

SUBSTITUTE SENATE BILL 5992

State of Washington 62nd Legislature 2012 Regular Session

By Senate Transportation (originally sponsored by Senators Haugen and King; by request of Governor Gregoire)

READ FIRST TIME 02/23/12.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2011 c 367 ss 101, 103, 105, 106, 201, 202, 203, 204, 205,
3 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
4 220, 221, 222, 223, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310,
5 401, 402, 403, 404, 405, 406, 407, 502, 503, 505, 603, and 608
6 (uncodified); adding a new section to chapter 47.76 RCW; adding new
7 sections to 2011 c 367 (uncodified); creating new sections; repealing
8 2011 1st sp.s. c 50 ss 718, 719, 720, and 721 (uncodified); making
9 appropriations and authorizing expenditures for capital improvements;
10 providing effective dates; and declaring an emergency.

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

2011-2013 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES--OPERATING

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

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

17 Motor Vehicle Account--State Appropriation ((~~\$430,000~~))
18 \$416,000

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

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

8 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

9	Motor Vehicle Account--State Appropriation	((\$2,216,000))
10		<u>\$1,728,000</u>
11	Puget Sound Ferry Operations Account--State	
12	Appropriation	((\$4,624,000))
13		<u>\$1,260,000</u>
14	<u>Multimodal Transportation Account--State</u>	
15	<u>Appropriation</u>	<u>\$350,000</u>
16	TOTAL APPROPRIATION	((\$6,840,000))
17		<u>\$3,338,000</u>

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

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

36 (2) ~~((~~\$4,480,000~~ of the Puget Sound ferry operations account--state~~
37 ~~appropriation is provided solely for marine insurance. The~~

1 ~~appropriation is intended to fully fund a two-year policy, and the~~
2 ~~office of financial management shall increase the deductible to~~
3 ~~\$10,000,000 and reduce components of the policy in order to keep the~~
4 ~~total cost of the two-year policy at or below the appropriation in this~~
5 ~~subsection.~~

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

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

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

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

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

1 office of financial management pursuant to RCW 47.04.280 regarding
2 progress towards achieving Washington state's transportation system
3 policy goals.

4 (7) \$350,000 of the mulitmodal transportation account--state
5 appropriation is provided solely for the office of financial management
6 to contract with a statewide organization representing Washington
7 cities and a statewide organization representing Washington counties to
8 work with the Washington state governor's office of regulatory
9 assistance to:

10 (a) Fulfill completion of recent iPRMT enhancements developed to
11 consolidate applications and expedite local, state, and regional
12 transportation and public works maintenance permitting related to (i)
13 general hydraulic project approval permits issued consistent with
14 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
15 consultations completed under the national historic preservation act;

16 (b) Work with local, state, and regional transportation and public
17 works maintenance agencies to continue to support development of iPRMT
18 enhancements and customizations based on applicant needs; and

19 (c) Provide outreach and training to advance the state's interest
20 in continuing to leverage iPRMT web infrastructure to support and
21 accelerate local, regional, and state transportation and public works
22 planning, permitting, and compliance.

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

25 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

26 Motor Vehicle Account--State Appropriation	\$462,000
27 Puget Sound Ferry Operations Account--State	
28 Appropriation	\$3,360,000
29 TOTAL APPROPRIATION	\$3,822,000

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

32 (1) \$462,000 of the motor vehicle account--state appropriation is
33 provided solely for the transportation executive information system.

34 (2) \$3,360,000 of the Puget Sound ferry operations account--state
35 appropriation is provided solely for marine insurance. The amount in
36 this subsection as well as the amount in section 102(2) of this act is
37 intended to fully fund a two-year policy. For fiscal year 2013, the

1 department of enterprise services shall increase the deductible to ten
2 million dollars and reduce components of the policy in order to keep
3 the total cost of the two-year policy at or below the appropriation in
4 this subsection and section 102(2) of this act.

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

7 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

8 Puget Sound Ferry Operations Account--State
9 Appropriation ((~~\$95,000~~))
10 \$75,000

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

13 **FOR THE DEPARTMENT OF AGRICULTURE**

14 Motor Vehicle Account--State Appropriation ((~~\$1,210,000~~))
15 \$1,185,000

16 The appropriation in this section is subject to the following
17 conditions and limitations:

18 (1) \$351,000 of the motor vehicle account--state appropriation is
19 provided solely for costs associated with the motor fuel quality
20 program.

21 (2) \$686,000 of the motor vehicle account--state appropriation is
22 provided solely to test the quality of biofuel. The department must
23 test fuel quality at the biofuel manufacturer, distributor, and
24 retailer.

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

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

28 Motor Vehicle Account--State Appropriation ((~~\$513,000~~))
29 \$494,000

30 **TRANSPORTATION AGENCIES--OPERATING**

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

1 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

2	Highway Safety Account--State Appropriation	((\$3,003,000))
3		<u>\$2,983,000</u>
4	Highway Safety Account--Federal Appropriation	((\$42,625,000))
5		<u>\$42,507,000</u>
6	Highway Safety Account-- <u>Private</u> /Local Appropriation	\$50,000
7	School Zone Safety Account--State Appropriation	\$3,340,000
8	TOTAL APPROPRIATION	((\$49,018,000))
9		<u>\$48,880,000</u>

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

12 (1) \$1,673,900 of the highway safety account--federal appropriation
13 is provided solely for the conclusion of the target zero trooper pilot
14 program, which the commission has developed and implemented in
15 collaboration with the Washington state patrol. The pilot program must
16 continue to demonstrate the effectiveness of intense, high visibility,
17 driving under the influence enforcement in Washington. The commission
18 shall continue to apply to the national highway traffic safety
19 administration for federal highway safety grants to cover the cost of
20 the pilot program. State funding is provided in section 207 of this
21 act for the state patrol to continue the target zero trooper program in
22 fiscal year 2013.

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

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

31 (b) In order to ensure adequate time in the 2011-2013 fiscal
32 biennium to evaluate the effectiveness of the pilot projects, any
33 projects authorized by the commission must be authorized by December
34 31, 2011.

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

1 (3) \$460,000 of the highway safety account--state appropriation is
2 provided solely for the implementation of chapter ... (Engrossed Second
3 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
4 accountability). If chapter ... (Engrossed Second Substitute House
5 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
6 amount provided in this subsection lapses.

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

11 (5) \$22,000,000 of the highway safety account--federal
12 appropriation is provided solely for federal funds that may be
13 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
14 2011-2013 fiscal biennium.

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

17 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account--State Appropriation	((\$948,000))
	<u>\$915,000</u>
Motor Vehicle Account--State Appropriation	((\$2,161,000))
	<u>\$2,088,000</u>
County Arterial Preservation Account--State Appropriation	((\$1,480,000))
	<u>\$1,428,000</u>
TOTAL APPROPRIATION	((\$4,589,000))
	<u>\$4,431,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: The county road administration board shall
29 submit a report to the transportation committees of the legislature by
30 December 1, 2011, on the implementation of the recommendations that
31 resulted from the evaluation of efficiencies in the delivery of
32 transportation funding and services to local governments that was
33 required under section 204(8), chapter 247, Laws of 2010. The report
34 must include a description of how recommendations were implemented,
35 what efficiencies were achieved, and an explanation of any
36 recommendations that were not implemented.

1 or otherwise manage storm water runoff from state highways within their
2 jurisdiction; (c) case studies from a representative cross-section of
3 cities on how the department and cities have used RCW 90.03.525; and
4 (d) recommendations on how to achieve efficiencies in the cost and
5 management of state highway storm water runoff within cities under RCW
6 90.03.525.

7 ~~((+4))~~ (3) \$425,000 of the motor vehicle account--state
8 appropriation is for the joint transportation committee to conduct a
9 study to evaluate the potential for financing state transportation
10 projects using public-private partnerships. The study must compare the
11 costs, advantages, and disadvantages of various forms of public-private
12 partnerships with conventional financing. Projects to be evaluated
13 include Interstate 405, state route number 509, state route number 167,
14 the Columbia River crossing, and the Monroe bypass. At a minimum, the
15 study must identify the public interest in the financing and
16 construction of transportation projects, the public interest in the
17 operation of transportation projects, and the provisions in public-
18 private partnership agreements that best protect the public interest.
19 To the extent possible, the study must identify the lowest-cost and
20 best-value model for each project that best protects the public
21 interest. In addition, the study must evaluate whether public-private
22 partnerships serve the defined public interest including, but not
23 limited to, the advantage and disadvantage of risk allocation, the
24 effects of private versus public financing on the state's bonding
25 capacity, the state's ability to retain public ownership of the asset,
26 the process that would allow for the most transparency during the
27 negotiation of terms of a public-private partnership agreement, and the
28 state's ability to oversee the private entity's management of the
29 asset. The study must identify any barriers to the implementation of
30 funding models that best protect the public interest, including
31 statutory and constitutional barriers. The committee shall issue a
32 report of its evaluation to the house of representatives and senate
33 transportation committees by December 16, 2011.

34 ~~((+5))~~ (4) \$100,000 of the motor vehicle account--state
35 appropriation is for an investigation of the use of liquid natural gas
36 on existing Washington state ferry vessels as well as the 144-car class
37 vessels and report to the legislature by December 31, 2011.

1 (5) The joint transportation committee shall convene a study group
2 to evaluate the most appropriate organization for the aviation search
3 and rescue program, currently operating from the department of
4 transportation's aviation division. The joint transportation committee
5 shall invite a representative from the following organizations to
6 participate in meetings in the city of Olympia: The aircraft owners
7 and pilots association; the Washington pilots association; the
8 Washington wing of the civil air patrol; the civil air patrol - United
9 States air force; the Washington department of transportation, aviation
10 division; the emergency management division of the military department;
11 the Washington association of search and rescue; and the Washington
12 state patrol. The committee shall issue a report of its findings to
13 the legislature by December 14, 2012, to include the following
14 information:

15 (a) Where should aviation search and rescue operations be located
16 to provide the maximum benefit for these searches?

17 (b) How should the duplication of services and training be
18 addressed?

19 (c) Is the current structure the best use of state and federal
20 funding?

21 (d) If aviation search and rescue is relocated, what should be the
22 source of funding?

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

25 **FOR THE TRANSPORTATION COMMISSION**

26 Motor Vehicle Account--State Appropriation	(\$2,142,000)
	<u>\$2,093,000</u>
28 Multimodal Transportation Account--State Appropriation	\$112,000
29 TOTAL APPROPRIATION	(\$2,254,000)
	<u>\$2,205,000</u>

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

33 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
34 during the 2011-2013 fiscal biennium, the legislature authorizes the
35 transportation commission to periodically review and, if necessary,
36 adjust the schedule of fares for the Washington state ferry system only
37 in amounts not greater than those sufficient to generate the amount of

1 revenue required by the biennial transportation budget. When adjusting
2 ferry fares, the commission must consider input from affected ferry
3 users by public hearing and by review with the affected ferry advisory
4 committees, in addition to the data gathered from the current ferry
5 user survey.

6 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
7 2011-2013 fiscal biennium, the legislature authorizes the
8 transportation commission to periodically review and, if necessary,
9 adjust the schedule of toll charges applicable to the Tacoma Narrows
10 bridge only in amounts not greater than those sufficient to support (a)
11 any required costs for operating and maintaining the toll bridge,
12 including the cost of insurance, (b) any amount required by law to meet
13 the redemption of bonds and applicable interest payments, and (c)
14 repayment of the motor vehicle fund.

15 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the
16 transportation commission shall consider the need for a citizen
17 advisory group that provides oversight on new tolled facilities.

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

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

21 Motor Vehicle Account--State Appropriation ((\$702,000))
22 \$681,000

23 The appropriation in this section is subject to the following
24 conditions and limitations: The freight mobility strategic investment
25 board shall submit a report to the transportation committees of the
26 legislature by December 1, 2011, on the implementation of the
27 recommendations that resulted from the evaluation of efficiencies in
28 the delivery of transportation funding and services to local
29 governments that was required under section 204(8), chapter 247, Laws
30 of 2010. The report must include a description of how recommendations
31 were implemented, what efficiencies were achieved, and an explanation
32 of any recommendations that were not implemented.

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

35 **FOR THE WASHINGTON STATE PATROL**

36 (~~Vehicle Licensing Fraud Account--State Appropriation . . . \$100,000~~)

1	<u>Ignition Interlock Device Revolving Account--</u>	
2	<u>State Appropriation</u>	<u>\$106,000</u>
3	State Patrol Highway Account--State	
4	Appropriation	((\$349,812,000))
5		<u>\$350,605,000</u>
6	State Patrol Highway Account--Federal	
7	Appropriation	\$10,903,000
8	State Patrol Highway Account--Private/Local	
9	Appropriation	((\$3,369,000))
10		<u>\$3,494,000</u>
11	TOTAL APPROPRIATION	((\$364,184,000))
12		<u>\$365,108,000</u>

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

15 (1) Washington state patrol officers engaged in off-duty uniformed
16 employment providing traffic control services to the department of
17 transportation or other state agencies may use state patrol vehicles
18 for the purpose of that employment, subject to guidelines adopted by
19 the chief of the Washington state patrol. The Washington state patrol
20 must be reimbursed for the use of the vehicle at the prevailing state
21 employee rate for mileage and hours of usage, subject to guidelines
22 developed by the chief of the Washington state patrol. Cessna pilots
23 funded from the state patrol highway account who are certified to fly
24 the King Airs may pilot those aircraft for general fund purposes with
25 the general fund reimbursing the state patrol highway account an hourly
26 rate to cover the costs incurred during the flights since the aviation
27 section is no longer part of the Washington state patrol cost
28 allocation system as of July 1, 2009.

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

32 (3) \$370,000 of the state patrol highway account--state
33 appropriation is provided solely for costs associated with the pilot
34 program described under section 216(5) of this act. The Washington
35 state patrol may incur costs related only to the assignment of cadets
36 and necessary computer equipment and to the reimbursement of the
37 Washington state department of transportation for contract costs. The
38 appropriation in this subsection must be funded from the portion of the

1 automated traffic safety camera fines deposited into the state patrol
2 highway account; however, if the fines deposited into the state patrol
3 highway account from automated traffic safety camera infractions do not
4 reach three hundred seventy thousand dollars, the department of
5 transportation shall remit funds necessary to the Washington state
6 patrol to ensure the completion of the pilot program. The Washington
7 state patrol may not incur overtime as a result of this pilot program.
8 The Washington state patrol shall not assign troopers to operate or
9 deploy the pilot program equipment used in the roadway construction
10 zones.

11 (4) (~~(\$12,655,000)~~) \$12,166,000 of the total appropriation is
12 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
13 The Washington state patrol shall analyze their fuel consumption and
14 submit a report to the legislative transportation committees by
15 December 31, 2011, on fuel conservation methods that could be used to
16 minimize costs and ensure that the Washington state patrol is managing
17 fuel consumption effectively.

18 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is
19 provided solely for the purchase of pursuit vehicles.

20 (6) (~~(\$6,611,000)~~) \$6,689,000 of the total appropriation is
21 provided solely for vehicle repair and maintenance costs of vehicles
22 used for highway purposes.

23 (7) (~~(\$1,724,000)~~) \$1,730,000 of the total appropriation is
24 provided solely for the purchase of mission vehicles used for highway
25 purposes in the commercial vehicle and traffic investigation sections
26 of the Washington state patrol.

27 (8) \$1,200,000 of the total appropriation is provided solely for
28 outfitting officers. The Washington state patrol shall prepare a cost-
29 benefit analysis of the standard trooper uniform as compared to a
30 battle dress uniform and uniforms used by other states and
31 jurisdictions. The Washington state patrol shall report the results of
32 the analysis to the transportation committees of the legislature by
33 December 1, 2011.

34 (9) The Washington state patrol shall not account for or record
35 locally provided DUI cost reimbursement payments as expenditure credits
36 to the state patrol highway account. The patrol shall report the
37 amount of expected locally provided DUI cost reimbursements to the

1 office of financial management and transportation committees of the
2 legislature by September 30th of each year.

3 (10) During the 2011-2013 fiscal biennium, the Washington state
4 patrol shall continue to perform traffic accident investigations on
5 Thurston county roads, and shall work with Thurston county to
6 transition the traffic accident investigations on Thurston county roads
7 to Thurston county by July 1, 2013.

8 (11) (~~(\$100,000 of the vehicle licensing fraud account--state~~
9 ~~appropriation is provided solely to support the transportation portion~~
10 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~
11 ~~biennium)) \$2,187,000 of the state patrol highway account--state
12 appropriation is provided solely for mobile office platforms.~~

13 (12) \$2,731,000 of the state patrol highway account--state
14 appropriation is provided solely for the continuation of the target
15 zero trooper program.

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

18 **FOR THE DEPARTMENT OF LICENSING**

19	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
20	Motorcycle Safety Education Account--State	
21	Appropriation	(\$4,411,000)
22		<u>\$4,367,000</u>
23	Wildlife Account--State Appropriation	(\$859,000)
24		<u>\$826,000</u>
25	Highway Safety Account--State Appropriation	(\$149,904,000)
26		<u>\$148,102,000</u>
27	Highway Safety Account--Federal Appropriation	(\$2,884,000)
28		<u>\$4,299,000</u>
29	<u>Highway Safety Account--Private/Local Appropriation</u>	<u>\$200,000</u>
30	Motor Vehicle Account--State Appropriation	(\$78,586,000)
31		<u>\$76,605,000</u>
32	Motor Vehicle Account--Private/Local Appropriation	(\$1,721,000)
33		<u>\$1,714,000</u>
34	Motor Vehicle Account--Federal Appropriation	(\$242,000)
35		<u>\$380,000</u>
36	Department of Licensing Services Account--State	
37	Appropriation	(\$5,815,000)

Ignition Interlock Device Revolving Account--State

Appropriation \$1,315,000

TOTAL APPROPRIATION ((\$245,769,000))

\$243,935,000

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

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

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

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

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

~~(5) \$1,938,000)) (3) \$4,299,000 of the highway safety account--federal appropriation is for federal funds that may be received during~~

1 the 2011-2013 fiscal biennium. Upon receipt of the funds, the
2 department shall provide a report on the use of the funds to the
3 transportation committees of the legislature and the office of
4 financial management.

5 ~~((+6))~~ (4) By December 31, 2011, the department shall submit to
6 the office of financial management and the transportation committees of
7 the legislature draft legislation that rewrites the tow truck statutes
8 (chapter 46.55 RCW) in plain language and is revenue and policy
9 neutral.

10 ~~((+7))~~ (5) \$128,000 of the highway safety account--state
11 appropriation is provided solely for the implementation of chapter ...
12 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's
13 license exams). If chapter ... (Engrossed Substitute House Bill No.
14 1635), Laws of 2011 is not enacted by June 30, 2011, the amount
15 provided in this subsection lapses.

16 ~~((+8))~~ (6) \$68,000 of the highway safety account--state
17 appropriation is provided solely for the implementation of chapter ...
18 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011
19 ~~((+driving under the influence))~~ (addressing DUI accountability). If
20 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of
21 2011 is not enacted by June 30, 2011, the amount provided in this
22 subsection lapses.

23 ~~((+9))~~ (7) \$63,000 of the highway safety account--state
24 appropriation is provided solely for the implementation of chapter ...
25 (Substitute House Bill No. 1237), Laws of 2011 (selective service
26 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011
27 is not enacted by June 30, 2011, the amount provided in this subsection
28 lapses.

29 ~~((+10))~~ (8) \$340,000 of the motor vehicle account--private/local
30 appropriation is provided solely for the implementation of chapter ...
31 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
32 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
33 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
34 provided in this subsection lapses.

35 ~~((+12))~~ (9) \$1,738,000 of the department of licensing services
36 account--state appropriation is provided solely for purchasing
37 equipment for field licensing service offices and subagent offices.

1 (10) \$2,500,000 of the highway safety account--state appropriation
2 is provided solely for information technology field system
3 modernization.

4 (11) \$963,000 of the highway safety account--state appropriation is
5 provided solely for implementation of chapter 374, Laws of 2011
6 (limousine carriers) and chapter 298, Laws of 2011 (master license
7 service program).

8 (12) \$104,000 of the motor vehicle account--state appropriation is
9 provided solely for the implementation of chapter . . . (Second
10 Substitute Senate Bill No. 5251), Laws of 2012 (electric vehicle
11 license fee). If chapter . . . (Second Substitute Senate Bill No.
12 5251), Laws of 2012 is not enacted by June 30, 2012, the amount
13 provided in this subsection lapses.

14 (13) \$176,000 of the motor vehicle account--state appropriation is
15 provided solely for the implementation of chapter . . . (Engrossed
16 Second Substitute Senate Bill No. 5366), Laws of 2012 (four-wheel all-
17 terrain vehicles). If chapter . . . (Engrossed Second Substitute
18 Senate Bill No. 5366), Laws of 2012 is not enacted by June 30, 2012,
19 the amount provided in this subsection lapses.

20 (14) \$69,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of chapter . . . (Engrossed
22 Substitute Senate Bill No. 5990), Laws of 2012 (state flower license
23 plate). If chapter . . . (Engrossed Substitute Senate Bill No. 5990),
24 Laws of 2012 is not enacted by June 30, 2012, the amount provided in
25 this subsection lapses.

26 (15) \$190,000 of the highway safety account--state appropriation is
27 provided solely for the implementation of chapter . . . (Substitute
28 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
29 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
30 enacted by June 30, 2012, the amount provided in this subsection
31 lapses.

32 (16) \$68,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter . . . (Substitute
34 Senate Bill No. 6123), Laws of 2012 (NRA license plate). If chapter
35 . . . (Substitute Senate Bill No. 6123), Laws of 2012 is not enacted by
36 June 30, 2012, the amount provided in this subsection lapses.

37 (17) \$276,000 of the highway safety account--state appropriation is
38 provided solely for the implementation of chapter . . . (Engrossed

1 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
2 matching system). If chapter . . . (Engrossed Substitute Senate Bill
3 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
4 provided in this subsection lapses.

5 (18) Consistent with chapter . . . (Engrossed Substitute Senate
6 Bill No. 6150), Laws of 2012:

7 (a) The department shall post notices in conspicuous locations at
8 all department driver licensing offices, make written information
9 available to all applicants at department driver licensing offices, and
10 provide information on the department's web site regarding the facial
11 recognition matching system. The notices, written information, and
12 information provided on the web site must address how the facial
13 recognition matching system works, all ways in which the department may
14 use results from the facial recognition matching system, how an
15 investigation based on results from the facial recognition matching
16 system would be conducted, and a person's right to appeal any
17 determinations made under this chapter;

18 (b) The department shall report to the governor and the legislature
19 by October 1, 2012, regarding the number of investigations initiated by
20 the department based on results from the facial recognition matching
21 system and the final outcomes of those investigations, if known; and

22 (c) The office of the chief information officer shall develop the
23 appropriate security standards for the department's use of the facial
24 recognition matching system, subject to approval and oversight by the
25 technology services board.

26 (19) \$142,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 Substitute Senate Bill No. 6455), Laws of 2012 (transportation
29 revenue). If chapter . . . (Engrossed Substitute Senate Bill No.
30 6455), Laws of 2012 is not enacted by June 30, 2012, the amount
31 provided in this subsection lapses.

32 (20) \$323,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter . . . (Engrossed
34 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
35 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
36 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
37 provided in this subsection lapses.

1 (21) Within the amounts provided in this section, the department
2 must develop a transition plan for moving to a paperless renewal
3 notice. The plan must consider people that do not have access to the
4 internet and must include an opportunity for people to opt-in to a
5 paper renewal notice. Prior to the implementation of a paperless
6 renewal system, the department must consult with the joint
7 transportation committee.

8 (22) Within existing resources, the department shall develop a plan
9 to transition to a ten-year replacement license plate cycle. At a
10 minimum the plan must include the following provisions: (a) A ten-year
11 replacement cycle for license plates only on vehicles that are subject
12 to annual vehicle registration renewal; (b) a requirement that new
13 license plates and registration, including all fees and taxes due upon
14 annual registration, are required when a vehicle changes ownership,
15 except when a vehicle is sold to a vehicle dealer for resale, in which
16 case they are due only when the dealer sells the vehicle; (c) an
17 original issue license plate fee that is equal to the current license
18 plate replacement fee; and (d) an estimate of the plan's costs to
19 implement and revenues generated. The department shall submit the plan
20 with draft legislation implementing the plan to the transportation
21 committees of the legislature by December 31, 2012.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
25 **MAINTENANCE--PROGRAM B**

26	High Occupancy Toll Lanes Operations Account--State	
27	Appropriation	((\$1,295,000))
28		<u>\$1,276,000</u>
29	Motor Vehicle Account--State Appropriation	((\$550,000))
30		<u>\$538,000</u>
31	Tacoma Narrows Toll Bridge Account--State	
32	Appropriation	((\$23,429,000))
33		<u>\$23,365,000</u>
34	State Route Number 520 Corridor Account--State	
35	Appropriation	\$27,295,000
36	State Route Number 520 Civil Penalties	
37	Account--State Appropriation	((\$4,622,000))

1 \$3,622,000
2 TOTAL APPROPRIATION ((\$57,191,000))
3 \$56,096,000

4 The appropriations in this section are subject to the following
5 conditions and limitations:

6 (1) The department shall make detailed quarterly expenditure
7 reports available to the transportation commission and to the public on
8 the department's web site using current department resources. The
9 reports must include a summary of toll revenue by facility on all
10 operating toll facilities and high occupancy toll lane systems, and an
11 itemized depiction of the use of that revenue.

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

28 (3) It is the intent of the legislature that transitioning to a
29 statewide tolling operations center and preparing for all-electronic
30 tolling on certain toll facilities will have no adverse revenue or
31 expenditure impact on the Tacoma Narrows toll bridge account. Any
32 increased costs related to this transition shall not be allocated to
33 the Tacoma Narrows toll bridge account. All costs associated with the
34 toll adjudication process are anticipated to be covered by revenue
35 collected from the toll adjudication process.

36 (4) The department shall ensure that, at no cost to the Tacoma
37 Narrows toll bridge account, new electronic tolling tag readers are

1 installed on the Tacoma Narrows bridge as soon as practicable that are
2 able to read existing and new electronic tolling tags.

3 (5) \$17,786,000 of the state route number 520 corridor account--
4 state appropriation is provided solely for nonvendor costs associated
5 with tolling the state route number 520 bridge. Funds from the state
6 route number 520 corridor account--state appropriation shall not be
7 used to pay for items prohibited by Executive Order No. 1057, including
8 subscriptions to technical publications, employee educational expenses,
9 professional membership dues and fees, employee recognition and safety
10 awards, meeting meals and light refreshments, commute trip reduction
11 incentives, and employee travel.

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

14 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
15 **C**

16	Motor Vehicle Account--State Appropriation	((\$69,107,000))
17		<u>\$67,398,000</u>
18	Transportation Partnership Account--State	
19	Appropriation	\$1,460,000
20	Multimodal Transportation Account--State	
21	Appropriation	\$363,000
22	Transportation 2003 Account (Nickel Account)--State	
23	Appropriation	\$1,460,000
24	TOTAL APPROPRIATION	((\$72,390,000))
25		<u>\$70,681,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) The department shall consult with the office of financial
29 management and the department of (~~information~~) enterprise services
30 to: (a) Ensure that the department's current and future system
31 development is consistent with the overall direction of other key state
32 systems; and (b) when possible, use or develop common statewide
33 information systems to encourage coordination and integration of
34 information used by the department and other state agencies and to
35 avoid duplication.

36 (2) \$1,460,000 of the transportation partnership account--state

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

4 (3) \$210,000 of the motor vehicle account--state appropriation is
5 provided solely for the department's compliance with its national
6 pollution discharge elimination system permit.

7 ((+5)) (4) \$502,000 of the motor vehicle account--state
8 appropriation is provided solely to provide support for the
9 transportation executive information system.

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

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

14 Motor Vehicle Account--State Appropriation ((\$25,851,000))
15 \$25,466,000

16 The appropriation in this section is subject to the following
17 conditions and limitations:

18 (1) The department shall submit a predesign proposal for a new
19 traffic management center to the office of financial management
20 consistent with the process followed by nontransportation capital
21 construction projects. The department shall not award a contract for
22 construction of a new traffic management center until the predesign
23 proposal has been submitted and the office of financial management has
24 completed a budget evaluation study that indicates a new building is
25 the recommended option for accommodating additional traffic management
26 operations.

27 (2) \$850,000 of the motor vehicle account--state appropriation is
28 provided solely for the department's compliance with its national
29 pollution discharge elimination system permit.

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

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

33 Aeronautics Account--State Appropriation ((\$6,066,000))
34 \$6,002,000

35 Aeronautics Account--Federal Appropriation \$2,150,000

36 TOTAL APPROPRIATION ((\$8,216,000))

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H

Motor Vehicle Account--State Appropriation	((\$47,418,000))
	<u>\$45,796,000</u>
Motor Vehicle Account--Federal Appropriation	\$500,000
Multimodal Transportation Account--State	
Appropriation	\$250,000
TOTAL APPROPRIATION	((\$48,168,000))
	<u>\$46,546,000</u>

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

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

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

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

~~((4))~~ (3) The legislature recognizes that the Dryden pit site (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned real property under the jurisdiction of the department of

1 transportation, and that the public would benefit significantly from
2 the complete enjoyment of the natural scenic beauty and recreational
3 opportunities available at the site. Therefore, pursuant to RCW
4 47.12.080, the legislature declares that transferring the property to
5 the department of fish and wildlife for recreational use and fish and
6 wildlife restoration efforts is consistent with the public interest in
7 order to preserve the area for the use of the public and the betterment
8 of the natural environment. The department of transportation shall
9 work with the department of fish and wildlife, and shall transfer and
10 convey the Dryden pit site to the department of fish and wildlife as is
11 for an adjusted fair market value reflecting site conditions, the
12 proceeds of which must be deposited in the motor vehicle fund. The
13 department of transportation is not responsible for any costs
14 associated with the cleanup or transfer of this property. By July 1,
15 2011, and annually thereafter until the entire Dryden pit property has
16 been transferred, the department shall submit a status report regarding
17 the transaction to the chairs of the legislative transportation
18 committees.

19 (4) Consistent with chapter . . . (Engrossed Second Substitute
20 House Bill No. 2238), Laws of 2012 (wetlands mitigation) and to the
21 extent practicable, the department shall work with the department of
22 ecology and the department of fish and wildlife to determine if the
23 department can utilize the following three programs as opportunities
24 for mitigation of environmental impacts from projects: The forestry
25 riparian easement program; the family forest fish passage program; and
26 the riparian open space program. The department shall provide a report
27 to the legislature by December 31, 2012, on results of this effort.
28 The use of these programs is not intended to be additive to existing
29 compensatory mitigation.

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

32 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
33 **K**

34	Motor Vehicle Account--State Appropriation	((\$622,000))
35		<u>\$602,000</u>
36	Multimodal Transportation Account--State Appropriation	\$110,000
37	TOTAL APPROPRIATION	((\$732,000))

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The appropriations in this section are subject to the following conditions and limitations: The department shall conduct a study on the potential to generate revenue from off-premise outdoor advertising signs that are erected or maintained adjacent and visible to the interstate system highways, primary system highways, or scenic system highways. The study must provide an evaluation of the market for outdoor advertising signs, including an evaluation of the number of potential advertisers and the amount charged by other jurisdictions for sign permits, and must provide a recommendation for a revised fee structure that recognizes the market value for off-premise signs and considers charging differential fees based on the size, type, and location of the sign.

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

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
Motor Vehicle Account--State Appropriation	((\$380,327,000))
	<u>\$373,709,000</u>
Motor Vehicle Account--Federal Appropriation	\$7,000,000
TOTAL APPROPRIATION	((\$387,327,000))
	<u>\$380,709,000</u>

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

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

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

(3) \$7,000,000 of the motor vehicle account--federal appropriation is for unanticipated federal funds that may be received during the

1 2011-2013 fiscal biennium. Upon receipt of the funds, the department
2 shall provide a report on the use of the funds to the transportation
3 committees of the legislature and the office of financial management.

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

7 (5) \$4,530,000 of the motor vehicle account--state appropriation is
8 provided solely for the department's compliance with its national
9 pollution discharge elimination system permit.

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

14 (7) \$6,884,000 of the motor vehicle account--state appropriation is
15 provided solely for the high priority maintenance backlog. Addressing
16 the maintenance backlog must result in increased levels of service. If
17 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
18 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
19 appropriation provided in this subsection lapses.

20 (8) (~~(\$317,000 of the motor vehicle account--state appropriation is~~
21 ~~provided solely for maintaining a new active traffic management system~~
22 ~~on Interstate 5, Interstate 90, and state route number 520.)) The~~
23 department shall track the costs associated with ((these)) active
24 traffic management systems on a corridor basis and report to the
25 transportation committees of the legislature on the costs and benefits
26 of the systems by December 1, 2011.

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

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
30 **OPERATING**

31	Motor Vehicle Account--State Appropriation	(((\$50,166,000))
32		<u>\$48,818,000</u>
33	Motor Vehicle Account--Federal Appropriation	\$2,050,000
34	Motor Vehicle Account--Private/Local Appropriation	(((\$127,000))
35		<u>\$250,000</u>
36	TOTAL APPROPRIATION	(((\$52,343,000))
37		<u>\$51,118,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) \$6,000,000 of the motor vehicle account--state appropriation is
4 provided solely for low-cost enhancements. Of this amount, \$10,000 of
5 the motor vehicle account--state appropriation is provided solely for
6 the department to install additional farm machinery signs to promote
7 safety in agricultural areas along state highways. The department
8 shall give priority to low-cost enhancement projects that improve
9 safety or provide congestion relief. The department shall prioritize
10 low-cost enhancement projects on a statewide rather than regional
11 basis. By (~~September~~) October 1st of each (~~even~~) odd-numbered
12 year, the department shall provide a report to the legislature listing
13 all low-cost enhancement projects prioritized on a statewide rather
14 than regional basis completed in the prior year.

15 (2) \$145,000 of the motor vehicle account--state appropriation is
16 provided solely for the department to continue a pilot tow truck
17 incentive program and to expand the program to other areas of the
18 state. The department may provide incentive payments to towing
19 companies that meet clearance goals on accidents that involve heavy
20 trucks.

21 (3) During the 2011-2013 fiscal biennium, the department shall
22 implement a pilot program that expands private transportation
23 providers' access to high occupancy vehicle lanes. Under the pilot
24 program, when the department reserves a portion of a highway based on
25 the number of passengers in a vehicle, the following vehicles must be
26 authorized to use the reserved portion of the highway if the vehicle
27 has the capacity to carry eight or more passengers, regardless of the
28 number of passengers in the vehicle: (a) Auto transportation company
29 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
30 carrier vehicles regulated under chapter 81.70 RCW, except marked or
31 unmarked stretch limousines and stretch sport utility vehicles as
32 defined under department of licensing rules; (c) private nonprofit
33 transportation provider vehicles regulated under chapter 81.66 RCW; and
34 (d) private employer transportation service vehicles. For purposes of
35 this subsection, "private employer transportation service" means
36 regularly scheduled, fixed-route transportation service that is offered
37 by an employer for the benefit of its employees. By June 30, 2013, the
38 department shall report to the transportation committees of the

1 legislature on whether private transportation provider use of high
2 occupancy vehicle lanes under the pilot program reduces the speeds of
3 high occupancy vehicle lanes. Nothing in this subsection is intended
4 to authorize the conversion of public infrastructure to private, for-
5 profit purposes or to otherwise create an entitlement or other claim by
6 private users to public infrastructure. If chapter ... (Substitute
7 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
8 subsection is null and void.

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

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

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

28 (b) The department shall plainly mark the locations where the
29 automated traffic safety cameras are used by placing signs on locations
30 that clearly indicate to a driver that he or she is entering a roadway
31 construction zone where traffic laws are enforced by an automated
32 traffic safety camera;

33 (c) Notices of infractions must be mailed to the registered owner
34 of a vehicle within fourteen days of the infraction occurring;

35 (d) The owner of the vehicle is not responsible for the violation
36 if the owner of the vehicle, within fourteen days of receiving
37 notification of the violation, mails to the patrol, a declaration under

1 penalty of perjury, stating that the vehicle involved was, at the time,
2 stolen or in the care, custody, or control of some person other than
3 the registered owner, or any other extenuating circumstances;

4 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
5 infractions detected through the use of automated traffic safety
6 cameras are not part of the registered owner's driving record under RCW
7 46.52.101 and 46.52.120. Additionally, infractions generated by the
8 use of automated traffic safety cameras must be processed in the same
9 manner as parking infractions for the purposes of RCW 3.50.100,
10 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
11 fine issued under this subsection (5) for an infraction generated
12 through the use of an automated traffic safety camera is one hundred
13 thirty-seven dollars. The court shall remit thirty-two dollars of the
14 fine to the state treasurer for deposit into the state patrol highway
15 account; and

16 (f) If a notice of infraction is sent to the registered owner and
17 the registered owner is a rental car business, the infraction must be
18 dismissed against the business if it mails to the patrol, within
19 fourteen days of receiving the notice, a declaration under penalty of
20 perjury of the name and known mailing address of the individual driving
21 or renting the vehicle when the infraction occurred. If the business
22 is unable to determine who was driving or renting the vehicle at the
23 time the infraction occurred, the business must sign a declaration
24 under penalty of perjury to this effect. The declaration must be
25 mailed to the patrol within fourteen days of receiving the notice of
26 traffic infraction. Timely mailing of this declaration to the issuing
27 agency relieves a rental car business of any liability under this
28 section for the notice of infraction. A declaration form suitable for
29 this purpose must be included with each automated traffic infraction
30 notice issued, along with instructions for its completion and use.

31 (6) The department shall track the costs associated with active
32 traffic management systems on a corridor basis and report to the
33 transportation committees of the legislature on the cost and benefits
34 of the systems by December 1, 2011.

35 **Sec. 217.** 2011 c 367 s 217 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
2 **SUPPORT--PROGRAM S**

3	Motor Vehicle Account--State Appropriation	((\$28,430,000))
4		<u>\$27,389,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$30,000
6	Multimodal Transportation Account--State	
7	Appropriation	\$973,000
8	TOTAL APPROPRIATION	((\$29,433,000))
9		<u>\$28,392,000</u>

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

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

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
18 **AND RESEARCH--PROGRAM T**

19	Motor Vehicle Account--State Appropriation	((\$23,394,000))
20		<u>\$22,114,000</u>
21	Motor Vehicle Account--Federal Appropriation	\$21,885,000
22	Multimodal Transportation Account--State	
23	Appropriation	\$662,000
24	Multimodal Transportation Account--Federal	
25	Appropriation	\$3,559,000
26	Multimodal Transportation Account--Private/Local	
27	Appropriation	\$100,000
28	TOTAL APPROPRIATION	((\$49,600,000))
29		<u>\$48,320,000</u>

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

32 (1) \$70,000 of the motor vehicle account--state appropriation is a
33 reappropriation provided solely for a corridor study of state route
34 number 516 from the eastern border of Maple Valley to state route
35 number 167 to determine whether improvements are needed and the costs
36 of any needed improvements.

1 (2) \$200,000 of the motor vehicle account--state appropriation is
2 provided solely for extending the freight database pilot project that
3 began in 2009. Global positioning system (GPS) data is intended to
4 help guide freight investment decisions and track highway project
5 effectiveness as it relates to freight traffic.

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

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

28 (5) The total appropriation provided in this section assumes
29 enactment of chapter . . . (Second Substitute Senate Bill No. 5128),
30 Laws of 2012 (statewide transportation planning) and reflects an
31 accompanying cost savings of at least five hundred thousand dollars.

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

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

36	Motor Vehicle Account--State Appropriation	(\$85,209,000)
37		<u>\$74,786,000</u>

1	Motor Vehicle Account--Federal Appropriation	\$400,000
2	Multimodal Transportation Account--State	
3	Appropriation	((\$3,320,000))
4		<u>\$1,798,000</u>
5	TOTAL APPROPRIATION	((\$88,929,000))
6		<u>\$76,984,000</u>

7 (~~The appropriations in this section are subject to the following~~
8 ~~conditions and limitations:~~

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

13 ~~(2) Payments in this section represent charges from other state~~
14 ~~agencies to the department of transportation.~~

15 ~~(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT~~
16 ~~DIVISION OF RISK MANAGEMENT FEES~~ \$1,639,000

17 ~~(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE~~
18 ~~STATE AUDITOR~~ \$937,000

19 ~~(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~
20 ~~GENERAL ADMINISTRATION~~ \$6,060,000

21 ~~(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~
22 ~~PERSONNEL~~ \$6,347,000

23 ~~(e) FOR PAYMENT OF SELF INSURANCE LIABILITY~~
24 ~~PREMIUMS AND ADMINISTRATION~~ \$44,418,000

25 ~~(f) FOR ARCHIVES AND RECORDS MANAGEMENT~~ \$623,000

26 ~~(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS~~
27 ~~ENTERPRISES~~ \$1,008,000

28 ~~(h) FOR USE OF FINANCIAL AND REPORTING SYSTEMS~~
29 ~~PROVIDED BY THE OFFICE OF FINANCIAL MANAGEMENT~~ \$1,143,000

30 ~~(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE~~
31 ~~DEPARTMENT OF INFORMATION SERVICES~~ \$1,980,000

32 ~~(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~
33 ~~GENERAL'S OFFICE~~ \$8,526,000

34 ~~(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~
35 ~~GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT~~
36 ~~LITIGATION~~ \$672,000))

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

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
4 **V**

5	State Vehicle Parking Account--State Appropriation	\$452,000
6	Regional Mobility Grant Program Account--State	
7	Appropriation	\$48,942,000
8	Multimodal Transportation Account--State	
9	Appropriation	((\$41,706,000))
10		<u>\$41,471,000</u>
11	Multimodal Transportation Account--Federal	
12	Appropriation	\$2,582,000
13	Multimodal Transportation Account--Private/Local	
14	Appropriation	\$1,027,000
15	Rural Mobility Grant Program Account--State	
16	Appropriation	\$17,000,000
17	TOTAL APPROPRIATION	((\$111,709,000))
18		<u>\$111,474,000</u>

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

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

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

32 (b) \$19,500,000 of the (~~amount provided in this subsection~~)
33 multimodal transportation account--state appropriation is provided
34 solely for grants to transit agencies to transport persons with special
35 transportation needs. To receive a grant, the transit agency must have
36 a maintenance of effort for special needs transportation that is no
37 less than the previous year's maintenance of effort for special needs
38 transportation. Grants for transit agencies must be prorated based on

1 the amount expended for demand response service and route deviated
2 service in calendar year 2009 as reported in the "Summary of Public
3 Transportation - 2009" published by the department of transportation.
4 No transit agency may receive more than thirty percent of these
5 distributions.

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

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

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

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

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

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

1 (4) \$8,942,000 of the regional mobility grant program account--
2 state appropriation is reappropriated and provided solely for the
3 regional mobility grant projects identified in LEAP Transportation
4 Document (~~(2007-B, as developed April 20, 2007, or LEAP Transportation~~
5 ~~Document 2009-B, as developed April 24, 2009)~~) 2012-1 ALL PROJECTS -
6 Public Transportation - Program (V) as developed February 21, 2012.
7 The department shall continue to review all projects receiving grant
8 awards under this program at least semiannually to determine whether
9 the projects are making satisfactory progress. The department shall
10 promptly close out grants when projects have been completed, and any
11 remaining funds must be used only to fund projects identified in(~~(÷)~~)
12 the LEAP Transportation Document (~~(2007-B, as developed April 20, 2007;~~
13 ~~LEAP Transportation Document 2009-B, as developed April 24, 2009; or~~
14 ~~LEAP Transportation Document 2011-B, as developed April 19, 2011)~~)
15 referenced in this subsection. It is the intent of the legislature to
16 appropriate funds through the regional mobility grant program only for
17 projects that will be completed on schedule and that all funds in the
18 regional mobility grant program be used as soon as practicable to
19 advance eligible projects.

20 (5)(a) \$40,000,000 of the regional mobility grant program account--
21 state appropriation is provided solely for the regional mobility grant
22 projects identified in LEAP Transportation Document (~~(2011-B, as~~
23 ~~developed April 19, 2011)~~) 2012-1 ALL PROJECTS - Public Transportation
24 - Program (V) as developed February 21, 2012. The department shall
25 review all projects receiving grant awards under this program at least
26 semiannually to determine whether the projects are making satisfactory
27 progress. Any project that has been awarded funds, but does not report
28 activity on the project within one year of the grant award, must be
29 reviewed by the department to determine whether the grant should be
30 terminated. The department shall promptly close out grants when
31 projects have been completed, and any remaining funds must be used only
32 to fund projects identified in the LEAP Transportation Document (~~(2011-~~
33 ~~B, as developed April 19, 2011)~~) referenced in this subsection. The
34 department shall provide annual status reports on December 15, 2011,
35 and December 15, 2012, to the office of financial management and the
36 transportation committees of the legislature regarding the projects
37 receiving the grants. It is the intent of the legislature to

1 appropriate funds through the regional mobility grant program only for
2 projects that will be completed on schedule.

3 (b) In order to be eligible to receive a grant under (a) of this
4 subsection during the 2011-2013 fiscal biennium, a transit agency must
5 establish a process for private transportation providers to apply for
6 the use of park and ride facilities. For purposes of this subsection,

7 (i) "private transportation provider" means: An auto transportation
8 company regulated under chapter 81.68 RCW; a passenger charter carrier
9 regulated under chapter 81.70 RCW, except marked or unmarked stretch
10 limousines and stretch sport utility vehicles as defined under
11 department of licensing rules; a private nonprofit transportation
12 provider regulated under chapter 81.66 RCW; or a private employer
13 transportation service provider; and (ii) "private employer
14 transportation service" means regularly scheduled, fixed-route
15 transportation service that is offered by an employer for the benefit
16 of its employees.

17 (6) \$2,309,000 of the multimodal transportation account--state
18 appropriation is provided solely for the tri-county connection service
19 for Island, Skagit, and Whatcom transit agencies.

20 (7) \$200,000 of the multimodal transportation account--state
21 appropriation is contingent on the timely development of an annual
22 report summarizing the status of public transportation systems as
23 identified under RCW 35.58.2796.

24 (8) Funds provided for the commute trip reduction program may also
25 be used for the growth and transportation efficiency center program.

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

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

33	FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X	
34	Puget Sound Ferry Operations Account--State	
35	Appropriation	((\$467,773,000))
36		<u>\$468,135,000</u>

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

3 (1) The office of financial management budget instructions require
4 agencies to recast enacted budgets into activities. The Washington
5 state ferries shall include a greater level of detail in its 2011-2013
6 supplemental and 2013-2015 omnibus transportation appropriations act
7 requests, as determined jointly by the office of financial management,
8 the Washington state ferries, and the transportation committees of the
9 legislature. This level of detail must include the administrative
10 functions in the operating as well as capital programs.

11 (2) When purchasing uniforms that are required by collective
12 bargaining agreements, the department shall contract with the lowest
13 cost provider.

14 ~~((+5))~~ (3) Until a reservation system is operational on the San
15 Juan islands inner-island route, the department shall provide the same
16 priority loading benefits on the San Juan islands inner-island route to
17 home health care workers as are currently provided to patients
18 traveling for purposes of receiving medical treatment.

19 ~~((+6))~~ (4) The department shall request from the United States
20 coast guard variable minimum staffing levels on all of its vessels by
21 December 31, 2011.

22 ~~((+10))~~ (5) The department shall continue to provide service to
23 Sidney, British Columbia and shall explore the option of purchasing a
24 foreign built vehicle and passenger ferry vessel either with safety of
25 life at sea (SOLAS) certification or the ability to be retrofitted for
26 SOLAS certification to operate solely on the Anacortes to Sidney,
27 British Columbia route currently served by vessels of the Washington
28 state ferries fleet. The vessel should have the capability of carrying
29 at least one hundred standard vehicles and approximately four hundred
30 to five hundred passengers. Further, the department shall explore the
31 possibilities of contracting a commercial company to operate the vessel
32 exclusively on this route so long as the contractor's employees
33 assigned to the vessel are represented by the same employee
34 organizations as the Washington state ferries. The department shall
35 report back to the transportation committees of the legislature
36 regarding: The availability of a vessel; the cost of the vessel,
37 including transport to the Puget Sound region; and the need for any

1 statutory changes for the operation of the Sydney, British Columbia
2 service by a private company.

3 ~~((+11))~~ (6) For the 2011-2013 fiscal biennium, the department of
4 transportation may enter into a distributor controlled fuel hedging
5 program and other methods of hedging approved by the fuel hedging
6 committee.

7 ~~((+12))~~ ~~The department shall target service reductions totaling~~
8 ~~\$4,000,000, such that the shortening of shoulder seasons and~~
9 ~~eliminations of off-peak runs on all routes are considered. Prior to~~
10 ~~implementing the reductions, the department shall consult with ferry~~
11 ~~employees and ferry advisory committees to determine which reductions~~
12 ~~would impact the fewest number of riders. The reductions must be~~
13 ~~identified and implementation must begin no later than the fall 2011~~
14 ~~schedule.~~

15 ~~(+13))~~ (7) \$135,248,000 of the Puget Sound ferry operations
16 account--state appropriation is provided solely for auto ferry vessel
17 operating fuel in the 2011-2013 fiscal biennium. The amount provided
18 in this appropriation represents the fuel budget for the purposes of
19 calculating any ferry fare fuel surcharge.

20 ~~((+14))~~ (8) \$150,000 of the Puget Sound ferry operations account--
21 state appropriation is provided solely for the department to increase
22 recreation and tourist ridership by entering into agreements for
23 marketing and outreach strategies with local economic development
24 agencies. The department shall identify the number of tourist and
25 recreation riders on the applicable ferry routes both before and after
26 implementation of marketing and outreach strategies developed through
27 the agreements. The department shall report results of the marketing
28 and outreach strategies to the transportation committees of the
29 legislature by October 15, 2012.

30 ~~((+15))~~ (9) The Washington state ferries shall participate in the
31 facilities plan included in section 604 of this act and shall include
32 an investigation and identification of less costly relocation options
33 for the Seattle headquarters office. The department shall include
34 relocation options for the Washington state ferries Seattle
35 headquarters office in the facilities plan. Until September 1, 2012,
36 the department may not enter into a lease renewal for the Seattle
37 headquarters office.

1 ~~((16))~~ (10) The department, office of financial management, and
2 transportation committees of the legislature shall make recommendations
3 regarding an appropriate budget structure for the Washington state
4 ferries. The recommendation may include a potential restructuring of
5 the Washington state ferries budget. The recommendation must
6 facilitate transparency in reporting and budgeting as well as provide
7 the opportunity to link revenue sources with expenditures. Findings
8 and recommendations must be reported to the office of financial
9 management and the joint transportation committee by September 1, 2011.

10 ~~((17))~~ (11) Two Kwa-di-tabil class ferry vessels must be placed
11 on the Port Townsend/Coupeville (Keystone) route to provide service at
12 the same levels provided when the steel electric vessels were in
13 service. After the vessels as funded under section 308~~((7))~~ (5) of
14 this act are in service, the two most appropriate of these vessels for
15 the Port Townsend/Coupeville (Keystone) route must be placed on the
16 route. \$100,000 of the Puget Sound ferry operations account--state
17 appropriation is provided solely for the additional staffing required
18 to maintain a reservation system at this route when the second vessel
19 is in service.

20 ~~((19))~~ (12) \$706,000 of the Puget Sound ferry operations
21 account--state appropriation is provided solely for terminal operations
22 to implement new federal passenger vessel Americans with disabilities
23 act requirements.

24 ~~((20))~~ (13) \$152,000 of the Puget Sound ferry operations
25 account--state appropriation is provided solely for the department's
26 compliance with its national pollution discharge elimination system
27 permit.

28 ~~((21) If chapter ... (Substitute House Bill No. 2053), Laws of
29 2011 (additive transportation funding) is not enacted by June 30, 2011,
30 the \$4,000,000 in service reductions identified in subsection (12) of
31 this section must be restored and an identical amount must be reduced
32 from the amount provided for the second 144-car vessel identified in
33 section 308(8) of this act.))~~

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

36 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

37 Multimodal Transportation Account--State

1	Appropriation	((\$29,688,000))
2		<u>\$33,342,000</u>
3	Multimodal Transportation Account--Federal	
4	Appropriation	((\$300,000))
5		<u>\$400,000</u>
6	TOTAL APPROPRIATION	((\$29,988,000))
7		<u>\$33,742,000</u>

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

10 (1) ((~~\$24,091,000~~)) \$27,816,000 of the multimodal transportation
11 account--state appropriation is provided solely for the Amtrak service
12 contract and Talgo maintenance contract associated with providing and
13 maintaining state-supported passenger rail service. The department is
14 directed to continue to pursue efforts to reduce costs, increase
15 ridership, and review fares or fare schedules. Within thirty days of
16 each annual cost/revenue reconciliation under the Amtrak service
17 contract, the department shall report annual credits to the office of
18 financial management and the legislative transportation committees.
19 Annual credits from Amtrak to the department including, but not limited
20 to, credits for increased revenue due to higher ridership, and fare or
21 fare schedule adjustments, must be used to offset corresponding amounts
22 of the multimodal transportation account--state appropriation, which
23 must be placed in reserve. Upon completion of the rail platform
24 project in the city of Stanwood, the department shall continue to
25 provide daily Amtrak Cascades service to the city.

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

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

29 (4) The department shall conduct a pilot program by partnering with
30 the travel industry on the Amtrak Cascades service between Vancouver,
31 British Columbia, and Seattle to test opportunities for increasing
32 ridership, maximizing farebox recovery, and stimulating private
33 investment. The pilot program must run from July 1, 2011, to June 30,
34 2012. The department shall report on the results of the pilot program
35 to the office of financial management and the legislature by September
36 30, 2012.

1 (2) (~~(\$3,226,000)~~) \$4,903,000 of the state patrol highway account--
2 state appropriation is provided solely for the Shelton academy of the
3 Washington state patrol for the new waste water treatment lines, waste
4 water plants, water lines, and water systems. (~~However, \$2,129,000 of~~
5 ~~this amount is contingent on the department of corrections receiving~~
6 ~~funding for its portion of the regional water project in the 2011-2013~~
7 ~~omnibus capital appropriations act. If this funding is not provided by~~
8 ~~June 30, 2011, \$2,129,000 of the appropriation provided in this~~
9 ~~subsection lapses.~~)

10 (3) \$421,000 of the state patrol highway account--state
11 appropriation is provided solely for the reappropriation of the Shelton
12 regional water project.

13 (4) (~~(\$2,187,000 of the total appropriation is provided solely for~~
14 ~~mobile office platforms.~~

15 +5)) It is the intent of the legislature that the omnibus
16 operating appropriations act provide funding for the portion of any
17 applicable debt service payments, resulting from financial contracts
18 identified under section 601 of this act, that are attributable to the
19 general fund as identified in the Washington state patrol's cost
20 allocation model.

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

23 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

24 Motor Vehicle Account--State Appropriation	\$874,000
25 Rural Arterial Trust Account--State Appropriation . . . ((\$37,417,000))	
26	<u>\$62,510,000</u>
27 County Arterial Preservation Account--State	
28 Appropriation	\$29,360,000
29 TOTAL APPROPRIATION	((\$67,651,000))
30	<u>\$92,744,000</u>

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

33 (1) \$874,000 of the motor vehicle account--state appropriation may
34 be used for county ferry projects as developed pursuant to RCW
35 47.56.725(4).

36 (2) (~~(\$37,417,000)~~) \$62,510,000 of the rural arterial trust
37 account--state appropriation is provided solely for county road

1 preservation grant projects as approved by the county road
2 administration board. These funds may be used to assist counties
3 recovering from federally declared emergencies by providing
4 capitalization advances and local match for federal emergency funding,
5 and may only be made using existing fund balances. It is the intent of
6 the legislature that the rural arterial trust account be managed based
7 on cash flow. The county road administration board shall specifically
8 identify any of the selected projects and shall include information
9 concerning the selected projects in its next annual report to the
10 legislature.

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

13 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

14 Small City Pavement and Sidewalk Account--State	
15 Appropriation	((\$3,812,000))
16	<u>\$5,270,000</u>
17 Transportation Improvement Account--State	
18 Appropriation	((\$201,050,000))
19	<u>\$237,545,000</u>
20 TOTAL APPROPRIATION	((\$204,862,000))
21	<u>\$242,815,000</u>

22 The appropriations in this section are subject to the following
23 conditions and limitations: The transportation improvement
24 account--state appropriation includes up to \$22,143,000 in proceeds
25 from the sale of bonds authorized in RCW 47.26.500.

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

28 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**
29 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

30 Motor Vehicle Account--State Appropriation	((\$5,433,000))
31	<u>\$5,545,000</u>
32 <u>Transportation Partnership Account--State</u>	
33 <u>Appropriation</u>	<u>\$1,575,000</u>
34 <u>TOTAL APPROPRIATION</u>	<u>\$7,120,000</u>

35 The appropriation in this section is subject to the following
36 conditions and limitations:

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

5 (2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state
6 appropriation is provided solely for high priority safety projects that
7 are directly linked to employee safety, environmental risk, or minor
8 works that prevent facility deterioration.

9 (3) \$400,000 of the motor vehicle account--state appropriation is
10 provided solely for the department's compliance with its national
11 pollution discharge elimination system permit.

12 (4) \$1,575,000 of the transportation partnership account--state
13 appropriation is provided solely for the traffic management center
14 (100010T).

15 (5) The department shall make all future requests for the
16 construction of new buildings and facilities within Facilities--Program
17 D--(Department of Transportation-Only Projects)--Capital. Each capital
18 facility construction project must be listed in this program's capital
19 facilities project list submitted by the department as part of its
20 budget submittal. It is the intent of the legislature that the
21 construction of buildings and facilities is not appropriated through
22 the capital highway improvements appropriation.

23 **Sec. 305.** 2011 c 367 s 305 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

26 (~~(Multimodal Transportation Account--State~~

27 ~~Appropriation \$1,000))~~

28 Transportation Partnership Account--State

29 Appropriation (~~(\$1,991,547,000)~~)

30 \$1,632,450,000

31 Motor Vehicle Account--State Appropriation (~~(\$86,139,000)~~)

32 \$103,454,000

33 Motor Vehicle Account--Federal Appropriation (~~(\$450,691,000)~~)

34 \$841,365,000

35 Motor Vehicle Account--Private/Local

36 Appropriation (~~(\$50,485,000)~~)

37 \$128,783,000

1	Transportation 2003 Account (Nickel Account)--State	
2	Appropriation	(((\$436,005,000))
3		<u>\$416,123,000</u>
4	State Route Number 520 Corridor Account--State	
5	Appropriation	(((\$1,019,460,000))
6		<u>\$1,779,000,000</u>
7	<u>Special Category C Account--State Appropriation</u>	<u>\$124,000</u>
8	<u>Tacoma Narrows Toll Bridge Account--State</u>	
9	<u>Appropriation</u>	<u>\$5,791,000</u>
10	TOTAL APPROPRIATION	(((\$4,034,328,000))
11		<u>\$4,888,228,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations:

14 (1) Except as provided otherwise in this section, the entire
15 transportation 2003 account (nickel account) appropriation and the
16 entire transportation partnership account appropriation are provided
17 solely for the projects and activities as listed by fund, project, and
18 amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed
19 ((April 19, 2011)) February 21, 2012, Program - Highway Improvement
20 Program (I). However, limited transfers of specific line-item project
21 appropriations may occur between projects for those amounts listed
22 subject to the conditions and limitations in section 603 of this act.

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

37 (3)) Within the motor vehicle account--state appropriation and

1 motor vehicle account--federal appropriation, the department may
2 transfer funds between programs I and P, except for funds that are
3 otherwise restricted in this act.

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

9 ~~((+5))~~ (4) The department shall apply for the competitive portion
10 of federal transit administration funds for eligible transit-related
11 costs of the state route number 520 bridge replacement and HOV project
12 and the Columbia river crossing project. The federal funds described
13 in this subsection must not include those federal transit
14 administration funds distributed by formula. The department shall
15 provide a report regarding this effort to the legislature by October 1,
16 2011.

17 ~~((+7))~~ (5) The department shall work with the department of
18 archaeology and historic preservation to ensure that the cultural
19 resources investigation is properly conducted on all mega-highway
20 projects and large ferry terminal projects. These projects must be
21 conducted with active archaeological management. Additionally, the
22 department shall establish a scientific peer review of independent
23 archaeologists that are knowledgeable about the region and its cultural
24 resources.

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

36 ~~((+9) \$361,000))~~ (7) \$561,000 of the transportation partnership
37 account--state appropriation and ~~((+1,245,000))~~ \$1,176,000 of the
38 transportation 2003 account (nickel account)--state appropriation are

1 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
2 Nickel/TPA project, as indicated in the LEAP transportation document
3 referenced in subsection (1) of this section. Funds may be used only
4 for environmental mitigation work that is required by permits that were
5 issued for projects funded by the transportation partnership account or
6 transportation 2003 account (nickel account). ~~((As part of the 2012~~
7 ~~budget submittal, the department shall provide a list of all projects~~
8 ~~and associated amounts that are being charged to project OBI4ENV during~~
9 ~~the 2011-2013 fiscal biennium.~~

10 ~~(+10))~~ (8) The transportation 2003 account (nickel account)--state
11 appropriation includes up to ~~(((\$361,005,000))~~ \$338,751,000 in proceeds
12 from the sale of bonds authorized by RCW 47.10.861.

13 ~~((+11))~~ (9) The transportation partnership account--state
14 appropriation includes up to ~~(((\$1,427,696,000))~~ \$968,396,000 in
15 proceeds from the sale of bonds authorized in RCW 47.10.873.

16 ~~((+12))~~ (10) The motor vehicle account--state appropriation
17 includes up to ~~(((\$66,373,000))~~ \$45,870,000 in proceeds from the sale of
18 bonds authorized in RCW 47.10.843.

19 ~~((+13))~~ (11) The state route number 520 corridor account--state
20 appropriation includes up to ~~(((\$987,717,000))~~ \$1,779,000,000 in
21 proceeds from the sale of bonds authorized in RCW 47.10.879.

22 ~~((+14) \$391,000))~~ (12) \$767,000 of the motor vehicle account--state
23 appropriation and ~~(((\$4,027,000))~~ \$3,736,000 of the motor vehicle
24 account--federal appropriation are provided solely for the US 2 High
25 Priority Safety project (100224I). Expenditure of these funds is for
26 safety projects on state route number 2 between Monroe and Gold Bar,
27 which may include median rumble strips, traffic cameras, and electronic
28 message signs.

29 ~~((+15) \$687,000))~~ (13) \$820,000 of the motor vehicle account--
30 federal appropriation, \$16,308,000 of the motor vehicle account--
31 private/local appropriation, and ~~(((\$22,000))~~ \$48,000 of the motor
32 vehicle account--state appropriation are provided solely for the US
33 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

34 ~~((+16) \$435,000))~~ (14) \$595,000 of the motor vehicle account--state
35 appropriation is provided solely for environmental work on the Belfair
36 Bypass project (300344C).

37 ~~((+17) \$108,000))~~ (15) \$372,000 of the motor vehicle account--

1 federal appropriation and (~~(\$3,000)~~) \$9,000 of the motor vehicle
2 account--state appropriation are provided solely for the I-5/Vicinity
3 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

4 (~~((18) \$253,444,000)~~) (16) \$202,863,000 of the transportation
5 partnership account--state appropriation and (~~(\$66,034,000)~~)
6 \$51,136,000 of the transportation 2003 account (nickel account)--state
7 appropriation are provided solely for the I-5/Tacoma HOV Improvements
8 (Nickel/TPA) project (300504A). The use of funds in this subsection to
9 renovate any buildings is subject to the requirements of section 604 of
10 this act. The department shall report to the legislature and the
11 office of financial management on any costs associated with building
12 renovations funded in this subsection.

13 (~~((19))~~) (17)(a) (\$8,321,000) \$9,343,000 of the transportation
14 partnership account--state appropriation and (~~(\$31,380,000)~~)
15 \$54,461,000 of the motor vehicle account--federal appropriation are
16 provided solely for the I-5/Columbia River Crossing project (400506A).
17 (~~(Of this amount,)~~) Of the amounts appropriated in this subsection,
18 \$30,000,000 of the motor vehicle account--federal appropriation must be
19 put into unallotted status and is subject to the review of the office
20 of financial management. This funding may be allotted in five million
21 dollar increments only when the state of Oregon's total share of
22 expenses on the project are within five percent of the state of
23 Washington's expenses. \$200,000 of the transportation partnership
24 account--state appropriation in this subsection is provided solely for
25 the department to work with the department of archaeology and historic
26 preservation to ensure that the cultural resources investigation is
27 properly conducted on the Columbia river crossing project. This
28 project must be conducted with active archaeological management and
29 result in one report that spans the single cultural area in Oregon and
30 Washington. Additionally, the department shall establish a scientific
31 peer review of independent archaeologists that are knowledgeable about
32 the region and its cultural resources. (~~(No funding from any account~~
33 may be expended until written confirmation has been received by the
34 department that the state of Oregon is providing an equal amount of
35 additional funding to the project.))

36 (b) Consistent with the draft environmental impact statement and
37 the Columbia river crossing project's independent review panel report,
38 the Columbia river crossing project's financial plan must include

1 recognition of state transportation funding contributions from both
2 Washington and Oregon, federal transportation funding, and a funding
3 contribution from toll bond proceeds. Following the refinement of the
4 finance plan as recommended by the independent review panel, the
5 department may seek authorization from the legislature to collect tolls
6 on the existing Columbia river crossing or on a replacement crossing
7 over Interstate 5.

8 ~~((20) \$107,000))~~ (18) \$309,000 of the motor vehicle account--
9 federal appropriation and ~~((27,000))~~ \$78,000 of the motor vehicle
10 account--state appropriation are provided solely for the SR 9/SR 204
11 Intersection Improvement project (L2000040).

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

16 ~~((22) \$294,000))~~ (20) \$5,791,000 of the Tacoma Narrows toll bridge
17 account--state appropriation is provided solely for deferred sales tax
18 expenses on the construction of the new Tacoma Narrows bridge.
19 However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales
20 tax exemption on SR 16 projects) is enacted by June 30, 2012, the
21 amount provided in this subsection lapses.

22 (21) \$391,000 of the motor vehicle account--federal appropriation
23 and ~~((13,000))~~ \$16,000 of the motor vehicle account--state
24 appropriation are provided solely for the SR 16/Rosedale Street NW
25 Vicinity - Frontage Road project (301639C). The frontage road must be
26 built for driving speeds of no more than thirty-five miles per hour.

27 ~~((23) \$1,000,000))~~ (22) \$621,000 of the motor vehicle account--
28 federal appropriation is provided solely for the SR 20/Race Road to
29 Jacob's Road safety project (L2200042).

30 ~~((24) \$24,002,000))~~ (23) \$32,162,000 of the transportation
31 partnership account--state appropriation is provided solely for the SR
32 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

33 ~~((25) \$569,000))~~ (24) \$1,227,000 of the motor vehicle account--
34 federal appropriation and ~~((9,000))~~ \$38,000 of the motor vehicle
35 account--state appropriation are provided solely for design and right-
36 of-way work on the I-82/Red Mountain Vicinity project (508208M). The
37 department shall continue to work with the local partners in developing

1 transportation solutions necessary for the economic growth in the Red
2 Mountain American viticulture area of Benton county.

3 ~~((+26+))~~ (25) \$1,500,000 of the motor vehicle account--federal
4 appropriation is provided solely for the I-90 Comprehensive Tolling
5 Study project (100067T).

6 ~~((+27) \$9,422,000))~~ (26) \$12,149,000 of the motor vehicle account--
7 federal appropriation and ~~((+27) \$193,000))~~ \$362,000 of the motor vehicle
8 account--state appropriation are provided solely for the I-90/Sullivan
9 Road to Barker Road - Additional Lanes project (609049N).

10 ~~((+28+))~~ (27) Up to \$8,000,000 in savings realized on the I-
11 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
12 (509009B) may be used for design work on the next two-mile segment of
13 the corridor. Any additional savings on this project must remain on
14 the corridor. ~~((+28) \$590,000 of the funds appropriated for this project
15 may be used to purchase land currently owned by the state parks
16 department.))~~ Project funds may not be used to build or improve
17 buildings until the plan described in section 604 of this act is
18 complete.

19 ~~((+29) \$932,000))~~ (28) \$657,000 of the motor vehicle account--
20 federal appropriation is provided solely for the US 97A/North of
21 Wenatchee - Wildlife Fence project (209790B).

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

35 ~~((+31+))~~ (30) It is important that the public and policymakers have
36 accurate and timely access to information related to the Alaskan Way
37 viaduct replacement project as it proceeds to, and during, the
38 construction of all aspects of the project including, but not limited

1 to, information regarding costs, schedules, contracts, project status,
2 and neighborhood impacts. Therefore, it is the intent of the
3 legislature that the state, city, and county departments of
4 transportation establish a single source of accountability for
5 integration, coordination, tracking, and information of all requisite
6 components of the replacement project, which must include, at a
7 minimum:

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

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

12 ~~((+32+))~~ (31) Within the amounts provided in this section, \$20,000
13 of the motor vehicle account--state appropriation and \$980,000 of the
14 motor vehicle account--federal appropriation are provided solely for
15 the department to continue work on a comprehensive tolling study of the
16 state route number 167 corridor (project 316718S). As funding allows,
17 the department shall also continue work on a comprehensive tolling
18 study of the state route number 509 corridor.

19 ~~((+33+))~~ (32)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the
20 transportation partnership account--state appropriation(~~(-~~
21 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account
22 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~
23 ~~vehicle account--federal appropriation))~~) are provided solely for the I-
24 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
25 project must be completed as soon as practicable as a design-build
26 project and must be constructed with a footprint that would accommodate
27 potential future express toll lanes.

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

1 (c) Of the amount appropriated in (a) of this subsection,
2 \$15,000,000 of the transportation partnership account--state
3 appropriation is provided solely for the preliminary design and
4 purchase of rights-of-way on the state route number 167 direct
5 connector. It is the intent of the legislature to fund an additional
6 \$25,000,000 of the transportation partnership account--state
7 appropriation for the preliminary design and purchase of rights-of-way
8 on the state route number 167 direct connector during the 2013-2015
9 biennium.

10 ((+34)) (33) Funding for a signal at state route number 507 and
11 Yew Street is included in the appropriation for intersection and spot
12 improvements (0BI2002).

13 ((+35) ~~\$226,809,000~~) (34) \$224,592,000 of the transportation
14 partnership account--state appropriation and ((~~\$1,019,460,000~~))
15 \$898,286,000 of the state route number 520 corridor account--state
16 appropriation are provided solely for the state route number 520 bridge
17 replacement and HOV program (8BI1003). When developing the financial
18 plan for the program, the department shall assume that all maintenance
19 and operation costs for the new facility are to be covered by tolls
20 collected on the toll facility, and not by the motor vehicle account.

21 ((+36) ~~\$650,000 of the motor vehicle account--federal appropriation~~
22 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~
23 ~~181st Street project (L1000055)).~~

24 (+37)) (35) \$500,000 of the motor vehicle account--state
25 appropriation is provided solely for a multimodal corridor plan on
26 state route number 520 between Interstate 405 and Avondale Road in
27 Redmond (L1000054).

28 (36) \$300,000 of the motor vehicle account--federal appropriation
29 is provided solely for the SR 523 Corridor study (L1000059).

30 ((+38)) (37) The department shall consider using the city of
31 Mukilteo's off-site mitigation program in the event any projects on
32 state route number 525 or 526 require environmental mitigation.

33 ((+39)) (38) Any savings on projects on the state route number 532
34 corridor must be used within the corridor to begin work on flood
35 prevention and raising portions of the highway above flood and storm
36 influences.

37 (39) The total appropriation provided in this section assumes

1 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
2 Laws of 2012 (design-build procedures) and reflects efficiencies and
3 cost savings generated by this innovative design and contracting tool.

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

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

7 Transportation Partnership Account--State

8	Appropriation	((\$34,182,000))
9		<u>\$44,463,000</u>
10	Motor Vehicle Account--State Appropriation	((\$67,790,000))
11		<u>\$85,241,000</u>
12	Motor Vehicle Account--Federal Appropriation	((\$632,489,000))
13		<u>\$548,306,000</u>
14	Motor Vehicle Account--Private/Local Appropriation	((\$19,253,000))
15		<u>\$21,585,000</u>
16	<u>Transportation 2003 Account (Nickel Account)--State</u>	
17	<u>Appropriation</u>	<u>\$23,000</u>
18	TOTAL APPROPRIATION	((\$753,714,000))
19		<u>\$699,618,000</u>

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

22 (1) Except as provided otherwise in this section, the entire
23 transportation 2003 account (nickel account) appropriation and the
24 entire transportation partnership account appropriation are provided
25 solely for the projects and activities as listed by fund, project, and
26 amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed
27 ((April 19, 2011)) February 21, 2012, Program - Highway Preservation
28 Program (P). However, limited transfers of specific line-item project
29 appropriations may occur between projects for those amounts listed
30 subject to the conditions and limitations in section 603 of this act.

31 (2) ((The department shall, on a quarterly basis beginning July 1,
32 2011, provide to the office of financial management and the legislature
33 reports providing the status on each active project funded in part or
34 whole by the transportation 2003 account (nickel account) or the
35 transportation partnership account. Funding provided at a programmatic
36 level for transportation partnership account projects relating to
37 seismic bridges must be reported on a programmatic basis. Projects

1 within this programmatic level funding must be completed on a priority
2 basis and scoped to be completed within the current programmatic
3 budget. The department shall work with the office of financial
4 management and the transportation committees of the legislature to
5 agree on report formatting and elements. Elements must include, but
6 not be limited to, project scope, schedule, and costs. The department
7 shall also provide the information required under this subsection on a
8 quarterly basis.

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

15 ~~((+5))~~ (3) Within the motor vehicle account--state appropriation
16 and motor vehicle account--federal appropriation, the department may
17 transfer funds between programs I and P, except for funds that are
18 otherwise restricted in this act.

19 ~~((+6))~~ (4) The department shall apply for surface transportation
20 program enhancement funds to be expended in lieu of or in addition to
21 state funds for eligible costs of projects in programs I and P.

22 ~~((+7))~~ (5) The motor vehicle account--state appropriation includes
23 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW
24 47.10.843.

25 ~~((+8))~~ (6) The department must work with cities and counties to
26 develop a comparison of direct and indirect labor costs, overhead
27 rates, and other costs for high-cost bridge inspections charged by the
28 state, counties, and other entities. The comparison is due to the
29 transportation committees of the legislature on September 1, 2011.

30 ~~((+9) \$277,000)~~ (7) \$789,000 of the motor vehicle account--federal
31 appropriation and ~~((+10) \$10,000)~~ \$6,000 of the motor vehicle account--
32 state appropriation are provided solely for the environmental impact
33 statement and preliminary planning for the replacement of the state
34 route number 9 Snohomish river bridge (project L2000018).

35 ~~((+10) \$9,641,000)~~ (8) \$10,843,000 of the motor vehicle account--
36 federal appropriation, ~~((+11) \$2,000,000)~~ \$1,992,000 of the motor vehicle
37 account--private/local appropriation, and ~~((+12) \$361,000)~~ \$390,000 of the

1 motor vehicle account--state appropriation are provided solely for the
2 SR 21/Keller Ferry - Replace Boat project (602110J).

3 ~~((11) \$3,093,000))~~ (9) \$165,000 of the motor vehicle account--
4 federal appropriation is provided solely for the I-90/Ritzville to
5 Tokio - Paving of Outside Lanes project (609041G).

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

17 ~~((13) \$295,000))~~ (11) \$507,000 of the motor vehicle account--
18 federal appropriation and ~~((5,000))~~ \$13,000 of the motor vehicle
19 account--state appropriation are provided solely for the SR
20 906/Travelers Rest - Building Renovation project (090600A).

21 (12) The department shall submit a renewal and rehabilitation plan
22 for the new state route number 16 Tacoma Narrows bridge as a decision
23 package as part of its 2013-2015 biennial budget submittal.

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

26 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
27 **CAPITAL**

28 Motor Vehicle Account--State Appropriation	((6,439,000))
	<u>\$8,742,000</u>
29 Motor Vehicle Account--Federal Appropriation	((5,600,000))
	<u>\$7,246,000</u>
30 TOTAL APPROPRIATION	((12,039,000))
	<u>\$15,988,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations: \$1,000,000 of the motor vehicle account--
36 state appropriation for project 000005Q is provided solely for state
37 matching funds for federally selected competitive grants or

1 congressional earmark projects. These moneys must be placed into
2 reserve status until such time as federal funds are secured that
3 require a state match.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
7 **CONSTRUCTION--PROGRAM W**

8	Puget Sound Capital Construction Account--State	
9	Appropriation	((\$68,013,000))
10		<u>\$64,878,000</u>
11	Puget Sound Capital Construction Account--Federal	
12	Appropriation	((\$41,500,000))
13		<u>\$56,086,000</u>
14	<u>Puget Sound Capital Construction Account--Private/Local</u>	
15	<u>Appropriation</u>	<u>\$200,000</u>
16	Transportation 2003 Account (Nickel Account)--State	
17	Appropriation	((\$118,027,000))
18		<u>\$110,928,000</u>
19	Transportation Partnership Account--State	
20	Appropriation	((\$12,536,000))
21		<u>\$12,838,000</u>
22	Multimodal Transportation Account--State	
23	Appropriation	((\$43,265,000))
24		<u>\$38,254,000</u>
25	TOTAL APPROPRIATION	((\$283,341,000))
26		<u>\$283,184,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations:

29 (1) ~~((\$68,013,000 of the Puget Sound capital construction~~
30 ~~account state appropriation, \$41,500,000 of the Puget Sound capital~~
31 ~~construction account federal appropriation, \$12,536,000 of the~~
32 ~~transportation partnership account state appropriation, \$118,027,000~~
33 ~~of the transportation 2003 account (nickel account) state~~
34 ~~appropriation, and \$43,265,000 of the multimodal transportation~~
35 ~~account state appropriation are provided solely for ferry projects,))~~
36 Except as provided otherwise in this section, the entire appropriations
37 in this section are provided solely for the projects and activities as

1 listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS
2 as developed ((April 19, 2011)) February 21, 2012, Program - Washington
3 State Ferries Capital Program (W).

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

9 (3) The multimodal transportation account--state appropriation
10 includes up to ((\$43,265,000)) \$38,000,000 in proceeds from the sale of
11 bonds authorized in RCW 47.10.867.

12 ((The transportation 2003 account (nickel account)--state
13 appropriation includes up to \$82,143,000 in proceeds from the sale of
14 bonds authorized in RCW 47.10.861-

15 (5)) The Puget Sound capital construction account--state
16 appropriation includes up to ((\$52,516,000)) \$45,000,000 in proceeds
17 from the sale of bonds authorized in RCW 47.10.843.

18 ((7) \$20,906,000)) (5) \$17,970,000 of the transportation 2003
19 account (nickel account)--state appropriation((, \$9,711,000 of the
20 multimodal transportation account--state appropriation, and \$1,537,000
21 of the Puget Sound capital construction account--state appropriation
22 are)) is provided solely for the acquisition of new Kwa-di-tabil class
23 ferry vessels (project 944470A) subject to the conditions of RCW
24 47.56.780.

25 ((8)) (6) \$33,404,000 of the multimodal transportation account--
26 state appropriation, ((\$2,000,000)) \$1,000,000 of the Puget Sound
27 capital construction account--((state)) federal appropriation,
28 \$11,500,000 of the transportation partnership account--state
29 appropriation, and ((\$81,085,000)) \$76,924,000 of the transportation
30 2003 account (nickel account)--state appropriation are provided solely
31 for the acquisition of ((two)) one 144-car vessel((s contingent upon
32 new and sufficient resources. Of these amounts, \$123,828,000 is
33 provided solely for the first 144-car vessel)) (project L2200038). The
34 department shall use as much already procured equipment as practicable
35 on the 144-car vessel. The vendor must present to the joint
36 transportation committee and the office of financial management, by
37 August 15, 2011, a list of options that will result in significant cost
38 savings changes in terms of construction or the long-term maintenance

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

7 ~~((9) The department shall provide to the office of financial~~
8 ~~management and the legislature quarterly reports providing the status~~
9 ~~on each project listed in this section and in the project lists~~
10 ~~submitted pursuant to this act and on any additional projects for which~~
11 ~~the department has expended funds during the 2011-2013 fiscal biennium.~~
12 ~~Elements must include, but not be limited to, project scope, schedule,~~
13 ~~and costs. The department shall also provide the information required~~
14 ~~under this subsection via the transportation executive information~~
15 ~~system. The quarterly report regarding the status of projects~~
16 ~~identified on the list referenced in subsection (1) of this section~~
17 ~~must be developed according to an earned value method of project~~
18 ~~monitoring.~~

19 ~~((11) \$3,932,000))~~ (7) \$5,749,000 of the total appropriation is
20 provided solely for continued permitting work on the Mukilteo ferry
21 terminal (project 952515P). The department shall seek additional
22 federal funding for this project. Prior to beginning terminal
23 improvements, the department shall report to the legislature on the
24 final environmental impact statement by December 31, 2012. The report
25 must include an overview of the costs and benefits of each of the
26 alternatives considered, as well as an identification of costs and a
27 funding plan for the preferred alternative.

28 ~~((13))~~ (8) The department shall review all terminal project cost
29 estimates to identify projects where similar design requirements could
30 result in reduced preliminary engineering or miscellaneous items costs.
31 The department shall report to the legislature by September 1, 2011.
32 The report must use programmatic design and include estimated cost
33 savings by reducing repetitive design costs or miscellaneous costs, or
34 both, applied to projects.

35 ~~((14) \$2,000,000))~~ (9) \$3,000,000 of the Puget Sound capital
36 construction account--state appropriation is provided solely for
37 emergency capital repair costs (project 999910K). Funds may be spent
38 only after approval from the office of financial management.

1 (~~(15) \$7,167,000~~) (10) \$4,851,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for the
3 reservation and communications system projects (L200041 & L200042).

4 (11) \$641,000 of the Puget Sound capital construction account--
5 state appropriation is provided solely for the department to continue
6 efforts to convert the existing diesel powered Issaquah class fleet to
7 liquid natural gas powered vessels. Of this amount, \$391,000 is solely
8 for the department to work with appropriate agencies of the state and
9 federal government to amend the state's current alternative security
10 plan to account for the use of liquid natural gas as a propulsion fuel
11 in the ferry fleet. Of this amount, \$250,000 is solely for the
12 department to issue a request for proposals for a design-build contract
13 to fully convert the existing diesel powered Issaquah class fleet to be
14 solely powered by liquid natural gas. The successful bidder must be
15 able to offer detailed design services, attain coast guard approval
16 regarding vessel safety and any other requirements pertaining to
17 design, acquire engines with liquid natural gas as a sole fuel source,
18 provide public outreach and education regarding the conversion of ferry
19 vessels to liquid natural gas, perform all conversion work, and supply
20 dependable and suitable quantities of liquid natural gas without any
21 additional, direct appropriations from the legislature other than that
22 provided in this act. To the extent allowable under current law, the
23 bidder awarded the design-build contract for converting the Issaquah
24 fleet to liquid natural gas under this subsection shall be given
25 bidding preferences in any future liquid natural gas related ferry
26 proposals or projects.

27 (12) \$500,000 of the Puget Sound capital construction account--
28 state appropriation is provided solely for the ADA visual paging
29 project (L2200083). If any new federal grants are received by the
30 department that may supplant the state funds in this appropriation, the
31 state funds in this appropriation must be placed in unallotted status.

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

34 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**
35 Essential Rail Assistance Account--State
36 Appropriation (~~(\$1,000,000)~~)
37 \$1,565,000

1	Transportation Infrastructure Account--State	
2	Appropriation	((\$5,838,000))
3		<u>\$5,693,000</u>
4	Multimodal Transportation Account--State	
5	Appropriation	((\$52,000,000))
6		<u>\$58,020,000</u>
7	Multimodal Transportation Account--Federal	
8	Appropriation	((\$366,314,000))
9		<u>\$236,597,000</u>
10	Multimodal Transportation Account--Private/Local	
11	Appropriation	((\$1,292,000))
12		<u>\$1,010,000</u>
13	TOTAL APPROPRIATION	((\$426,444,000))
14		<u>\$302,885,000</u>

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

17 (1)(a) Except as provided otherwise in this section, the entire
18 appropriations in this section are provided solely for the projects and
19 activities as listed by project and amount in LEAP Transportation
20 Document ((~~2011-2~~)) 2012-1 ALL PROJECTS as developed ((~~April 19, 2011~~))
21 February 21, 2012, Program-Rail Capital Program (Y).

22 (b) Within the amounts provided in this section, ((~~\$2,903,000~~))
23 \$4,757,000 of the transportation infrastructure account--state
24 appropriation is for low-interest loans through the freight rail
25 investment bank program for specific projects listed as recipients of
26 these loans in the LEAP transportation document identified in (a) of
27 this subsection. The department shall issue freight rail investment
28 bank program loans with a repayment period of no more than ten years,
29 and only so much interest as is necessary to recoup the department's
30 costs to administer the loans.

31 (c) Within the amounts provided in this section, ((~~\$1,754,000~~))
32 \$2,047,000 of the multimodal transportation account--state
33 appropriation, \$10,000 of the multimodal transportation account--
34 private/local appropriation, and \$1,000,000 of the essential rail
35 assistance account--state appropriation are for statewide emergent
36 freight rail assistance projects identified in the LEAP transportation
37 document identified in (a) of this subsection.

1 (2)(a) (~~If any funds remain in the program reserves (F01001A &~~
2 ~~F01000A) for the program and projects listed in subsection (1)(b) and~~
3 ~~(c) of this section,~~) The department shall issue a call for projects
4 for the freight rail investment bank (FRIB) loan program and the
5 emergent freight rail assistance program (FRAP) grants, and shall
6 evaluate the applications according to the cost-benefit methodology
7 developed during the 2008 interim using the legislative priorities
8 specified in (c) of this subsection. Unsuccessful FRAP grant
9 applicants should be encouraged to apply to the FRIB loan program, if
10 eligible. By November 1, (~~2011~~) 2012, the department shall submit a
11 prioritized list of recommended projects to the office of financial
12 management and the transportation committees of the legislature.

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

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

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

28 (ii) Self-sustaining economic development that creates family-wage
29 jobs;

30 (iii) Preservation of transportation corridors that would otherwise
31 be lost;

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

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

36 (vi) Mitigation of impacts of increased rail traffic on
37 communities.

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

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

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

14 ~~(6) The multimodal transportation account state appropriation
15 includes up to \$19,684,000 in proceeds from the sale of bonds
16 authorized in RCW 47.10.867.~~

17 ~~(7) When the balance of that portion of the miscellaneous program
18 account apportioned to the department for the grain train program
19 reaches \$1,180,000, the department shall acquire additional grain train
20 railcars.~~

21 ~~(8) \$1,087,000 of the multimodal transportation account state
22 appropriation is provided solely as state matching funds for successful
23 grant applications to either the federal rail line relocation and
24 improvement program (project 798999D) or new federal high speed rail
25 grants.~~

26 (9)) The Burlington Northern Santa Fe Skagit river bridge is an
27 integral part of the rail system. Constructed in 1916, the bridge does
28 not meet current design standards and is at risk during flood events
29 that occur on the Skagit river. The department shall work with
30 Burlington Northern Santa Fe and local jurisdictions to secure federal
31 funding for the Skagit river bridge and to develop an appropriate
32 replacement plan and schedule.

33 ~~((10) \$339,139,000))~~ (6) \$218,341,000 of the multimodal
34 transportation account--federal appropriation and ~~(((\$5,099,000))~~
35 \$3,639,000 of the multimodal transportation account--state
36 appropriation are provided solely for expenditures related to passenger
37 high-speed rail grants. At one and one-half percent of the total
38 project funds, the multimodal transportation account--state funds are

1 provided solely for expenditures that are not federally reimbursable.
2 Funding in this subsection is the initial portion of multiyear
3 high-speed rail program grants awarded to Washington state for
4 high-speed intercity passenger rail investments. Funding will allow
5 for two additional round trips between Seattle and Portland and other
6 rail improvements.

7 ~~((+11+))~~ (7) \$750,000 of the multimodal transportation account--
8 state appropriation is provided solely for the Port of Royal Slope
9 rehabilitation project (L1000053). Funding is contingent upon the
10 project completing the rail cost-benefit methodology process developed
11 during the 2008 interim using the legislative priorities outlined in
12 subsection (2)(c) of this section.

13 (8) As allowable under federal rail authority rules and existing
14 competitive bidding practices, when purchasing new train sets, the
15 department shall give preference to bidders that propose train sets
16 with characteristics and maintenance requirements most similar to those
17 currently owned by the department.

18 (9) Funds generated by the grain train program are solely for
19 operating, sustaining, and enhancing the grain train program including,
20 but not limited to, operations, capital investments, inspection,
21 developing business plans for future growth, and fleet management. Any
22 funds deemed by the department, in consultation with relevant port
23 districts, to be in excess of current operating needs or capital
24 reserves of the grain train program may be transferred from the
25 miscellaneous program account to the essential rail assistance account
26 for the purpose of sustaining the grain train program through
27 maintaining the Palouse river and Coulee City railroad line, on which
28 the grain train program operates.

29 (10) \$500,000 of the essential rail assistance account--state
30 appropriation is provided solely for the purpose of rehabilitation and
31 maintenance of the Palouse river and Coulee City railroad line.
32 Expenditures from this appropriation may not exceed the combined total
33 of:

34 (a) The revenues deposited into the essential rail assistance
35 account from leases and sale of property pursuant to RCW 47.76.290; and

36 (b) Revenues transferred from the miscellaneous program account for
37 the purpose of sustaining the grain train program through maintaining
38 the Palouse river and Coulee City railroad line.

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

3 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
4 **CAPITAL**

5	Highway Infrastructure Account--State Appropriation	\$207,000
6	Highway Infrastructure Account--Federal	
7	Appropriation	\$1,602,000
8	Motor Vehicle Account--State Appropriation	((\$3,754,000))
9		<u>\$4,179,000</u>
10	Motor Vehicle Account--Federal Appropriation	((\$31,856,000))
11		<u>\$30,430,000</u>
12	Freight Mobility Investment Account--State	
13	Appropriation	\$11,278,000
14	Transportation Partnership Account--State	
15	Appropriation	((\$6,035,000))
16		<u>\$7,181,000</u>
17	Freight Mobility Multimodal Account--State	
18	Appropriation	((\$15,117,000))
19		<u>\$15,668,000</u>
20	Freight Mobility Multimodal Account--Local	
21	Appropriation	((\$4,752,000))
22		<u>\$2,834,000</u>
23	Multimodal Transportation Account--State	
24	Appropriation	((\$18,453,000))
25		<u>\$22,475,000</u>
26	Passenger Ferry Account--State Appropriation	\$1,115,000
27	TOTAL APPROPRIATION	((\$94,169,000))
28		<u>\$96,969,000</u>

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

31 (1) ~~((The department shall, on a quarterly basis beginning July 1,~~
32 ~~2011, provide to the office of financial management and the legislature~~
33 ~~reports providing the status on each active project funded in part or~~
34 ~~whole by the transportation 2003 account (nickel account) or the~~
35 ~~transportation partnership account. Report formatting and elements~~
36 ~~must be consistent with the October 2009 quarterly project report. The~~
37 ~~department shall also provide the information required under this~~

1 ~~subsection on a quarterly basis via the transportation executive~~
2 ~~information system.~~

3 ~~(2))~~ \$1,115,000 of the passenger ferry account--state
4 appropriation is provided solely for near and long-term costs of
5 capital improvements and operating expenses that are consistent with
6 the business plan approved by the governor for passenger ferry service.

7 ~~((3))~~ (2) The department shall apply for surface transportation
8 program enhancement funds to be expended in lieu of or in addition to
9 state funds for eligible costs of projects in local programs, program
10 Z--capital.

11 ~~((4))~~ (3) Federal funds may be transferred from program Z to
12 programs I and P and state funds must be transferred from programs I
13 and P to program Z to replace those federal funds in a dollar-for-
14 dollar match. Fund transfers authorized under this subsection shall
15 not affect project prioritization status. Appropriations must
16 initially be allotted as appropriated in this act. The department may
17 not transfer funds as authorized under this subsection without approval
18 of the office of financial management. The department shall submit a
19 report on those projects receiving fund transfers to the office of
20 financial management and the transportation committees of the
21 legislature by December 1, 2011, and December 1, 2012.

22 ~~((5))~~ (4) The city of Winthrop may utilize a design-build process
23 for the Winthrop bike path project.

24 ~~((6)---\$11,557,000))~~ (5) \$14,813,000 of the multimodal
25 transportation account--state appropriation, ~~(((\$12,136,000))~~
26 \$12,804,000 of the motor vehicle account--federal appropriation, and
27 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--
28 state appropriation are provided solely for the pedestrian and bicycle
29 safety program projects and safe routes to schools program projects
30 identified in: LEAP Transportation Document 2011-A, pedestrian and
31 bicycle safety program projects and safe routes to schools program
32 projects, as developed April 19, 2011; LEAP Transportation Document
33 2009-A, pedestrian and bicycle safety program projects and safe routes
34 to schools program projects, as developed March 30, 2009; LEAP
35 Transportation Document 2007-A, pedestrian and bicycle safety program
36 projects and safe routes to schools program projects, as developed
37 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and
38 bicycle safety program projects and safe routes to schools program

1 projects, as developed March 8, 2006. Projects must be allocated
2 funding based on order of priority. The department shall review all
3 projects receiving grant awards under this program at least
4 semiannually to determine whether the projects are making satisfactory
5 progress. Any project that has been awarded funds, but does not report
6 activity on the project within one year of the grant award must be
7 reviewed by the department to determine whether the grant should be
8 terminated. The department shall promptly close out grants when
9 projects have been completed, and identify where unused grant funds
10 remain because actual project costs were lower than estimated in the
11 grant award.

12 ~~((+7))~~ (6) Except as provided otherwise in this section, the
13 entire appropriations in this section are provided solely for the
14 projects and activities as listed by project and amount in LEAP
15 Transportation Document ~~((2011-2))~~ 2012-1 ALL PROJECTS as developed
16 ~~((April 19, 2011))~~ February 21, 2012, Program - Local Program (Z).

17 ~~((+8))~~ (7) For the 2011-2013 project appropriations, unless
18 otherwise provided in this act, the director of the office of financial
19 management may authorize a transfer of appropriation authority between
20 projects managed by the freight mobility strategic investment board in
21 order for the board to manage project spending and efficiently deliver
22 all projects in the respective program.

23 ~~((+9))~~ (8) With each department budget submittal, the department
24 shall provide an update on the status of the repayment of the twenty
25 million dollars of unobligated federal funds authority advanced by the
26 department in September 2010 to the city of Tacoma for the Murray
27 Morgan/11th Street bridge project.

28 ~~((+10) The department shall prepare a list of main street projects,~~
29 ~~consistent with chapter ... (Engrossed Substitute House Bill No. 1071),~~
30 ~~Laws of 2011, for approval in the 2013-2015 fiscal biennium. In order~~
31 ~~to ensure that any proposed list of projects is consistent with~~
32 ~~legislative intent, the department shall provide a report to the joint~~
33 ~~transportation committee by December 1, 2011. The report must identify~~
34 ~~the eligible segments of main streets highways, the department's~~
35 ~~proposed project selection and ranking method, criteria to be~~
36 ~~considered, and a plan for soliciting project proposals.~~

37 ~~(+11))~~ (9) If funding is specifically designated in this act for

1 main street projects, the department shall prepare a list of projects
2 that is consistent with chapter 257, Laws of 2011, for approval in the
3 2013-2015 fiscal biennium.

4 (10) \$267,000 of the motor vehicle account--state appropriation and
5 \$2,859,000 of the motor vehicle account--federal appropriation are
6 provided solely for completion of the US 101 northeast peninsula safety
7 rest area and associated roadway improvements east of Port Angeles at
8 the Deer Park scenic view point (3LP187A). The department must surplus
9 any right-of-way previously purchased for this project near Sequim.
10 Approval to proceed with construction is contingent on surplus of
11 previously purchased right-of-way.

12 ~~((+12+))~~ (11) Up to ~~((+\$3,650,000))~~ \$3,702,000 of the motor vehicle
13 account--federal appropriation and ~~((+\$23,000))~~ \$75,000 of the motor
14 vehicle account--state appropriation are provided solely to reimburse
15 the cities of Kirkland and Redmond for pavement and bridge deck
16 rehabilitation on state route number 908 (1LP611A). These funds may
17 not be expended unless the cities sign an agreement stating that the
18 cities agree to take ownership of state route number 908 in its
19 entirety and agree that the payment of these funds represents the
20 entire state commitment to the cities for state route number 908
21 expenditures.

22 ~~((+13+))~~ (12) \$225,000 of the multimodal transportation account--
23 state appropriation is provided solely for the Shell Valley emergency
24 road and bicycle/pedestrian path (L1000036).

25 ~~((+14-\$150,000))~~ (13) \$188,000 of the motor vehicle account--state
26 appropriation is provided solely for flood reduction solutions on state
27 route number 522 caused by the lower McAleer and Lyon creek basins
28 (L1000041).

29 ~~((+15+))~~ (14) \$896,000 of the multimodal transportation account--
30 state appropriation is provided solely for realignment of Parker Road
31 and construction of secondary access off of state route number 20
32 (L2200040).

33 ~~((+16+))~~ (15) An additional \$2,500,000 of the motor vehicle
34 account--federal appropriation is provided solely for the Strander
35 Blvd/SW 27th St Connection project (1LP902F), which amount is reflected
36 in the LEAP transportation document identified in subsection ~~((+7+))~~
37 (6) of this section. These funds may only be committed if needed, may

1 not be used to supplant any other committed project partnership
2 funding, and must be the last funds expended.

3 ~~((+17))~~ (16) \$500,000 of the motor vehicle account--federal
4 appropriation is provided solely for safety improvements at the
5 intersection of South Wapato and McDonald Road (L1000052).

6 ~~((+18))~~ (17) \$2,000,000 of the multimodal transportation account--
7 state appropriation is provided solely for the state route number 432
8 rail realignment and highway improvements project (L1000056).

9 ~~((+19))~~ ~~\$500,000 of the multimodal transportation account--state~~
10 ~~appropriation is provided solely for a multimodal corridor plan on~~
11 ~~state route number 520 between Interstate 405 and Avondale Road in~~
12 ~~Redmond (L1000054).~~

13 ~~(+20))~~ (18) \$100,000 of the motor vehicle account--federal
14 appropriation is provided solely for state route number 164 and Auburn
15 Way South pedestrian improvements (L1000057).

16 ~~((+21))~~ (19) \$115,000 of the motor vehicle account--federal
17 appropriation is provided solely for median street lighting on state
18 route number 410 (L1000058).

19 ~~((+22))~~ (20) \$60,000 of the multimodal transportation account--
20 state appropriation is provided solely for a cross docking study for
21 the port of Douglas county (L1000060).

22 ~~((+23))~~ (21) \$100,000 of the motor vehicle account--federal
23 appropriation is provided solely for city of Auburn - 8th and R Street
24 NE intersection improvements (L2200043).

25 ~~((+24))~~ (22) \$65,000 of the multimodal transportation account--
26 state appropriation is provided solely for the Puget Sound regional
27 council to further the implementation of multimodal concurrency
28 practice through a transit service overlay zone implemented at the
29 local level (L1000061). This approach will improve the linkage of land
30 use and transportation investment decisions, improve the efficiency of
31 transit service by encouraging transit-supportive development, provide
32 incentives for developers, and support integrated regional growth,
33 economic development, and transportation plans. In carrying out this
34 work, the council shall involve representatives from cities and
35 counties, developers, transit agencies, and other interested
36 stakeholders, and shall consult with other regional transportation
37 planning organizations across the state. The council shall report the

1 results of their work and recommendations to the joint transportation
2 committee by December 2011, with a final report to the transportation
3 committees of the legislature by January 31, 2012.

4 (23) \$650,000 of the motor vehicle account--federal appropriation
5 is provided solely for the SR 522 Improvements/61st Avenue NE and NE
6 181st Street project (L1000055).

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

9 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

10 On a quarterly basis, the department of transportation shall
11 provide to the office of financial management and the legislative
12 transportation committees the following reports for all capital
13 programs:

14 (1) For active projects, the report must include:

15 (a) A TEIS version containing actual capital expenditures for all
16 projects consistent with the structure of the most recently enacted
17 budget;

18 (b) Anticipated cost savings, cost increases, reappropriations, and
19 schedule adjustments for all projects consistent with the structure of
20 the most recently enacted budget;

21 (c) The award amount, the engineer's estimate, and the number of
22 bidders for all active projects consistent with the structure of the
23 most recently enacted budget;

24 (d) Projected costs and schedule for individual projects that are
25 funded at a programmatic level for projects relating to bridge rail,
26 guard rail, fish passage barrier removal, roadside safety projects, and
27 seismic bridges. Projects within this programmatic level funding must
28 be completed on a priority basis and scoped to be completed within the
29 current programmatic budget;

30 (e) Highway projects that may be reduced in scope and still achieve
31 a functional benefit;

32 (f) Highway projects that have experienced scope increases and that
33 can be reduced in scope;

34 (g) Highway projects that have lost significant local or regional
35 contributions that were essential to completing the project; and

36 (h) Contingency amounts for all projects consistent with the
37 structure of the most recently enacted budget.

- 1 (2) For completed projects, the report must:
- 2 (a) Compare the original project cost estimates and schedule
- 3 approved in the transportation 2003 and 2005 transportation partnership
- 4 project lists to the completed cost of the project;
- 5 (b) Compare the costs and operationally complete date for projects
- 6 on the transportation 2003 and 2005 transportation partnership project
- 7 lists to the last legislatively adopted project list prior to the
- 8 completion of a project; and
- 9 (c) Compare the costs and operationally complete date for projects
- 10 with budgets of twenty million dollars that are funded with preexisting
- 11 funds to the original project cost estimates and schedule.
- 12 (3) For prospective projects, the report must:
- 13 (a) Identify the estimated advertisement date for all projects
- 14 consistent with the structure of the most recently enacted budget that
- 15 are going to advertisement during the current biennium;
- 16 (b) Identify the anticipated operationally complete date for all
- 17 projects consistent with the structure of the most recently enacted
- 18 budget that are going to advertisement during the current biennium; and
- 19 (c) Identify the estimated cost of completion for all projects
- 20 consistent with the structure of the most recently enacted budget that
- 21 are going to advertisement during the current biennium.

22 **TRANSFERS AND DISTRIBUTIONS**

23 **Sec. 401.** 2011 c 367 s 401 (uncodified) is amended to read as

24 follows:

25 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

26 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**

27 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**

28 **REVENUE**

29 Highway Bond Retirement Account--State

30	Appropriation	((\$920,560,000))
31		<u>\$796,020,000</u>
32	Ferry Bond Retirement Account--State Appropriation	\$31,801,000
33	State Route Number 520 Corridor Account--State	
34	Appropriation	\$1,075,000
35	Transportation Improvement Board Bond Retirement	

1	Account--State Appropriation	(((\$16,544,000))
2		<u>\$16,504,000</u>
3	Nondebt-Limit Reimbursable Account Appropriation	(((\$25,200,000))
4		<u>\$20,892,000</u>
5	Transportation Partnership Account--State	
6	Appropriation	(((\$3,142,000))
7		<u>\$2,846,000</u>
8	Motor Vehicle Account--State Appropriation	(((\$333,000))
9		<u>\$298,000</u>
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	(((\$1,140,000))
12		<u>\$1,110,000</u>
13	Transportation Improvement Account--State	
14	Appropriation	\$29,000
15	Multimodal Transportation Account--State	
16	Appropriation	(((\$138,000))
17		<u>\$125,000</u>
18	Toll Facility Bond Retirement Account--State	
19	Appropriation	(((\$33,792,000))
20		<u>\$48,807,000</u>
21	Toll Facility Bond Retirement Account--Federal	
22	Appropriation	(((\$14,649,000))
23		<u>\$7,500,000</u>
24	TOTAL APPROPRIATION	(((\$1,048,403,000))
25		<u>\$927,007,000</u>

26 ((The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) ~~\$4,610,000 of the highway bond retirement account state~~
29 ~~appropriation is provided solely for debt service on bonds issued to~~
30 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
31 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~
32 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
33 ~~enacted by June 30, 2011, the amount provided in this subsection~~
34 ~~lapses.~~

35 (2) ~~\$165,000 of the transportation 2003 account (nickel account)--~~
36 ~~state appropriation is provided solely for discounts on bonds sold to~~
37 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~
38 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~

1 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~
2 ~~enacted by June 30, 2011, the amount provided in this subsection~~
3 ~~lapses.)~~)

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

6 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
7 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
8 **FISCAL AGENT CHARGES**

9	State Route Number 520 Corridor Account--State	
10	Appropriation	\$68,000
11	Transportation Partnership Account--State	
12	Appropriation	(\$608,000)
13		<u>\$478,000</u>
14	Motor Vehicle Account--State Appropriation	(\$60,000)
15		<u>\$47,000</u>
16	Transportation 2003 Account (Nickel Account)--State	
17	Appropriation	(\$219,000)
18		<u>\$173,000</u>
19	Transportation Improvement Account--State Appropriation	\$5,000
20	Multimodal Transportation Account--State	
21	Appropriation	(\$26,000)
22		<u>\$19,000</u>
23	TOTAL APPROPRIATION	(\$986,000)
24		<u>\$790,000</u>

25 ~~((The appropriations in this section are subject to the following~~
26 ~~conditions and limitations: \$30,000 of the transportation 2003 account~~
27 ~~(nickel account) state appropriation is provided solely for expenses~~
28 ~~associated with bonds sold to construct a ferry boat vessel with a~~
29 ~~carrying capacity of one hundred forty four cars. If neither chapter~~
30 ~~... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed~~
31 ~~Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the~~
32 ~~amount provided in this subsection lapses.)~~)

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

35 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

2 Motor Vehicle Account--State Appropriation: For
3 transfer to the Puget Sound Capital Construction
4 Account ((~~\$52,516,000~~))
5 \$45,000,000

6 The department of transportation is authorized to sell up to
7 ((~~\$52,516,000~~)) \$45,000,000 in bonds authorized by RCW 47.10.843 for
8 vessel and terminal acquisition, major and minor improvements, and long
9 lead-time materials acquisition for the Washington state ferries. ((~~Of~~
10 ~~the authorized amounts, \$14,500,000 is provided solely for expenditures~~
11 ~~made during the fiscal biennium ending June 30, 2011.~~))

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

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

15 Motor Vehicle Account--State Appropriation for motor
16 vehicle fuel tax distributions to cities and
17 counties ((~~\$478,155,000~~))
18 \$470,701,000

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

21 **FOR THE STATE TREASURER--TRANSFERS**

22 Motor Vehicle Account--State Appropriation: For
23 motor vehicle fuel tax refunds and statutory
24 transfers ((~~\$1,246,357,000~~))
25 \$1,227,005,000

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

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

29 Motor Vehicle Account--State Appropriation: For
30 motor vehicle fuel tax refunds and transfers . . . ((~~\$127,984,000~~))
31 \$151,870,000

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

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

2 (1) (~~Tacoma Narrows Toll Bridge Account--State~~

3 ~~Appropriation: For transfer to the Motor Vehicle~~

4 ~~Account--State~~ \$543,000

5 (+2)) Motor Vehicle Account--State Appropriation:

6 For transfer to the Puget Sound Ferry Operations

7 Account--State ((~~\$46,500,000~~))

8 \$45,500,000

9 ((+3)) (2) Recreational Vehicle Account--State

10 Appropriation: For transfer to the Motor Vehicle

11 Account--State ((~~\$1,450,000~~))

12 \$1,150,000

13 ((+4)) (3) License Plate Technology Account--State

14 Appropriation: For transfer to the Highway Safety

15 Account--State ((~~\$3,200,000~~))

16 \$3,000,000

17 ((+5)) (4) Multimodal Transportation Account--State

18 Appropriation: For transfer to the Puget Sound

19 Ferry Operations Account--State ((~~\$43,000,000~~))

20 \$42,000,000

21 ((+6)) (5) Highway Safety Account--State Appropriation:

22 For transfer to the Motor Vehicle Account--State \$23,000,000

23 ((+7) ~~Department of Licensing Services Account~~

24 ~~--State Appropriation: For transfer to the Motor Vehicle~~

25 ~~Account--State~~ \$400,000

26 (+8)) (6) Advanced Right-of-Way Revolving Fund: For

27 transfer to the Motor Vehicle Account--State \$5,000,000

28 ((+9) ~~State Route Number 520 Civil Penalties~~

29 ~~Account--State Appropriation: For transfer to the~~

30 ~~State Route Number 520 Corridor Account--State~~ \$754,000

31 (+10)) (7) Rural Mobility Grant Program Account--State

32 Appropriation: For transfer to the Multimodal

33 Transportation Account--State \$3,000,000

34 ((+11)) (8) Motor Vehicle Account--State

35 Appropriation: For transfer to the State Patrol

36 Highway Account--State ((~~\$14,000,000~~))

37 \$16,000,000

38 ((+12)) (9) State Route Number 520 Corridor

1 Account--State Appropriation: For transfer to the
 2 Motor Vehicle Account--State(~~(, in an amount equal to~~
 3 ~~funds dispersed during the 2009-2011 fiscal biennium~~
 4 ~~authorized under section 805(7) of this act.)) \$58,000
 5 ((~~13~~)) (10) Motor Vehicle Account--State
 6 Appropriation: For transfer to the Special Category C
 7 Account--State ((~~\$1,500,000~~))
 8 \$2,500,000
 9 ((~~14~~)) (11) Regional Mobility Grant Program
 10 Account--State Appropriation: For transfer to the
 11 Multimodal Transportation Account--State \$1,000,000
 12 ((~~15~~)) (12) State Patrol Highway Account--State
 13 Appropriation: For transfer to the Vehicle
 14 Licensing Fraud Account \$100,000
 15 ((~~16~~ ~~State Route Number 520 Corridor Account--State~~
 16 ~~Appropriation: For transfer to the Motor Vehicle~~
 17 ~~Account \$2,435,000))~~
 18 (13) Capital Vessel Replacement Account--State
 19 Appropriation: For transfer to the Transportation 2003
 20 Account (Nickel Account)--State \$6,367,000
 21 ((~~17~~)) (14) The transfers identified in this section are subject
 22 to the following conditions and limitations:
 23 (a) ~~((The amount transferred in subsection (1) of this section~~
 24 ~~represents repayment of operating loans and reserve payments provided~~
 25 ~~to the Tacoma Narrows toll bridge account from the motor vehicle~~
 26 ~~account in the 2005-2007 fiscal biennium.~~
 27 (b) ~~The transfer in subsection (9) of this section represents toll~~
 28 ~~revenue collected from toll violations))~~ The transfer in subsection (9)
 29 of this section represents the repayment of an amount equal to
 30 subprogram B5 expenditures that occurred in the motor vehicle account
 31 in the 2009-2011 fiscal biennium.
 32 (b) The amount transferred in subsection (2) of this section shall
 33 not exceed the expenditures incurred from the motor vehicle account--
 34 state for the recreational vehicle sanitary disposal systems program.~~

35 **COMPENSATION**

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

3 **COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION**

4 (1) No agreement has been reached between the governor and the
5 Washington state patrol trooper's association under chapter 41.56 RCW
6 for ((the 2011-2013 fiscal biennium)) fiscal year 2012. Appropriations
7 for the Washington state patrol in this act are sufficient to fund the
8 provisions of the 2009-2011 agreement.

9 (2) An agreement has been reached between the governor and the
10 Washington state patrol troopers association under chapter 41.56 RCW
11 for fiscal year 2013. Appropriations for the Washington state patrol
12 in this act provide funding to implement the fiscal year 2013
13 agreement. The fiscal year 2013 agreement contains no change in
14 compensation from the 2009-2011 agreement; therefore, no additional
15 funding is appropriated.

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

18 **COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION**

19 (1) No agreement has been reached between the governor and the
20 Washington state patrol lieutenant's association under chapter 41.56
21 RCW for ((the 2011-2013 fiscal biennium)) fiscal year 2012.
22 Appropriations for the Washington state patrol in this act are
23 sufficient to fund the provisions of the 2009-2011 agreement.

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

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

33 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
34 **AGREEMENTS--TERMS AND CONDITIONS**

35 No agreement has been reached between the governor and the masters,
36 mates, and pilots marine operations watch supervisors under chapter

1 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this
2 act reflect funding to maintain the provisions or terms and conditions
3 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013
4 appropriations are reduced to reflect a 6.0 percent temporary salary
5 reduction effective July 1, 2012, through June 29, 2013, a reduction to
6 overtime calculation, reduced vacation accruals, and other management
7 priorities in collective bargaining. Effective June 30, 2013, the
8 salary schedules effective July 1, 2009, through June 30, 2011, will be
9 reinstated.

10 NEW SECTION. Sec. 504. A new section is added to 2011 c 367
11 (uncodified) to read as follows:

12 **EMPLOYEE HEALTH INSURANCE**

13 Motor Vehicle Account--State Appropriation (\$2,000)

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

16 (1) The appropriation in this section is provided solely for a
17 reduction in employee health insurance funding rate as described in
18 section 9.. of the 2012 supplemental omnibus operating budget,
19 effective July 1, 2012, through June 30, 2013, for employees of the
20 legislative branch.

21 (2) The appropriation from funds and accounts must be made in the
22 amounts specified and from the funds and accounts specified in OFM
23 Document 2011-INS-01 dated November 21, 2012.

24 NEW SECTION. Sec. 505. TRANSPORTATION EMPLOYEES--COMPENSATION

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

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

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

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

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

1 **IMPLEMENTING PROVISIONS**

2 NEW SECTION. **Sec. 601.** A new section is added to chapter 47.76
3 RCW to read as follows:

4 Funds deemed by the department of transportation, in consultation
5 with relevant port districts, to be in excess of current operating
6 needs or capital reserves of the grain train program may be transferred
7 from the miscellaneous program account to the essential rail assistance
8 account created in RCW 47.76.250 for the purpose of sustaining the
9 grain train program.

10 **Sec. 602.** 2011 c 367 s 608 (uncodified) is amended to read as
11 follows:

12 **STAFFING LEVELS**

13 (1) As the department of transportation completes delivery of the
14 projects funded by the 2003 and 2005 transportation revenue packages,
15 it is clear that the current staffing levels necessary to deliver these
16 projects are not sustainable into the future. Therefore, the
17 department is directed to quickly move forward to develop and implement
18 new business practices so that a smaller, more nimble state workforce
19 can effectively and efficiently deliver transportation improvement
20 programs as they are approved in the future, in strong partnership with
21 the private sector, while protecting the public's interests and assets.

22 (2) To this end, the department of transportation is directed to
23 reduce the size of its engineering and technical workforce to a level
24 sustained by current law revenue levels currently estimated at two
25 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
26 department's current two thousand eight hundred FTE engineering and
27 technical workforce levels for highway construction will be reduced in
28 the 2011-2013 fiscal biennium, with a target of two thousand four
29 hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by
30 June 30, 2015.

31 (3) In order to successfully deliver the highway construction
32 program as funded, the department of transportation may continue to
33 contract out engineering and technical services. In addition, the
34 department may continue the incentive program for retirements and
35 employee separations. (~~The department shall report quarterly to the~~
36 ~~office of financial management and the transportation committees of the~~

1 legislature on its progress and plans to reduce highway construction
2 workforce levels to two thousand FTEs by June 2015. This report must
3 also be posted on the department's web site.))

4 (4) The department of transportation is directed to reduce the size
5 of its administrative operating programs for the 2013-2015 biennium.
6 As part of the department's biennial budget submittal, the department
7 shall reduce its workforce in Programs C, H, T, and S by five to seven
8 percent. The ratio of executive management service or Washington
9 management services employee staff must be at least seven staff for
10 every manager by the end of the 2013-2015 biennium.

11 **Sec. 603.** 2011 c 367 s 603 (uncodified) is amended to read as
12 follows:

13 **FUND TRANSFERS**

14 (1) The transportation 2003 projects or improvements and the 2005
15 transportation partnership projects or improvements are listed in LEAP
16 Transportation Document ((2011-1)) 2012-2 as developed ((April 19,
17 2011)) February 21, 2012, which consists of a list of specific projects
18 by fund source and amount over a sixteen-year period. Current fiscal
19 biennium funding for each project is a line-item appropriation, while
20 the outer year funding allocations represent a sixteen-year plan. The
21 department is expected to use the flexibility provided in this section
22 to assist in the delivery and completion of all transportation
23 partnership account and transportation 2003 account (nickel account)
24 projects on the LEAP transportation documents referenced in this act.
25 For the 2009-2011 and 2011-2013 project appropriations, unless
26 otherwise provided in this act, the director of financial management
27 may authorize a transfer of appropriation authority between projects
28 funded with transportation 2003 account (nickel account)
29 appropriations, or transportation partnership account appropriations,
30 in order to manage project spending and efficiently deliver all
31 projects in the respective program under the following conditions and
32 limitations:

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

35 (b) Transfers from a project may not be made as a result of the
36 reduction of the scope of a project or be made to support increases in
37 the scope of a project;

1 (c) Each transfer between projects may only occur if the director
2 of financial management finds that any resulting change will not hinder
3 the completion of the projects as approved by the legislature. Until
4 the legislature reconvenes to consider the 2012 supplemental
5 transportation budget, any unexpended 2009-2011 appropriation balance
6 as approved by the office of financial management, in consultation with
7 the legislative staff of the house of representatives and senate
8 transportation committees, may be considered when transferring funds
9 between projects;

10 (d) Transfers from a project may be made if the funds appropriated
11 to the project are in excess of the amount needed to complete the
12 project;

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

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

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

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

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

29 (4) The office of financial management shall document approved
30 transfers and schedule changes in the transportation executive
31 information system, compare changes to the legislative baseline funding
32 and schedules identified by project identification number identified in
33 the LEAP transportation documents referenced in this act, and transmit
34 revised project lists to chairs of the transportation committees of the
35 legislature on a quarterly basis.

36 NEW SECTION. **Sec. 604.** A new section is added to 2011 c 367
37 (uncodified) to read as follows:

1 The department of transportation may provide up to \$163,000 in toll
2 credits to the Port of Kingston for its role in the new passenger-only
3 ferry service and ferry corridor-related projects. The number of toll
4 credits provided to the Port of Kingston must be equal to, but no more
5 than, the number sufficient to meet federal match requirements for
6 grant funding for passenger-only ferry service, but shall not exceed
7 the amount authorized in this section.

8 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

9 NEW SECTION. **Sec. 701.** A new section is added to 2011 c 367
10 (uncodified) to read as follows:

11 **FOR THE WASHINGTON STATE PATROL**

12 State Patrol Highway Account--State Appropriation	\$5,642,000
13 Highway Safety Account--State Appropriation	\$3,500,000
14 TOTAL APPROPRIATION	\$9,142,000

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

17 (1) \$1,642,000 of the state patrol highway account--state
18 appropriation is provided solely for the auto theft investigation units
19 in King county, the city of Spokane, and the city of Tacoma.

20 (2) \$4,000,000 of state patrol highway account--state appropriation
21 and the entire highway safety account--state appropriation is provided
22 solely for equipment acquisition, installation, integration, and
23 financing needs associated with the conversion of the existing
24 communication system to narrowbanding as required by the federal
25 communications commission.

26 NEW SECTION. **Sec. 702.** A new section is added to 2011 c 367
27 (uncodified) to read as follows:

28 **FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL**

29 Highway Safety Account--State Appropriation	\$3,000,000
--	-------------

30 The appropriation in this section is subject to the following
31 conditions and limitations: The appropriation in this section is
32 provided solely for the county arterial preservation program to help
33 counties meet urgent preservation needs.

1 NEW SECTION. **Sec. 703.** A new section is added to 2011 c 367
2 (uncodified) to read as follows:

3 **FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL**

4 Highway Safety Account--State Appropriation \$3,000,000

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

7 (1) \$2,700,000 of the highway safety account--state appropriation
8 is provided solely for the urban arterial program to help cities meet
9 urgent preservation and storm water needs.

10 (2) \$300,000 of the highway safety account--state appropriation is
11 provided solely for the small city pavement program to help cities meet
12 urgent preservation and storm water needs.

13 NEW SECTION. **Sec. 704.** A new section is added to 2011 c 367
14 (uncodified) to read as follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

16 Motor Vehicle Account--State Appropriation \$8,000,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The appropriation in this section is
19 provided solely to advance the design, preliminary engineering, and
20 rights-of-way acquisition for the priority projects identified in LEAP
21 Transportation Document 2012-3 as developed February 21, 2012. Funds
22 must be used to advance the emergent, initial development of these
23 projects for the purpose of expediting delivery of the associated major
24 investments when funding for such investments becomes available.
25 Funding may be reallocated between projects to maximize the
26 accomplishment of design and preliminary engineering work and rights-
27 of-way acquisition, provided that all projects are addressed. It is
28 the intent of the legislature that, while seeking to maximize the
29 outcomes in this section, the department shall utilize an approach that
30 ensures private sector general engineering consultant participation,
31 continuity of personnel, and consistency with the department's business
32 plan for reducing staffing in the highway construction program in the
33 current and next biennia.

34 NEW SECTION. **Sec. 705.** A new section is added to 2011 c 367
35 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
2 Highway Safety Account--State Appropriation \$3,000,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: The appropriation in this section is
5 provided solely to further reduce the highway maintenance backlog in
6 order to maintain or increase levels of service.

7 NEW SECTION. **Sec. 706.** A new section is added to 2011 c 367
8 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
10 Highway Safety Account--State Appropriation \$3,000,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The appropriation in this section is
13 provided solely for urgent preservation needs on the state highway
14 system.

15 NEW SECTION. **Sec. 707.** A new section is added to 2011 c 367
16 (uncodified) to read as follows:

17 **FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES**
18 Multimodal Transportation Account--State Appropriation . . . \$3,500,000

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

21 (1) The appropriation in this section must be distributed statewide
22 to transit authorities according to the distribution formula in
23 subsection (2) of this section. Funding must be used for operations.

24 (2) Of the amounts provided in this section:

25 (a) One-third must be distributed based on vehicle miles of service
26 provided;

27 (b) One-third must be distributed based on the number of vehicle
28 hours of service provided; and

29 (c) One-third must be distributed based on the number of passenger
30 trips.

31 (3) For the purposes of this section:

32 (a) "Transit authorities" has the same meaning as in RCW
33 9.91.025(2)(c).

34 (b) "Vehicle miles of service," "vehicle hours of service," and

1 "passenger trips" are transit service metrics as reported by the public
2 transportation program of the department of transportation in the
3 annual report required in RCW 35.58.2796 for calendar year 2010.

4 NEW SECTION. **Sec. 708.** A new section is added to 2011 c 367
5 (uncodified) to read as follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**
7 Highway Safety Account--State Appropriation \$6,000,000

8 The appropriation in this section is subject to the following
9 conditions and limitations: The appropriation in this section is
10 provided solely for the purchase of fuel for marine operations.

11 NEW SECTION. **Sec. 709.** A new section is added to 2011 c 367
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
14 **CONSTRUCTION--PROGRAM W**
15 Transportation 2003 Account
16 (Nickel Account)--State Appropriation \$130,000,000

17 The appropriation in this section is subject to the following
18 conditions and limitations:

19 (1) The appropriation in this section is provided solely for the
20 purposes of constructing a ferry boat vessel with a carrying capacity
21 of at least one hundred forty-four cars.

22 (2) The appropriation in this section includes up to \$130,000,000
23 in proceeds from the sale of bonds authorized in RCW 47.10.861.

24 NEW SECTION. **Sec. 710.** A new section is added to 2011 c 367
25 (uncodified) to read as follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
27 **CAPITAL**
28 Highway Safety Account--State Appropriation \$3,000,000

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

31 (1) \$1,000,000 of the highway safety account--state appropriation
32 is provided solely to the freight mobility strategic investment board
33 for grants to meet urgent freight corridor improvement and preservation

1 needs, including advancing projects that are identified in LEAP
2 Transportation Document 2012-2 ALL PROJECTS as developed February 21,
3 2012, and for other projects that meet the board's criteria.

4 (2) \$2,000,000 of the highway safety account--state appropriation
5 is provided solely for safe routes to schools program projects, in rank
6 order, and identified as contingency projects in the LEAP
7 Transportation Document 2011-A, pedestrian and bicycle safety program
8 projects and safe routes to school program projects, referenced in
9 chapter 367, Laws of 2011 (the omnibus transportation appropriations
10 act).

11 NEW SECTION. **Sec. 711.** A new section is added to 2011 c 367
12 (uncodified) to read as follows:

13 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
15 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
16 **REVENUE**

17 Highway Bond Retirement Account--State Appropriation \$6,500,000

18 NEW SECTION. **Sec. 712.** A new section is added to 2011 c 367
19 (uncodified) to read as follows:

20 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
21 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
22 **FISCAL AGENT CHARGES**

23 Transportation 2003 Account

24 (Nickel Account)--State Appropriation \$58,000

25 NEW SECTION. **Sec. 713.** Sections 701 through 708 and 710 of this
26 act take effect November 1, 2012.

27 NEW SECTION. **Sec. 714.** Sections 709, 711, and 712 of this act
28 take effect July 1, 2012.

29 NEW SECTION. **Sec. 715.** If chapter . . . (Engrossed Substitute
30 Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012,
31 the appropriations in sections 702, 703, 705, 706, 708, and 710(1) of
32 this act are null and void.

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