

**SENATE BILL 5992**

**State of Washington                      62nd Legislature                      2011 2nd Special Session**

**By** Senators Haugen and King; by request of Governor Gregoire

Read first time 12/12/11. Referred to Committee on Transportation.

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 new sections to 2011 c 367 (uncodified); repealing  
7 2011 1st sp.s. c 50 ss 718, 719, 720, and 721 (uncodified); making  
8 appropriations and authorizing expenditures for capital improvements;  
9 and declaring an emergency.

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

**2011-2013 FISCAL BIENNIUM**

**GENERAL GOVERNMENT AGENCIES--OPERATING**

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

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

16 Motor Vehicle Account--State Appropriation . . . . . ((\$430,000))  
17 \$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 . . . . .          | (( <del>\$2,216,000</del> )) |
|   | <u>\$2,046,000</u>           |
| 11 Puget Sound Ferry Operations Account--State                  |                              |
| 12 Appropriation . . . . .                                      | (( <del>\$4,624,000</del> )) |
|   | <u>\$1,260,000</u>           |
| 14 <u>Highway Safety Account--State Appropriation . . . . .</u> | <u>\$318,000</u>             |
| 15 TOTAL APPROPRIATION . . . . .                                | (( <del>\$6,840,000</del> )) |
|   | <u>\$3,624,000</u>           |

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

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

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

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

5       ~~(+5))~~ \$840,000 of the motor vehicle account--state appropriation is  
6 provided out of funds set aside out of statewide fuel taxes distributed  
7 to counties according to RCW 46.68.120(3) solely for the office of  
8 financial management to contract with the Washington state association  
9 of counties to identify, evaluate, and implement performance measures  
10 associated with county transportation activities. The performance  
11 measures must include, at a minimum, those related to safety, system  
12 preservation, mobility, environmental protection, and project  
13 completion. A report on the county transportation performance  
14 implementation project must be provided to the transportation  
15 committees of the legislature by December 31, 2012.

16       ~~((+6))~~ (3) \$169,000 of the motor vehicle account--state  
17 appropriation is provided solely for the office of regulatory  
18 assistance integrated permitting project.

19       ~~((+7))~~ (4) \$40,000 of the Puget Sound ferry operations account--  
20 state appropriation is provided solely for the state's share of the  
21 marine salary survey.

22       ~~((+8))~~ (5) The office of financial management shall study the  
23 available data regarding statewide transit, bicycle, and pedestrian  
24 trips and recommend additional performance measures that will  
25 effectively measure the state's performance in increasing transit  
26 ridership and bicycle and pedestrian trips. The office of financial  
27 management shall report its findings and recommendations to the  
28 transportation committees of the legislature by November 15, 2011, and  
29 integrate the new performance measures into the report prepared by the  
30 office of financial management pursuant to RCW 47.04.280 regarding  
31 progress towards achieving Washington state's transportation system  
32 policy goals.

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

35       **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

|   |           |
|---|-----------|
| 36 Motor Vehicle Account--State Appropriation . . . . . | \$462,000 |
| 37 Puget Sound Ferry Operations Account--State          |           |

1 Appropriation . . . . . \$3,360,000  
2 TOTAL APPROPRIATION . . . . . \$3,822,000

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

5 (1) \$462,000 of the motor vehicle account--state appropriation is  
6 provided solely for the transportation executive management system.

7 (2) \$3,360,000 of the Puget Sound ferry operations account--state  
8 appropriation is provided solely for marine insurance.

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

11 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

12 Puget Sound Ferry Operations Account--State

13 Appropriation . . . . . \$95,000

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

16 **FOR THE DEPARTMENT OF AGRICULTURE**

17 Motor Vehicle Account--State Appropriation . . . . . ((~~\$1,210,000~~))  
18 \$1,184,000

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

21 (1) \$351,000 of the motor vehicle account--state appropriation is  
22 provided solely for costs associated with the motor fuel quality  
23 program.

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

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

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

31 Motor Vehicle Account--State Appropriation . . . . . ((~~\$513,000~~))  
32 \$494,000

TRANSPORTATION AGENCIES--OPERATING

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

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

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

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

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

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

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

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

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

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

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

15 (5) \$22,000,000 of the highway safety account--federal  
16 appropriation is provided solely for federal funds that may be  
17 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the  
18 2011-2013 fiscal biennium.

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

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

|  |                              |
|--|------------------------------|
| 22 Rural Arterial Trust Account--State Appropriation . . . . . | (( <del>\$948,000</del> ))   |
|  | <u>\$915,000</u>             |
| 24 Motor Vehicle Account--State Appropriation . . . . .        | (( <del>\$2,161,000</del> )) |
|  | <u>\$2,088,000</u>           |
| 26 County Arterial Preservation Account--State                 |                              |
| 27 Appropriation . . . . .                                     | (( <del>\$1,480,000</del> )) |
|  | <u>\$1,428,000</u>           |
| 29 TOTAL APPROPRIATION . . . . .                               | (( <del>\$4,589,000</del> )) |
|  | <u>\$4,431,000</u>           |

31 The appropriations in this section are subject to the following  
32 conditions and limitations: The county road administration board shall  
33 submit a report to the transportation committees of the legislature by  
34 December 1, 2011, on the implementation of the recommendations that  
35 resulted from the evaluation of efficiencies in the delivery of  
36 transportation funding and services to local governments that was  
37 required under section 204(8), chapter 247, Laws of 2010. The report

1 must include a description of how recommendations were implemented,  
2 what efficiencies were achieved, and an explanation of any  
3 recommendations that were not implemented.

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

6 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

7 Transportation Improvement Account--State

8 Appropriation . . . . . ((~~\$3,707,000~~))  
9 \$3,625,000

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

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

22 **FOR THE JOINT TRANSPORTATION COMMITTEE**

23 Motor Vehicle Account--State Appropriation . . . . . ((~~\$2,060,000~~))  
24 \$2,028,000

25 The appropriation in this section is subject to the following  
26 conditions and limitations:

27 (1) \$200,000 of the motor vehicle account--state appropriation is  
28 for a study of Washington state ferries fares that recommends the most  
29 appropriate fare media for use with the reservation system and the  
30 implementation of demand management pricing and interoperability with  
31 other payment methods. The study must include direct collaboration  
32 with transportation commission members.

33 ((+3)) (2) \$200,000 of the motor vehicle account--state  
34 appropriation is from the cities statewide fuel tax distributions under  
35 RCW 46.68.110(2) for the joint transportation committee to study and  
36 make recommendations on RCW 90.03.525. The study must include: (a) An

1 inventory of state highways subject to the federal clean water act (40  
2 C.F.R. Parts 122 through 124) (national pollutant discharge elimination  
3 system) that are within city boundaries; (b) a survey of cities that  
4 impose storm water fees or charges to the department of transportation,  
5 or otherwise manage storm water runoff from state highways within their  
6 jurisdiction; (c) case studies from a representative cross-section of  
7 cities on how the department and cities have used RCW 90.03.525; and  
8 (d) recommendations on how to achieve efficiencies in the cost and  
9 management of state highway storm water runoff within cities under RCW  
10 90.03.525.

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



1 ((+5)) (4) \$100,000 of the motor vehicle account--state  
2 appropriation is for an investigation of the use of liquid natural gas  
3 on existing Washington state ferry vessels as well as the 144-car class  
4 vessels and report to the legislature by December 31, 2011.

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

7 **FOR THE TRANSPORTATION COMMISSION**

|    |  |                              |
|----|--|------------------------------|
| 8  | Motor Vehicle Account--State Appropriation . . . . .           | (( <del>\$2,142,000</del> )) |
| 9  |  | <u>\$2,092,000</u>           |
| 10 | Multimodal Transportation Account--State Appropriation . . . . | \$112,000                    |
| 11 | TOTAL APPROPRIATION . . . . .                                  | (( <del>\$2,254,000</del> )) |
| 12 |  | <u>\$2,204,000</u>           |

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

15 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,  
16 during the 2011-2013 fiscal biennium, the legislature authorizes the  
17 transportation commission to periodically review and, if necessary,  
18 adjust the schedule of fares for the Washington state ferry system only  
19 in amounts not greater than those sufficient to generate the amount of  
20 revenue required by the biennial transportation budget. When adjusting  
21 ferry fares, the commission must consider input from affected ferry  
22 users by public hearing and by review with the affected ferry advisory  
23 committees, in addition to the data gathered from the current ferry  
24 user survey.

25 (2) Consistent with RCW 43.135.055 and 47.46.100, during the  
26 2011-2013 fiscal biennium, the legislature authorizes the  
27 transportation commission to periodically review and, if necessary,  
28 adjust the schedule of toll charges applicable to the Tacoma Narrows  
29 bridge only in amounts not greater than those sufficient to support (a)  
30 any required costs for operating and maintaining the toll bridge,  
31 including the cost of insurance, (b) any amount required by law to meet  
32 the redemption of bonds and applicable interest payments, and (c)  
33 repayment of the motor vehicle fund.

34 ((+4)) (3) Consistent with its authority in RCW 47.56.840, the  
35 transportation commission shall consider the need for a citizen  
36 advisory group that provides oversight on new tolled facilities.



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

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

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

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

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

37 ~~(6) \$6,611,000 of the total appropriation is provided solely for~~

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

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

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

14 ~~((9))~~ (6) The Washington state patrol shall not account for or  
15 record locally provided DUI cost reimbursement payments as expenditure  
16 credits to the state patrol highway account. The patrol shall report  
17 the amount of expected locally provided DUI cost reimbursements to the  
18 office of financial management and transportation committees of the  
19 legislature by September 30th of each year.

20 ~~((10))~~ (7) During the 2011-2013 fiscal biennium, the Washington  
21 state patrol shall continue to perform traffic accident investigations  
22 on Thurston county roads, and shall work with Thurston county to  
23 transition the traffic accident investigations on Thurston county roads  
24 to Thurston county by July 1, 2013.

25 ~~((11) \$100,000 of the vehicle licensing fraud account--state~~  
26 ~~appropriation is provided solely to support the transportation portion~~  
27 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~  
28 ~~biennium.))~~

29 (8) \$2,187,000 of the state patrol highway account--state  
30 appropriation is provided solely for mobile office platforms.

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

33 **FOR THE DEPARTMENT OF LICENSING**

|  |                          |
|--|--------------------------|
| 34 Marine Fuel Tax Refund Account--State Appropriation . . . . . | \$32,000                 |
| 35 Motorcycle Safety Education Account--State                    |                          |
| 36 Appropriation . . . . .                                       | <del>((4,411,000))</del> |
| 37   | <u>\$4,367,000</u>       |

|    |  |                      |
|----|--|----------------------|
| 1  | Wildlife Account--State Appropriation . . . . .                      | (((\$859,000))       |
| 2  |  | <u>\$826,000</u>     |
| 3  | Highway Safety Account--State Appropriation . . . . .                | (((\$149,904,000))   |
| 4  |  | <u>\$146,658,000</u> |
| 5  | Highway Safety Account--Federal Appropriation . . . . .              | (((\$2,884,000))     |
| 6  |  | <u>\$4,299,000</u>   |
| 7  | <u>Highway Safety Account--Private/Local Appropriation . . . . .</u> | <u>\$200,000</u>     |
| 8  | Motor Vehicle Account--State Appropriation . . . . .                 | (((\$78,586,000))    |
| 9  |  | <u>\$75,724,000</u>  |
| 10 | Motor Vehicle Account--Private/Local Appropriation . . . . .         | (((\$1,721,000))     |
| 11 |  | <u>\$1,714,000</u>   |
| 12 | Motor Vehicle Account--Federal Appropriation . . . . .               | (((\$242,000))       |
| 13 |  | <u>\$380,000</u>     |
| 14 | Department of Licensing Services Account--State                      |                      |
| 15 | Appropriation . . . . .  | (((\$5,815,000))     |
| 16 |  | <u>\$6,995,000</u>   |
| 17 | Ignition Interlock Device Revolving Account--State                   |                      |
| 18 | Appropriation . . . . .  | \$1,315,000          |
| 19 | TOTAL APPROPRIATION . . . . .  | (((\$245,769,000))   |
| 20 |  | <u>\$242,510,000</u> |

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

23       (1) ~~(((\$62,000 of the motor vehicle account--state appropriation is~~  
24 ~~provided solely for the implementation of chapter ... (Engrossed~~  
25 ~~Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee).~~  
26 ~~If chapter ... (Engrossed Substitute Senate Bill No. 5251), Laws of~~  
27 ~~2011 is not enacted by June 30, 2011, the amount provided in this~~  
28 ~~subsection lapses.~~

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

34       ((+3)) (2) \$193,000 of the department of licensing services  
35 account--state appropriation is provided solely for a phased  
36 implementation of chapter ... (Substitute House Bill No. 1046), Laws of  
37 2011 (vehicle and vessel quick titles). Funding is contingent upon  
38 revenues associated with the vehicle and vessel quick title program

1 paying all direct and indirect expenditures associated with the  
2 department's implementation of this subsection. If chapter ...  
3 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June  
4 30, 2011, the amount provided in this subsection lapses.

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

14 ~~(5) \$1,938,000))~~ (3) \$4,299,000 of the highway safety account--  
15 federal appropriation is for federal funds that may be received during  
16 the 2011-2013 fiscal biennium. Upon receipt of the funds, the  
17 department shall provide a report on the use of the funds to the  
18 transportation committees of the legislature and the office of  
19 financial management.

20 ~~((6))~~ (4) By December 31, 2011, the department shall submit to  
21 the office of financial management and the transportation committees of  
22 the legislature draft legislation that rewrites the tow truck statutes  
23 (chapter 46.55 RCW) in plain language and is revenue and policy  
24 neutral.

25 ~~((7))~~ (5) \$128,000 of the highway safety account--state  
26 appropriation is provided solely for the implementation of chapter ...  
27 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's  
28 license exams). If chapter ... (Engrossed Substitute House Bill No.  
29 1635), Laws of 2011 is not enacted by June 30, 2011, the amount  
30 provided in this subsection lapses.

31 ~~((8))~~ (6) \$68,000 of the highway safety account--state  
32 appropriation is provided solely for the implementation of chapter ...  
33 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011  
34 ~~((driving under the influence))~~ (addressing DUI accountability). If  
35 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of  
36 2011 is not enacted by June 30, 2011, the amount provided in this  
37 subsection lapses.

1 ((+9)) (7) \$63,000 of the highway safety account--state  
2 appropriation is provided solely for the implementation of chapter ...  
3 (Substitute House Bill No. 1237), Laws of 2011 (selective service  
4 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011  
5 is not enacted by June 30, 2011, the amount provided in this subsection  
6 lapses.

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

13 ((+12)) (9) \$1,738,000 of the department of licensing services  
14 account--state appropriation is provided solely for purchasing  
15 equipment for field licensing service offices and subagent offices.

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

18 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**  
19 **MAINTENANCE--PROGRAM B**

|    |  |                               |
|----|--|-------------------------------|
| 20 | High Occupancy Toll Lanes Operations Account--State  |                               |
| 21 | Appropriation . . . . .                              | (( <del>\$1,295,000</del> ))  |
| 22 |  | <u>\$1,273,000</u>            |
| 23 | Motor Vehicle Account--State Appropriation . . . . . | (( <del>\$550,000</del> ))    |
| 24 |  | <u>\$538,000</u>              |
| 25 | Tacoma Narrows Toll Bridge Account--State            |                               |
| 26 | Appropriation . . . . .                              | (( <del>\$23,429,000</del> )) |
| 27 |  | <u>\$23,365,000</u>           |
| 28 | State Route Number 520 Corridor Account--State       |                               |
| 29 | Appropriation . . . . .                              | \$27,295,000                  |
| 30 | State Route Number 520 Civil Penalties               |                               |
| 31 | Account--State Appropriation . . . . .               | \$4,622,000                   |
| 32 | TOTAL APPROPRIATION . . . . .                        | (( <del>\$57,191,000</del> )) |
| 33 |  | <u>\$57,093,000</u>           |

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

36 (1) The department shall make detailed quarterly expenditure  
37 reports available to the transportation commission and to the public on

1 the department's web site using current department resources. The  
2 reports must include a summary of toll revenue by facility on all  
3 operating toll facilities and high occupancy toll lane systems, and an  
4 itemized depiction of the use of that revenue.

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

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

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

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



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

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

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

|    |  |                               |
|----|--|-------------------------------|
| 8  | Motor Vehicle Account--State Appropriation . . . . . | (( <del>\$69,107,000</del> )) |
| 9  |  | <u>\$67,394,000</u>           |
| 10 | Transportation Partnership Account--State            |                               |
| 11 | Appropriation . . . . .                              | \$1,460,000                   |
| 12 | Multimodal Transportation Account--State             |                               |
| 13 | Appropriation . . . . .                              | \$363,000                     |
| 14 | Transportation 2003 Account (Nickel Account)--State  |                               |
| 15 | Appropriation . . . . .                              | \$1,460,000                   |
| 16 | TOTAL APPROPRIATION . . . . .                        | (( <del>\$72,390,000</del> )) |
| 17 |  | <u>\$70,677,000</u>           |

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

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

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

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

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

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

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

5 Motor Vehicle Account--State Appropriation . . . . . ((~~\$25,851,000~~))  
6 \$25,454,000

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

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

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

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

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

24 Aeronautics Account--State Appropriation . . . . . ((~~\$6,066,000~~))  
25 \$6,001,000  
26 Aeronautics Account--Federal Appropriation . . . . . \$2,150,000  
27       TOTAL APPROPRIATION . . . . . ((~~\$8,216,000~~))  
28 \$8,151,000

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

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

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

1 **SUPPORT--PROGRAM H**

|   |  |                               |
|---|--|-------------------------------|
| 2 | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$47,418,000</del> )) |
| 3 |  | <u>\$45,800,000</u>           |
| 4 | Motor Vehicle Account--Federal Appropriation . . . . . | \$500,000                     |
| 5 | Multimodal Transportation Account--State               |                               |
| 6 | Appropriation . . . . .                                | \$250,000                     |
| 7 | TOTAL APPROPRIATION . . . . .                          | (( <del>\$48,168,000</del> )) |
| 8 |  | <u>\$46,550,000</u>           |

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

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

19       ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation  
20 is provided solely for the department's compliance with its national  
21 pollution discharge elimination system permit.

22       ~~((3))~~ (2) It is the intent of the legislature that ~~((the real~~  
23 ~~estate services division of the department will recover the cost of its~~  
24 ~~efforts from future sale proceeds))~~ future surplus property sale  
25 proceeds support the efforts of the real estate services division of  
26 the department.

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

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

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

12 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**  
13 **K**

|    |  |                            |
|----|--|----------------------------|
| 14 | Motor Vehicle Account--State Appropriation . . . . .             | (( <del>\$622,000</del> )) |
| 15 |  | <u>\$602,000</u>           |
| 16 | Multimodal Transportation Account--State Appropriation . . . . . | \$110,000                  |
| 17 | TOTAL APPROPRIATION . . . . .                                    | (( <del>\$732,000</del> )) |
| 18 |  | <u>\$712,000</u>           |

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

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

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

|    |  |                                |
|----|--|--------------------------------|
| 34 | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$380,327,000</del> )) |
| 35 |  | <u>\$373,698,000</u>           |
| 36 | Motor Vehicle Account--Federal Appropriation . . . . . | \$7,000,000                    |

1 TOTAL APPROPRIATION . . . . . ((~~\$387,327,000~~))  
2 \$380,698,000

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

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

10 (2) \$7,000,000 of the motor vehicle account--state appropriation is  
11 provided solely for third-party damages to the highway system where the  
12 responsible party is known and reimbursement is anticipated. The  
13 department shall request additional appropriation authority for any  
14 funds received for reimbursements of third-party damages that are in  
15 excess of this appropriation.

16 (3) \$7,000,000 of the motor vehicle account--federal appropriation  
17 is for unanticipated federal funds that may be received during the  
18 2011-2013 fiscal biennium. Upon receipt of the funds, the department  
19 shall provide a report on the use of the funds to the transportation  
20 committees of the legislature and the office of financial management.

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

24 (5) \$4,530,000 of the motor vehicle account--state appropriation is  
25 provided solely for the department's compliance with its national  
26 pollution discharge elimination system permit.

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

31 (7) \$6,884,000 of the motor vehicle account--state appropriation is  
32 provided solely for the high priority maintenance backlog. Addressing  
33 the maintenance backlog must result in increased levels of service. If  
34 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011  
35 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the  
36 appropriation provided in this subsection lapses.

37 ~~(8) ((\$317,000 of the motor vehicle account--state appropriation is  
38 provided solely for maintaining a new active traffic management system~~

1 on Interstate 5, Interstate 90, and state route number 520.) The  
2 department shall track the costs associated with ((these)) active  
3 traffic management systems on a corridor basis and report to the  
4 transportation committees of the legislature on the costs and benefits  
5 of the systems by December 1, 2011.

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

8 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
9 **OPERATING**

|   |                     |
|---|---------------------|
| 10 Motor Vehicle Account--State Appropriation . . . . .         | (((\$50,166,000))   |
|   | <u>\$48,841,000</u> |
| 11 Motor Vehicle Account--Federal Appropriation . . . . .       | \$2,050,000         |
| 12 Motor Vehicle Account--Private/Local Appropriation . . . . . | (((\$127,000))      |
| 13  | <u>\$250,000</u>    |
| 14  |                     |
| 15 TOTAL APPROPRIATION . . . . .                                | (((\$52,343,000))   |
| 16  | <u>\$51,141,000</u> |

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

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

28 (2) \$145,000 of the motor vehicle account--state appropriation is  
29 provided solely for the department to continue a pilot tow truck  
30 incentive program and to expand the program to other areas of the  
31 state. The department may provide incentive payments to towing  
32 companies that meet clearance goals on accidents that involve heavy  
33 trucks.

34 (3) During the 2011-2013 fiscal biennium, the department shall  
35 implement a pilot program that expands private transportation  
36 providers' access to high occupancy vehicle lanes. Under the pilot  
37 program, when the department reserves a portion of a highway based on

1 the number of passengers in a vehicle, the following vehicles must be  
2 authorized to use the reserved portion of the highway if the vehicle  
3 has the capacity to carry eight or more passengers, regardless of the  
4 number of passengers in the vehicle: (a) Auto transportation company  
5 vehicles regulated under chapter 81.68 RCW; (b) passenger charter  
6 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
7 unmarked stretch limousines and stretch sport utility vehicles as  
8 defined under department of licensing rules; (c) private nonprofit  
9 transportation provider vehicles regulated under chapter 81.66 RCW; and  
10 (d) private employer transportation service vehicles. For purposes of  
11 this subsection, "private employer transportation service" means  
12 regularly scheduled, fixed-route transportation service that is offered  
13 by an employer for the benefit of its employees. By June 30, 2013, the  
14 department shall report to the transportation committees of the  
15 legislature on whether private transportation provider use of high  
16 occupancy vehicle lanes under the pilot program reduces the speeds of  
17 high occupancy vehicle lanes. Nothing in this subsection is intended  
18 to authorize the conversion of public infrastructure to private, for-  
19 profit purposes or to otherwise create an entitlement or other claim by  
20 private users to public infrastructure. If chapter ... (Substitute  
21 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this  
22 subsection is null and void.

23 (4) \$9,000,000 of the motor vehicle account--state appropriation is  
24 provided solely for the department's incident response program.

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

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

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

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

12 (d) The owner of the vehicle is not responsible for the violation  
13 if the owner of the vehicle, within fourteen days of receiving  
14 notification of the violation, mails to the patrol, a declaration under  
15 penalty of perjury, stating that the vehicle involved was, at the time,  
16 stolen or in the care, custody, or control of some person other than  
17 the registered owner, or any other extenuating circumstances;

18 (e) For purposes of the 2011-2013 fiscal biennium pilot program,  
19 infractions detected through the use of automated traffic safety  
20 cameras are not part of the registered owner's driving record under RCW  
21 46.52.101 and 46.52.120. Additionally, infractions generated by the  
22 use of automated traffic safety cameras must be processed in the same  
23 manner as parking infractions for the purposes of RCW 3.50.100,  
24 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the  
25 fine issued under this subsection (5) for an infraction generated  
26 through the use of an automated traffic safety camera is one hundred  
27 thirty-seven dollars. The court shall remit thirty-two dollars of the  
28 fine to the state treasurer for deposit into the state patrol highway  
29 account; and

30 (f) If a notice of infraction is sent to the registered owner and  
31 the registered owner is a rental car business, the infraction must be  
32 dismissed against the business if it mails to the patrol, within  
33 fourteen days of receiving the notice, a declaration under penalty of  
34 perjury of the name and known mailing address of the individual driving  
35 or renting the vehicle when the infraction occurred. If the business  
36 is unable to determine who was driving or renting the vehicle at the  
37 time the infraction occurred, the business must sign a declaration  
38 under penalty of perjury to this effect. The declaration must be



1 mailed to the patrol within fourteen days of receiving the notice of  
2 traffic infraction. Timely mailing of this declaration to the issuing  
3 agency relieves a rental car business of any liability under this  
4 section for the notice of infraction. A declaration form suitable for  
5 this purpose must be included with each automated traffic infraction  
6 notice issued, along with instructions for its completion and use.

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

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

13 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**  
14 **SUPPORT--PROGRAM S**

|    |  |                               |
|----|--|-------------------------------|
| 15 | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$28,430,000</del> )) |
| 16 |  | <u>\$27,386,000</u>           |
| 17 | Motor Vehicle Account--Federal Appropriation . . . . . | \$30,000                      |
| 18 | Multimodal Transportation Account--State               |                               |
| 19 | Appropriation . . . . .                                | \$973,000                     |
| 20 | TOTAL APPROPRIATION . . . . .                          | (( <del>\$29,433,000</del> )) |
| 21 |  | <u>\$28,389,000</u>           |

22 The appropriations in this section are subject to the following  
23 conditions and limitations: The department shall utilize existing  
24 resources and customer service staff to develop and implement new  
25 policies and procedures to ensure compliance with new federal passenger  
26 vessel Americans with disabilities act requirements.

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

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**  
30 **AND RESEARCH--PROGRAM T**

|    |  |                               |
|----|--|-------------------------------|
| 31 | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$23,394,000</del> )) |
| 32 |  | <u>\$22,101,000</u>           |
| 33 | Motor Vehicle Account--Federal Appropriation . . . . . | \$21,885,000                  |
| 34 | Multimodal Transportation Account--State               |                               |
| 35 | Appropriation . . . . .                                | \$662,000                     |
| 36 | Multimodal Transportation Account--Federal             |                               |

|   |  |                               |
|---|--|-------------------------------|
| 1 | Appropriation . . . . .                          | \$3,559,000                   |
| 2 | Multimodal Transportation Account--Private/Local |                               |
| 3 | Appropriation . . . . .                          | \$100,000                     |
| 4 | TOTAL APPROPRIATION . . . . .                    | (( <del>\$49,600,000</del> )) |
| 5 |  | <u>\$48,307,000</u>           |

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

8 (1) \$70,000 of the motor vehicle account--state appropriation is a  
9 reappropriation provided solely for a corridor study of state route  
10 number 516 from the eastern border of Maple Valley to state route  
11 number 167 to determine whether improvements are needed and the costs  
12 of any needed improvements.

13 (2) \$200,000 of the motor vehicle account--state appropriation is  
14 provided solely for extending the freight database pilot project that  
15 began in 2009. Global positioning system (GPS) data is intended to  
16 help guide freight investment decisions and track highway project  
17 effectiveness as it relates to freight traffic.

18 (3) Within available resources, the department must collaborate  
19 with the affected metropolitan planning organizations, regional  
20 transportation planning organizations, transit agencies, and private  
21 transportation providers to develop a plan to reduce vehicle demand,  
22 increase public transportation options, and reduce vehicle miles  
23 traveled on corridors affected by growth at Joint Base Lewis-McChord.

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

1 governmental, and environmental interests in regional communities  
2 across the state.

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

5 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**  
6 **PROGRAM U**

|    |  |                     |
|----|--|---------------------|
| 7  | Motor Vehicle Account--State Appropriation . . . . .   | (((\$85,209,000))   |
| 8  |  | <u>\$74,786,000</u> |
| 9  | Motor Vehicle Account--Federal Appropriation . . . . . | \$400,000           |
| 10 | Multimodal Transportation Account--State               |                     |
| 11 | Appropriation . . . . .                                | (((\$3,320,000))    |
| 12 |  | <u>\$1,798,000</u>  |
| 13 | TOTAL APPROPRIATION . . . . .                          | (((\$88,929,000))   |
| 14 |  | <u>\$76,984,000</u> |

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

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

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

23 ~~(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT~~  
24 ~~DIVISION OF RISK MANAGEMENT FEES . . . . . \$1,639,000~~

25 ~~(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE~~  
26 ~~STATE AUDITOR . . . . . \$937,000~~

27 ~~(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~  
28 ~~GENERAL ADMINISTRATION . . . . . \$6,060,000~~

29 ~~(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF~~  
30 ~~PERSONNEL . . . . . \$6,347,000~~

31 ~~(e) FOR PAYMENT OF SELF INSURANCE LIABILITY~~  
32 ~~PREMIUMS AND ADMINISTRATION . . . . . \$44,418,000~~

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

34 ~~(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS~~  
35 ~~ENTERPRISES . . . . . \$1,008,000~~

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

1        ~~(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE~~  
 2 ~~DEPARTMENT OF INFORMATION SERVICES . . . . . \$1,980,000~~  
 3        ~~(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~  
 4 ~~GENERAL'S OFFICE . . . . . \$8,526,000~~  
 5        ~~(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY~~  
 6 ~~GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT~~  
 7 ~~LITIGATION . . . . . \$672,000))~~

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

10 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**  
 11 **V**

|    |  |                      |
|----|--|----------------------|
| 12 | State Vehicle Parking Account--State Appropriation . . . . . | \$452,000            |
| 13 | Regional Mobility Grant Program Account--State               |                      |
| 14 | Appropriation . . . . .                                      | \$48,942,000         |
| 15 | Multimodal Transportation Account--State                     |                      |
| 16 | Appropriation . . . . .                                      | ((\$41,706,000))     |
| 17 |  | <u>\$41,865,000</u>  |
| 18 | Multimodal Transportation Account--Federal                   |                      |
| 19 | Appropriation . . . . .                                      | \$2,582,000          |
| 20 | Multimodal Transportation Account--Private/Local             |                      |
| 21 | Appropriation . . . . .                                      | \$1,027,000          |
| 22 | Rural Mobility Grant Program Account--State                  |                      |
| 23 | Appropriation . . . . .                                      | \$17,000,000         |
| 24 | TOTAL APPROPRIATION . . . . .                                | ((\$111,709,000))    |
| 25 |  | <u>\$111,868,000</u> |

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

28        (1) \$25,000,000 of the multimodal transportation account--state  
 29 appropriation is provided solely for a grant program for special needs  
 30 transportation provided by transit agencies and nonprofit providers of  
 31 transportation.

32        (a) \$5,500,000 of the amount provided in this subsection is  
 33 provided solely for grants to nonprofit providers of special needs  
 34 transportation. Grants for nonprofit providers must be based on need,  
 35 including the availability of other providers of service in the area,  
 36 efforts to coordinate trips among providers and riders, and the cost  
 37 effectiveness of trips provided.

1 (b) \$19,500,000 of the amount provided in this subsection is  
2 provided solely for grants to transit agencies to transport persons  
3 with special transportation needs. To receive a grant, the transit  
4 agency must have a maintenance of effort for special needs  
5 transportation that is no less than the previous year's maintenance of  
6 effort for special needs transportation. Grants for transit agencies  
7 must be prorated based on the amount expended for demand response  
8 service and route deviated service in calendar year 2009 as reported in  
9 the "Summary of Public Transportation - 2009" published by the  
10 department of transportation. No transit agency may receive more than  
11 thirty percent of these distributions.

12 (2) \$395,000 of the multimodal transportation account--state  
13 appropriation is provided solely for administration costs of the  
14 regional and rural mobility grant programs.

15 (3) Funds are provided for the rural mobility grant program as  
16 follows:

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

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

32 ((+3)) (4)(a) \$6,000,000 of the multimodal transportation  
33 account--state appropriation is provided solely for a vanpool grant  
34 program for: (a) Public transit agencies to add vanpools or replace  
35 vans; and (b) incentives for employers to increase employee vanpool  
36 use. The grant program for public transit agencies will cover capital  
37 costs only; operating costs for public transit agencies are not  
38 eligible for funding under this grant program. Additional employees

1 may not be hired from the funds provided in this section for the  
2 vanpool grant program, and supplanting of transit funds currently  
3 funding vanpools is not allowed. The department shall encourage grant  
4 applicants and recipients to leverage funds other than state funds.

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

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

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

27 ~~((+5))~~ (6)(a) \$40,000,000 of the regional mobility grant program  
28 account--state appropriation is provided solely for the regional  
29 mobility grant projects identified in LEAP Transportation Document  
30 2011-B, as developed April 19, 2011. The department shall review all  
31 projects receiving grant awards under this program at least  
32 semiannually to determine whether the projects are making satisfactory  
33 progress. Any project that has been awarded funds, but does not report  
34 activity on the project within one year of the grant award, must be  
35 reviewed by the department to determine whether the grant should be  
36 terminated. The department shall promptly close out grants when  
37 projects have been completed, and any remaining funds must be used only  
38 to fund projects identified in LEAP Transportation Document 2011-B, as

1 developed April 19, 2011. The department shall provide annual status  
2 reports on December 15, 2011, and December 15, 2012, to the office of  
3 financial management and the transportation committees of the  
4 legislature regarding the projects receiving the grants. It is the  
5 intent of the legislature to appropriate funds through the regional  
6 mobility grant program only for projects that will be completed on  
7 schedule.

8 (b) In order to be eligible to receive a grant under (a) of this  
9 subsection during the 2011-2013 fiscal biennium, a transit agency must  
10 establish a process for private transportation providers to apply for  
11 the use of park and ride facilities. For purposes of this subsection,  
12 (i) "private transportation provider" means: An auto transportation  
13 company regulated under chapter 81.68 RCW; a passenger charter carrier  
14 regulated under chapter 81.70 RCW, except marked or unmarked stretch  
15 limousines and stretch sport utility vehicles as defined under  
16 department of licensing rules; a private nonprofit transportation  
17 provider regulated under chapter 81.66 RCW; or a private employer  
18 transportation service provider; and (ii) "private employer  
19 transportation service" means regularly scheduled, fixed-route  
20 transportation service that is offered by an employer for the benefit  
21 of its employees.

22 ((+6+)) (7) \$2,309,000 of the multimodal transportation account--  
23 state appropriation is provided solely for the tri-county connection  
24 service for Island, Skagit, and Whatcom transit agencies.

25 ((+7+)) (8) \$200,000 of the multimodal transportation account--  
26 state appropriation is contingent on the timely development of an  
27 annual report summarizing the status of public transportation systems  
28 as identified under RCW 35.58.2796.

29 ((+8+)) (9) Funds provided for the commute trip reduction program  
30 may also be used for the growth and transportation efficiency center  
31 program.

32 ((+9+)) (10) An affected urban growth area that has not previously  
33 implemented a commute trip reduction program is exempt from the  
34 requirements in RCW 70.94.527 if a solution to address the state  
35 highway deficiency that exceeds the person hours of delay threshold has  
36 been funded and is in progress during the 2011-2013 fiscal biennium.

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

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

|   |   |                                |
|---|---|--------------------------------|
| 4 | Puget Sound Ferry Operations Account--State |                                |
| 5 | Appropriation . . . . .                     | (( <del>\$467,773,000</del> )) |
| 6 |   | <u>\$465,524,000</u>           |

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

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

17           (2) When purchasing uniforms that are required by collective  
18 bargaining agreements, the department shall contract with the lowest  
19 cost provider.

20           ((+5)) (3) Until a reservation system is operational on the San  
21 Juan islands inner-island route, the department shall provide the same  
22 priority loading benefits on the San Juan islands inner-island route to  
23 home health care workers as are currently provided to patients  
24 traveling for purposes of receiving medical treatment.

25           ((+6)) (4) The department shall request from the United States  
26 coast guard variable minimum staffing levels on all of its vessels by  
27 December 31, 2011.

28           ((+10)) (5) The department shall continue to provide service to  
29 Sidney, British Columbia and shall explore the option of purchasing a  
30 foreign built vehicle and passenger ferry vessel either with safety of  
31 life at sea (SOLAS) certification or the ability to be retrofitted for  
32 SOLAS certification to operate solely on the Anacortes to Sidney,  
33 British Columbia route currently served by vessels of the Washington  
34 state ferries fleet. The vessel should have the capability of carrying  
35 at least one hundred standard vehicles and approximately four hundred  
36 to five hundred passengers. Further, the department shall explore the  
37 possibilities of contracting a commercial company to operate the vessel  
38 exclusively on this route so long as the contractor's employees



1 assigned to the vessel are represented by the same employee  
2 organizations as the Washington state ferries. The department shall  
3 report back to the transportation committees of the legislature  
4 regarding: The availability of a vessel; the cost of the vessel,  
5 including transport to the Puget Sound region; and the need for any  
6 statutory changes for the operation of the Sydney, British Columbia  
7 service by a private company.

8 ~~((+11))~~ (6) For the 2011-2013 fiscal biennium, the department of  
9 transportation may enter into a distributor controlled fuel hedging  
10 program.

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

19 ~~(+13))~~ (7) \$135,248,000 of the Puget Sound ferry operations  
20 account--state appropriation is provided solely for auto ferry vessel  
21 operating fuel in the 2011-2013 fiscal biennium.

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

32 ~~((+15))~~ (9) The Washington state ferries shall participate in the  
33 facilities plan included in section 604 of this act and shall include  
34 an investigation and identification of less costly relocation options  
35 for the Seattle headquarters office. The department shall include  
36 relocation options for the Washington state ferries Seattle  
37 headquarters office in the facilities plan. Until September 1, 2012,

1 the department may not enter into a lease renewal for the Seattle  
2 headquarters office.

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

12 ~~((+17+))~~ (11) Two Kwa-di-tabil class ferry vessels must be placed  
13 on the Port Townsend/Coupeville (Keystone) route to provide service at  
14 the same levels provided when the steel electric vessels were in  
15 service. After the vessels as funded under section 308~~((+7+))~~ (6) of  
16 this act are in service, the two most appropriate of these vessels for  
17 the Port Townsend/Coupeville (Keystone) route must be placed on the  
18 route. \$100,000 of the Puget Sound ferry operations account--state  
19 appropriation is provided solely for the additional staffing required  
20 to maintain a reservation system at this route when the second vessel  
21 is in service.

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

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

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

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

|   |   |                               |
|---|---|-------------------------------|
| 1 | <b>FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING</b> |                               |
| 2 | Multimodal Transportation Account--State                                |                               |
| 3 | Appropriation . . . . .   | (( <del>\$29,688,000</del> )) |
| 4 |   | <u>\$33,342,000</u>           |
| 5 | Multimodal Transportation Account--Federal                              |                               |
| 6 | Appropriation . . . . .   | (( <del>\$300,000</del> ))    |
| 7 |   | <u>\$400,000</u>              |
| 8 | TOTAL APPROPRIATION . . . . .   | (( <del>\$29,988,000</del> )) |
| 9 |   | <u>\$33,742,000</u>           |

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

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

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

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

31       (4) The department shall conduct a pilot program by partnering with  
32 the travel industry on the Amtrak Cascades service between Vancouver,  
33 British Columbia, and Seattle to test opportunities for increasing  
34 ridership, maximizing farebox recovery, and stimulating private  
35 investment. The pilot program must run from July 1, 2011, to June 30,  
36 2012. The department shall report on the results of the pilot program  
37 to the office of financial management and the legislature by September  
38 30, 2012.

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

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

|   |  |                               |
|---|--|-------------------------------|
| 5 | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$8,853,000</del> ))  |
| 6 |  | <u>\$8,514,000</u>            |
| 7 | Motor Vehicle Account--Federal Appropriation . . . . . | \$2,567,000                   |
| 8 | TOTAL APPROPRIATION . . . . .                          | (( <del>\$11,420,000</del> )) |
| 9 |  | <u>\$11,081,000</u>           |

10       The appropriations in this section are subject to the following  
11 conditions and limitations: The department shall submit a report to  
12 the transportation committees of the legislature by December 1, 2011,  
13 on the implementation of the recommendations that resulted from the  
14 evaluation of efficiencies in the delivery of transportation funding  
15 and services to local governments that was required under section  
16 204(8), chapter 247, Laws of 2010. The report must include a  
17 description of how recommendations were implemented, what efficiencies  
18 were achieved, and an explanation of any recommendations that were not  
19 implemented.

20                               **TRANSPORTATION AGENCIES--CAPITAL**

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

23 **FOR THE WASHINGTON STATE PATROL**

|    |   |                              |
|----|---|------------------------------|
| 24 | State Patrol Highway Account--State Appropriation . . . | (( <del>\$6,487,000</del> )) |
| 25 |   | <u>\$2,875,000</u>           |

26       The appropriation in this section is subject to the following  
27 conditions and limitations:

28       (1) \$653,000 of the state patrol highway account--state  
29 appropriation is provided solely for the following minor works  
30 projects: \$200,000 for emergency infrastructure repairs; \$75,000 for  
31 water and sewer upgrades; \$210,000 for emergency backup system  
32 replacement; \$85,000 for chiller replacement; and \$83,000 for roof  
33 replacements.

34       (2) ((~~\$3,226,000~~)) \$1,097,000 of the state patrol highway account--  
35 state appropriation is provided solely for the Shelton academy of the

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

8 (3) \$421,000 of the state patrol highway account--state  
9 appropriation is provided solely for the reappropriation of the Shelton  
10 regional water project.

11 (4) ((\$2,187,000 of the total appropriation is provided solely for  
12 mobile office platforms.

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

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

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

|  |                     |
|--|---------------------|
| 22 Motor Vehicle Account--State Appropriation . . . . .                      | \$874,000           |
| 23 Rural Arterial Trust Account--State Appropriation . . . (((\$37,417,000)) |                     |
| 24   | <u>\$62,510,000</u> |
| 25 County Arterial Preservation Account--State                               |                     |
| 26 Appropriation . . . . .   | \$29,360,000        |
| 27 TOTAL APPROPRIATION . . . . .   | (((\$67,651,000))   |
| 28   | <u>\$92,744,000</u> |

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

31 (1) \$874,000 of the motor vehicle account--state appropriation may  
32 be used for county ferry projects as developed pursuant to RCW  
33 47.56.725(4).

34 (2) (((\$37,417,000)) \$62,510,000 of the rural arterial trust  
35 account--state appropriation is provided solely for county road  
36 preservation grant projects as approved by the county road  
37 administration board. These funds may be used to assist counties

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

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

11 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

|    |   |                                |
|----|---|--------------------------------|
| 12 | Small City Pavement and Sidewalk Account--State |                                |
| 13 | Appropriation . . . . .                         | (( <del>\$3,812,000</del> ))   |
| 14 |   | <u>\$5,270,000</u>             |
| 15 | Transportation Improvement Account--State       |                                |
| 16 | Appropriation . . . . .                         | (( <del>\$201,050,000</del> )) |
| 17 |   | <u>\$237,545,000</u>           |
| 18 | TOTAL APPROPRIATION . . . . .                   | (( <del>\$204,862,000</del> )) |
| 19 |   | <u>\$242,815,000</u>           |

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

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

26 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D--(DEPARTMENT OF**  
27 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

|    |  |                              |
|----|--|------------------------------|
| 28 | Motor Vehicle Account--State Appropriation . . . . . | (( <del>\$5,433,000</del> )) |
| 29 |  | <u>\$5,545,000</u>           |

30 The appropriation in this section is subject to the following  
31 conditions and limitations:

32 (1) \$1,364,000 of the motor vehicle account--state appropriation is  
33 provided solely for the Olympic region site acquisition debt service  
34 payments and administrative costs associated with capital improvement  
35 and preservation project and financial management.

1 (2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state  
 2 appropriation is provided solely for high priority safety projects that  
 3 are directly linked to employee safety, environmental risk, or minor  
 4 works that prevent facility deterioration.

5 (3) \$400,000 of the motor vehicle account--state appropriation is  
 6 provided solely for the department's compliance with its national  
 7 pollution discharge elimination system permit.

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

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

|    |  |                                  |
|----|--|----------------------------------|
| 11 | Multimodal Transportation Account--State                         |                                  |
| 12 | Appropriation . . . . .  | (( <del>\$1,000</del> ))         |
| 13 |  | <u>\$2,000</u>                   |
| 14 | Transportation Partnership Account--State                        |                                  |
| 15 | Appropriation . . . . .  | (( <del>\$1,991,547,000</del> )) |
| 16 |  | <u>\$1,878,056,000</u>           |
| 17 | Motor Vehicle Account--State Appropriation . . . . .             | (( <del>\$86,139,000</del> ))    |
| 18 |  | <u>\$98,421,000</u>              |
| 19 | Motor Vehicle Account--Federal Appropriation . . . . .           | (( <del>\$450,691,000</del> ))   |
| 20 |  | <u>\$530,284,000</u>             |
| 21 | Motor Vehicle Account--Private/Local                             |                                  |
| 22 | Appropriation . . . . .  | (( <del>\$50,485,000</del> ))    |
| 23 |  | <u>\$129,077,000</u>             |
| 24 | Transportation 2003 Account (Nickel Account)--State              |                                  |
| 25 | Appropriation . . . . .  | (( <del>\$436,005,000</del> ))   |
| 26 |  | <u>\$438,873,000</u>             |
| 27 | State Route Number 520 Corridor Account--State                   |                                  |
| 28 | Appropriation . . . . .  | (( <del>\$1,019,460,000</del> )) |
| 29 |  | <u>\$1,775,000,000</u>           |
| 30 | <u>Freight Mobility Multimodal Account--State</u>                |                                  |
| 31 | <u>Appropriation . . . . .</u>                                   | <u>\$53,000</u>                  |
| 32 | <u>Special Category C Account--State Appropriation . . . . .</u> | <u>\$124,000</u>                 |
| 33 | <u>Tacoma Narrows Toll Bridge Account--State</u>                 |                                  |
| 34 | <u>Appropriation . . . . .</u>                                   | <u>\$5,791,000</u>               |
| 35 | TOTAL APPROPRIATION . . . . .                                    | (( <del>\$4,034,328,000</del> )) |
| 36 |  | <u>\$4,855,681,000</u>           |

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

3 (1) Except as provided otherwise in this section, the entire  
4 transportation 2003 account (nickel account) appropriation and the  
5 entire transportation partnership account appropriation are provided  
6 solely for the projects and activities as listed by fund, project, and  
7 amount in (~~LEAP Transportation Document 2011-1 as developed April 19,~~  
8 ~~2011, Program — Highway Improvement Program (I))~~) TEIS Transportation  
9 Document 12GOV001 dated November 21, 2011. However, limited transfers  
10 of specific line-item project appropriations may occur between projects  
11 for those amounts listed subject to the conditions and limitations in  
12 section 603 of this act.

13 (~~(2) (The department shall, on a quarterly basis beginning July 1,~~  
14 ~~2011, provide to the office of financial management and the legislature~~  
15 ~~reports providing the status on each active project funded in part or~~  
16 ~~whole by the transportation 2003 account (nickel account) or the~~  
17 ~~transportation partnership account. Funding provided at a programmatic~~  
18 ~~level for transportation partnership account and transportation 2003~~  
19 ~~account (nickel account) projects relating to bridge rail, guard rail,~~  
20 ~~fish passage barrier removal, and roadside safety projects must be~~  
21 ~~reported on a programmatic basis. Projects within this programmatic~~  
22 ~~level funding must be completed on a priority basis and scoped to be~~  
23 ~~completed within the current programmatic budget. Report formatting~~  
24 ~~and elements must be consistent with the October 2009 quarterly project~~  
25 ~~report. The department shall also provide the information required~~  
26 ~~under this subsection on a quarterly basis.~~

27 (~~3~~) Within the motor vehicle account--state appropriation and  
28 motor vehicle account--federal appropriation, the department may  
29 transfer funds between programs I and P, except for funds that are  
30 otherwise restricted in this act.

31 (~~(4)~~) (3) The department shall apply for surface transportation  
32 program enhancement funds to be expended in lieu of or in addition to  
33 state funds for eligible costs of projects in programs I and P  
34 including, but not limited to, the state route number 518, state route  
35 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

36 (~~(5)~~) (4) The department shall apply for the competitive portion  
37 of federal transit administration funds for eligible transit-related  
38 costs of the state route number 520 bridge replacement and HOV project



1 and the Columbia river crossing project. The federal funds described  
2 in this subsection must not include those federal transit  
3 administration funds distributed by formula. The department shall  
4 provide a report regarding this effort to the legislature by October 1,  
5 2011.

6 ~~((+7))~~ (5) The department shall work with the department of  
7 archaeology and historic preservation to ensure that the cultural  
8 resources investigation is properly conducted on all mega-highway  
9 projects and large ferry terminal projects. These projects must be  
10 conducted with active archaeological management. Additionally, the  
11 department shall establish a scientific peer review of independent  
12 archaeologists that are knowledgeable about the region and its cultural  
13 resources.

14 ~~((+8))~~ (6) For highway construction projects where the department  
15 considers agricultural lands of long-term commercial significance, as  
16 defined in RCW 36.70A.030, in reviewing and selecting sites to meet  
17 environmental mitigation requirements under the national environmental  
18 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental  
19 policy act (chapter 43.21C RCW), the department shall, to the greatest  
20 extent possible, consider using public land first. If public lands are  
21 not available that meet the required environmental mitigation needs,  
22 the department may use other sites while making every effort to avoid  
23 any net loss of agricultural lands that have a designation of long-term  
24 commercial significance.

25 ~~((+9) \$361,000))~~ (7) \$561,000 of the transportation partnership  
26 account--state appropriation and ~~((+\$1,245,000))~~ \$1,176,000 of the  
27 transportation 2003 account (nickel account)--state appropriation are  
28 provided solely for project OBI4ENV, Environmental Mitigation Reserve -  
29 Nickel/TPA project, as indicated in the ~~((LEAP))~~ TEIS transportation  
30 document referenced in subsection (1) of this section. Funds may be  
31 used only for environmental mitigation work that is required by permits  
32 that were issued for projects funded by the transportation partnership  
33 account or transportation 2003 account (nickel account). ~~((As part of  
34 the 2012 budget submittal, the department shall provide a list of all  
35 projects and associated amounts that are being charged to project  
36 OBI4ENV during the 2011-2013 fiscal biennium.~~

37 ~~(+10))~~ (8) The transportation 2003 account (nickel account)--state

1 appropriation includes up to \$361,005,000 in proceeds from the sale of  
2 bonds authorized by RCW 47.10.861.

3 ~~((11))~~ (9) The transportation partnership account--state  
4 appropriation includes up to \$1,427,696,000 in proceeds from the sale  
5 of bonds authorized in RCW 47.10.873.

6 ~~((12))~~ (10) The motor vehicle account--state appropriation  
7 includes up to \$66,373,000 in proceeds from the sale of bonds  
8 authorized in RCW 47.10.843.

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

12 ~~(14) \$391,000)~~ (11) \$767,000 of the motor vehicle account--state  
13 appropriation and ~~(( \$4,027,000))~~ \$3,736,000 of the motor vehicle  
14 account--federal appropriation are provided solely for the US 2 High  
15 Priority Safety project (100224I). Expenditure of these funds is for  
16 safety projects on state route number 2 between Monroe and Gold Bar,  
17 which may include median rumble strips, traffic cameras, and electronic  
18 message signs.

19 ~~((15) \$687,000)~~ (12) \$820,000 of the motor vehicle account--  
20 federal appropriation, \$16,308,000 of the motor vehicle account--  
21 private/local appropriation, and ~~(( \$22,000))~~ \$48,000 of the motor  
22 vehicle account--state appropriation are provided solely for the US  
23 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

24 ~~((16) \$435,000)~~ (13) \$595,000 of the motor vehicle account--state  
25 appropriation is provided solely for environmental work on the Belfair  
26 Bypass project (300344C).

27 ~~((17) \$108,000)~~ (14) \$372,000 of the motor vehicle account--  
28 federal appropriation and ~~(( \$3,000))~~ \$9,000 of the motor vehicle  
29 account--state appropriation are provided solely for the I-5/Vicinity  
30 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

31 ~~((18) \$253,444,000)~~ (15) \$193,396,000 of the transportation  
32 partnership account--state appropriation and ~~(( \$66,034,000))~~  
33 \$70,758,000 of the transportation 2003 account (nickel account)--state  
34 appropriation are provided solely for the I-5/Tacoma HOV Improvements  
35 (Nickel/TPA) project (300504A). The use of funds in this subsection to  
36 renovate any buildings is subject to the requirements of section 604 of  
37 this act. The department shall report to the legislature and the

1 office of financial management on any costs associated with building  
2 renovations funded in this subsection.

3 ~~((+19))~~ (16)(a) ~~((~~\$8,321,000~~))~~ \$9,343,000 of the transportation  
4 partnership account--state appropriation and ~~((~~\$31,380,000~~))~~  
5 \$62,779,000 of the motor vehicle account--federal appropriation are  
6 provided solely for the I-5/Columbia River Crossing project (400506A).  
7 Of this amount, \$200,000 of the transportation partnership account--  
8 state appropriation is provided solely for the department to work with  
9 the department of archaeology and historic preservation to ensure that  
10 the cultural resources investigation is properly conducted on the  
11 Columbia river crossing project. This project must be conducted with  
12 active archaeological management and result in one report that spans  
13 the single cultural area in Oregon and Washington. Additionally, the  
14 department shall establish a scientific peer review of independent  
15 archaeologists that are knowledgeable about the region and its cultural  
16 resources. No funding from any account may be expended until written  
17 confirmation has been received by the department that the state of  
18 Oregon is providing an equal amount of additional funding to the  
19 project.

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

30 ~~((+20) ~~\$107,000~~))~~ (17) \$309,000 of the motor vehicle account--  
31 federal appropriation and ~~((~~\$27,000~~))~~ \$78,000 of the motor vehicle  
32 account--state appropriation are provided solely for the SR 9/SR 204  
33 Intersection Improvement project (L2000040).

34 ~~((+21) ~~\$2,134,000~~))~~ (18) \$3,385,000 of the motor vehicle account--  
35 federal appropriation and ~~((~~\$47,000~~))~~ \$50,000 of the motor vehicle  
36 account--state appropriation are provided solely for the US 12/Nine  
37 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

1           (~~(22)~~—\$294,000)) (19) \$391,000 of the motor vehicle account--  
2 federal appropriation and (~~(\$13,000)~~) \$16,000 of the motor vehicle  
3 account--state appropriation are provided solely for the SR 16/Rosedale  
4 Street NW Vicinity - Frontage Road project (301639C). The frontage  
5 road must be built for driving speeds of no more than thirty-five miles  
6 per hour.

7           (~~(23)~~—\$1,000,000)) (20) \$2,156,000 of the motor vehicle account--  
8 federal appropriation is provided solely for the SR 20/Race Road to  
9 Jacob's Road safety project (L2200042).

10           (~~(24)~~—\$24,002,000)) (21) \$32,162,000 of the transportation  
11 partnership account--state appropriation is provided solely for the SR  
12 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

13           (~~(25)~~—\$569,000)) (22) \$555,000 of the motor vehicle account--  
14 federal appropriation and (~~(\$9,000)~~) \$10,000 of the motor vehicle  
15 account--state appropriation are provided solely for design and right-  
16 of-way work on the I-82/Red Mountain Vicinity project (508208M). The  
17 department shall continue to work with the local partners in developing  
18 transportation solutions necessary for the economic growth in the Red  
19 Mountain American viticulture area of Benton county.

20           (~~(26)~~)) (23) \$1,500,000 of the motor vehicle account--federal  
21 appropriation is provided solely for the I-90 Comprehensive Tolling  
22 Study project (100067T).

23           (~~(27)~~—\$9,422,000)) (24) \$12,149,0000 of the motor vehicle  
24 account--federal appropriation and (~~(\$193,000)~~) \$362,000 of the motor  
25 vehicle account--state appropriation are provided solely for the I-  
26 90/Sullivan Road to Barker Road - Additional Lanes project (609049N).

27           (~~(28)~~)) (25) Up to \$8,000,000 in savings realized on the I-  
28 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project  
29 (509009B) may be used for design work on the next two-mile segment of  
30 the corridor. Any additional savings on this project must remain on  
31 the corridor. (~~(\$590,000 of the funds appropriated for this project~~  
32 ~~may be used to purchase land currently owned by the state parks~~  
33 ~~department.)) Project funds may not be used to build or improve  
34 buildings until the plan described in section 604 of this act is  
35 complete.~~

36           (~~(29)~~—\$932,000)) (26) \$657,000 of the motor vehicle account--  
37 federal appropriation is provided solely for the US 97A/North of  
38 Wenatchee - Wildlife Fence project (209790B).

1        ~~((+30+))~~ (27) The department shall reconvene an expert review panel  
2 of no more than three members as described under RCW 47.01.400 for the  
3 purpose of updating the work that was previously completed by the panel  
4 on the Alaskan Way viaduct replacement project and to ensure that an  
5 appropriate and viable financial plan is created and regularly  
6 reviewed. The expert review panel must be selected cooperatively by  
7 the chairs of the senate and house of representatives transportation  
8 committees, the secretary of transportation, and the governor. The  
9 expert review panel must report findings and recommendations to the  
10 transportation committees of the legislature, the governor's Alaskan  
11 Way viaduct project oversight committee, and the transportation  
12 commission by October 2011, and annually thereafter until the project  
13 is operationally complete.

14        ~~((+31+))~~ (28) It is important that the public and policymakers have  
15 accurate and timely access to information related to the Alaskan Way  
16 viaduct replacement project as it proceeds to, and during, the  
17 construction of all aspects of the project including, but not limited  
18 to, information regarding costs, schedules, contracts, project status,  
19 and neighborhood impacts. Therefore, it is the intent of the  
20 legislature that the state, city, and county departments of  
21 transportation establish a single source of accountability for  
22 integration, coordination, tracking, and information of all requisite  
23 components of the replacement project, which must include, at a  
24 minimum:

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

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

29        ~~((+32+))~~ (29) Within the amounts provided in this section, \$20,000  
30 of the motor vehicle account--state appropriation and \$980,000 of the  
31 motor vehicle account--federal appropriation are provided solely for  
32 the department to continue work on a comprehensive tolling study of the  
33 state route number 167 corridor (project 316718S). As funding allows,  
34 the department shall also continue work on a comprehensive tolling  
35 study of the state route number 509 corridor.

36        ~~((+33+))~~ (30)(a) ~~(((\$131,303,000))~~ \$137,022,000 of the  
37 transportation partnership account--state appropriation(~~(-~~  
38 ~~\$51,410,000))~~ and \$50,623,000 of the transportation 2003 account

1 (nickel account)--state appropriation(~~(, and \$10,000,000 of the motor~~  
2 ~~vehicle account--federal appropriation))~~) are provided solely for the I-  
3 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This  
4 project must be completed as soon as practicable as a design-build  
5 project and must be constructed with a footprint that would accommodate  
6 potential future express toll lanes.

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

17 (c) Within the amounts provided for this project, funding is  
18 provided solely for tolling equipment, such as gantries, barriers, or  
19 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.  
20 The department shall place amounts for tolling equipment into  
21 unallotted status until the traffic and revenue analysis required in  
22 RCW 47.56.886 is submitted to the governor and the legislature. Once  
23 the report has been submitted, the office of financial management may  
24 approve the allotment of funds for tolling equipment only after  
25 consultation with the joint transportation committee.

26 (~~((+34+))~~) (31) Funding for a signal at state route number 507 and  
27 Yew Street is included in the appropriation for intersection and spot  
28 improvements (0BI2002).

29 (~~((+35)---\$226,809,000))~~) (32) \$226,820,000 of the transportation  
30 partnership account--state appropriation and (~~((+\$1,019,460,000))~~)  
31 \$925,148,000 of the state route number 520 corridor account--state  
32 appropriation are provided solely for the state route number 520 bridge  
33 replacement and HOV program (8BI1003). When developing the financial  
34 plan for the program, the department shall assume that all maintenance  
35 and operation costs for the new facility are to be covered by tolls  
36 collected on the toll facility, and not by the motor vehicle account.

37 (~~((+36)---\$650,000 of the motor vehicle account--federal appropriation~~

1 is provided solely for the SR 522 Improvements/61st Avenue NE and NE  
2 181st Street project (L1000055).

3 ~~(37))~~ (33) The state route number 520 corridor account--state  
4 appropriation includes \$390,797,180 in proceeds and \$1,384,742,077 in  
5 unexpended proceeds from the sale of bonds authorized under RCW  
6 47.10.879.

7 (34) \$500,000 of the multimodal transportation account--state  
8 appropriation is provided solely for a multimodal corridor plan on  
9 state route number 520 between Interstate 405 and Avondale Road in  
10 Redmond (L1000054).

11 (35) \$300,000 of the motor vehicle account--federal appropriation  
12 is provided solely for the SR 523 Corridor study (L1000059).

13 ~~((38))~~ (36) The department shall consider using the city of  
14 Mukilteo's off-site mitigation program in the event any projects on  
15 state route number 525 or 526 require environmental mitigation.

16 ~~((39))~~ (37) Any savings on projects on the state route number 532  
17 corridor must be used within the corridor to begin work on flood  
18 prevention and raising portions of the highway above flood and storm  
19 influences.

20 (38) \$5,791,000 of the Tacoma Narrows toll bridge account--state  
21 appropriation is provided solely for deferred sales tax expenses on the  
22 construction of the new Tacoma Narrows bridge.

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

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

|   |                      |
|---|----------------------|
| 26 Transportation Partnership Account--State                    |                      |
| 27 Appropriation . . . . .                                      | (( \$34,182,000 ))   |
| 28  | <u>\$44,462,000</u>  |
| 29 Motor Vehicle Account--State Appropriation . . . . .         | (( \$67,790,000 ))   |
| 30  | <u>\$87,985,000</u>  |
| 31 Motor Vehicle Account--Federal Appropriation . . . . .       | (( \$632,489,000 ))  |
| 32  | <u>\$556,844,000</u> |
| 33 Motor Vehicle Account--Private/Local Appropriation . . . . . | (( \$19,253,000 ))   |
| 34  | <u>\$20,266,000</u>  |
| 35 <u>Tacoma Narrows Toll Bridge Account--State</u>             |                      |
| 36 <u>Appropriation . . . . .</u>                               | <u>\$259,000</u>     |
| 37 <u>Transportation 2003 Account (Nickel Account)--State</u>   |                      |

|   |                                |                      |
|---|--------------------------------|----------------------|
| 1 | <u>Appropriation . . . . .</u> | <u>\$23,000</u>      |
| 2 | TOTAL APPROPRIATION . . . . .  | (((\$753,714,000))   |
| 3 |                                | <u>\$709,839,000</u> |

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

6 (1) Except as provided otherwise in this section, the entire  
7 transportation 2003 account (nickel account) appropriation and the  
8 entire transportation partnership account appropriation are provided  
9 solely for the projects and activities as listed by fund, project, and  
10 amount in (~~LEAP Transportation Document 2011-1 as developed April 19,~~  
11 ~~2011, Program — Highway Preservation Program (P)) TEIS Transportation  
12 Document 12GOV001 dated November 21, 2011. However, limited transfers  
13 of specific line-item project appropriations may occur between projects  
14 for those amounts listed subject to the conditions and limitations in  
15 section 603 of this act.~~

16 (~~(2) ((The department shall, on a quarterly basis beginning July 1,~~  
17 ~~2011, provide to the office of financial management and the legislature~~  
18 ~~reports providing the status on each active project funded in part or~~  
19 ~~whole by the transportation 2003 account (nickel account) or the~~  
20 ~~transportation partnership account. Funding provided at a programmatic~~  
21 ~~level for transportation partnership account projects relating to~~  
22 ~~seismic bridges must be reported on a programmatic basis. Projects~~  
23 ~~within this programmatic level funding must be completed on a priority~~  
24 ~~basis and scoped to be completed within the current programmatic~~  
25 ~~budget. The department shall work with the office of financial~~  
26 ~~management and the transportation committees of the legislature to~~  
27 ~~agree on report formatting and elements. Elements must include, but~~  
28 ~~not be limited to, project scope, schedule, and costs. The department~~  
29 ~~shall also provide the information required under this subsection on a~~  
30 ~~quarterly basis.~~

31 (~~3~~) The department of transportation shall continue to implement  
32 the lowest life-cycle cost planning approach to pavement management  
33 throughout the state to encourage the most effective and efficient use  
34 of pavement preservation funds. Emphasis should be placed on  
35 increasing the number of roads addressed on time and reducing the  
36 number of roads past due.

37 (~~(5)~~) (3) Within the motor vehicle account--state appropriation



1 and 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 ~~((+6))~~ (4) 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 ~~((+7))~~ (5) The motor vehicle account--state appropriation includes  
8 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW  
9 47.10.843.

10 ~~((+8))~~ (6) The department must work with cities and counties to  
11 develop a comparison of direct and indirect labor costs, overhead  
12 rates, and other costs for high-cost bridge inspections charged by the  
13 state, counties, and other entities. The comparison is due to the  
14 transportation committees of the legislature on September 1, 2011.

15 ~~((+9) \$277,000)~~ (7) \$789,000 of the motor vehicle account--federal  
16 appropriation and ~~((+10) \$10,000)~~ \$6,000 of the motor vehicle account--  
17 state appropriation are provided solely for the environmental impact  
18 statement and preliminary planning for the replacement of the state  
19 route number 9 Snohomish river bridge (project L2000018).

20 ~~((+11) \$9,641,000)~~ (8) \$10,843,000 of the motor vehicle account--  
21 federal appropriation, ~~((+12) \$2,000,000)~~ \$1,992,000 of the motor vehicle  
22 account--private/local appropriation, and ~~((+13) \$361,000)~~ \$390,000 of the  
23 motor vehicle account--state appropriation are provided solely for the  
24 SR 21/Keller Ferry - Replace Boat project (602110J).

25 ~~((+14) \$3,093,000)~~ (9) \$165,000 of the motor vehicle account--  
26 federal appropriation is provided solely for the I-90/Ritzville to  
27 Tokio - Paving of Outside Lanes project (609041G).

28 ~~((+15) \$2,733,000)~~ (10) \$3,194,000 of the motor vehicle account--  
29 federal appropriation and ~~((+16) \$114,000)~~ \$135,000 of the motor vehicle  
30 account--state appropriation are provided solely for the SR  
31 167/Puyallup River Bridge Replacement project (316725A). This project  
32 must be completed as a design-build project. The department must work  
33 with local jurisdictions and the community during the environmental  
34 review process to develop appropriate esthetic design elements, at no  
35 additional cost to the department, and traffic management plans  
36 pertaining to this project. The department must report to the  
37 transportation committees of the legislature on estimated cost and/or  
38 time savings realized as a result of using the design-build process.

1 ((+13)) (11) \$295,000 of the motor vehicle account--federal  
2 appropriation and \$5,000 of the motor vehicle account--state  
3 appropriation are provided solely for the SR 906/Travelers Rest -  
4 Building Renovation project (090600A).

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

7 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**  
8 **CAPITAL**

|    |  |                               |
|----|--|-------------------------------|
| 9  | Motor Vehicle Account--State Appropriation . . . . .   | (( <del>\$6,439,000</del> ))  |
| 10 |  | <u>\$8,648,000</u>            |
| 11 | Motor Vehicle Account--Federal Appropriation . . . . . | (( <del>\$5,600,000</del> ))  |
| 12 |  | <u>\$7,069,000</u>            |
| 13 | TOTAL APPROPRIATION . . . . .                          | (( <del>\$12,039,000</del> )) |
| 14 |  | <u>\$15,717,000</u>           |

15 The appropriations in this section are subject to the following  
16 conditions and limitations: \$1,000,000 of the motor vehicle account--  
17 state appropriation for project 000005Q is provided solely for state  
18 matching funds for federally selected competitive grants or  
19 congressional earmark projects. These moneys must be placed into  
20 reserve status until such time as federal funds are secured that  
21 require a state match.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**  
25 **CONSTRUCTION--PROGRAM W**

|    |  |                                |
|----|--|--------------------------------|
| 26 | Puget Sound Capital Construction Account--State                |                                |
| 27 | Appropriation . . . . .  | (( <del>\$68,013,000</del> ))  |
| 28 |  | <u>\$76,417,000</u>            |
| 29 | Puget Sound Capital Construction Account--Federal              |                                |
| 30 | Appropriation . . . . .  | (( <del>\$41,500,000</del> ))  |
| 31 |  | <u>\$53,224,000</u>            |
| 32 | <u>Puget Sound Capital Construction Account--Private/Local</u> |                                |
| 33 | <u>Appropriation . . . . .</u>                                 | <u>\$200,000</u>               |
| 34 | Transportation 2003 Account (Nickel Account)--State            |                                |
| 35 | Appropriation . . . . .  | (( <del>\$118,027,000</del> )) |
| 36 |  | <u>\$111,928,000</u>           |

|   |   |                                |
|---|---|--------------------------------|
| 1 | Transportation Partnership Account--State |                                |
| 2 | Appropriation . . . . .                   | (( <del>\$12,536,000</del> ))  |
| 3 |   | <u>\$12,838,000</u>            |
| 4 | Multimodal Transportation Account--State  |                                |
| 5 | Appropriation . . . . .                   | (( <del>\$43,265,000</del> ))  |
| 6 |   | <u>\$40,054,000</u>            |
| 7 | TOTAL APPROPRIATION . . . . .             | (( <del>\$283,341,000</del> )) |
| 8 |   | <u>\$294,661,000</u>           |

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

11       (1) ((~~\$68,013,000~~)) \$76,417,000 of the Puget Sound capital  
12 construction account--state appropriation, ((~~\$41,500,000~~)) \$53,224,000  
13 of the Puget Sound capital construction account--federal appropriation,  
14 ((~~\$12,536,000~~)) \$12,838,000 of the transportation partnership account--  
15 state appropriation, ((~~\$118,027,000~~)) \$111,928,000 of the  
16 transportation 2003 account (nickel account)--state appropriation,  
17 ((~~and \$43,265,000~~)) \$40,054,000 of the multimodal transportation  
18 account--state appropriation, and \$200,000 of the Puget Sound capital  
19 construction account--private/local appropriation are provided solely  
20 for ferry projects, as listed in ((~~LEAP Transportation Document 2011-2~~  
21 ~~ALL PROJECTS as developed April 19, 2011, Program - Washington State~~  
22 ~~Ferries Capital Program (W))~~) TEIS Transportation Document 12GOV001  
23 dated November 21, 2011.

24       (2) The department shall work with the department of archaeology  
25 and historic preservation to ensure that the cultural resources  
26 investigation is properly conducted on all large ferry terminal  
27 projects. These projects must be conducted with active archaeological  
28 management.

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

32       (4) The transportation 2003 account (nickel account)--state  
33 appropriation includes up to \$82,143,000 in proceeds from the sale of  
34 bonds authorized in RCW 47.10.861.

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

1           (~~(7)~~ \$20,906,000)) (6) \$18,969,705 of the transportation 2003  
2 account (nickel account)--state appropriation(~~(, \$9,711,000 of the~~  
3 ~~multimodal transportation account--state appropriation, and \$1,537,000~~  
4 ~~of the Puget Sound capital construction account--state appropriation~~  
5 ~~are)) is provided solely for the acquisition of new Kwa-di-tabil class  
6 ferry vessels subject to the conditions of RCW 47.56.780.~~

7           (~~(8)~~ \$33,404,000)) (7) \$35,404,000 of the multimodal  
8 transportation account--state appropriation, (~~(\$2,000,000)) \$2,922,000~~  
9 of the Puget Sound capital construction account--(~~state)) federal~~  
10 appropriation, \$11,500,000 of the transportation partnership account--  
11 state appropriation, and (~~(\$81,085,000)) \$76,924,057~~ of the  
12 transportation 2003 account (nickel account)--state appropriation are  
13 provided solely for the acquisition of (~~two)) one 144-car vessel(~~(s~~  
14 ~~contingent upon new and sufficient resources. Of these amounts,~~  
15 ~~\$123,828,000 is provided solely for the first 144-car vessel)).~~ The  
16 department shall use as much already procured equipment as practicable  
17 on the 144-car vessel. The vendor must present to the joint  
18 transportation committee and the office of financial management, by  
19 August 15, 2011, a list of options that will result in significant cost  
20 savings changes in terms of construction or the long-term maintenance  
21 and operations of the vessel. The vendor must allow for exercising the  
22 options without a penalty. If neither chapter ... (Engrossed  
23 Substitute Senate Bill No. 5742), Laws of 2011 nor chapter ... (House  
24 Bill No. 2083), Laws of 2011 is enacted by June 30, 2011, \$75,000,000  
25 of the transportation 2003 account (nickel account)--state  
26 appropriation in this subsection lapses.~~

27           (~~(9)) (8)~~) (8) The department shall provide to the office of financial  
28 management and the legislature quarterly reports providing the status  
29 on each project listed in this section and in the project lists  
30 submitted pursuant to this act and on any additional projects for which  
31 the department has expended funds during the 2011-2013 fiscal biennium.  
32 Elements must include, but not be limited to, project scope, schedule,  
33 and costs. The department shall also provide the information required  
34 under this subsection via the transportation executive information  
35 system. (~~The quarterly report regarding the status of projects~~  
36 ~~identified on the list referenced in subsection (1) of this section~~  
37 ~~must be developed according to an earned value method of project~~  
38 ~~monitoring.)) The earned value method of project monitoring must be~~

1 used for the following projects while in the design phase: Seattle  
2 Terminal Building Replacement project; Seattle Slip 3 Transfer Span and  
3 OHL Replacement project; Mukilteo Multimodal project; Vashon Trestle  
4 Replacement project; and Southworth Trestle Replacement project.

5 ~~((11) \$3,932,000))~~ (9) \$6,547,915 of the total appropriation is  
6 provided solely for continued permitting work on the Mukilteo ferry  
7 terminal (project 952515P). The department shall seek additional  
8 federal funding for this project. Prior to beginning terminal  
9 improvements, the department shall report to the legislature on the  
10 final environmental impact statement by December 31, 2012. The report  
11 must include an overview of the costs and benefits of each of the  
12 alternatives considered, as well as an identification of costs and a  
13 funding plan for the preferred alternative.

14 ~~((13))~~ (10) The department shall review all terminal project cost  
15 estimates to identify projects where similar design requirements could  
16 result in reduced preliminary engineering or miscellaneous items costs.  
17 The department shall report to the legislature by September 1, 2011.  
18 The report must use programmatic design and include estimated cost  
19 savings by reducing repetitive design costs or miscellaneous costs, or  
20 both, applied to projects.

21 ~~((14) \$2,000,000))~~ (11) \$6,000,000 of the Puget Sound capital  
22 construction account--state appropriation is provided solely for  
23 emergency capital repair costs. Funds may be spent only after approval  
24 from the office of financial management.

25 ~~((15) \$7,167,000))~~ (12) \$8,368,402 of the Puget Sound capital  
26 construction account--state appropriation is provided solely for the  
27 reservation and communications system project.

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

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

|   |                          |
|---|--------------------------|
| 31 Essential Rail Assistance Account--State     |                          |
| 32 Appropriation . . . . .                      | <del>((1,000,000))</del> |
| 33  | <u>\$1,064,000</u>       |
| 34 Transportation Infrastructure Account--State |                          |
| 35 Appropriation . . . . .                      | <del>((5,838,000))</del> |
| 36  | <u>\$10,275,000</u>      |
| 37 Multimodal Transportation Account--State     |                          |

|   |  |                                |
|---|--|--------------------------------|
| 1 | Appropriation . . . . .                          | (( <del>\$52,000,000</del> ))  |
| 2 |  | <u>\$61,996,000</u>            |
| 3 | Multimodal Transportation Account--Federal       |                                |
| 4 | Appropriation . . . . .                          | (( <del>\$366,314,000</del> )) |
| 5 |  | <u>\$402,752,000</u>           |
| 6 | Multimodal Transportation Account--Private/Local |                                |
| 7 | Appropriation . . . . .                          | \$1,292,000                    |
| 8 | TOTAL APPROPRIATION . . . . .                    | (( <del>\$426,444,000</del> )) |
| 9 |  | <u>\$477,379,000</u>           |

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

12 (1)(a) Except as provided otherwise in this section, the entire  
13 appropriations in this section are provided solely for the projects and  
14 activities as listed by project and amount in ((LEAP)) TEIS  
15 Transportation Document ((~~2011-2 ALL PROJECTS~~)) 12GOV001 as developed  
16 ((~~April 19~~)) November 21, 2011, Program-Rail Capital Program (Y).

17 (b) Within the amounts provided in this section, ((~~\$2,903,000~~))  
18 \$9,763,719 of the transportation infrastructure account--state  
19 appropriation is for low-interest loans through the freight rail  
20 investment bank program for specific projects listed as recipients of  
21 these loans in the ((LEAP)) TEIS transportation document identified in  
22 (a) of this subsection. The department shall issue freight rail  
23 investment bank program loans with a repayment period of no more than  
24 ten years, and only so much interest as is necessary to recoup the  
25 department's costs to administer the loans.

26 (c) Within the amounts provided in this section, ((~~\$1,754,000~~))  
27 \$2,047,028 of the multimodal transportation account--state  
28 appropriation and \$1,000,000 of the essential rail assistance account--  
29 state appropriation are for statewide emergent freight rail assistance  
30 projects identified in the ((LEAP)) TEIS transportation document  
31 identified in (a) of this subsection.

32 (2)(a) If any funds remain in the program reserves (F01001A &  
33 F01000A) for the program and projects listed in subsection (1)(b) and  
34 (c) of this section, the department shall issue a call for projects for  
35 the freight rail investment bank (FRIB) loan program and the emergent  
36 freight rail assistance program (FRAP) grants, and shall evaluate the  
37 applications according to the cost-benefit methodology developed during  
38 the 2008 interim using the legislative priorities specified in (c) of

1 this subsection. Unsuccessful FRAP grant applicants should be  
2 encouraged to apply to the FRIB loan program, if eligible. By November  
3 1, 2011, the department shall submit a prioritized list of recommended  
4 projects to the office of financial management and the transportation  
5 committees of the legislature.

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

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

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

21 (ii) Self-sustaining economic development that creates family-wage  
22 jobs;

23 (iii) Preservation of transportation corridors that would otherwise  
24 be lost;

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

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

29 (vi) Mitigation of impacts of increased rail traffic on  
30 communities.

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

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

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

7 (6) The multimodal transportation account--state appropriation  
8 includes up to \$19,684,000 in proceeds from the sale of bonds  
9 authorized in RCW 47.10.867.

10 (~~(7) (When the balance of that portion of the miscellaneous program~~  
11 ~~account apportioned to the department for the grain train program~~  
12 ~~reaches \$1,180,000, the department shall acquire additional grain train~~  
13 ~~railcars.~~

14 ~~(+8))~~ \$1,087,000 of the multimodal transportation account--state  
15 appropriation is provided solely as state matching funds for successful  
16 grant applications to either the federal rail line relocation and  
17 improvement program (project 798999D) or new federal high-speed rail  
18 grants.

19 ~~((+9))~~ (8) The Burlington Northern Santa Fe Skagit river bridge is  
20 an integral part of the rail system. Constructed in 1916, the bridge  
21 does not meet current design standards and is at risk during flood  
22 events that occur on the Skagit river. The department shall work with  
23 Burlington Northern Santa Fe and local jurisdictions to secure federal  
24 funding for the Skagit river bridge and to develop an appropriate  
25 replacement plan and schedule.

26 ~~((+10)---\$339,139,000))~~ (9) \$343,990,669 of the multimodal  
27 transportation account--federal appropriation and ~~((+\$5,099,000))~~  
28 \$5,159,861 of the multimodal transportation account--state  
29 appropriation are provided solely for expenditures related to passenger  
30 high-speed rail grants. At one and one-half percent of the total  
31 project funds, the multimodal transportation account--state funds are  
32 provided solely for expenditures that are not federally reimbursable.  
33 Funding in this subsection is the initial portion of multiyear  
34 high-speed rail program grants awarded to Washington state for  
35 high-speed intercity passenger rail investments. Funding will allow  
36 for two additional round trips between Seattle and Portland and other  
37 rail improvements.



1        (~~(11)~~) (10) \$750,000 of the multimodal transportation account--  
 2 state appropriation is provided solely for the Port of Royal Slope  
 3 rehabilitation project (L1000053). Funding is contingent upon the  
 4 project completing the rail cost-benefit methodology process developed  
 5 during the 2008 interim using the legislative priorities outlined in  
 6 subsection (2)(c) of this section.

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

9        **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**  
 10 **CAPITAL**

|    |   |                           |
|----|---|---------------------------|
| 11 | Highway Infrastructure Account--State Appropriation . . . . . | \$207,000                 |
| 12 | Highway Infrastructure Account--Federal                       |                           |
| 13 | Appropriation . . . . .                                       | \$1,602,000               |
| 14 | Motor Vehicle Account--State Appropriation . . . . .          | <del>(\$3,754,000)</del>  |
| 15 |   | <u>\$4,885,000</u>        |
| 16 | Motor Vehicle Account--Federal Appropriation . . . . .        | <del>(\$31,856,000)</del> |
| 17 |   | <u>\$30,430,000</u>       |
| 18 | Freight Mobility Investment Account--State                    |                           |
| 19 | Appropriation . . . . .                                       | <del>(\$11,278,000)</del> |
| 20 |   | <u>\$11,494,000</u>       |
| 21 | Transportation Partnership Account--State                     |                           |
| 22 | Appropriation . . . . .                                       | <del>(\$6,035,000)</del>  |
| 23 |   | <u>\$8,210,000</u>        |
| 24 | Freight Mobility Multimodal Account--State                    |                           |
| 25 | Appropriation . . . . .                                       | <del>(\$15,117,000)</del> |
| 26 |   | <u>\$12,202,000</u>       |
| 27 | Freight Mobility Multimodal Account--Local                    |                           |
| 28 | Appropriation . . . . .                                       | <del>(\$4,752,000)</del>  |
| 29 |   | <u>\$2,834,000</u>        |
| 30 | Multimodal Transportation Account--State                      |                           |
| 31 | Appropriation . . . . .                                       | <del>(\$18,453,000)</del> |
| 32 |   | <u>\$22,475,000</u>       |
| 33 | Passenger Ferry Account--State Appropriation . . . . .        | \$1,115,000               |
| 34 | TOTAL APPROPRIATION . . . . .                                 | <del>(\$94,169,000)</del> |
| 35 |   | <u>\$95,454,000</u>       |

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

1           ~~(1) ((The department shall, on a quarterly basis beginning July 1,~~  
2 ~~2011, provide to the office of financial management and the legislature~~  
3 ~~reports providing the status on each active project funded in part or~~  
4 ~~whole by the transportation 2003 account (nickel account) or the~~  
5 ~~transportation partnership account. Report formatting and elements~~  
6 ~~must be consistent with the October 2009 quarterly project report. The~~  
7 ~~department shall also provide the information required under this~~  
8 ~~subsection on a quarterly basis via the transportation executive~~  
9 ~~information system.~~

10           ~~(2))~~ \$1,115,000 of the passenger ferry account--state  
11 appropriation is provided solely for near and long-term costs of  
12 capital improvements and operating expenses that are consistent with  
13 the business plan approved by the governor for passenger ferry service.

14           ~~((3))~~ (2) The department shall apply for surface transportation  
15 program enhancement funds to be expended in lieu of or in addition to  
16 state funds for eligible costs of projects in local programs, program  
17 Z--capital.

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

29           ~~(5))~~ (3) The city of Winthrop may utilize a design-build process  
30 for the Winthrop bike path project.

31           ~~((6)---\$11,557,000))~~ (4) \$14,813,000 of the multimodal  
32 transportation account--state appropriation, ~~(((\$12,136,000))~~  
33 \$12,804,000 of the motor vehicle account--federal appropriation, and  
34 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--  
35 state appropriation are provided solely for the pedestrian and bicycle  
36 safety program projects and safe routes to schools program projects  
37 identified in: LEAP Transportation Document 2011-A, pedestrian and  
38 bicycle safety program projects and safe routes to schools program

1 projects, as developed April 19, 2011; LEAP Transportation Document  
2 2009-A, pedestrian and bicycle safety program projects and safe routes  
3 to schools program projects, as developed March 30, 2009; LEAP  
4 Transportation Document 2007-A, pedestrian and bicycle safety program  
5 projects and safe routes to schools program projects, as developed  
6 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and  
7 bicycle safety program projects and safe routes to schools program  
8 projects, as developed March 8, 2006. Projects must be allocated  
9 funding based on order of priority. The department shall review all  
10 projects receiving grant awards under this program at least  
11 semiannually to determine whether the projects are making satisfactory  
12 progress. Any project that has been awarded funds, but does not report  
13 activity on the project within one year of the grant award must be  
14 reviewed by the department to determine whether the grant should be  
15 terminated. The department shall promptly close out grants when  
16 projects have been completed, and identify where unused grant funds  
17 remain because actual project costs were lower than estimated in the  
18 grant award.

19 ((+7)) (5) Except as provided otherwise in this section, the  
20 entire appropriations in this section are provided solely for the  
21 projects and activities as listed by project and amount in ((LEAP  
22 ~~Transportation Document 2011-2 ALL PROJECTS as developed April 19,~~  
23 ~~2011, Program — Local Program (Z))~~) TEIS Transportation Document  
24 12GOV001 dated November 21, 2011. However, limited transfers of  
25 specific line-item project appropriations may occur between projects  
26 for those amounts listed subject to the conditions and limitations in  
27 section 601 of this act.

28 ((+8)) (6) For the 2011-2013 project appropriations, unless  
29 otherwise provided in this act, the director of the office of financial  
30 management may authorize a transfer of appropriation authority between  
31 projects managed by the freight mobility strategic investment board in  
32 order for the board to manage project spending and efficiently deliver  
33 all projects in the respective program.

34 ((+9)) (7) With each department budget submittal, the department  
35 shall provide an update on the status of the repayment of the twenty  
36 million dollars of unobligated federal funds authority advanced by the  
37 department in September 2010 to the city of Tacoma for the Murray  
38 Morgan/11th Street bridge project.

1        ~~((+10))~~ (8) The department shall prepare a list of main street  
2 projects, consistent with chapter ... (Engrossed Substitute House Bill  
3 No. 1071), Laws of 2011, for approval in the 2013-2015 fiscal biennium.  
4 In order to ensure that any proposed list of projects is consistent  
5 with legislative intent, the department shall provide a report to the  
6 joint transportation committee by December 1, 2011. The report must  
7 identify the eligible segments of main streets highways, the  
8 department's proposed project selection and ranking method, criteria to  
9 be considered, and a plan for soliciting project proposals.

10        ~~((+11))~~ (9) \$267,000 of the motor vehicle account--state  
11 appropriation and \$2,859,000 of the motor vehicle account--federal  
12 appropriation are provided solely for completion of the US 101  
13 northeast peninsula safety rest area and associated roadway  
14 improvements east of Port Angeles at the Deer Park scenic view point  
15 (3LP187A). The department must surplus any right-of-way previously  
16 purchased for this project near Sequim. Approval to proceed with  
17 construction is contingent on surplus of previously purchased right-of-  
18 way.

19        ~~((+12))~~ (10) Up to ~~((\$3,650,000))~~ \$3,702,000 of the motor vehicle  
20 account--federal appropriation and ~~((\$23,000))~~ \$75,000 of the motor  
21 vehicle account--state appropriation are provided solely to reimburse  
22 the cities of Kirkland and Redmond for pavement and bridge deck  
23 rehabilitation on state route number 908 (1LP611A). These funds may  
24 not be expended unless the cities sign an agreement stating that the  
25 cities agree to take ownership of state route number 908 in its  
26 entirety and agree that the payment of these funds represents the  
27 entire state commitment to the cities for state route number 908  
28 expenditures.

29        ~~((+13))~~ (11) \$225,000 of the multimodal transportation account--  
30 state appropriation is provided solely for the Shell Valley emergency  
31 road and bicycle/pedestrian path (L1000036).

32        ~~((+14) \$150,000)~~ (12) \$188,000 of the motor vehicle account--state  
33 appropriation is provided solely for flood reduction solutions on state  
34 route number 522 caused by the lower McAleer and Lyon creek basins  
35 (L1000041).

36        ~~((+15))~~ (13) \$896,000 of the multimodal transportation account--  
37 state appropriation is provided solely for realignment of Parker Road

1 and construction of secondary access off of state route number 20  
2 (L2200040).

3 ~~((+16))~~ (14) An additional \$2,500,000 of the motor vehicle  
4 account--federal appropriation is provided solely for the Strander  
5 Blvd/SW 27th St Connection project (1LP902F), which amount is reflected  
6 in the ~~((LEAP))~~ TEIS transportation document identified in subsection  
7 ~~((+7))~~ (5) of this section. These funds may only be committed if  
8 needed, may not be used to supplant any other committed project  
9 partnership funding, and must be the last funds expended.

10 ~~((+17))~~ (15) \$500,000 of the motor vehicle account--federal  
11 appropriation is provided solely for safety improvements at the  
12 intersection of South Wapato and McDonald Road (L1000052).

13 ~~((+18))~~ (16) \$2,000,000 of the multimodal transportation account--  
14 state appropriation is provided solely for the state route number 432  
15 rail realignment and highway improvements project (L1000056).

16 ~~((+19) \$500,000 of the multimodal transportation account--state  
17 appropriation is provided solely for a multimodal corridor plan on  
18 state route number 520 between Interstate 405 and Avondale Road in  
19 Redmond (L1000054)).~~

20 ~~(+20))~~ (17) \$100,000 of the motor vehicle account--federal  
21 appropriation is provided solely for state route number 164 and Auburn  
22 Way South pedestrian improvements (L1000057).

23 ~~((+21))~~ (18) \$115,000 of the motor vehicle account--federal  
24 appropriation is provided solely for median street lighting on state  
25 route number 410 (L1000058).

26 ~~((+22))~~ (19) \$60,000 of the multimodal transportation account--  
27 state appropriation is provided solely for a cross docking study for  
28 the port of Douglas county (L1000060).

29 ~~((+23))~~ (20) \$100,000 of the motor vehicle account--federal  
30 appropriation is provided solely for city of Auburn - 8th and R Street  
31 NE intersection improvements (L2200043).

32 ~~((+24))~~ (21) \$65,000 of the multimodal transportation account--  
33 state appropriation is provided solely for the Puget Sound regional  
34 council to further the implementation of multimodal concurrency  
35 practice through a transit service overlay zone implemented at the  
36 local level (L1000061). This approach will improve the linkage of land  
37 use and transportation investment decisions, improve the efficiency of  
38 transit service by encouraging transit-supportive development, provide

1 incentives for developers, and support integrated regional growth,  
2 economic development, and transportation plans. In carrying out this  
3 work, the council shall involve representatives from cities and  
4 counties, developers, transit agencies, and other interested  
5 stakeholders, and shall consult with other regional transportation  
6 planning organizations across the state. The council shall report the  
7 results of their work and recommendations to the joint transportation  
8 committee by December 2011, with a final report to the transportation  
9 committees of the legislature by January 31, 2012.

10 (22) \$650,000 of the motor vehicle account--federal appropriation  
11 is provided solely for the SR 522 Improvements/61st Avenue NE and NE  
12 181st Street project (L1000055).

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

15 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

16 (1) On a monthly basis, the department of transportation shall  
17 provide to the office of financial management and the legislative  
18 transportation committees:

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

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

23 (2) On a quarterly basis, the department of transportation shall  
24 provide to the office of financial management and the legislative  
25 transportation committees a status report on each active project funded  
26 in part or in whole by the transportation 2003 account (nickel account)  
27 or the transportation partnership act revenue packages. Funding  
28 provided at a programmatic level for projects relating to bridge rail,  
29 guard rail, fish passage barrier removal, and roadside safety projects  
30 must be reported on a programmatic basis. Projects within this  
31 programmatic level funding must be completed on a priority basis and  
32 scoped to be completed within the current programmatic budget. The  
33 quarterly report must:

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

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

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

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

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

8 (f) Identify updated information on the six major project  
9 milestones.

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

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

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

22 (c) List all projects and associated amounts that are being charged  
23 to project OBI4ENV during the current fiscal biennium; and

24 (d) Identify the department progress and plans to reduce highway  
25 construction workforce levels to the levels identified in section 608,  
26 chapter 367, Laws of 2011. This report must also be posted on the  
27 department's web site.

## 28 TRANSFERS AND DISTRIBUTIONS

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

31 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
32 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**  
33 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**  
34 **REVENUE**

35 Highway Bond Retirement Account--State

|    |  |                        |
|----|--|------------------------|
| 1  | Appropriation . . . . .                                      | (( \$920,560,000 ))    |
| 2  |  | <u>\$895,217,000</u>   |
| 3  | Ferry Bond Retirement Account--State Appropriation . . . . . | \$31,801,000           |
| 4  | State Route Number 520 Corridor Account--State               |                        |
| 5  | Appropriation . . . . .                                      | (( \$1,075,000 ))      |
| 6  |  | <u>\$4,892,000</u>     |
| 7  | Transportation Improvement Board Bond Retirement             |                        |
| 8  | Account--State Appropriation . . . . .                       | \$16,544,000           |
| 9  | Nondebt-Limit Reimbursable Account Appropriation . . . . .   | (( \$25,200,000 ))     |
| 10 |  | <u>\$23,728,000</u>    |
| 11 | Transportation Partnership Account--State                    |                        |
| 12 | Appropriation . . . . .                                      | (( \$3,142,000 ))      |
| 13 |  | <u>\$4,085,000</u>     |
| 14 | Motor Vehicle Account--State Appropriation . . . . .         | (( \$333,000 ))        |
| 15 |  | <u>\$443,000</u>       |
| 16 | Transportation 2003 Account (Nickel Account)--State          |                        |
| 17 | Appropriation . . . . .                                      | (( \$1,140,000 ))      |
| 18 |  | <u>\$1,176,000</u>     |
| 19 | Transportation Improvement Account--State                    |                        |
| 20 | Appropriation . . . . .                                      | (( \$29,000 ))         |
| 21 |  | <u>\$72,000</u>        |
| 22 | Multimodal Transportation Account--State                     |                        |
| 23 | Appropriation . . . . .                                      | (( \$138,000 ))        |
| 24 |  | <u>\$204,000</u>       |
| 25 | Toll Facility Bond Retirement Account--State                 |                        |
| 26 | Appropriation . . . . .                                      | (( \$33,792,000 ))     |
| 27 |  | <u>\$26,025,000</u>    |
| 28 | Toll Facility Bond Retirement Account--Federal               |                        |
| 29 | Appropriation . . . . .                                      | (( \$14,649,000 ))     |
| 30 |  | <u>\$7,500,000</u>     |
| 31 | TOTAL APPROPRIATION . . . . .                                | (( \$1,048,403,000 ))  |
| 32 |  | <u>\$1,011,687,000</u> |

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

35 ~~(1) \$4,610,000 of the highway bond retirement account state~~  
36 ~~appropriation is provided solely for debt service on bonds issued 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 ~~(2) \$165,000 of the transportation 2003 account (nickel account)--~~  
5 ~~state appropriation is provided solely for discounts on bonds sold to~~  
6 ~~construct a ferry boat vessel with a carrying capacity of one hundred~~  
7 ~~forty four cars. If neither chapter ... (House Bill No. 2083), Laws of~~  
8 ~~2011 nor chapter ... (Engrossed Substitute Senate Bill No. 5742) is~~  
9 ~~enacted by June 30, 2011, the amount provided in this subsection~~  
10 ~~lapses.)~~)

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

13 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**  
15 **FISCAL AGENT CHARGES**

|  |                    |
|--|--------------------|
| 16 State Route Number 520 Corridor Account--State                    |                    |
| 17 Appropriation . . . . .   | (((\$68,000))      |
| 18   | <u>\$1,027,000</u> |
| 19 Transportation Partnership Account--State                         |                    |
| 20 Appropriation . . . . .   | (((\$608,000))     |
| 21   | <u>\$1,061,000</u> |
| 22 Motor Vehicle Account--State Appropriation . . . . .              | (((\$60,000))      |
| 23   | <u>\$115,000</u>   |
| 24 Transportation 2003 Account (Nickel Account)--State               |                    |
| 25 Appropriation . . . . .   | (((\$219,000))     |
| 26   | <u>\$305,000</u>   |
| 27 Transportation Improvement Account--State Appropriation . . . . . | (((\$5,000))       |
| 28   | <u>\$19,000</u>    |
| 29 Multimodal Transportation Account--State                          |                    |
| 30 Appropriation . . . . .   | (((\$26,000))      |
| 31   | <u>\$53,000</u>    |
| 32 TOTAL APPROPRIATION . . . . .                                     | (((\$986,000))     |
| 33   | <u>\$2,580,000</u> |

34 ~~((The appropriations in this section are subject to the following~~  
35 ~~conditions and limitations: \$30,000 of the transportation 2003 account~~  
36 ~~(nickel account) state appropriation is provided solely for expenses~~  
37 ~~associated with bonds sold to construct a ferry boat vessel with a~~

1 ~~carrying capacity of one hundred forty four cars. If neither chapter~~  
2 ~~... (House Bill No. 2083), Laws of 2011 nor chapter ... (Engrossed~~  
3 ~~Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the~~  
4 ~~amount provided in this subsection lapses.))~~

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

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

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

12 The department of transportation is authorized to sell up to  
13 \$52,516,000 in bonds authorized by RCW 47.10.843 for vessel and  
14 terminal acquisition, major and minor improvements, and long lead-time  
15 materials acquisition for the Washington state ferries. ((Of the  
16 authorized amounts, \$14,500,000 is provided solely for expenditures  
17 made during the fiscal biennium ending June 30, 2011.))

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

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

21 Motor Vehicle Account--State Appropriation for motor  
22 vehicle fuel tax distributions to cities and  
23 counties . . . . . ((\$478,155,000))  
24 \$472,222,000

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

27 **FOR THE STATE TREASURER--TRANSFERS**

28 Motor Vehicle Account--State Appropriation: For  
29 motor vehicle fuel tax refunds and statutory  
30 transfers . . . . . ((\$1,246,357,000))  
31 \$1,230,955,000

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

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

2 Motor Vehicle Account--State Appropriation: For  
3 motor vehicle fuel tax refunds and transfers . . . ((\$127,984,000))  
4 \$139,385,000

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

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

8 (1) Tacoma Narrows Toll Bridge Account--State  
9 Appropriation: For transfer to the Motor Vehicle  
10 Account--State . . . . . ((\$543,000))  
11 \$1,591,000

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

15 (3) Recreational Vehicle Account--State  
16 Appropriation: For transfer to the Motor Vehicle  
17 Account--State . . . . . ((\$1,450,000))  
18 \$1,300,000

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

22 (5) Multimodal Transportation Account--State  
23 Appropriation: For transfer to the Puget Sound  
24 Ferry Operations Account--State . . . . . ((\$43,000,000))  
25 \$33,000,000

26 (6) Highway Safety Account--State Appropriation:  
27 For transfer to the Motor Vehicle Account--State . . . ((\$23,000,000))  
28 \$25,000,000

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

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

34 ~~(9) State Route Number 520 Civil Penalties~~  
35 ~~Account--State Appropriation: For transfer to the~~  
36 ~~State Route Number 520 Corridor Account--State . . . . . \$754,000~~

37 ~~(10)) Rural Mobility Grant Program Account--State~~

1 Appropriation: For transfer to the Multimodal  
2 Transportation Account--State . . . . . \$3,000,000  
3 ((+11)) (8) Motor Vehicle Account--State  
4 Appropriation: For transfer to the State Patrol  
5 Highway Account--State . . . . . ((\$14,000,000))  
6 \$15,000,000  
7 ((+12)) (9) State Route Number 520 Corridor  
8 Account--State Appropriation: For transfer to the  
9 Motor Vehicle Account--State(~~(, in an amount equal to~~  
10 ~~funds dispersed during the 2009-2011 fiscal biennium~~  
11 ~~authorized under section 805(7) of this act.)) . . . . . \$58,000  
12 ((+13)) (10) Motor Vehicle Account--State  
13 Appropriation: For transfer to the Special Category C  
14 Account--State . . . . . ((\$1,500,000))  
15 \$2,200,000  
16 ((+14)) (11) Regional Mobility Grant Program  
17 Account--State Appropriation: For transfer to the  
18 Multimodal Transportation Account--State . . . . . \$1,000,000  
19 ((+15)) (12) State Patrol Highway Account--State  
20 Appropriation: For transfer to the Vehicle  
21 Licensing Fraud Account . . . . . \$100,000  
22 ~~((+16) State Route Number 520 Corridor Account--State~~  
23 ~~Appropriation: For transfer to the Motor Vehicle~~  
24 ~~Account . . . . . \$2,435,000))~~  
25 (13) Motor Vehicle Account--State Appropriation:  
26 For transfer to the State Route Number 520 Civil  
27 Penalties Account--State . . . . . \$500,000  
28 (14) Capital Vessel Replacement Account--State  
29 Appropriation: For transfer to the Transportation 2003  
30 Account (Nickel Account)--State . . . . . \$6,311,000  
31 (15) Highway Safety Account--State Appropriation:  
32 For transfer to the Department of Licensing Services  
33 Account--State . . . . . \$1,000,000  
34 ((+17)) (16) The transfers identified in this section are subject  
35 to the following conditions and limitations:  
36 (a) The amount transferred in subsection (1) of this section  
37 represents a partial repayment of the operating loan(~~(s)~~) and reserve  
38 payment(~~(s)~~) provided to the Tacoma Narrows toll bridge account (~~(from~~~~

1 ~~the motor vehicle account in the 2005-2007 fiscal biennium))~~ in the  
2 2005-2007 fiscal biennium. The remaining \$3,702,000 of the operating  
3 loan and reserve payment shall be paid in future biennia.

4 (b) ~~((The transfer in subsection (9) of this section represents~~  
5 ~~toll revenue collected from toll violations))~~ The transfer in  
6 subsection (9) of this section represents the repayment of an amount  
7 equal to subprogram B5 expenditures that occurred in the motor vehicle  
8 account in the 2009-2011 fiscal biennium.

9 (c) The amount transferred in subsection (3) of this section shall  
10 not exceed the expenditures incurred from the motor vehicle account--  
11 state for the recreational vehicle sanitary disposal systems program.

## 12 COMPENSATION

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

### 15 **COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION**

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

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

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

### 30 **COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION**

31 (1) No agreement has been reached between the governor and the  
32 Washington state patrol lieutenant's association under chapter 41.56  
33 RCW for ((the 2011-2013 fiscal biennium)) fiscal year 2012.

1 Appropriations for the Washington state patrol in this act are  
2 sufficient to fund the provisions of the 2009-2011 agreement.

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

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

12 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
13 **AGREEMENTS--TERMS AND CONDITIONS**

14 No agreement has been reached between the governor and the masters,  
15 mates, and pilots marine operations watch supervisors under chapter  
16 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this  
17 act reflect funding to maintain the provisions or terms and conditions  
18 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013  
19 appropriations are reduced to reflect a 6.0 percent temporary salary  
20 reduction effective July 1, 2012, through June 29, 2013, and other  
21 management priorities in collective bargaining. Effective June 30,  
22 2013, the salary schedules effective July 1, 2009, through June 30,  
23 2011, will be reinstated.

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

26 **EMPLOYEE HEALTH INSURANCE**

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

28 The appropriation in this section is subject to the following  
29 conditions and limitations:

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

35 (2) The appropriation from funds and accounts must be made in the

1 amounts specified and from the funds and accounts specified in OFM  
2 Document 2011-INS-01 dated November 21, 2012.

3 NEW SECTION. **Sec. 505. TRANSPORTATION EMPLOYEES--COMPENSATION**

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

5 (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF  
6 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
7 CONTRIBUTIONS);

8 (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF  
9 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM  
10 CONTRIBUTIONS);

11 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF  
12 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

13 (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF  
14 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM  
15 CONTRIBUTIONS).

16 **IMPLEMENTING PROVISIONS**

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

19 **FUND TRANSFERS**

20 (1) The transportation 2003 projects or improvements and the 2005  
21 transportation partnership projects or improvements are listed in  
22 (~~LEAP Transportation Document 2011-1 as developed April 19, 2011~~)  
23 TEIS Transportation Document 12GOV001 dated November 21, 2011, which  
24 consists of a list of specific projects by fund source and amount over  
25 a sixteen-year period. Current fiscal biennium funding for each  
26 project is a line-item appropriation, while the outer year funding  
27 allocations represent a sixteen-year plan. The department is expected  
28 to use the flexibility provided in this section to assist in the  
29 delivery and completion of all transportation partnership account and  
30 transportation 2003 account (nickel account) projects on the (~~LEAP~~)  
31 TEIS transportation documents referenced in this act. For the 2009-  
32 2011 and 2011-2013 project appropriations, unless otherwise provided in  
33 this act, the director of financial management may authorize a transfer  
34 of appropriation authority between projects funded with transportation

1 2003 account (nickel account) appropriations, or transportation  
2 partnership account appropriations, in order to manage project spending  
3 and efficiently deliver all projects in the respective program under  
4 the following conditions and limitations:

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

7 (b) Transfers from a project may not be made as a result of the  
8 reduction of the scope of a project or be made to support increases in  
9 the scope of a project;

10 (c) Each transfer between projects may only occur if the director  
11 of financial management finds that any resulting change will not hinder  
12 the completion of the projects as approved by the legislature. Until  
13 the legislature reconvenes to consider the 2012 supplemental  
14 transportation budget, any unexpended 2009-2011 appropriation balance  
15 as approved by the office of financial management, in consultation with  
16 the legislative staff of the house of representatives and senate  
17 transportation committees, may be considered when transferring funds  
18 between projects;

19 (d) Transfers from a project may be made if the funds appropriated  
20 to the project are in excess of the amount needed to complete the  
21 project;

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

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

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

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

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



1 (4) The office of financial management shall document approved  
2 transfers and schedule changes in the transportation executive  
3 information system, compare changes to the legislative baseline funding  
4 and schedules identified by project identification number identified in  
5 the ((LEAP)) TEIS transportation documents referenced in this act, and  
6 transmit revised project lists to chairs of the transportation  
7 committees of the legislature on a quarterly basis.

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

10 **STAFFING LEVELS**

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

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

29 (3) In order to successfully deliver the highway construction  
30 program as funded, the department of transportation may continue to  
31 contract out engineering and technical services. In addition, the  
32 department may continue the incentive program for retirements and  
33 employee separations. ~~((The department shall report quarterly to the  
34 office of financial management and the transportation committees of the  
35 legislature on its progress and plans to reduce highway construction  
36 workforce levels to two thousand FTEs by June 2015. This report must  
37 also be posted on the department's web site.))~~

MISCELLANEOUS

1

2        NEW SECTION.    **Sec. 701.**    If any provision of this act or its  
3 application to any person or circumstance is held invalid, the  
4 remainder of the act or the application of the provision to other  
5 persons or circumstances is not affected.

6        NEW SECTION.    **Sec. 702.**    This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and takes effect  
9 immediately.

COLLECTIVE BARGAINING AGREEMENTS

WSP LIEUTENANTS ASSOCIATION . . . . . 69

WSP TROOPERS ASSOCIATION . . . . . 69

COUNTY ROAD ADMINISTRATION BOARD . . . . . 6, 37

DEPARTMENT OF AGRICULTURE . . . . . 4

DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION . . . . . 1

DEPARTMENT OF ENTERPRISE SERVICES . . . . . 3

DEPARTMENT OF LICENSING . . . . . 12

TRANSFERS . . . . . 67

DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS

TERMS AND CONDITIONS . . . . . 70

DEPARTMENT OF TRANSPORTATION

AVIATION--PROGRAM F . . . . . 18

CHARGES FROM OTHER AGENCIES--PROGRAM U . . . . . 27

ECONOMIC PARTNERSHIPS--PROGRAM K . . . . . 20

FACILITIES--PROGRAM D--OPERATING . . . . . 18

HIGHWAY MAINTENANCE--PROGRAM M . . . . . 20

IMPROVEMENTS--PROGRAM I . . . . . 39

INFORMATION TECHNOLOGY--PROGRAM C . . . . . 17

LOCAL PROGRAMS--PROGRAM Z--CAPITAL . . . . . 57

LOCAL PROGRAMS--PROGRAM Z--OPERATING . . . . . 36

MARINE--PROGRAM X . . . . . 32

PRESERVATION--PROGRAM P . . . . . 47

PROGRAM D-- ( DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS )--CAPITAL . . . . . 38

PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H . . . . . 18

PUBLIC TRANSPORTATION--PROGRAM V . . . . . 28

RAIL--PROGRAM Y--OPERATING . . . . . 35

RAIL--PROGRAM Y--CAPITAL . . . . . 53

TOLL OPERATIONS AND MAINTENANCE--PROGRAM B . . . . . 15

TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL . . . . . 50

TRAFFIC OPERATIONS--PROGRAM Q--OPERATING . . . . . 22

TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S . . . . . 25

TRANSPORTATION PLANNING , DATA , AND RESEARCH--PROGRAM T . . . . . 25

WSF CONSTRUCTION--PROGRAM W . . . . . 50

EMPLOYEE HEALTH INSURANCE . . . . . 70

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD . . . . . 10

|   |            |
|---|------------|
| FUND TRANSFERS . . . . .  | 71         |
| JOINT TRANSPORTATION COMMITTEE . . . . .                              | 7          |
| LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE . . . . . | 4          |
| OFFICE OF FINANCIAL MANAGEMENT . . . . .                              | 2          |
| PUBLIC EMPLOYMENT RELATIONS COMMISSION . . . . .                      | 4          |
| REPORTING REQUIREMENTS FOR CAPITAL PROGRAM . . . . .                  | 62         |
| STAFFING LEVELS . . . . .   | 73         |
| STATE TREASURER   |            |
| ADMINISTRATIVE TRANSFERS . . . . .                                    | 67         |
| BOND RETIREMENT AND INTEREST . . . . .                                | 63, 65, 66 |
| STATE REVENUES FOR DISTRIBUTION . . . . .                             | 66         |
| TRANSFERS . . . . .   | 66         |
| TRANSPORTATION COMMISSION . . . . .                                   | 9          |
| TRANSPORTATION EMPLOYEES  |            |
| COMPENSATION . . . . .  | 71         |
| TRANSPORTATION IMPROVEMENT BOARD . . . . .                            | 7, 38      |
| WASHINGTON STATE PATROL . . . . .                                     | 10, 36     |
| WASHINGTON TRAFFIC SAFETY COMMISSION . . . . .                        | 5          |

--- END ---