
SECOND SUBSTITUTE SENATE BILL 5128

State of Washington 62nd Legislature 2012 Regular Session

By Senate Transportation (originally sponsored by Senators Haugen, King, White, Swecker, Hobbs, and Shin)

READ FIRST TIME 01/17/12.

1 AN ACT Relating to statewide transportation planning; amending RCW
2 47.01.071, 47.01.075, 47.04.280, 47.06.130, 47.06.140, 47.01.011,
3 47.01.300, 47.01.330, 47.05.010, 47.05.030, 47.80.023, 47.80.030,
4 47.82.010, 36.70A.070, 36.70A.085, 46.68.170, 47.60.290, 47.60.327,
5 47.76.210, and 47.79.020; adding new sections to chapter 47.06 RCW;
6 adding a new chapter to Title 47 RCW; creating a new section;
7 recodifying RCW 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.420,
8 47.01.425, and 47.04.280; and repealing RCW 47.06.020, 47.06.040,
9 47.06.043, 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080,
10 47.06.090, 47.06.100, 47.06.110, 47.06.120, 47.01.141, 47.60.286,
11 47.76.220, 47.79.040, and 47.80.070.

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

13 NEW SECTION. **Sec. 1.** (1) Transportation planning is a
14 responsibility that crosses jurisdictions, including the state,
15 regional transportation planning organizations, metropolitan planning
16 organizations, tribal nations, and local government. All levels of
17 government, including the federal government, fund transportation
18 planning and research. The legislature intends to allow more
19 flexibility to organize the transportation planning process across

1 modes and jurisdictions by providing policy direction on the desired
2 outcome and reducing statutory procedural requirements. It is not the
3 legislature's intent to discontinue planning or discount the importance
4 of particular plans, but to eliminate statutory requirements that may
5 impede the efficacy of statewide transportation planning.

6 (2) Transportation planning across jurisdictions should be:

7 (a) Consistent with the transportation system policy goals in RCW
8 47.04.280 (as recodified by this act);

9 (b) Aligned and integrated with common transportation system
10 performance measures and attainment reporting;

11 (c) Technically competent;

12 (d) Based on consistent and uniform transportation system
13 performance and user data;

14 (e) The result of extensive public outreach and input;

15 (f) Conducted in a cost-efficient manner; and

16 (g) Compliant with federal requirements.

17 (3) The legislature intends that transportation planning will:

18 (a) Identify mode-neutral, long-range performance alternatives for
19 the state transportation system; and

20 (b) Be linked to shorter-term capital programming, policy, and
21 financial decisions.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.06 RCW
23 to read as follows:

24 The long-range statewide transportation plan required under 23
25 U.S.C. Sec. 135 must be developed by an ad hoc planning committee
26 convened July 1, 2013. Thereafter, the planning committee must be
27 convened pursuant to legislative direction at least every seven years.

28 (1) The planning committee must be comprised of:

29 (a) The chair of the Washington transportation commission or the
30 chair's designee, who shall serve as chair of the committee;

31 (b) The secretary of transportation or the secretary's designee;
32 and

33 (c) A representative of transportation planning organizations.

34 (2) The long-range statewide transportation plan must, at a
35 minimum:

36 (a) Establish a vision for the development of the statewide
37 transportation system;

1 (b) Incorporate the transportation system policy goals in RCW
2 47.04.280 (as recodified by this act) and be consistent with the
3 state's growth management goals;

4 (c) Address statewide transportation issues, without regard to
5 jurisdiction, and be based on ongoing mode, metropolitan, regional, and
6 tribal transportation planning;

7 (d) Be outcome and performance based; consider mode-neutral
8 alternatives; integrate state, regional, metropolitan, tribal, and
9 local transportation planning; and establish system performance
10 measures that will form the basis for the attainment report required
11 under RCW 47.04.280(4) (as recodified by this act);

12 (e) Involve representatives of significant transportation interests
13 and the general public from across the state. As part of this process,
14 the planning committee shall utilize data developed by the
15 transportation commission's statewide transportation survey conducted
16 under RCW 47.01.075 (as recodified by this act);

17 (f) Identify significant statewide transportation policy issues;

18 (g) Recommend statewide transportation policies and strategies to
19 the legislature; and

20 (h) Provide clear financial assumptions, identify the need for new
21 resources, and provide a financial plan that can be linked with
22 biennial budget decisions.

23 (3) The planning committee shall negotiate and agree upon a
24 proposed federally compliant long-range statewide transportation plan.
25 Once adopted, the planning committee shall forward the plan to the
26 legislature and governor. The governor shall submit it to the federal
27 department of transportation as Washington's federally compliant long-
28 range statewide transportation plan.

29 (4) When there are inconsistencies between the long-range statewide
30 transportation plan and state, regional, metropolitan, tribal, or local
31 transportation plans, the department of transportation shall negotiate
32 with the respective entity proposing the plans, consistent with federal
33 law and regulation.

34 (5) Other state mode, regional, metropolitan, and tribal
35 transportation plans may be updated using the same public outreach
36 process and information that is developed for the update of the long-
37 range statewide transportation plan.

38 (6) This section does not create a private right of action.

1 **Sec. 3.** RCW 47.01.071 and 2007 c 516 s 4 are each amended to read
2 as follows:

3 The transportation commission (~~((shall have))~~) has the following
4 functions, powers, and duties:

5 (1) To propose transportation policies (~~((to be adopted))~~) for
6 adoption by the governor and the legislature (~~((designed to assure the~~
7 ~~development and maintenance of a comprehensive and balanced statewide~~
8 ~~transportation system which will meet the needs of the people of this~~
9 ~~state for safe and efficient transportation services. Wherever~~
10 ~~appropriate, the policies shall provide for the use of integrated,~~
11 ~~intermodal transportation systems. The policies must be aligned with~~
12 ~~the goals established in RCW 47.04.280. To this end the commission~~
13 ~~shall:~~

14 ~~(a) Develop transportation policies which are based on the~~
15 ~~policies, goals, and objectives expressed and inherent in existing~~
16 ~~state laws;~~

17 ~~(b) Inventory the adopted policies, goals, and objectives of the~~
18 ~~local and area wide governmental bodies of the state and define the~~
19 ~~role of the state, regional, and local governments in determining~~
20 ~~transportation policies, in transportation planning, and in~~
21 ~~implementing the state transportation plan;~~

22 ~~(c) Establish a procedure for review and revision of the state~~
23 ~~transportation policy and for submission of proposed changes to the~~
24 ~~governor and the legislature; and~~

25 ~~(d) Integrate the statewide transportation plan with the needs of~~
26 ~~the elderly and persons with disabilities, and coordinate federal and~~
27 ~~state programs directed at assisting local governments to answer such~~
28 ~~needs;~~

29 ~~(2) To provide for the effective coordination of state~~
30 ~~transportation planning with national transportation policy, state and~~
31 ~~local land use policies, and local and regional transportation plans~~
32 ~~and programs));~~

33 ~~((+3))~~ (2) In conjunction with (~~(the provisions under))~~) RCW
34 47.01.075 (as recodified by this act), to provide for public
35 involvement in transportation designed to elicit the public's views
36 (~~((both with respect to adequate transportation services and appropriate~~
37 ~~means of minimizing adverse social, economic, environmental, and energy~~
38 ~~impact of transportation programs;~~

1 ~~(4) By December 2010, to prepare a comprehensive and balanced~~
2 ~~statewide transportation plan consistent with the state's growth~~
3 ~~management goals and based on the transportation policy goals provided~~
4 ~~under RCW 47.04.280 and applicable state and federal laws. The plan~~
5 ~~must reflect the priorities of government developed by the office of~~
6 ~~financial management and address regional needs, including multimodal~~
7 ~~transportation planning. The plan must, at a minimum: (a) Establish~~
8 ~~a vision for the development of the statewide transportation system;~~
9 ~~(b) identify significant statewide transportation policy issues; and~~
10 ~~(c) recommend statewide transportation policies and strategies to the~~
11 ~~legislature to fulfill the requirements of subsection (1) of this~~
12 ~~section. The plan must be the product of an ongoing process that~~
13 ~~involves representatives of significant transportation interests and~~
14 ~~the general public from across the state. Every four years, the plan~~
15 ~~shall be reviewed and revised, and submitted to the governor and the~~
16 ~~house of representatives and senate standing committees on~~
17 ~~transportation.~~

18 ~~The plan shall take into account federal law and regulations~~
19 ~~relating to the planning, construction, and operation of transportation~~
20 ~~facilities;~~

21 ~~(5) By December 2007, the office of financial management shall~~
22 ~~submit a baseline report on the progress toward attaining the policy~~
23 ~~goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October~~
24 ~~1, 2008, beginning with the development of the 2009-2011 biennial~~
25 ~~transportation budget, and by October 1st biennially thereafter, the~~
26 ~~office of financial management shall submit to the legislature and the~~
27 ~~governor a report on the progress toward the attainment by state~~
28 ~~transportation agencies of the state transportation policy goals and~~
29 ~~objectives prescribed by statute, appropriation, and governor~~
30 ~~directive. The report must, at a minimum, include the degree to which~~
31 ~~state transportation programs have progressed toward the attainment of~~
32 ~~the policy goals established under RCW 47.04.280, as measured by the~~
33 ~~objectives and performance measures established by the office of~~
34 ~~financial management under RCW 47.04.280)) on transportation policy;~~

35 ~~((+6)) (3) To develop a long-range statewide transportation plan~~
36 ~~in conjunction with the department of transportation, regional~~
37 ~~transportation planning organizations, and metropolitan planning~~
38 ~~organizations under section 2 of this act;~~

1 (4) To propose to the governor and the legislature prior to the
2 convening of each regular session held in an odd-numbered year a
3 recommended budget for the operations of the commission as required by
4 RCW 47.01.061 (as recodified by this act);

5 ~~((+7))~~ (5) To adopt such rules as may be necessary to carry out
6 reasonably and properly those functions expressly vested in the
7 commission by statute;

8 ~~((+8))~~ (6) To contract with the office of financial management or
9 other appropriate state agencies for administrative support, accounting
10 services, computer services, and other support services necessary to
11 carry out its other statutory duties;

12 ~~((+9))~~ (7) To conduct transportation-related studies and policy
13 analysis to the extent directed by the legislature or governor in the
14 biennial transportation budget act, or as otherwise provided in law,
15 and subject to the availability of amounts appropriated for this
16 specific purpose; and

17 ~~((+10))~~ (8) To exercise such other specific powers and duties as
18 may be vested in the transportation commission by this or any other
19 provision of law.

20 **Sec. 4.** RCW 47.01.075 and 2007 c 516 s 5 are each amended to read
21 as follows:

22 (1) The transportation commission shall provide a public forum for
23 the development of transportation policy in Washington state to include
24 coordination with regional transportation planning organizations,
25 transportation stakeholders, counties, cities, and citizens.

26 (a) At least every ~~((five))~~ seven years, the commission shall
27 convene regional forums to gather citizen input on transportation
28 issues. The commission, department, metropolitan planning
29 organizations, and regional transportation planning organizations shall
30 consider the input gathered at the forums ~~((as it establishes))~~ in the
31 development of the long-range statewide transportation plan under ~~((RCW~~
32 ~~47.01.071(4))~~) section 2 of this act.

33 (b) Beginning in 2013, the commission shall, with the involvement
34 of the department, conduct a survey to gather data on users of the
35 statewide transportation system, including the state ferry system, to
36 help inform level of service, operational, pricing, planning, and

1 investment decisions. The survey must be updated at least every two
2 years and be maintained to support the development and implementation
3 of adaptive management of the statewide transportation system.

4 (2) In fulfilling its responsibilities under this section, the
5 commission may create ad hoc committees or other such committees of
6 limited duration as necessary.

7 (3) In order to promote a better transportation system, the
8 commission may offer policy guidance and make recommendations to the
9 governor and the legislature in key issue areas, including but not
10 limited to:

11 (a) Transportation finance;

12 (b) Preserving, maintaining, and operating the statewide
13 transportation system;

14 (c) Transportation infrastructure needs;

15 (d) Promoting best practices for adoption and use by
16 transportation-related agencies and programs;

17 (e) Transportation efficiencies that will improve service delivery
18 and/or coordination;

19 (f) Improved planning and coordination among transportation
20 agencies and providers; and

21 (g) Use of intelligent transportation systems and other technology-
22 based solutions.

23 **Sec. 5.** RCW 47.04.280 and 2010 c 74 s 1 are each amended to read
24 as follows:

25 (1) It is the intent of the legislature to establish policy goals
26 for the planning, operation, performance of, and investment in, the
27 state's transportation system. The policy goals established under this
28 section are deemed consistent with the benchmark categories adopted by
29 the state's blue ribbon commission on transportation on November 30,
30 2000. Public investments in transportation should support achievement
31 of these policy goals:

32 (a) Economic vitality: To promote and develop transportation
33 systems that stimulate, support, and enhance the movement of people and
34 goods to ensure a prosperous economy;

35 (b) Preservation: To maintain, preserve, and extend the life and
36 utility of prior investments in transportation systems and services;

1 (c) Safety: To provide for and improve the safety and security of
2 transportation customers and the transportation system;

3 (d) Mobility: To improve the predictable movement of goods and
4 people throughout Washington state;

5 (e) Environment: To enhance Washington's quality of life through
6 transportation investments that promote energy conservation, enhance
7 healthy communities, and protect the environment; and

8 (f) Stewardship: To continuously improve the quality,
9 effectiveness, and efficiency of the transportation system.

10 (2) The powers, duties, and functions of state transportation
11 agencies must be performed in a manner consistent with the policy goals
12 set forth in subsection (1) of this section.

13 (3) These policy goals are intended to be the basis for
14 establishing detailed and measurable objectives and related performance
15 measures.

16 (4) (~~It is the intent of the legislature that the office of~~
17 ~~financial management establish objectives and performance measures for~~
18 ~~the department of transportation and other state agencies with~~
19 ~~transportation-related responsibilities to ensure transportation system~~
20 ~~performance at local, regional, and state government levels progresses~~
21 ~~toward the attainment of the policy goals set forth in subsection (1)~~
22 ~~of this section. The office of financial management shall submit~~
23 ~~initial objectives and performance measures to the legislature for its~~
24 ~~review and shall provide copies of the same to the commission during~~
25 ~~the 2008 legislative session.)) The office of financial management
26 shall submit ((~~objectives and performance measures~~)) a report on the
27 attainment of the policy goals established in subsection (1) of this
28 section and the objectives established in the long-range statewide
29 transportation plan required under section 2 of this act, including
30 performance measures on the statewide transportation system, to the
31 legislature for its review and shall provide copies of the ((same))
32 report to the commission, department, regional transportation planning
33 organizations, and metropolitan planning organizations during each
34 regular session of the legislature during an even-numbered year
35 thereafter. Prior to the convening of each regular session held in an
36 odd-numbered year, the governor's proposed biennial transportation
37 budget must include a statement of how the proposed biennial~~

1 transportation budget relates to the long-range statewide
2 transportation plan's performance goals and financial plan.

3 (5) This section does not create a private right of action.

4 **Sec. 6.** RCW 47.06.130 and 2002 c 5 s 404 are each amended to read
5 as follows:

6 (1) The department shall develop a long-range statewide
7 transportation plan in conjunction with the transportation commission,
8 regional transportation planning organizations, and metropolitan
9 planning organizations under section 2 of this act.

10 (2) The department may carry out special transportation planning
11 studies to resolve specific issues with the development of the state
12 transportation system or other statewide transportation issues.

13 ((+2)) (3) The department shall conduct multimodal corridor
14 analyses on major congested corridors where needed improvements are
15 likely to cost in excess of one hundred million dollars. Analysis will
16 include the cost-effectiveness of all feasible strategies in addressing
17 congestion or improving mobility within the corridor, and must
18 recommend the most effective strategy or mix of strategies to address
19 identified deficiencies. A long-term view of corridors must be
20 employed to determine whether an existing corridor should be expanded,
21 a city or county road should become a state route, and whether a new
22 corridor is needed to alleviate congestion and enhance mobility based
23 on travel demand. To the extent practicable, full costs of all
24 strategies must be reflected in the analysis. At a minimum, this
25 analysis must include:

26 (a) The current and projected future demand for total person trips
27 on that corridor;

28 (b) The impact of making no improvements to that corridor;

29 (c) The daily cost per added person served for each mode or
30 improvement proposed to meet demand;

31 (d) The cost per hour of travel time saved per day for each mode or
32 improvement proposed to meet demand; and

33 (e) How much of the current and anticipated future demand will be
34 met and left unmet for each mode or improvement proposed to meet
35 demand.

36 The end result of this analysis will be to provide a cost-benefit

1 analysis by which policymakers can determine the most cost-effective
2 improvement or mode, or mix of improvements and modes, for increasing
3 mobility and reducing congestion.

4 (4) The department shall:

5 (a) Present its proposed transportation planning and research
6 budget to the legislature biennially. The budget must include: A list
7 of planning activities and plans to be completed in the biennium; state
8 and federal funds anticipated for each activity and plan; and a
9 comparison of the minimum state funds required to match federal
10 planning expenditures and proposed state funds; and

11 (b) Include in its ongoing performance reporting the status of the
12 plans that are authorized by the legislature in the biennial
13 transportation budget, including whether the plans are being developed
14 on schedule and within the allocated budget.

15 **Sec. 7.** RCW 47.06.140 and 2009 c 514 s 3 are each amended to read
16 as follows:

17 (1) The legislature declares the following transportation
18 facilities and services to be of statewide significance: Highways of
19 statewide significance as designated by the legislature under chapter
20 47.05 RCW, the interstate highway system, interregional state principal
21 arterials including ferry connections that serve statewide travel,
22 intercity passenger rail services, intercity high-speed ground
23 transportation, major passenger intermodal terminals excluding all
24 airport facilities and services, the freight railroad system, the
25 Columbia/Snake navigable river system, marine port facilities and
26 services that are related solely to marine activities affecting
27 international and interstate trade, key freight transportation
28 corridors serving these marine port facilities, and high capacity
29 transportation systems serving regions as defined in RCW 81.104.015.
30 (~~The department, in cooperation with regional transportation planning~~
31 ~~organizations, counties, cities, transit agencies, public ports,~~
32 ~~private railroad operators, and private transportation providers, as~~
33 ~~appropriate, shall plan for improvements to transportation facilities~~
34 ~~and services of statewide significance in the statewide multimodal~~
35 ~~transportation plan.)) Improvements to facilities and services of
36 statewide significance (~~identified in the statewide multimodal~~~~

1 ~~transportation plan~~)), or to highways of statewide significance
2 designated by the legislature under chapter 47.05 RCW, are essential
3 state public facilities under RCW 36.70A.200.

4 (2) The department of transportation, in consultation with local
5 governments, shall set level of service standards for state highways
6 and state ferry routes of statewide significance. Although the
7 department shall consult with local governments when setting level of
8 service standards, the department retains authority to make final
9 decisions regarding level of service standards for state highways and
10 state ferry routes of statewide significance. In establishing level of
11 service standards for state highways and state ferry routes of
12 statewide significance, the department shall consider the necessary
13 balance between providing for the free interjurisdictional movement of
14 people and goods and the needs of local communities using these
15 facilities. When setting the level of service standards under this
16 section for state ferry routes, the department may allow for a standard
17 that is adjustable for seasonality.

18 **Sec. 8.** RCW 47.01.011 and 2007 c 516 s 2 are each amended to read
19 as follows:

20 ~~((The legislature hereby recognizes the following imperative needs
21 within the state: To create a statewide transportation development
22 plan which identifies present status and sets goals for the future; to
23 coordinate transportation modes; to promote and protect land use
24 programs required in local, state, and federal law; to coordinate
25 transportation with the economic development of the state; to supply a
26 broad framework in which regional, metropolitan, and local
27 transportation needs can be related; to facilitate the supply of
28 federal and state aid to those areas which will most benefit the state
29 as a whole; to provide for public involvement in the transportation
30 planning and development process; to administer programs within the
31 jurisdiction of this title relating to the safety of the state's
32 transportation systems; and to coordinate and implement national
33 transportation policy with the state transportation planning program.))~~

34 The legislature finds and declares that placing all elements of
35 transportation in a single department is fully consistent with and
36 shall in no way impair the use of moneys in the motor vehicle fund
37 exclusively for highway purposes.

1 Through this chapter, a unified department of transportation is
2 created. To the jurisdiction of this department will be transferred
3 the present powers, duties, and functions of the department of
4 highways, the highway commission, the toll bridge authority, the
5 aeronautics commission, and the canal commission, and the
6 transportation related powers, duties, and functions of the planning
7 and community affairs agency. The powers, duties, and functions of the
8 department of transportation must be performed in a manner consistent
9 with the policy goals set forth in RCW 47.04.280 (as recodified by this
10 act).

11 **Sec. 9.** RCW 47.01.300 and 1994 c 258 s 4 are each amended to read
12 as follows:

13 The department shall, in cooperation with environmental regulatory
14 authorities:

15 ~~(1) ((Identify and document environmental resources in the~~
16 ~~development of the statewide multimodal plan under RCW 47.06.040;~~

17 ~~(2) Allow for public comment regarding changes to the criteria used~~
18 ~~for prioritizing projects under chapter 47.05 RCW before final adoption~~
19 ~~of the changes by the commission;~~

20 ~~(3))~~ Use an environmental review as part of the project prospectus
21 identifying potential environmental impacts, mitigation, and costs
22 during the early project identification and selection phase, submit the
23 prospectus to the relevant environmental regulatory authorities, and
24 maintain a record of comments and proposed revisions received from the
25 authorities;

26 ~~((4))~~ (2) Actively work with the relevant environmental
27 regulatory authorities during the design alternative analysis process
28 and seek written concurrence from the authorities that they agree with
29 the preferred design alternative selected;

30 ~~((5))~~ (3) Develop a uniform methodology, in consultation with
31 relevant environmental regulatory authorities, for submitting plans and
32 specifications detailing project elements that impact environmental
33 resources, and proposed mitigation measures, to the relevant
34 environmental regulatory authorities during the preliminary
35 specifications and engineering phase of project development;

36 ~~((6))~~ (4) Screen construction projects to determine which

1 projects will require complex or multiple permits. The permitting
2 authorities shall develop methods for initiating review of the permit
3 applications for the projects before the final design of the projects;

4 ~~((+7))~~ (5) Conduct special prebid meetings for those projects that
5 are environmentally complex; and

6 ~~((+8))~~ (6) Review environmental considerations related to
7 particular projects during the preconstruction meeting held with the
8 contractor who is awarded the bid.

9 **Sec. 10.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read
10 as follows:

11 (1) The secretary shall establish an office of transit mobility.
12 The purpose of the office is to facilitate the integration of
13 decentralized public transportation services with the state
14 transportation system. The goals of the office of transit mobility
15 are: (a) To facilitate connection and coordination of transit services
16 and planning; and (b) maximizing opportunities to use public
17 transportation to improve the efficiency of transportation corridors.

18 (2) The duties of the office include, but are not limited to, the
19 following:

20 ~~((a)) (a) Developing a statewide strategic plan that creates common
21 goals for transit agencies and reduces competing plans for cross-
22 jurisdictional service;~~

23 ~~(b))~~ Developing a park and ride lot program;

24 ~~((+e))~~ (b) Encouraging long-range transit planning;

25 ~~((+d))~~ (c) Providing public transportation expertise to improve
26 linkages between regional transportation planning organizations and
27 transit agencies;

28 ~~((+e))~~ (d) Strengthening policies for inclusion of transit and
29 transportation demand management strategies in route development,
30 corridor plan standards, and budget proposals;

31 ~~((+f))~~ (e) Recommending best practices to integrate transit and
32 demand management strategies with regional and local land use plans in
33 order to reduce traffic and improve mobility and access;

34 ~~((+g)) (f) Producing recommendations for the public transportation
35 section of the Washington transportation plan;~~) and

36 ~~((+h))~~ (f) Participating in all aspects of corridor planning,

1 including freight planning, ferry system planning, and passenger rail
2 planning.

3 (3) In forming the office, the secretary shall use existing
4 resources to the greatest extent possible.

5 (4) The office of transit mobility shall establish measurable
6 performance objectives for evaluating the success of its initiatives
7 and progress toward accomplishing the overall goals of the office.

8 (5) The office of transit mobility must report quarterly to the
9 secretary, and annually to the transportation committees of the
10 legislature, on the progress of the office in meeting the goals and
11 duties provided in this section.

12 **Sec. 11.** RCW 47.05.010 and 2002 c 5 s 401 are each amended to read
13 as follows:

14 The legislature finds that solutions to state highway deficiencies
15 have become increasingly complex and diverse and that anticipated
16 transportation revenues will fall substantially short of the amount
17 required to satisfy all transportation needs. Difficult investment
18 trade-offs will be required.

19 It is the intent of the legislature that investment of state
20 transportation funds to address deficiencies on the state highway
21 system be based on a policy of priority programming having as its basis
22 the rational selection of projects and services according to factual
23 need and an evaluation of life cycle costs and benefits that are
24 systematically scheduled to carry out defined objectives within
25 available revenue. The state must develop analytic tools to use a
26 common methodology to measure benefits and costs for all modes.

27 The priority programming system must ensure preservation of the
28 existing state highway system, relieve congestion, provide mobility for
29 people and goods, support the state's economy, and promote
30 environmental protection and energy conservation.

31 The priority programming system must (~~implement the state-owned~~
32 ~~highway component of the statewide transportation plan,~~) be consistent
33 with the long-range statewide transportation plan required under
34 section 2 of this act and local, metropolitan, and regional
35 transportation plans, by targeting state transportation investment to
36 appropriate multimodal solutions that address identified state highway
37 system deficiencies.

1 The priority programming system for improvements must incorporate
2 a broad range of solutions (~~((that are identified in the statewide
3 transportation plan as))~~) appropriate to address state highway system
4 deficiencies, including but not limited to highway expansion,
5 efficiency improvements, nonmotorized transportation facilities, high
6 occupancy vehicle facilities, transit facilities and services, rail
7 facilities and services, and transportation demand management programs.

8 **Sec. 12.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to read
9 as follows:

10 (1) The office of financial management shall propose a
11 comprehensive ten-year investment program for the preservation and
12 improvement programs defined in this section, consistent with the
13 policy goals described under RCW 47.04.280 (as recodified by this act).
14 (~~((The proposed ten-year investment program must be forwarded as a
15 recommendation by the office of financial management to the
16 legislature, and must be based upon the needs identified in the
17 statewide transportation plan established under RCW 47.01.071(4).))~~)

18 (2) The preservation program consists of those investments
19 necessary to preserve the existing state highway system and to restore
20 existing safety features, giving consideration to lowest life cycle
21 costing.

22 (3) The improvement program consists of investments needed to
23 address identified deficiencies on the state highway system to meet the
24 policy goals established in RCW 47.04.280 (as recodified by this act).

25 **Sec. 13.** RCW 47.80.023 and 2009 c 515 s 15 are each amended to
26 read as follows:

27 Each regional transportation planning organization shall have the
28 following duties:

29 (1) Prepare and periodically update a transportation strategy for
30 the region. The strategy shall address alternative transportation
31 modes and transportation demand management measures in regional
32 corridors and shall recommend preferred transportation policies to
33 implement adopted growth strategies. The strategy shall serve as a
34 guide in preparation of the regional transportation plan.

35 (2) Prepare a regional transportation plan as set forth in RCW

1 47.80.030 that is consistent with countywide planning policies if such
2 have been adopted pursuant to chapter 36.70A RCW, with county, city,
3 and town comprehensive plans, and state transportation plans.

4 (3) Certify by December 31, 1996, that the transportation elements
5 of comprehensive plans adopted by counties, cities, and towns within
6 the region reflect the guidelines and principles developed pursuant to
7 RCW 47.80.026, are consistent with the adopted regional transportation
8 plan, and, where appropriate, conform with the requirements of RCW
9 36.70A.070.

10 (4) Where appropriate, certify that countywide planning policies
11 adopted under RCW 36.70A.210 and the adopted regional transportation
12 plan are consistent.

13 (5) Develop, in cooperation with the department of transportation,
14 operators of public transportation services and local governments
15 within the region, a six-year regional transportation improvement
16 program which proposes regionally significant transportation projects
17 and programs and transportation demand management measures. The
18 regional transportation improvement program shall be based on the
19 programs, projects, and transportation demand management measures of
20 regional significance as identified by transit agencies, cities, and
21 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
22 respectively, and any recommended programs or projects identified by
23 the agency council on coordinated transportation, as provided in
24 chapter 47.06B RCW, that advance special needs coordinated
25 transportation as defined in RCW 47.06B.012. The program shall include
26 a priority list of projects and programs, project segments and
27 programs, transportation demand management measures, and a specific
28 financial plan that demonstrates how the transportation improvement
29 program can be funded. The program shall be updated at least every two
30 years for the ensuing six-year period.

31 (6) Include specific opportunities and projects to advance special
32 needs coordinated transportation, as defined in RCW 47.06B.012, in the
33 coordinated transit-human services transportation plan, after providing
34 opportunity for public comment.

35 (7) Designate a lead planning agency to coordinate preparation of
36 the regional transportation plan and carry out the other
37 responsibilities of the organization. The lead planning agency may be

1 a regional organization, a component county, city, or town agency, or
2 the appropriate Washington state department of transportation district
3 office.

4 (8) Review level of service methodologies used by cities and
5 counties planning under chapter 36.70A RCW to promote a consistent
6 regional evaluation of transportation facilities and corridors.

7 (9) Work with cities, counties, transit agencies, the department of
8 transportation, and others to develop level of service standards or
9 alternative transportation performance measures.

10 (10) Work with the transportation commission, department, and other
11 regional transportation planning organizations and metropolitan
12 planning organizations under section 2 of this act on the development
13 of the long-range statewide transportation plan.

14 (11) Submit biennial reports to the office of financial management
15 in support of the attainment report required under RCW 47.04.280(4) (as
16 recodified by this act).

17 (12) Submit to the agency council on coordinated transportation, as
18 provided in chapter 47.06B RCW, beginning on July 1, 2007, and every
19 four years thereafter, an updated plan that includes the elements
20 identified by the council. Each regional transportation planning
21 organization must submit to the council every two years a prioritized
22 regional human service and transportation project list.

23 **Sec. 14.** RCW 47.80.030 and 2005 c 328 s 2 are each amended to read
24 as follows:

25 (1) Each regional transportation planning organization shall
26 develop in cooperation with the department of transportation, providers
27 of public transportation and high capacity transportation, ports, and
28 local governments within the region, adopt, and periodically update a
29 regional transportation plan that:

30 ~~(a) ((Is based on a least cost planning methodology that identifies~~
31 ~~the most cost-effective facilities, services, and programs;~~

32 ~~(b) Identifies existing or planned transportation facilities,~~
33 ~~services, and programs, including but not limited to major roadways~~
34 ~~including state highways and regional arterials, transit and~~
35 ~~nonmotorized services and facilities, multimodal and intermodal~~
36 ~~facilities, marine ports and airports, railroads, and noncapital~~
37 ~~programs including transportation demand management that should~~

1 ~~function as an integrated regional transportation system, giving~~
2 ~~emphasis to those facilities, services, and programs that exhibit one~~
3 ~~or more of the following characteristics:~~

4 ~~(i) Crosses member county lines;~~

5 ~~(ii) Is or will be used by a significant number of people who live~~
6 ~~or work outside the county in which the facility, service, or project~~
7 ~~is located;~~

8 ~~(iii) Significant impacts are expected to be felt in more than one~~
9 ~~county;~~

10 ~~(iv) Potentially adverse impacts of the facility, service, program,~~
11 ~~or project can be better avoided or mitigated through adherence to~~
12 ~~regional policies;~~

13 ~~(v) Transportation needs addressed by a project have been~~
14 ~~identified by the regional transportation planning process and the~~
15 ~~remedy is deemed to have regional significance; and~~

16 ~~(vi) Provides for system continuity;~~

17 ~~(e)) Is consistent with the long-range statewide transportation~~
18 ~~plan required under section 2 of this act and with the transportation~~
19 ~~system policy goals in RCW 47.04.280 (as recodified by this act);~~

20 ~~(b) Establishes level of service standards for state highways and~~
21 ~~state ferry routes, with the exception of transportation facilities of~~
22 ~~statewide significance as defined in RCW 47.06.140. These regionally~~
23 ~~established level of service standards for state highways and state~~
24 ~~ferries shall be developed jointly with the department of~~
25 ~~transportation, to encourage consistency across jurisdictions. In~~
26 ~~establishing level of service standards for state highways and state~~
27 ~~ferries, consideration shall be given for the necessary balance between~~
28 ~~providing for the free interjurisdictional movement of people and goods~~
29 ~~and the needs of local commuters using state facilities;~~

30 ~~((d)) (c) Includes a financial plan demonstrating how the~~
31 ~~regional transportation plan can be implemented, indicating resources~~
32 ~~from public and private sources that are reasonably expected to be made~~
33 ~~available to carry out the plan, and recommending any innovative~~
34 ~~financing techniques to finance needed facilities, services, and~~
35 ~~programs;~~

36 ~~((e)) (d) Assesses regional development patterns, capital~~
37 ~~investment and other measures necessary to:~~

1 (i) Ensure the preservation of the existing regional transportation
2 system, including requirements for operational improvements,
3 resurfacing, restoration, and rehabilitation of existing and future
4 major roadways, as well as operations, maintenance, modernization, and
5 rehabilitation of existing and future transit, railroad systems and
6 corridors, and nonmotorized facilities; and

7 (ii) Make the most efficient use of existing transportation
8 facilities to relieve vehicular congestion and maximize the mobility of
9 people and goods;

10 ~~((f))~~ (e) Sets forth a proposed regional transportation approach,
11 including capital investments, service improvements, programs, and
12 transportation demand management measures to guide the development of
13 the integrated, multimodal regional transportation system. For
14 regional growth centers, the approach must address transportation
15 concurrency strategies required under RCW 36.70A.070 and include a
16 measurement of vehicle level of service for off-peak periods and total
17 multimodal capacity for peak periods; and

18 ~~((g))~~ (f) Where appropriate, sets forth the relationship of high
19 capacity transportation providers and other public transit providers
20 with regard to responsibility for, and the coordination between,
21 services and facilities.

22 (2) The organization shall review the regional transportation plan
23 biennially for currency and forward the adopted plan along with
24 documentation of the biennial review to the state department of
25 transportation.

26 (3) All transportation projects, programs, and transportation
27 demand management measures within the region that have an impact upon
28 regional facilities or services must be consistent with the plan and
29 with the adopted regional growth and transportation strategies.

30 **Sec. 15.** RCW 47.82.010 and 1990 c 43 s 36 are each amended to read
31 as follows:

32 The department, in conjunction with local jurisdictions, shall
33 coordinate as appropriate with the designated metropolitan planning
34 organizations to develop a program for improving Amtrak passenger rail
35 service. The program may include:

36 (1) Determination of the appropriate level of Amtrak passenger rail
37 service;

1 (2) Implementation of higher train speeds for Amtrak passenger rail
2 service, where safety considerations permit;

3 (3) Recognition, in the (~~state's long range planning process~~)
4 development of the long-range statewide transportation plan under
5 section 2 of this act, of potential higher speed intercity passenger
6 rail service, while monitoring socioeconomic and technological
7 conditions as indicators for higher speed systems; and

8 (4) Identification of existing intercity rail rights-of-way which
9 may be used for public transportation corridors in the future.

10 **Sec. 16.** RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each
11 amended to read as follows:

12 The comprehensive plan of a county or city that is required or
13 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
14 and descriptive text covering objectives, principles, and standards
15 used to develop the comprehensive plan. The plan shall be an
16 internally consistent document and all elements shall be consistent
17 with the future land use map. A comprehensive plan shall be adopted
18 and amended with public participation as provided in RCW 36.70A.140.

19 Each comprehensive plan shall include a plan, scheme, or design for
20 each of the following:

21 (1) A land use element designating the proposed general
22 distribution and general location and extent of the uses of land, where
23 appropriate, for agriculture, timber production, housing, commerce,
24 industry, recreation, open spaces, general aviation airports, public
25 utilities, public facilities, and other land uses. The land use
26 element shall include population densities, building intensities, and
27 estimates of future population growth. The land use element shall
28 provide for protection of the quality and quantity of groundwater used
29 for public water supplies. Wherever possible, the land use element
30 should consider utilizing urban planning approaches that promote
31 physical activity. Where applicable, the land use element shall review
32 drainage, flooding, and storm water run-off in the area and nearby
33 jurisdictions and provide guidance for corrective actions to mitigate
34 or cleanse those discharges that pollute waters of the state, including
35 Puget Sound or waters entering Puget Sound.

36 (2) A housing element ensuring the vitality and character of
37 established residential neighborhoods that: (a) Includes an inventory

1 and analysis of existing and projected housing needs that identifies
2 the number of housing units necessary to manage projected growth; (b)
3 includes a statement of goals, policies, objectives, and mandatory
4 provisions for the preservation, improvement, and development of
5 housing, including single-family residences; (c) identifies sufficient
6 land for housing, including, but not limited to, government-assisted
7 housing, housing for low-income families, manufactured housing,
8 multifamily housing, and group homes and foster care facilities; and
9 (d) makes adequate provisions for existing and projected needs of all
10 economic segments of the community.

11 (3) A capital facilities plan element consisting of: (a) An
12 inventory of existing capital facilities owned by public entities,
13 showing the locations and capacities of the capital facilities; (b) a
14 forecast of the future needs for such capital facilities; (c) the
15 proposed locations and capacities of expanded or new capital
16 facilities; (d) at least a six-year plan that will finance such capital
17 facilities within projected funding capacities and clearly identifies
18 sources of public money for such purposes; and (e) a requirement to
19 reassess the land use element if probable funding falls short of
20 meeting existing needs and to ensure that the land use element, capital
21 facilities plan element, and financing plan within the capital
22 facilities plan element are coordinated and consistent. Park and
23 recreation facilities shall be included in the capital facilities plan
24 element.

25 (4) A utilities element consisting of the general location,
26 proposed location, and capacity of all existing and proposed utilities,
27 including, but not limited to, electrical lines, telecommunication
28 lines, and natural gas lines.

29 (5) Rural element. Counties shall include a rural element
30 including lands that are not designated for urban growth, agriculture,
31 forest, or mineral resources. The following provisions shall apply to
32 the rural element:

33 (a) Growth management act goals and local circumstances. Because
34 circumstances vary from county to county, in establishing patterns of
35 rural densities and uses, a county may consider local circumstances,
36 but shall develop a written record explaining how the rural element
37 harmonizes the planning goals in RCW 36.70A.020 and meets the
38 requirements of this chapter.

1 (b) Rural development. The rural element shall permit rural
2 development, forestry, and agriculture in rural areas. The rural
3 element shall provide for a variety of rural densities, uses, essential
4 public facilities, and rural governmental services needed to serve the
5 permitted densities and uses. To achieve a variety of rural densities
6 and uses, counties may provide for clustering, density transfer, design
7 guidelines, conservation easements, and other innovative techniques
8 that will accommodate appropriate rural densities and uses that are not
9 characterized by urban growth and that are consistent with rural
10 character.

11 (c) Measures governing rural development. The rural element shall
12 include measures that apply to rural development and protect the rural
13 character of the area, as established by the county, by:

- 14 (i) Containing or otherwise controlling rural development;
- 15 (ii) Assuring visual compatibility of rural development with the
16 surrounding rural area;
- 17 (iii) Reducing the inappropriate conversion of undeveloped land
18 into sprawling, low-density development in the rural area;
- 19 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
20 surface water and groundwater resources; and
- 21 (v) Protecting against conflicts with the use of agricultural,
22 forest, and mineral resource lands designated under RCW 36.70A.170.

23 (d) Limited areas of more intensive rural development. Subject to
24 the requirements of this subsection and except as otherwise
25 specifically provided in this subsection (5)(d), the rural element may
26 allow for limited areas of more intensive rural development, including
27 necessary public facilities and public services to serve the limited
28 area as follows:

29 (i) Rural development consisting of the infill, development, or
30 redevelopment of existing commercial, industrial, residential, or
31 mixed-use areas, whether characterized as shoreline development,
32 villages, hamlets, rural activity centers, or crossroads developments.

33 (A) A commercial, industrial, residential, shoreline, or mixed-use
34 area shall be subject to the requirements of (d)(iv) of this
35 subsection, but shall not be subject to the requirements of (c)(ii) and
36 (iii) of this subsection.

37 (B) Any development or redevelopment other than an industrial area

1 or an industrial use within a mixed-use area or an industrial area
2 under this subsection (5)(d)(i) must be principally designed to serve
3 the existing and projected rural population.

4 (C) Any development or redevelopment in terms of building size,
5 scale, use, or intensity shall be consistent with the character of the
6 existing areas. Development and redevelopment may include changes in
7 use from vacant land or a previously existing use so long as the new
8 use conforms to the requirements of this subsection (5);

9 (ii) The intensification of development on lots containing, or new
10 development of, small-scale recreational or tourist uses, including
11 commercial facilities to serve those recreational or tourist uses, that
12 rely on a rural location and setting, but that do not include new
13 residential development. A small-scale recreation or tourist use is
14 not required to be principally designed to serve the existing and
15 projected rural population. Public services and public facilities
16 shall be limited to those necessary to serve the recreation or tourist
17 use and shall be provided in a manner that does not permit low-density
18 sprawl;

19 (iii) The intensification of development on lots containing
20 isolated nonresidential uses or new development of isolated cottage
21 industries and isolated small-scale businesses that are not principally
22 designed to serve the existing and projected rural population and
23 nonresidential uses, but do provide job opportunities for rural
24 residents. Rural counties may allow the expansion of small-scale
25 businesses as long as those small-scale businesses conform with the
26 rural character of the area as defined by the local government
27 according to RCW 36.70A.030(15). Rural counties may also allow new
28 small-scale businesses to utilize a site previously occupied by an
29 existing business as long as the new small-scale business conforms to
30 the rural character of the area as defined by the local government
31 according to RCW 36.70A.030(15). Public services and public facilities
32 shall be limited to those necessary to serve the isolated
33 nonresidential use and shall be provided in a manner that does not
34 permit low-density sprawl;

35 (iv) A county shall adopt measures to minimize and contain the
36 existing areas or uses of more intensive rural development, as
37 appropriate, authorized under this subsection. Lands included in such
38 existing areas or uses shall not extend beyond the logical outer

1 boundary of the existing area or use, thereby allowing a new pattern of
2 low-density sprawl. Existing areas are those that are clearly
3 identifiable and contained and where there is a logical boundary
4 delineated predominately by the built environment, but that may also
5 include undeveloped lands if limited as provided in this subsection.
6 The county shall establish the logical outer boundary of an area of
7 more intensive rural development. In establishing the logical outer
8 boundary, the county shall address (A) the need to preserve the
9 character of existing natural neighborhoods and communities, (B)
10 physical boundaries, such as bodies of water, streets and highways, and
11 land forms and contours, (C) the prevention of abnormally irregular
12 boundaries, and (D) the ability to provide public facilities and public
13 services in a manner that does not permit low-density sprawl;

14 (v) For purposes of (d) of this subsection, an existing area or
15 existing use is one that was in existence:

16 (A) On July 1, 1990, in a county that was initially required to
17 plan under all of the provisions of this chapter;

18 (B) On the date the county adopted a resolution under RCW
19 36.70A.040(2), in a county that is planning under all of the provisions
20 of this chapter under RCW 36.70A.040(2); or

21 (C) On the date the office of financial management certifies the
22 county's population as provided in RCW 36.70A.040(5), in a county that
23 is planning under all of the provisions of this chapter pursuant to RCW
24 36.70A.040(5).

25 (e) Exception. This subsection shall not be interpreted to permit
26 in the rural area a major industrial development or a master planned
27 resort unless otherwise specifically permitted under RCW 36.70A.360 and
28 36.70A.365.

29 (6) A transportation element that implements, and is consistent
30 with, the land use element.

31 (a) The transportation element shall include the following
32 subelements:

33 (i) Land use assumptions used in estimating travel;

34 (ii) Estimated traffic impacts to state-owned transportation
35 facilities resulting from land use assumptions to assist the department
36 of transportation in monitoring the performance of state facilities, to
37 plan improvements for the facilities, and to assess the impact of land-
38 use decisions on state-owned transportation facilities;

1 (iii) Facilities and services needs, including:

2 (A) An inventory of air, water, and ground transportation
3 facilities and services, including transit alignments and general
4 aviation airport facilities, to define existing capital facilities and
5 travel levels as a basis for future planning. This inventory must
6 include state-owned transportation facilities within the city or
7 county's jurisdictional boundaries;

8 (B) Level of service standards for all locally owned arterials and
9 transit routes to serve as a gauge to judge performance of the system.
10 These standards should be regionally coordinated;

11 (C) For state-owned transportation facilities, level of service
12 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
13 to gauge the performance of the system. The purposes of reflecting
14 level of service standards for state highways in the local
15 comprehensive plan are to monitor the performance of the system, to
16 evaluate improvement strategies, and to facilitate coordination between
17 the county's or city's six-year street, road, or transit program and
18 the office of financial management's ten-year investment program. The
19 concurrency requirements of (b) of this subsection do not apply to
20 transportation facilities and services of statewide significance except
21 for counties consisting of islands whose only connection to the
22 mainland are state highways or ferry routes. In these island counties,
23 state highways and ferry route capacity must be a factor in meeting the
24 concurrency requirements in (b) of this subsection;

25 (D) Specific actions and requirements for bringing into compliance
26 locally owned transportation facilities or services that are below an
27 established level of service standard;

28 (E) Forecasts of traffic for at least ten years based on the
29 adopted land use plan to provide information on the location, timing,
30 and capacity needs of future growth;

31 (F) Identification of state and local system needs to meet current
32 and future demands. Identified needs on state-owned transportation
33 facilities must be consistent with the long-range statewide
34 ~~((multimodal))~~ transportation plan required under ~~((chapter 47.06 RCW))~~
35 section 2 of this act;

36 (iv) Finance, including:

37 (A) An analysis of funding capability to judge needs against
38 probable funding resources;

1 (B) A multiyear financing plan based on the needs identified in the
2 comprehensive plan, the appropriate parts of which shall serve as the
3 basis for the six-year street, road, or transit program required by RCW
4 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
5 for public transportation systems. The multiyear financing plan should
6 be coordinated with the ten-year investment program developed by the
7 office of financial management as required by RCW 47.05.030;

8 (C) If probable funding falls short of meeting identified needs, a
9 discussion of how additional funding will be raised, or how land use
10 assumptions will be reassessed to ensure that level of service
11 standards will be met;

12 (v) Intergovernmental coordination efforts, including an assessment
13 of the impacts of the transportation plan and land use assumptions on
14 the transportation systems of adjacent jurisdictions;

15 (vi) Demand-management strategies;

16 (vii) Pedestrian and bicycle component to include collaborative
17 efforts to identify and designate planned improvements for pedestrian
18 and bicycle facilities and corridors that address and encourage
19 enhanced community access and promote healthy lifestyles.

20 (b) After adoption of the comprehensive plan by jurisdictions
21 required to plan or who choose to plan under RCW 36.70A.040, local
22 jurisdictions must adopt and enforce ordinances which prohibit
23 development approval if the development causes the level of service on
24 a locally owned transportation facility to decline below the standards
25 adopted in the transportation element of the comprehensive plan, unless
26 transportation improvements or strategies to accommodate the impacts of
27 development are made concurrent with the development. These strategies
28 may include increased public transportation service, ride sharing
29 programs, demand management, and other transportation systems
30 management strategies. For the purposes of this subsection (6),
31 "concurrent with the development" means that improvements or strategies
32 are in place at the time of development, or that a financial commitment
33 is in place to complete the improvements or strategies within six
34 years.

35 (c) The transportation element described in this subsection (6),
36 the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121
37 for counties, and RCW 35.58.2795 for public transportation systems, and

1 the ten-year investment program required by RCW 47.05.030 for the
2 state, must be consistent.

3 (7) An economic development element establishing local goals,
4 policies, objectives, and provisions for economic growth and vitality
5 and a high quality of life. The element shall include: (a) A summary
6 of the local economy such as population, employment, payroll, sectors,
7 businesses, sales, and other information as appropriate; (b) a summary
8 of the strengths and weaknesses of the local economy defined as the
9 commercial and industrial sectors and supporting factors such as land
10 use, transportation, utilities, education, workforce, housing, and
11 natural/cultural resources; and (c) an identification of policies,
12 programs, and projects to foster economic growth and development and to
13 address future needs. A city that has chosen to be a residential
14 community is exempt from the economic development element requirement
15 of this subsection.

16 (8) A park and recreation element that implements, and is
17 consistent with, the capital facilities plan element as it relates to
18 park and recreation facilities. The element shall include: (a)
19 Estimates of park and recreation demand for at least a ten-year period;
20 (b) an evaluation of facilities and service needs; and (c) an
21 evaluation of intergovernmental coordination opportunities to provide
22 regional approaches for meeting park and recreational demand.

23 (9) It is the intent that new or amended elements required after
24 January 1, 2002, be adopted concurrent with the scheduled update
25 provided in RCW 36.70A.130. Requirements to incorporate any such new
26 or amended elements shall be null and void until funds sufficient to
27 cover applicable local government costs are appropriated and
28 distributed by the state at least two years before local government
29 must update comprehensive plans as required in RCW 36.70A.130.

30 **Sec. 17.** RCW 36.70A.085 and 2009 c 514 s 2 are each amended to
31 read as follows:

32 (1) Comprehensive plans of cities that have a marine container port
33 with annual operating revenues in excess of sixty million dollars
34 within their jurisdiction must include a container port element.

35 (2) Comprehensive plans of cities that include all or part of a
36 port district with annual operating revenues in excess of twenty
37 million dollars may include a marine industrial port element. Prior to

1 adopting a marine industrial port element under this subsection (2),
2 the commission of the applicable port district must adopt a resolution
3 in support of the proposed element.

4 (3) Port elements adopted under subsections (1) and (2) of this
5 section must be developed collaboratively between the city and the
6 applicable port, and must establish policies and programs that:

7 (a) Define and protect the core areas of port and port-related
8 industrial uses within the city;

9 (b) Provide reasonably efficient access to the core area through
10 freight corridors within the city limits; and

11 (c) Identify and resolve key land use conflicts along the edge of
12 the core area, and minimize and mitigate, to the extent practicable,
13 incompatible uses along the edge of the core area.

14 (4) Port elements adopted under subsections (1) and (2) of this
15 section must be:

16 (a) Completed and approved by the city according to the schedule
17 specified in RCW 36.70A.130; and

18 (b) Consistent with the economic development, transportation, and
19 land use elements of the city's comprehensive plan, and consistent with
20 the city's capital facilities plan.

21 (5) In adopting port elements under subsections (1) and (2) of this
22 section, cities and ports must: Ensure that there is consistency
23 between the port elements and the port comprehensive scheme required
24 under chapters 53.20 and 53.25 RCW; and retain sufficient planning
25 flexibility to secure emerging economic opportunities.

26 (6) In developing port elements under subsections (1) and (2) of
27 this section, a city may utilize one or more of the following
28 approaches:

29 (a) Creation of a port overlay district that protects container
30 port uses;

31 (b) Use of industrial land banks;

32 (c) Use of buffers and transition zones between incompatible uses;

33 (d) Use of joint transportation funding agreements;

34 (e) Use of policies to encourage the retention of valuable
35 warehouse and storage facilities;

36 (f) Use of limitations on the location or size, or both, of
37 nonindustrial uses in the core area and surrounding areas; and

1 (g) Use of other approaches by agreement between the city and the
2 port.

3 (7) The department of (~~community, trade, and economic~~
4 ~~development~~) commerce must provide matching grant funds to cities
5 meeting the requirements of subsection (1) of this section to support
6 development of the required container port element.

7 (8) Any planned improvements identified in port elements adopted
8 under subsections (1) and (2) of this section must be transmitted by
9 the city to the transportation commission for consideration of
10 inclusion in the long-range statewide transportation plan required
11 under (~~RCW 47.01.071~~) section 2 of this act.

12 **Sec. 18.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
13 read as follows:

14 There is hereby created in the motor vehicle fund the RV account.
15 All moneys hereafter deposited in said account shall be used by the
16 department of transportation for the construction, maintenance, and
17 operation of recreational vehicle sanitary disposal systems at safety
18 rest areas (~~in accordance with the department's highway system plan as~~
19 ~~prescribed in chapter 47.06 RCW~~). During the 2009-2011 and 2011-2013
20 fiscal biennia, the legislature may transfer from the RV account to the
21 motor vehicle fund such amounts as reflect the excess fund balance of
22 the RV account to accomplish the purposes identified in this section.

23 **Sec. 19.** RCW 47.60.290 and 2007 c 512 s 5 are each amended to read
24 as follows:

25 (1) The department shall annually review fares and pricing policies
26 applicable to the operation of the Washington state ferries.

27 (2) Beginning in 2008, the department shall develop fare and
28 pricing policy proposals that must:

29 (a) Recognize that each travel shed is unique, and might not have
30 the same farebox recovery rate and the same pricing policies;

31 (b) Use data from the current survey conducted under RCW
32 (~~47.60.286~~) 47.01.075 (as recodified by this act);

33 (c) Be developed with input from affected ferry users by public
34 hearing and by review with the affected ferry advisory committees, in
35 addition to the data gathered from the survey conducted (~~in RCW~~
36 ~~47.60.286~~) under RCW 47.01.075 (as recodified by this act);

1 (d) Generate the amount of revenue required by the biennial
2 transportation budget;

3 (e) Consider the impacts on users, capacity, and local communities;
4 and

5 (f) Keep fare schedules as simple as possible.

6 (3) While developing fare and pricing policy proposals, the
7 department must consider the following:

8 (a) Options for using pricing to level vehicle peak demand; and

9 (b) Options for using pricing to increase off-peak ridership.

10 **Sec. 20.** RCW 47.60.327 and 2007 c 512 s 7 are each amended to read
11 as follows:

12 (1) The department shall develop, and the commission shall review,
13 operational strategies to ensure that existing assets are fully
14 utilized and to guide future investment decisions. These operational
15 strategies must, at a minimum:

16 (a) Recognize that each travel shed is unique and might not have
17 the same operational strategies;

18 (b) Use data from the current survey conducted under RCW
19 (~~47.60.286~~) 47.01.075 (as recodified by this act);

20 (c) Be consistent with vehicle level of service standards;

21 (d) Choose the most efficient balance of capital and operating
22 investments by using a life-cycle cost analysis; and

23 (e) Use methods of collecting fares that maximize efficiency and
24 achieve revenue management control.

25 (2) After the commission reviews recommendations by the department,
26 the commission and department shall make joint recommendations to the
27 legislature for the improvement of operational strategies.

28 (3) In developing operational strategies, the following, at a
29 minimum, must be considered:

30 (a) The feasibility of using reservation systems;

31 (b) Methods of shifting vehicular traffic to other modes of
32 transportation;

33 (c) Methods of improving on-dock operations to maximize efficiency
34 and minimize operating and capital costs;

35 (d) A cost-benefit analysis of remote holding versus over-water
36 holding;

1 (e) Methods of reorganizing holding areas and minimizing on-dock
2 employee parking to maximize the dock size available for customer
3 vehicles;

4 (f) Schedule modifications;

5 (g) Efficiencies in exit queuing and metering;

6 (h) Interoperability with other transportation services;

7 (i) Options for leveling vehicle peak demand; and

8 (j) Options for increasing off-peak ridership.

9 (4) Operational strategies must be reevaluated periodically and, at
10 a minimum, before developing a new capital plan.

11 **Sec. 21.** RCW 47.76.210 and 1995 c 380 s 2 are each amended to read
12 as follows:

13 The Washington state department of transportation shall implement
14 a state freight rail program that supports the freight rail service
15 objectives identified in the (~~state's multimodal~~) long-range
16 statewide transportation plan required under (~~chapter 47.06 RCW~~)
17 section 2 of this act. The support may be in the form of projects and
18 strategies that support branch lines and light-density lines, provide
19 access to ports, maintain adequate mainline capacity, and preserve or
20 restore rail corridors and infrastructure.

21 **Sec. 22.** RCW 47.79.020 and 1993 c 381 s 2 are each amended to read
22 as follows:

23 The legislature finds that there is substantial public benefit to
24 establishing a high-speed ground transportation program in this state.
25 The program shall implement the recommendations of the high-speed
26 ground transportation steering committee report dated October 15, 1992.
27 The program shall be administered by the department of transportation
28 in close cooperation with the utilities and transportation commission
29 and affected cities and counties.

30 The high-speed ground transportation program shall have the
31 following goals:

32 (1) Implement high-speed ground transportation service offering top
33 speeds over 150 m.p.h. between Everett and Portland, Oregon by 2020.
34 This would be accomplished by meeting the intermediate objectives of a
35 maximum travel time between downtown Portland and downtown Seattle of

1 two hours and thirty minutes by the year 2000 and maximum travel time
2 of two hours by the year 2010;

3 (2) Implement high-speed ground transportation service offering top
4 speeds over 150 m.p.h. between Everett and Vancouver, B.C. by 2025;

5 (3) Implement high-speed ground transportation service offering top
6 speeds over 150 m.p.h. between Seattle and Spokane by 2030.

7 The department of transportation shall, subject to legislative
8 appropriation, implement such projects as necessary to achieve these
9 goals in accordance with the implementation plans identified in RCW
10 47.79.030 ((and ~~47.79.040~~)).

11 NEW SECTION. **Sec. 23.** The following acts or parts of acts are
12 each repealed:

13 (1) RCW 47.06.020 (Role of department) and 2007 c 516 s 9 & 1993 c
14 446 s 2;

15 (2) RCW 47.06.040 (Statewide multimodal transportation plan) and
16 2002 c 189 s 4, 1998 c 199 s 1, 1994 c 258 s 5, & 1993 c 446 s 4;

17 (3) RCW 47.06.043 (Technical workers--Skill enhancement) and 2003
18 c 363 s 204;

19 (4) RCW 47.06.045 (Freight mobility plan) and 1998 c 175 s 10;

20 (5) RCW 47.06.050 (State-owned facilities component) and 2007 c 516
21 s 10, 2002 c 5 s 413, & 1993 c 446 s 5;

22 (6) RCW 47.06.060 (Aviation plan) and 1993 c 446 s 6;

23 (7) RCW 47.06.070 (Marine ports and navigation plan) and 1993 c 446
24 s 7;

25 (8) RCW 47.06.080 (Freight rail plan) and 1993 c 446 s 8;

26 (9) RCW 47.06.090 (Intercity passenger rail plan) and 2002 c 5 s
27 414 & 1993 c 446 s 9;

28 (10) RCW 47.06.100 (Bicycle transportation and pedestrian walkways
29 plan) and 1993 c 446 s 10;

30 (11) RCW 47.06.110 (Public transportation plan) and 2005 c 319 s
31 124, 1996 c 186 s 512, 1995 c 399 s 120, & 1993 c 446 s 11;

32 (12) RCW 47.06.120 (High capacity transportation planning and
33 regional transportation planning--Role of department) and 1993 c 446 s
34 12;

35 (13) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
36 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;

37 (14) RCW 47.60.286 (Ferry user data survey) and 2007 c 512 s 4;

1 (15) RCW 47.76.220 (State rail plan--Contents) and 1995 c 380 s 3,
2 1993 c 224 s 2, 1985 c 432 s 1, & 1983 c 303 s 5;

3 (16) RCW 47.79.040 (Rail passenger plan) and 1993 c 381 s 4; and

4 (17) RCW 47.80.070 (Statewide consistency) and 1994 c 158 s 5.

5 NEW SECTION. **Sec. 24.** (1) RCW 47.01.051, 47.01.061, 47.01.071,
6 47.01.075, 47.01.420, and 47.01.425 are each recodified as sections in
7 a new chapter in Title 47 RCW.

8 (2) RCW 47.04.280 is recodified as a new section in chapter 47.06
9 RCW.

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