropriation . . . . .	(((\$3,142,000))
18		<u>\$2,807,000</u>
19	Motor Vehicle Account--State Appropriation . . . . .	(((\$333,000))
20		<u>\$331,000</u>
21	Transportation 2003 Account (Nickel Account)--State	
22	Appropriation . . . . .	(((\$1,140,000))
23		<u>\$1,240,000</u>
24	Transportation Improvement Account--State	
25	Appropriation . . . . .	\$29,000
26	Multimodal Transportation Account--State	
27	Appropriation . . . . .	(((\$138,000))
28		<u>\$125,000</u>
29	Toll Facility Bond Retirement Account--State	
30	Appropriation . . . . .	(((\$33,792,000))
31		<u>\$48,807,000</u>
32	Toll Facility Bond Retirement Account--Federal	
33	Appropriation . . . . .	(((\$14,649,000))
34		<u>\$7,500,000</u>
35	TOTAL APPROPRIATION . . . . .	(((\$1,048,403,000))
36		<u>\$927,124,000</u>

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

1       ~~(1) \$4,610,000 of the highway bond retirement account state~~  
2 ~~appropriation is provided solely for debt service on bonds issued to~~  
3 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~  
4 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~  
5 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~  
6 ~~enacted by June 30, 2011, the amount provided in this subsection~~  
7 ~~lapses.~~

8       ~~(2) \$165,000 of the transportation 2003 account (nickel account)--~~  
9 ~~state appropriation is provided solely for discounts on bonds sold to~~  
10 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~  
11 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~  
12 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~  
13 ~~enacted by June 30, 2011, the amount provided in this subsection~~  
14 ~~lapses.)~~

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

17 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
18 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**  
19 **FISCAL AGENT CHARGES**

20	State Route Number 520 Corridor Account--State	
21	Appropriation . . . . .	\$68,000
22	Transportation Partnership Account--State	
23	Appropriation . . . . .	((\$608,000))
24		<u>\$472,000</u>
25	Motor Vehicle Account--State Appropriation . . . . .	((\$60,000))
26		<u>\$52,000</u>
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation . . . . .	((\$219,000))
29		<u>\$192,000</u>
30	Transportation Improvement Account--State Appropriation . . . . .	\$5,000
31	Multimodal Transportation Account--State	
32	Appropriation . . . . .	((\$26,000))
33		<u>\$19,000</u>
34	TOTAL APPROPRIATION . . . . .	((\$986,000))
35		<u>\$808,000</u>

36       ~~((The appropriations in this section are subject to the following~~  
37 ~~conditions and limitations: \$30,000 of the transportation 2003 account~~

1 ~~(nickel account) state appropriation is provided solely for expenses~~  
2 ~~associated with bonds sold to construct a ferry boat vessel with a~~  
3 ~~carrying capacity of one hundred forty four cars. If neither chapter~~  
4 ~~... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed~~  
5 ~~Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the~~  
6 ~~amount provided in this subsection lapses.))~~

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

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

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

14 The department of transportation is authorized to sell up to  
15 \$52,516,000 in bonds authorized by RCW 47.10.843 for vessel and  
16 terminal acquisition, major and minor improvements, and long lead-time  
17 materials acquisition for the Washington state ferries. (~~Of the~~  
18 ~~authorized amounts, \$14,500,000 is provided solely for expenditures~~  
19 ~~made during the fiscal biennium ending June 30, 2011.))~~

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

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

23 Motor Vehicle Account--State Appropriation for motor  
24 vehicle fuel tax distributions to cities and  
25 counties . . . . . ((~~\$478,155,000~~))  
26 \$470,701,000

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

29 **FOR THE STATE TREASURER--TRANSFERS**

30 Motor Vehicle Account--State Appropriation: For  
31 motor vehicle fuel tax refunds and statutory  
32 transfers . . . . . ((~~\$1,246,357,000~~))  
33 \$1,242,659,000

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

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

4 Motor Vehicle Account--State Appropriation: For  
5 motor vehicle fuel tax refunds and transfers . . . ((\$127,984,000))  
6 \$151,890,000

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

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

10       (1) Tacoma Narrows Toll Bridge Account--State  
11 Appropriation: For transfer to the Motor Vehicle  
12 Account--State . . . . . \$543,000

13       (2) Motor Vehicle Account--State Appropriation:  
14 For transfer to the Puget Sound Ferry Operations  
15 Account--State . . . . . ((\$46,500,000))  
16 \$54,500,000

17       (3) Recreational Vehicle Account--State  
18 Appropriation: For transfer to the Motor Vehicle  
19 Account--State . . . . . ((\$1,450,000))  
20 \$1,150,000

21       (4) License Plate Technology Account--State  
22 Appropriation: For transfer to the Highway Safety  
23 Account--State . . . . . ((\$3,200,000))  
24 \$1,200,000

25       (5) Multimodal Transportation Account--State  
26 Appropriation: For transfer to the Puget Sound  
27 Ferry Operations Account--State . . . . . ((\$43,000,000))  
28 \$38,000,000

29       (6) Highway Safety Account--State Appropriation:  
30 For transfer to the Motor Vehicle Account--State . . . ((\$23,000,000))  
31 \$31,000,000

32       (7) (~~Department of Licensing Services Account~~  
33 ~~State Appropriation: For transfer to the Motor Vehicle~~  
34 ~~Account--State . . . . . \$400,000~~

35       (8)) Advanced Right-of-Way Revolving Fund: For  
36 transfer to the Motor Vehicle Account--State . . . . . \$5,000,000

37       (~~(9) State Route Number 520 Civil Penalties~~

1 ~~Account--State Appropriation: For transfer to the~~  
2 ~~State Route Number 520 Corridor Account--State . . . . . \$754,000~~  
3 ~~(+10)) (8) Rural Mobility Grant Program Account--State~~  
4 ~~Appropriation: For transfer to the Multimodal~~  
5 ~~Transportation Account--State . . . . . \$3,000,000~~  
6 ~~((+11)) (9) Motor Vehicle Account--State~~  
7 ~~Appropriation: For transfer to the State Patrol~~  
8 ~~Highway Account--State . . . . . \$14,000,000~~  
9 ~~((+12) State Route Number 520 Corridor~~  
10 ~~Account--State Appropriation: For transfer to the~~  
11 ~~Motor Vehicle Account--State, in an amount equal to~~  
12 ~~funds dispersed during the 2009-2011 fiscal biennium~~  
13 ~~authorized under section 805(7) of this act.~~  
14 ~~(+13)) (10) Motor Vehicle Account--State~~  
15 ~~Appropriation: For transfer to the Special Category C~~  
16 ~~Account--State . . . . . ((\$1,500,000))~~  
17 \$2,500,000  
18 ~~((+14)) (11) Regional Mobility Grant Program~~  
19 ~~Account--State Appropriation: For transfer to the~~  
20 ~~Multimodal Transportation Account--State . . . . . \$1,000,000~~  
21 ~~((+15)) (12) State Patrol Highway Account--State~~  
22 ~~Appropriation: For transfer to the Vehicle~~  
23 ~~Licensing Fraud Account . . . . . \$100,000~~  
24 ~~((+16)) (13) State Route Number 520 Corridor Account--State~~  
25 ~~Appropriation: For transfer to the Motor Vehicle~~  
26 ~~Account . . . . . ((\$2,435,000))~~  
27 \$58,000  
28 (14) Capital Vessel Replacement Account--State  
29 Appropriation: For transfer to the Transportation 2003  
30 Account (Nickel Account)--State . . . . . \$6,362,000  
31 ~~((+17)) (15) The transfers identified in this section are subject~~  
32 ~~to the following conditions and limitations:~~  
33 ~~(a) The amount transferred in subsection (1) of this section shall~~  
34 ~~not exceed the amount put forth in RCW 46.63.160 and represents a~~  
35 ~~partial repayment of the operating loan((s)) and reserve payment((s))~~  
36 ~~provided to the Tacoma Narrows toll bridge account ((from the motor~~  
37 ~~vehicle account in the 2005-2007 fiscal biennium)) in the 2005-2007~~

1 fiscal biennium. The remaining operating loan and reserve payment  
2 shall be paid in future biennia.

3 (b) ~~((The transfer in subsection (9) of this section represents~~  
4 ~~toll revenue collected from toll violations))~~ The amount transferred in  
5 subsection (3) of this section shall not exceed the expenditures  
6 incurred from the motor vehicle account--state for the recreational  
7 vehicle sanitary disposal systems program.

8 (c) The amount transferred in subsection (14) of this section may  
9 not exceed the funds available in the capital vessel replacement  
10 account--state.

## 11 COMPENSATION

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

### 14 COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION

15 (1) No agreement has been reached between the governor and the  
16 Washington state patrol trooper's association under chapter 41.56 RCW  
17 for ~~((the 2011-2013 fiscal biennium))~~ fiscal year 2012. Appropriations  
18 for the Washington state patrol in this act are sufficient to fund the  
19 provisions of the 2009-2011 agreement.

20 (2) An agreement has been reached between the governor and the  
21 Washington state patrol troopers association under chapter 41.56 RCW  
22 for fiscal year 2013. Appropriations for the Washington state patrol  
23 in this act provide funding to implement the fiscal year 2013  
24 agreement. The fiscal year 2013 agreement contains no change in  
25 compensation from the 2009-2011 agreement; therefore, no additional  
26 funding is appropriated.

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

### 29 COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION

30 (1) No agreement has been reached between the governor and the  
31 Washington state patrol lieutenant's association under chapter 41.56  
32 RCW for ~~((the 2011-2013 fiscal biennium))~~ fiscal year 2012.  
33 Appropriations for the Washington state patrol in this act are  
34 sufficient to fund the provisions of the 2009-2011 agreement.



1       (2) An agreement has been reached between the governor and the  
2 Washington state patrol lieutenants association under chapter 41.56 RCW  
3 for fiscal year 2013. Appropriations for the Washington state patrol  
4 in this act provide funding to implement the fiscal year 2013  
5 agreement. The fiscal year 2013 agreement contains no change in  
6 compensation from the 2009-2011 agreement; therefore, no additional  
7 funding is appropriated.

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

10 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
11 **AGREEMENTS--TERMS AND CONDITIONS**

12       No agreement has been reached between the governor and the masters,  
13 mates, and pilots marine operations watch supervisors under chapter  
14 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this  
15 act reflect funding to maintain the provisions or terms and conditions  
16 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013  
17 appropriations are reduced to reflect: A 6.0 percent temporary salary  
18 reduction effective July 1, 2012, through June 29, 2013; a reduction to  
19 overtime calculations; a reduction to vacation leave accruals; and  
20 other management priorities in collective bargaining. Effective June  
21 30, 2013, the salary schedules effective July 1, 2009, through June 30,  
22 2011, will be reinstated.

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

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

25       (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF  
26 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
27 CONTRIBUTIONS);

28       (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF  
29 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
30 CONTRIBUTIONS);

31       (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF  
32 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

33       (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF  
34 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM  
35 CONTRIBUTIONS).

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2011 c 367 s 603 (uncodified) is amended to read as  
3 follows:

4 **FUND TRANSFERS**

5 (1) The transportation 2003 projects or improvements and the 2005  
6 transportation partnership projects or improvements are listed in LEAP  
7 Transportation Document ((2011)) 2012-1 as developed ((April 19, 2011))  
8 February 16, 2012, which consists of a list of specific projects by  
9 fund source and amount over a sixteen-year period. Current fiscal  
10 biennium funding for each project is a line-item appropriation, while  
11 the outer year funding allocations represent a sixteen-year plan. The  
12 department is expected to use the flexibility provided in this section  
13 to assist in the delivery and completion of all transportation  
14 partnership account and transportation 2003 account (nickel account)  
15 projects on the LEAP transportation documents referenced in this act.  
16 For the 2009-2011 and 2011-2013 project appropriations, unless  
17 otherwise provided in this act, the director of financial management  
18 may authorize a transfer of appropriation authority between projects  
19 funded with transportation 2003 account (nickel account)  
20 appropriations, or transportation partnership account appropriations,  
21 in order to manage project spending and efficiently deliver all  
22 projects in the respective program under the following conditions and  
23 limitations:

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

26 (b) Transfers from a project may not be made as a result of the  
27 reduction of the scope of a project or be made to support increases in  
28 the scope of a project;

29 (c) Each transfer between projects may only occur if the director  
30 of financial management finds that any resulting change will not hinder  
31 the completion of the projects as approved by the legislature. Until  
32 the legislature reconvenes to consider the 2012 supplemental  
33 transportation budget, any unexpended 2009-2011 appropriation balance  
34 as approved by the office of financial management, in consultation with  
35 the legislative staff of the house of representatives and senate  
36 transportation committees, may be considered when transferring funds  
37 between projects;

1 (d) Transfers from a project may be made if the funds appropriated  
2 to the project are in excess of the amount needed to complete the  
3 project;

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

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

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

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

17 (3) The office of financial management shall work with legislative  
18 staff of the house of representatives and senate transportation  
19 committees to review the requested transfers in a timely manner.

20 (4) The office of financial management shall document approved  
21 transfers and schedule changes in the transportation executive  
22 information system, compare changes to the legislative baseline funding  
23 and schedules identified by project identification number identified in  
24 the LEAP transportation documents referenced in this act, and transmit  
25 revised project lists to chairs of the transportation committees of the  
26 legislature on a quarterly basis.

27 NEW SECTION. **Sec. 602.** A new section is added to 2011 c 367  
28 (uncodified) to read as follows:

29 The department of transportation is given the authority to provide  
30 up to \$163,000 in toll credits to the Port of Kingston for its role in  
31 the new passenger-only ferry service and ferry corridor-related  
32 projects. The number of toll credits provided to the Port of Kingston  
33 must be equal to, but no more than, the number sufficient to meet  
34 federal match requirements for grant funding for passenger-only ferry  
35 service, but shall not exceed the amount authorized in this section.

MISCELLANEOUS 2011-2013 FISCAL BIENNIUM

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

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

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

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

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

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

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

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

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

7

#### MISCELLANEOUS

8       NEW SECTION.   **Sec. 801.**   If any provision of this act or its  
9 application to any person or circumstance is held invalid, the  
10 remainder of the act or the application of the provision to other  
11 persons or circumstances is not affected.

12       NEW SECTION.   **Sec. 802.**   This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of the  
14 state government and its existing public institutions, and takes effect  
15 immediately.

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