
SENATE BILL 5128

State of Washington 62nd Legislature 2011 Regular Session

By Senators Haugen, King, White, Swecker, Hobbs, and Shin

Read first time 01/14/11. Referred to Committee on Transportation.

1 AN ACT Relating to statewide transportation planning; amending RCW
2 47.01.071, 47.01.075, 47.04.280, 47.06.140, 47.01.011, 47.01.300,
3 47.01.330, 47.05.010, 47.05.030, 47.80.023, 47.80.030, 47.82.010,
4 36.70A.070, 36.70A.085, 46.68.170, 47.60.290, 47.60.327, 47.76.210, and
5 47.79.020; adding new sections to chapter 47.06 RCW; adding a new
6 chapter to Title 47 RCW; creating a new section; recodifying RCW
7 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.420, 47.01.425, and
8 47.04.280; and repealing RCW 47.06.020, 47.06.040, 47.06.043,
9 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080, 47.06.090,
10 47.06.100, 47.06.110, 47.06.120, 47.01.141, 47.60.286, 47.76.220,
11 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 planning organizations, metropolitan planning organizations,
16 tribal nations, and local government. All levels of government,
17 including the federal government, fund transportation planning and
18 research. The legislature intends to allow more flexibility to
19 organize the transportation planning process across modes and

1 jurisdictions by providing policy direction on the desired outcome and
2 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 have
5 impeded 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 state transportation commission.
30 The chair of the commission may designate another transportation
31 commissioner to serve;

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

34 (c) A representative of transportation planning organizations to be
35 designated by the joint regional transportation planning organization
36 and metropolitan planning organization coordinating committee.

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

3 (a) Establish a vision for the development of the statewide
4 transportation system;

5 (b) Incorporate the transportation system policy goals in RCW
6 47.04.280 (as recodified by this act);

7 (c) Address statewide transportation issues, without regard to
8 jurisdiction, and be based on ongoing mode, metropolitan, regional, and
9 tribal transportation planning;

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

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

20 (f) Identify significant statewide transportation policy issues;

21 (g) Recommend statewide transportation policies and strategies to
22 the legislature; and

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

26 (3) The planning committee shall negotiate and agree upon a
27 proposed federally compliant long-range statewide transportation plan.
28 The planning committee shall forward the plan to the office of
29 financial management for review. The office of financial management
30 shall forward the plan to the governor with a recommendation to accept
31 or reject the plan as submitted. If the governor approves the plan,
32 the governor shall submit it to the federal department of
33 transportation as Washington's federally compliant long-range statewide
34 transportation plan. If the governor does not approve the plan, the
35 governor shall return the plan to the planning committee for revision
36 and resubmission.

37 (4) When there are inconsistencies between the long-range statewide
38 transportation plan and state, regional, metropolitan, tribal, or local

1 transportation plans, the department of transportation shall negotiate
2 with the propounder of the plans, consistent with federal law and
3 regulation.

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

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

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

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

13 (1) To propose transportation policies (~~((to be adopted))~~) for
14 adoption by the governor and the legislature (~~((designed to assure the~~
15 ~~development and maintenance of a comprehensive and balanced statewide~~
16 ~~transportation system which will meet the needs of the people of this~~
17 ~~state for safe and efficient transportation services. Wherever~~
18 ~~appropriate, the policies shall provide for the use of integrated,~~
19 ~~intermodal transportation systems. The policies must be aligned with~~
20 ~~the goals established in RCW 47.04.280. To this end the commission~~
21 ~~shall:~~

22 ~~(a) Develop transportation policies which are based on the~~
23 ~~policies, goals, and objectives expressed and inherent in existing~~
24 ~~state laws;~~

25 ~~(b) Inventory the adopted policies, goals, and objectives of the~~
26 ~~local and area wide governmental bodies of the state and define the~~
27 ~~role of the state, regional, and local governments in determining~~
28 ~~transportation policies, in transportation planning, and in~~
29 ~~implementing the state transportation plan;~~

30 ~~(c) Establish a procedure for review and revision of the state~~
31 ~~transportation policy and for submission of proposed changes to the~~
32 ~~governor and the legislature; and~~

33 ~~(d) Integrate the statewide transportation plan with the needs of~~
34 ~~the elderly and persons with disabilities, and coordinate federal and~~
35 ~~state programs directed at assisting local governments to answer such~~
36 ~~needs;~~

1 ~~(2) To provide for the effective coordination of state~~
2 ~~transportation planning with national transportation policy, state and~~
3 ~~local land use policies, and local and regional transportation plans~~
4 ~~and programs));~~

5 ~~((3))~~ (2) In conjunction with ~~((the provisions under))~~ RCW
6 47.01.075 (as recodified by this act), to provide for public
7 involvement in transportation designed to elicit the public's views
8 ~~((both with respect to adequate transportation services and appropriate~~
9 ~~means of minimizing adverse social, economic, environmental, and energy~~
10 ~~impact of transportation programs;~~

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

28 ~~The plan shall take into account federal law and regulations~~
29 ~~relating to the planning, construction, and operation of transportation~~
30 ~~facilities;~~

31 ~~(5) By December 2007, the office of financial management shall~~
32 ~~submit a baseline report on the progress toward attaining the policy~~
33 ~~goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October~~
34 ~~1, 2008, beginning with the development of the 2009-2011 biennial~~
35 ~~transportation budget, and by October 1st biennially thereafter, the~~
36 ~~office of financial management shall submit to the legislature and the~~
37 ~~governor a report on the progress toward the attainment by state~~
38 ~~transportation agencies of the state transportation policy goals and~~

1 objectives prescribed by statute, appropriation, and governor
2 directive. The report must, at a minimum, include the degree to which
3 state transportation programs have progressed toward the attainment of
4 the policy goals established under RCW 47.04.280, as measured by the
5 objectives and performance measures established by the office of
6 financial management under RCW 47.04.280)) on transportation policy;

7 ((+6)) (3) To develop a long-range statewide transportation plan
8 in conjunction with the department of transportation, regional
9 transportation planning organizations, and metropolitan transportation
10 planning organizations under section 2 of this act;

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

15 ((+7)) (5) To adopt such rules as may be necessary to carry out
16 reasonably and properly those functions expressly vested in the
17 commission by statute;

18 ((+8)) (6) To contract with the office of financial management or
19 other appropriate state agencies for administrative support, accounting
20 services, computer services, and other support services necessary to
21 carry out its other statutory duties;

22 ((+9)) (7) To conduct transportation-related studies and policy
23 analysis to the extent directed by the legislature or governor in the
24 biennial transportation budget act, or as otherwise provided in law,
25 and subject to the availability of amounts appropriated for this
26 specific purpose; and

27 ((+10)) (8) To exercise such other specific powers and duties as
28 may be vested in the transportation commission by this or any other
29 provision of law.

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

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

36 (a) At least every ((five)) seven years, the commission shall
37 convene regional forums to gather citizen input on transportation

1 issues. The commission, department, metropolitan transportation
2 planning organizations, and regional transportation planning
3 organizations shall consider the input gathered at the forums (~~as it~~
4 ~~establishes~~) in the development of the long-range statewide
5 transportation plan under (~~RCW 47.01.071(4)~~) section 2 of this act.

6 (b) Beginning in 2012, the commission shall, with the involvement
7 of the department, conduct a survey to gather data on users of the
8 statewide transportation system, including the state ferry system, to
9 help inform level of service, operational, pricing, planning, and
10 investment decisions. The survey must be updated at least every two
11 years and be maintained to support the development and implementation
12 of adaptive management of the statewide transportation system.

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

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

20 (a) Transportation finance;

21 (b) Preserving, maintaining, and operating the statewide
22 transportation system;

23 (c) Transportation infrastructure needs;

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

26 (e) Transportation efficiencies that will improve service delivery
27 and/or coordination;

28 (f) Improved planning and coordination among transportation
29 agencies and providers; and

30 (g) Use of intelligent transportation systems and other technology-
31 based solutions.

32 NEW SECTION. Sec. 5. A new section is added to chapter 47.06 RCW
33 to read as follows:

34 Prior to the convening of each regular session held in an odd-
35 numbered year, the governor's proposed biennial transportation budget
36 must include a statement of how the proposed biennial transportation

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

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.06 RCW
4 to read as follows:

5 The department shall:

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

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

16 **Sec. 7.** RCW 47.04.280 and 2010 c 74 s 1 are each amended to read
17 as follows:

18 (1) It is the intent of the legislature to establish policy goals
19 for the planning, operation, performance of, and investment in, the
20 state's transportation system. The policy goals established under this
21 section are deemed consistent with the benchmark categories adopted by
22 the state's blue ribbon commission on transportation on November 30,
23 2000. Public investments in transportation should support achievement
24 of these policy goals:

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

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

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

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

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

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

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

6 (3) These policy goals are intended to be the basis for
7 establishing detailed and measurable objectives and related performance
8 measures.

9 ~~(4) ((It is the intent of the legislature that the office of~~
10 ~~financial management establish objectives and performance measures for~~
11 ~~the department of transportation and other state agencies with~~
12 ~~transportation-related responsibilities to ensure transportation system~~
13 ~~performance at local, regional, and state government levels progresses~~
14 ~~toward the attainment of the policy goals set forth in subsection (1)~~
15 ~~of this section. The office of financial management shall submit~~
16 ~~initial objectives and performance measures to the legislature for its~~
17 ~~review and shall provide copies of the same to the commission during~~
18 ~~the 2008 legislative session.))~~ The office of financial management
19 shall submit ~~((objectives and performance measures))~~ a report on the
20 attainment of the policy goals established in subsection (1) of this
21 section and the objectives established in the long-range statewide
22 transportation plan, including performance measures on the statewide
23 transportation system, to the legislature for its review and shall
24 provide copies of the ~~((same))~~ report to the commission, department,
25 and regional and metropolitan transportation planning organizations
26 during each regular session of the legislature during an even-numbered
27 year thereafter.

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

29 **Sec. 8.** RCW 47.06.140 and 2009 c 514 s 3 are each amended to read
30 as follows:

31 (1) The legislature declares the following transportation
32 facilities and services to be of statewide significance: Highways of
33 statewide significance as designated by the legislature under chapter
34 47.05 RCW, the interstate highway system, interregional state principal
35 arterials including ferry connections that serve statewide travel,
36 intercity passenger rail services, intercity high-speed ground
37 transportation, major passenger intermodal terminals excluding all

1 airport facilities and services, the freight railroad system, the
2 Columbia/Snake navigable river system, marine port facilities and
3 services that are related solely to marine activities affecting
4 international and interstate trade, key freight transportation
5 corridors serving these marine port facilities, and high capacity
6 transportation systems serving regions as defined in RCW 81.104.015.
7 (~~The department, in cooperation with regional transportation planning~~
8 ~~organizations, counties, cities, transit agencies, public ports,~~
9 ~~private railroad operators, and private transportation providers, as~~
10 ~~appropriate, shall plan for improvements to transportation facilities~~
11 ~~and services of statewide significance in the statewide multimodal~~
12 ~~transportation plan.)) Improvements to facilities and services of
13 statewide significance (~~identified in the statewide multimodal~~
14 ~~transportation plan)), or to highways of statewide significance
15 designated by the legislature under chapter 47.05 RCW, are essential
16 state public facilities under RCW 36.70A.200.~~~~

17 (2) The department of transportation, in consultation with local
18 governments, shall set level of service standards for state highways
19 and state ferry routes of statewide significance. Although the
20 department shall consult with local governments when setting level of
21 service standards, the department retains authority to make final
22 decisions regarding level of service standards for state highways and
23 state ferry routes of statewide significance. In establishing level of
24 service standards for state highways and state ferry routes of
25 statewide significance, the department shall consider the necessary
26 balance between providing for the free interjurisdictional movement of
27 people and goods and the needs of local communities using these
28 facilities. When setting the level of service standards under this
29 section for state ferry routes, the department may allow for a standard
30 that is adjustable for seasonality.

31 **Sec. 9.** RCW 47.01.011 and 2007 c 516 s 2 are each amended to read
32 as follows:

33 (~~The legislature hereby recognizes the following imperative needs~~
34 ~~within the state: To create a statewide transportation development~~
35 ~~plan which identifies present status and sets goals for the future; to~~
36 ~~coordinate transportation modes; to promote and protect land use~~
37 ~~programs required in local, state, and federal law; to coordinate~~

1 ~~transportation with the economic development of the state; to supply a~~
2 ~~broad framework in which regional, metropolitan, and local~~
3 ~~transportation needs can be related; to facilitate the supply of~~
4 ~~federal and state aid to those areas which will most benefit the state~~
5 ~~as a whole; to provide for public involvement in the transportation~~
6 ~~planning and development process; to administer programs within the~~
7 ~~jurisdiction of this title relating to the safety of the state's~~
8 ~~transportation systems; and to coordinate and implement national~~
9 ~~transportation policy with the state transportation planning program.)~~)

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

14 Through this chapter, a unified department of transportation is
15 created. To the jurisdiction of this department will be transferred
16 the present powers, duties, and functions of the department of
17 highways, the highway commission, the toll bridge authority, the
18 aeronautics commission, and the canal commission, and the
19 transportation related powers, duties, and functions of the planning
20 and community affairs agency. The powers, duties, and functions of the
21 department of transportation must be performed in a manner consistent
22 with the policy goals set forth in RCW 47.04.280 (as recodified by this
23 act).

24 **Sec. 10.** RCW 47.01.300 and 1994 c 258 s 4 are each amended to read
25 as follows:

26 The department shall, in cooperation with environmental regulatory
27 authorities:

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

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

33 ~~(3))~~) Use an environmental review as part of the project prospectus
34 identifying potential environmental impacts, mitigation, and costs
35 during the early project identification and selection phase, submit the
36 prospectus to the relevant environmental regulatory authorities, and

1 maintain a record of comments and proposed revisions received from the
2 authorities;

3 ((+4)) (2) Actively work with the relevant environmental
4 regulatory authorities during the design alternative analysis process
5 and seek written concurrence from the authorities that they agree with
6 the preferred design alternative selected;

7 ((+5)) (3) Develop a uniform methodology, in consultation with
8 relevant environmental regulatory authorities, for submitting plans and
9 specifications detailing project elements that impact environmental
10 resources, and proposed mitigation measures, to the relevant
11 environmental regulatory authorities during the preliminary
12 specifications and engineering phase of project development;

13 ((+6)) (4) Screen construction projects to determine which
14 projects will require complex or multiple permits. The permitting
15 authorities shall develop methods for initiating review of the permit
16 applications for the projects before the final design of the projects;

17 ((+7)) (5) Conduct special prebid meetings for those projects that
18 are environmentally complex; and

19 ((+8)) (6) Review environmental considerations related to
20 particular projects during the preconstruction meeting held with the
21 contractor who is awarded the bid.

22 **Sec. 11.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read
23 as follows:

24 (1) The secretary shall establish an office of transit mobility.
25 The purpose of the office is to facilitate the integration of
26 decentralized public transportation services with the state
27 transportation system. The goals of the office of transit mobility
28 are: (a) To facilitate connection and coordination of transit services
29 and planning; and (b) maximizing opportunities to use public
30 transportation to improve the efficiency of transportation corridors.

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

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

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

37 ~~((c))~~ (b) Encouraging long-range transit planning;

1 ~~((d))~~ (c) Providing public transportation expertise to improve
2 linkages between regional transportation planning organizations and
3 transit agencies;

4 ~~((e))~~ (d) Strengthening policies for inclusion of transit and
5 transportation demand management strategies in route development,
6 corridor plan standards, and budget proposals;

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

10 ~~((g) Producing recommendations for the public transportation
11 section of the Washington transportation plan;))~~ and

12 ~~((h))~~ (f) Participating in all aspects of corridor planning,
13 including freight planning, ferry system planning, and passenger rail
14 planning.

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

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

20 (5) The office of transit mobility must report quarterly to the
21 secretary, and annually to the transportation committees of the
22 legislature, on the progress of the office in meeting the goals and
23 duties provided in this section.

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

26 The legislature finds that solutions to state highway deficiencies
27 have become increasingly complex and diverse and that anticipated
28 transportation revenues will fall substantially short of the amount
29 required to satisfy all transportation needs. Difficult investment
30 trade-offs will be required.

31 It is the intent of the legislature that investment of state
32 transportation funds to address deficiencies on the state highway
33 system be based on a policy of priority programming having as its basis
34 the rational selection of projects and services according to factual
35 need and an evaluation of life cycle costs and benefits that are
36 systematically scheduled to carry out defined objectives within

1 available revenue. The state must develop analytic tools to use a
2 common methodology to measure benefits and costs for all modes.

3 The priority programming system must ensure preservation of the
4 existing state highway system, relieve congestion, provide mobility for
5 people and goods, support the state's economy, and promote
6 environmental protection and energy conservation.

7 The priority programming system must (~~implement the state-owned~~
8 ~~highway component of the statewide transportation plan,~~) be consistent
9 with the long-range statewide transportation plan and local,
10 metropolitan, and regional transportation plans, by targeting state
11 transportation investment to appropriate multimodal solutions that
12 address identified state highway system deficiencies.

13 The priority programming system for improvements must incorporate
14 a broad range of solutions (~~that are identified in the statewide~~
15 ~~transportation plan as~~) appropriate to address state highway system
16 deficiencies, including but not limited to highway expansion,
17 efficiency improvements, nonmotorized transportation facilities, high
18 occupancy vehicle facilities, transit facilities and services, rail
19 facilities and services, and transportation demand management programs.

20 **Sec. 13.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to read
21 as follows:

22 (1) The office of financial management shall propose a
23 comprehensive (~~ten-year~~) sixteen-year investment program for the
24 preservation and improvement programs defined in this section,
25 consistent with the policy goals described under RCW 47.04.280 (as
26 recodified by this act). (~~The proposed ten-year investment program~~
27 ~~must be forwarded as a recommendation by the office of financial~~
28 ~~management to the legislature, and must be based upon the needs~~
29 ~~identified in the statewide transportation plan established under RCW~~
30 ~~47.01.071(4).~~)

31 (2) The preservation program consists of those investments
32 necessary to preserve the existing state highway system and to restore
33 existing safety features, giving consideration to lowest life cycle
34 costing.

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

1 **Sec. 14.** RCW 47.80.023 and 2009 c 515 s 15 are each amended to
2 read as follows:

3 Each regional transportation planning organization shall have the
4 following duties:

5 (1) Prepare and periodically update a transportation strategy for
6 the region. The strategy shall address alternative transportation
7 modes and transportation demand management measures in regional
8 corridors and shall recommend preferred transportation policies to
9 implement adopted growth strategies. The strategy shall serve as a
10 guide in preparation of the regional transportation plan.

11 (2) Prepare a regional transportation plan as set forth in RCW
12 47.80.030 that is consistent with countywide planning policies if such
13 have been adopted pursuant to chapter 36.70A RCW, with county, city,
14 and town comprehensive plans, and state transportation plans.

15 (3) Certify by December 31, 1996, that the transportation elements
16 of comprehensive plans adopted by counties, cities, and towns within
17 the region reflect the guidelines and principles developed pursuant to
18 RCW 47.80.026, are consistent with the adopted regional transportation
19 plan, and, where appropriate, conform with the requirements of RCW
20 36.70A.070.

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

24 (5) Develop, in cooperation with the department of transportation,
25 operators of public transportation services and local governments
26 within the region, a six-year regional transportation improvement
27 program which proposes regionally significant transportation projects
28 and programs and transportation demand management measures. The
29 regional transportation improvement program shall be based on the
30 programs, projects, and transportation demand management measures of
31 regional significance as identified by transit agencies, cities, and
32 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
33 respectively, and any recommended programs or projects identified by
34 the agency council on coordinated transportation, as provided in
35 chapter 47.06B RCW, that advance special needs coordinated
36 transportation as defined in RCW 47.06B.012. The program shall include
37 a priority list of projects and programs, project segments and
38 programs, transportation demand management measures, and a specific

1 financial plan that demonstrates how the transportation improvement
2 program can be funded. The program shall be updated at least every two
3 years for the ensuing six-year period.

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

8 (7) Designate a lead planning agency to coordinate preparation of
9 the regional transportation plan and carry out the other
10 responsibilities of the organization. The lead planning agency may be
11 a regional organization, a component county, city, or town agency, or
12 the appropriate Washington state department of transportation district
13 office.

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

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

20 (10) Work with the transportation commission, department, and other
21 regional and metropolitan transportation planning organizations on the
22 development of the long-range statewide transportation plan.

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

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

32 **Sec. 15.** RCW 47.80.030 and 2005 c 328 s 2 are each amended to read
33 as follows:

34 (1) Each regional transportation planning organization shall
35 develop in cooperation with the department of transportation, providers
36 of public transportation and high capacity transportation, ports, and

1 local governments within the region, adopt, and periodically update a
2 regional transportation plan that:

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

5 ~~(b) Identifies existing or planned transportation facilities,
6 services, and programs, including but not limited to major roadways
7 including state highways and regional arterials, transit and
8 nonmotorized services and facilities, multimodal and intermodal
9 facilities, marine ports and airports, railroads, and noncapital
10 programs including transportation demand management that should
11 function as an integrated regional transportation system, giving
12 emphasis to those facilities, services, and programs that exhibit one
13 or more of the following characteristics:~~

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

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

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

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

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

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

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

30 (b) Establishes level of service standards for state highways and
31 state ferry routes, with the exception of transportation facilities of
32 statewide significance as defined in RCW 47.06.140. These regionally
33 established level of service standards for state highways and state
34 ferries shall be developed jointly with the department of
35 transportation, to encourage consistency across jurisdictions. In
36 establishing level of service standards for state highways and state
37 ferries, consideration shall be given for the necessary balance between

1 providing for the free interjurisdictional movement of people and goods
2 and the needs of local commuters using state facilities;

3 ~~((d))~~ (c) Includes a financial plan demonstrating how the
4 regional transportation plan can be implemented, indicating resources
5 from public and private sources that are reasonably expected to be made
6 available to carry out the plan, and recommending any innovative
7 financing techniques to finance needed facilities, services, and
8 programs;

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

11 (i) Ensure the preservation of the existing regional transportation
12 system, including requirements for operational improvements,
13 resurfacing, restoration, and rehabilitation of existing and future
14 major roadways, as well as operations, maintenance, modernization, and
15 rehabilitation of existing and future transit, railroad systems and
16 corridors, and nonmotorized facilities; and

17 (ii) Make the most efficient use of existing transportation
18 facilities to relieve vehicular congestion and maximize the mobility of
19 people and goods;

20 ~~((f))~~ (e) Sets forth a proposed regional transportation approach,
21 including capital investments, service improvements, programs, and
22 transportation demand management measures to guide the development of
23 the integrated, multimodal regional transportation system. For
24 regional growth centers, the approach must address transportation
25 concurrency strategies required under RCW 36.70A.070 and include a
26 measurement of vehicle level of service for off-peak periods and total
27 multimodal capacity for peak periods; and

28 ~~((g))~~ (f) Where appropriate, sets forth the relationship of high
29 capacity transportation providers and other public transit providers
30 with regard to responsibility for, and the coordination between,
31 services and facilities.

32 (2) The organization shall review the regional transportation plan
33 biennially for currency and forward the adopted plan along with
34 documentation of the biennial review to the state department of
35 transportation.

36 (3) All transportation projects, programs, and transportation
37 demand management measures within the region that have an impact upon

1 regional facilities or services must be consistent with the plan and
2 with the adopted regional growth and transportation strategies.

3 **Sec. 16.** RCW 47.82.010 and 1990 c 43 s 36 are each amended to read
4 as follows:

5 The department, in conjunction with local jurisdictions, shall
6 coordinate as appropriate with the designated metropolitan planning
7 organizations to develop a program for improving Amtrak passenger rail
8 service. The program may include:

9 (1) Determination of the appropriate level of Amtrak passenger rail
10 service;

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

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

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

20 **Sec. 17.** RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each
21 amended to read as follows:

22 The comprehensive plan of a county or city that is required or
23 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
24 and descriptive text covering objectives, principles, and standards
25 used to develop the comprehensive plan. The plan shall be an
26 internally consistent document and all elements shall be consistent
27 with the future land use map. A comprehensive plan shall be adopted
28 and amended with public participation as provided in RCW 36.70A.140.

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

31 (1) A land use element designating the proposed general
32 distribution and general location and extent of the uses of land, where
33 appropriate, for agriculture, timber production, housing, commerce,
34 industry, recreation, open spaces, general aviation airports, public
35 utilities, public facilities, and other land uses. The land use
36 element shall include population densities, building intensities, and

1 estimates of future population growth. The land use element shall
2 provide for protection of the quality and quantity of groundwater used
3 for public water supplies. Wherever possible, the land use element
4 should consider utilizing urban planning approaches that promote
5 physical activity. Where applicable, the land use element shall review
6 drainage, flooding, and storm water run-off in the area and nearby
7 jurisdictions and provide guidance for corrective actions to mitigate
8 or cleanse those discharges that pollute waters of the state, including
9 Puget Sound or waters entering Puget Sound.

10 (2) A housing element ensuring the vitality and character of
11 established residential neighborhoods that: (a) Includes an inventory
12 and analysis of existing and projected housing needs that identifies
13 the number of housing units necessary to manage projected growth; (b)
14 includes a statement of goals, policies, objectives, and mandatory
15 provisions for the preservation, improvement, and development of
16 housing, including single-family residences; (c) identifies sufficient
17 land for housing, including, but not limited to, government-assisted
18 housing, housing for low-income families, manufactured housing,
19 multifamily housing, and group homes and foster care facilities; and
20 (d) makes adequate provisions for existing and projected needs of all
21 economic segments of the community.

22 (3) A capital facilities plan element consisting of: (a) An
23 inventory of existing capital facilities owned by public entities,
24 showing the locations and capacities of the capital facilities; (b) a
25 forecast of the future needs for such capital facilities; (c) the
26 proposed locations and capacities of expanded or new capital
27 facilities; (d) at least a six-year plan that will finance such capital
28 facilities within projected funding capacities and clearly identifies
29 sources of public money for such purposes; and (e) a requirement to
30 reassess the land use element if probable funding falls short of
31 meeting existing needs and to ensure that the land use element, capital
32 facilities plan element, and financing plan within the capital
33 facilities plan element are coordinated and consistent. Park and
34 recreation facilities shall be included in the capital facilities plan
35 element.

36 (4) A utilities element consisting of the general location,
37 proposed location, and capacity of all existing and proposed utilities,

1 including, but not limited to, electrical lines, telecommunication
2 lines, and natural gas lines.

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

7 (a) Growth management act goals and local circumstances. Because
8 circumstances vary from county to county, in establishing patterns of
9 rural densities and uses, a county may consider local circumstances,
10 but shall develop a written record explaining how the rural element
11 harmonizes the planning goals in RCW 36.70A.020 and meets the
12 requirements of this chapter.

13 (b) Rural development. The rural element shall permit rural
14 development, forestry, and agriculture in rural areas. The rural
15 element shall provide for a variety of rural densities, uses, essential
16 public facilities, and rural governmental services needed to serve the
17 permitted densities and uses. To achieve a variety of rural densities
18 and uses, counties may provide for clustering, density transfer, design
19 guidelines, conservation easements, and other innovative techniques
20 that will accommodate appropriate rural densities and uses that are not
21 characterized by urban growth and that are consistent with rural
22 character.

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

26 (i) Containing or otherwise controlling rural development;

27 (ii) Assuring visual compatibility of rural development with the
28 surrounding rural area;

29 (iii) Reducing the inappropriate conversion of undeveloped land
30 into sprawling, low-density development in the rural area;

31 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
32 surface water and groundwater resources; and

33 (v) Protecting against conflicts with the use of agricultural,
34 forest, and mineral resource lands designated under RCW 36.70A.170.

35 (d) Limited areas of more intensive rural development. Subject to
36 the requirements of this subsection and except as otherwise
37 specifically provided in this subsection (5)(d), the rural element may

1 allow for limited areas of more intensive rural development, including
2 necessary public facilities and public services to serve the limited
3 area as follows:

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

8 (A) A commercial, industrial, residential, shoreline, or mixed-use
9 area shall be subject to the requirements of (d)(iv) of this
10 subsection, but shall not be subject to the requirements of (c)(ii) and
11 (iii) of this subsection.

12 (B) Any development or redevelopment other than an industrial area
13 or an industrial use within a mixed-use area or an industrial area
14 under this subsection (5)(d)(i) must be principally designed to serve
15 the existing and projected rural population.

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

21 (ii) The intensification of development on lots containing, or new
22 development of, small-scale recreational or tourist uses, including
23 commercial facilities to serve those recreational or tourist uses, that
24 rely on a rural location and setting, but that do not include new
25 residential development. A small-scale recreation or tourist use is
26 not required to be principally designed to serve the existing and
27 projected rural population. Public services and public facilities
28 shall be limited to those necessary to serve the recreation or tourist
29 use and shall be provided in a manner that does not permit low-density
30 sprawl;

31 (iii) The intensification of development on lots containing
32 isolated nonresidential uses or new development of isolated cottage
33 industries and isolated small-scale businesses that are not principally
34 designed to serve the existing and projected rural population and
35 nonresidential uses, but do provide job opportunities for rural
36 residents. Rural counties may allow the expansion of small-scale
37 businesses as long as those small-scale businesses conform with the
38 rural character of the area as defined by the local government

1 according to RCW 36.70A.030(15). Rural counties may also allow new
2 small-scale businesses to utilize a site previously occupied by an
3 existing business as long as the new small-scale business conforms to
4 the rural character of the area as defined by the local government
5 according to RCW 36.70A.030(15). Public services and public facilities
6 shall be limited to those necessary to serve the isolated
7 nonresidential use and shall be provided in a manner that does not
8 permit low-density sprawl;

9 (iv) A county shall adopt measures to minimize and contain the
10 existing areas or uses of more intensive rural development, as
11 appropriate, authorized under this subsection. Lands included in such
12 existing areas or uses shall not extend beyond the logical outer
13 boundary of the existing area or use, thereby allowing a new pattern of
14 low-density sprawl. Existing areas are those that are clearly
15 identifiable and contained and where there is a logical boundary
16 delineated predominately by the built environment, but that may also
17 include undeveloped lands if limited as provided in this subsection.
18 The county shall establish the logical outer boundary of an area of
19 more intensive rural development. In establishing the logical outer
20 boundary, the county shall address (A) the need to preserve the
21 character of existing natural neighborhoods and communities, (B)
22 physical boundaries, such as bodies of water, streets and highways, and
23 land forms and contours, (C) the prevention of abnormally irregular
24 boundaries, and (D) the ability to provide public facilities and public
25 services in a manner that does not permit low-density sprawl;

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

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

30 (B) On the date the county adopted a resolution under RCW
31 36.70A.040(2), in a county that is planning under all of the provisions
32 of this chapter under RCW 36.70A.040(2); or

33 (C) On the date the office of financial management certifies the
34 county's population as provided in RCW 36.70A.040(5), in a county that
35 is planning under all of the provisions of this chapter pursuant to RCW
36 36.70A.040(5).

37 (e) Exception. This subsection shall not be interpreted to permit

1 in the rural area a major industrial development or a master planned
2 resort unless otherwise specifically permitted under RCW 36.70A.360 and
3 36.70A.365.

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

6 (a) The transportation element shall include the following
7 subelements:

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

9 (ii) Estimated traffic impacts to state-owned transportation
10 facilities resulting from land use assumptions to assist the department
11 of transportation in monitoring the performance of state facilities, to
12 plan improvements for the facilities, and to assess the impact of land-
13 use decisions on state-owned transportation facilities;

14 (iii) Facilities and services needs, including:

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

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

24 (C) For state-owned transportation facilities, level of service
25 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
26 to gauge the performance of the system. The purposes of reflecting
27 level of service standards for state highways in the local
28 comprehensive plan are to monitor the performance of the system, to
29 evaluate improvement strategies, and to facilitate coordination between
30 the county's or city's six-year street, road, or transit program and
31 the office of financial management's (~~ten-year~~) sixteen-year
32 investment program. The concurrency requirements of (b) of this
33 subsection do not apply to transportation facilities and services of
34 statewide significance except for counties consisting of islands whose
35 only connection to the mainland are state highways or ferry routes. In
36 these island counties, state highways and ferry route capacity must be
37 a factor in meeting the concurrency requirements in (b) of this
38 subsection;

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

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

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

12 (iv) Finance, including:

13 (A) An analysis of funding capability to judge needs against
14 probable funding resources;

15 (B) A multiyear financing plan based on the needs identified in the
16 comprehensive plan, the appropriate parts of which shall serve as the
17 basis for the six-year street, road, or transit program required by RCW
18 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
19 for public transportation systems. The multiyear financing plan should
20 be coordinated with the (~~ten-year~~) sixteen-year investment program
21 developed by the office of financial management as required by RCW
22 47.05.030;

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

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

30 (vi) Demand-management strategies;

31 (vii) Pedestrian and bicycle component to include collaborative
32 efforts to identify and designate planned improvements for pedestrian
33 and bicycle facilities and corridors that address and encourage
34 enhanced community access and promote healthy lifestyles.

35 (b) After adoption of the comprehensive plan by jurisdictions
36 required to plan or who choose to plan under RCW 36.70A.040, local
37 jurisdictions must adopt and enforce ordinances which prohibit
38 development approval if the development causes the level of service on

1 a locally owned transportation facility to decline below the standards
2 adopted in the transportation element of the comprehensive plan, unless
3 transportation improvements or strategies to accommodate the impacts of
4 development are made concurrent with the development. These strategies
5 may include increased public transportation service, ride sharing
6 programs, demand management, and other transportation systems
7 management strategies. For the purposes of this subsection (6),
8 "concurrent with the development" means that improvements or strategies
9 are in place at the time of development, or that a financial commitment
10 is in place to complete the improvements or strategies within six
11 years.

12 (c) The transportation element described in this subsection (6),
13 the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121
14 for counties, and RCW 35.58.2795 for public transportation systems, and
15 the (~~ten-year~~) sixteen-year investment program required by RCW
16 47.05.030 for the state, must be consistent.

17 (7) An economic development element establishing local goals,
18 policies, objectives, and provisions for economic growth and vitality
19 and a high quality of life. The element shall include: (a) A summary
20 of the local economy such as population, employment, payroll, sectors,
21 businesses, sales, and other information as appropriate; (b) a summary
22 of the strengths and weaknesses of the local economy defined as the
23 commercial and industrial sectors and supporting factors such as land
24 use, transportation, utilities, education, workforce, housing, and
25 natural/cultural resources; and (c) an identification of policies,
26 programs, and projects to foster economic growth and development and to
27 address future needs. A city that has chosen to be a residential
28 community is exempt from the economic development element requirement
29 of this subsection.

30 (8) A park and recreation element that implements, and is
31 consistent with, the capital facilities plan element as it relates to
32 park and recreation facilities. The element shall include: (a)
33 Estimates of park and recreation demand for at least a ten-year period;
34 (b) an evaluation of facilities and service needs; and (c) an
35 evaluation of intergovernmental coordination opportunities to provide
36 regional approaches for meeting park and recreational demand.

37 (9) It is the intent that new or amended elements required after
38 January 1, 2002, be adopted concurrent with the scheduled update

1 provided in RCW 36.70A.130. Requirements to incorporate any such new
2 or amended elements shall be null and void until funds sufficient to
3 cover applicable local government costs are appropriated and
4 distributed by the state at least two years before local government
5 must update comprehensive plans as required in RCW 36.70A.130.

6 **Sec. 18.** RCW 36.70A.085 and 2009 c 514 s 2 are each amended to
7 read as follows:

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

11 (2) Comprehensive plans of cities that include all or part of a
12 port district with annual operating revenues in excess of twenty
13 million dollars may include a marine industrial port element. Prior to
14 adopting a marine industrial port element under this subsection (2),
15 the commission of the applicable port district must adopt a resolution
16 in support of the proposed element.

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

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

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

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

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

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

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

34 (5) In adopting port elements under subsections (1) and (2) of this
35 section, cities and ports must: Ensure that there is consistency
36 between the port elements and the port comprehensive scheme required

1 under chapters 53.20 and 53.25 RCW; and retain sufficient planning
2 flexibility to secure emerging economic opportunities.

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

6 (a) Creation of a port overlay district that protects container
7 port uses;

8 (b) Use of industrial land banks;

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

10 (d) Use of joint transportation funding agreements;

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

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

15 (g) Use of other approaches by agreement between the city and the
16 port.

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

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

26 **Sec. 19.** RCW 46.68.170 and 2009 c 470 s 701 are each amended to
27 read as follows:

28 There is hereby created in the motor vehicle fund the RV account.
29 All moneys hereafter deposited in said account shall be used by the
30 department of transportation for the construction, maintenance, and
31 operation of recreational vehicle sanitary disposal systems at safety
32 rest areas (~~in accordance with the department's highway system plan as~~
33 ~~prescribed in chapter 47.06 RCW~~). During the 2007-2009 and 2009-2011
34 fiscal biennia, the legislature may transfer from the RV account to the
35 motor vehicle fund such amounts as reflect the excess fund balance of
36 the RV account to accomplish the purposes identified in this section.

1 **Sec. 20.** RCW 47.60.290 and 2007 c 512 s 5 are each amended to read
2 as follows:

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

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

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

9 (b) Use data from the current survey conducted under RCW
10 (~~47.60.286~~) 47.01.075 (as recodified by this act);

11 (c) Be developed with input from affected ferry users by public
12 hearing and by review with the affected ferry advisory committees, in
13 addition to the data gathered from the survey conducted (~~in RCW~~
14 ~~47.60.286~~) under RCW 47.01.075 (as recodified by this act);

15 (d) Generate the amount of revenue required by the biennial
16 transportation budget;

17 (e) Consider the impacts on users, capacity, and local communities;
18 and

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

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

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

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

24 **Sec. 21.** RCW 47.60.327 and 2007 c 512 s 7 are each amended to read
25 as follows:

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

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

32 (b) Use data from the current survey conducted under RCW
33 (~~47.60.286~~) 47.01.075 (as recodified by this act);

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

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

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

3 (2) After the commission reviews recommendations by the department,
4 the commission and department shall make joint recommendations to the
5 legislature for the improvement of operational strategies.

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

8 (a) The feasibility of using reservation systems;

9 (b) Methods of shifting vehicular traffic to other modes of
10 transportation;

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

13 (d) A cost-benefit analysis of remote holding versus over-water
14 holding;

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

18 (f) Schedule modifications;

19 (g) Efficiencies in exit queuing and metering;

20 (h) Interoperability with other transportation services;

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

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

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

25 **Sec. 22.** RCW 47.76.210 and 1995 c 380 s 2 are each amended to read
26 as follows:

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

35 **Sec. 23.** RCW 47.79.020 and 1993 c 381 s 2 are each amended to read
36 as follows:

1 The legislature finds that there is substantial public benefit to
2 establishing a high-speed ground transportation program in this state.
3 The program shall implement the recommendations of the high-speed
4 ground transportation steering committee report dated October 15, 1992.
5 The program shall be administered by the department of transportation
6 in close cooperation with the utilities and transportation commission
7 and affected cities and counties.

8 The high-speed ground transportation program shall have the
9 following goals:

10 (1) Implement high-speed ground transportation service offering top
11 speeds over 150 m.p.h. between Everett and Portland, Oregon by 2020.
12 This would be accomplished by meeting the intermediate objectives of a
13 maximum travel time between downtown Portland and downtown Seattle of
14 two hours and thirty minutes by the year 2000 and maximum travel time
15 of two hours by the year 2010;

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

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

20 The department of transportation shall, subject to legislative
21 appropriation, implement such projects as necessary to achieve these
22 goals in accordance with the implementation plans identified in RCW
23 47.79.030 ((and 47.79.040)).

24 NEW SECTION. **Sec. 24.** The following acts or parts of acts are
25 each repealed:

26 (1) RCW 47.06.020 (Role of department) and 2007 c 516 s 9 & 1993 c
27 446 s 2;

28 (2) RCW 47.06.040 (Statewide multimodal transportation plan) and
29 2002 c 189 s 4, 1998 c 199 s 1, 1994 c 258 s 5, & 1993 c 446 s 4;

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

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

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

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

36 (7) RCW 47.06.070 (Marine ports and navigation plan) and 1993 c 446
37 s 7;

- 1 (8) RCW 47.06.080 (Freight rail plan) and 1993 c 446 s 8;
2 (9) RCW 47.06.090 (Intercity passenger rail plan) and 2002 c 5 s
3 414 & 1993 c 446 s 9;
4 (10) RCW 47.06.100 (Bicycle transportation and pedestrian walkways
5 plan) and 1993 c 446 s 10;
6 (11) RCW 47.06.110 (Public transportation plan) and 2005 c 319 s
7 124, 1996 c 186 s 512, 1995 c 399 s 120, & 1993 c 446 s 11;
8 (12) RCW 47.06.120 (High capacity transportation planning and
9 regional transportation planning--Role of department) and 1993 c 446 s
10 12;
11 (13) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
12 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;
13 (14) RCW 47.60.286 (Ferry user data survey) and 2007 c 512 s 4;
14 (15) RCW 47.76.220 (State rail plan--Contents) and 1995 c 380 s 3,
15 1993 c 224 s 2, 1985 c 432 s 1, & 1983 c 303 s 5;
16 (16) RCW 47.79.040 (Rail passenger plan) and 1993 c 381 s 4; and
17 (17) RCW 47.80.070 (Statewide consistency) and 1994 c 158 s 5.

18 NEW SECTION. **Sec. 25.** (1) RCW 47.01.051, 47.01.061, 47.01.071,
19 47.01.075, 47.01.420, and 47.01.425 are each recodified as sections in
20 a new chapter in Title 47 RCW.

21 (2) RCW 47.04.280 is recodified as a new section in chapter 47.06
22 RCW.

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