

ESSB 5024 - H AMD
By Representative

ADOPTED AND ENGROSSED 4/28/13

1 Strike everything after the enacting clause and insert the
2 following:

3 "2013-2015 FISCAL BIENNIUM

4 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
5 is hereby adopted and, subject to the provisions set forth, the several
6 amounts specified, or as much thereof as may be necessary to accomplish
7 the purposes designated, are hereby appropriated from the several
8 accounts and funds named to the designated state agencies and offices
9 for employee compensation and other expenses, for capital projects, and
10 for other specified purposes, including the payment of any final
11 judgments arising out of such activities, for the period ending June
12 30, 2015.

13 (2) Unless the context clearly requires otherwise, the definitions
14 in this subsection apply throughout this act.

15 (a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending
16 June 30, 2014.

17 (b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending
18 June 30, 2015.

19 (c) "FTE" means full-time equivalent.

20 (d) "Lapse" or "revert" means the amount shall return to an
21 unappropriated status.

22 (e) "Provided solely" means the specified amount may be spent only
23 for the specified purpose. Unless otherwise specifically authorized in
24 this act, any portion of an amount provided solely for a specified
25 purpose that is not expended subject to the specified conditions and
26 limitations to fulfill the specified purpose shall lapse.

27 (f) "Reappropriation" means appropriation and, unless the context
28 clearly provides otherwise, is subject to the relevant conditions and
29 limitations applicable to appropriations.

1 (g) "LEAP" means the legislative evaluation and accountability
2 program committee.

3 **2013-2015 FISCAL BIENNIUM**
4 **GENERAL GOVERNMENT AGENCIES--OPERATING**

5 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
6 **HISTORIC PRESERVATION**

7 Motor Vehicle Account--State Appropriation \$435,000

8 The appropriation in this section is subject to the following
9 conditions and limitations: The entire appropriation is provided
10 solely for staffing costs to be dedicated to state transportation
11 activities. Staff hired to support transportation activities must have
12 practical experience with complex construction projects.

13 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
14 **COMMISSION**

15 Grade Crossing Protective Account--State Appropriation \$504,000

16 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

17 Motor Vehicle Account--State Appropriation \$1,641,000
18 Puget Sound Ferry Operations Account--State
19 Appropriation \$176,000
20 TOTAL APPROPRIATION \$1,817,000

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

23 (1) \$932,000 of the motor vehicle account--state appropriation is
24 provided solely for the office of financial management, from funds set
25 aside out of statewide fuel taxes distributed to counties according to
26 RCW 46.68.120(3), to contract with the Washington state association of
27 counties to identify, analyze, evaluate, and implement county
28 transportation performance measures associated with transportation
29 system policy goals outlined in RCW 47.04.280. The Washington state
30 association of counties, in cooperation with state agencies, must:
31 Identify, analyze, and report on county transportation system
32 preservation; identify, evaluate, and report on opportunities to
33 streamline reporting requirements for counties; and evaluate project
34 management tools to help improve project delivery at the county level.

1 (2) \$70,000 of the Puget Sound ferry operations account--state
2 appropriation is provided solely for the state's share of the marine
3 salary survey.

4 NEW SECTION. **Sec. 104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
5 Motor Vehicle Account--State Appropriation \$502,000

6 NEW SECTION. **Sec. 105. FOR THE STATE PARKS AND RECREATION**
7 **COMMISSION**
8 Motor Vehicle Account--State Appropriation \$986,000

9 The appropriation in this section is subject to the following
10 conditions and limitations: The entire appropriation in this section
11 is provided solely for road maintenance purposes.

12 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF AGRICULTURE**
13 Motor Vehicle Account--State Appropriation \$1,208,000

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

16 (1) \$351,000 of the motor vehicle account--state appropriation is
17 provided solely for costs associated with the motor fuel quality
18 program.

19 (2) \$857,000 of the motor vehicle account--state appropriation is
20 provided solely to test the quality of biofuel. The department must
21 test fuel quality at the biofuel manufacturer, distributor, and
22 retailer.

23 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
24 **ACCOUNTABILITY PROGRAM COMMITTEE**
25 Motor Vehicle Account--State Appropriation \$529,000

26 NEW SECTION. **Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
27 **COMMITTEE**
28 Motor Vehicle Account--State Appropriation \$493,000

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

31 (1) \$243,000 of the motor vehicle account--state appropriation is
32 for the joint legislative audit and review committee to conduct a

1 review of the methods and systems used by the department of
2 transportation to develop asset condition and maintenance service level
3 needs and subsequent funding requests for highway preservation and
4 maintenance programs, to include tolled facilities. The review will
5 examine whether the methods and systems used by the department of
6 transportation for estimating preservation and maintenance needs and
7 costs are consistent with industry practices and other appropriate
8 standards. The review will include analysis of a selection of
9 preservation and maintenance requests and address issues such as:

10 (a) Was a systematic, documented process used to develop the
11 estimate of need?

12 (b) Are practices in place to minimize life-cycle preservation and
13 maintenance costs?

14 (c) Was each stage in the cost estimating process fully documented?

15 (d) If appropriate, how were risks to the cost estimate quantified?

16 (e) What steps are in place to ensure that requests are not unduly
17 impacted by outside pressures?

18 Expert engineering or cost estimating consultants may be used to
19 review methods, systems, and individual estimates for accuracy. A
20 briefing report, focusing on an overview of the methods and processes,
21 must be completed by December 2013. A report containing any findings
22 and recommendations must be completed by December 2014.

23 (2) \$200,000 of the motor vehicle account--state appropriation is
24 provided solely for the joint legislative audit and review committee to
25 conduct a forensic audit of the Interstate 5/Columbia River Crossing
26 project (400506A) to investigate possible misuse of public funds. The
27 joint legislative audit and review committee may contract with the
28 state auditor's office for fraud-related investigation services, if
29 necessary.

30 (3)(a) The joint legislative audit and review committee shall
31 conduct a study of registration and inspection fee programs regulating
32 gas stations and other businesses that emit gasoline vapors
33 administered by the department of ecology and air pollution control
34 authorities (collectively referred to as "regulatory agencies") as
35 provided in chapter 70.94 RCW. The goal of the study is to provide
36 recommendations to the legislature that, if implemented, would further
37 effective implementation of chapter 70.94 RCW by the regulatory

1 agencies and would result in more consistent and transparent
2 registration fees and regulations across all regulatory agencies
3 included in the study.

4 (b) The study must include, but not be limited to:

5 (i) Comparing and contrasting registration and inspection fees and
6 methodologies used in calculating fees among all regulatory agencies as
7 provided in RCW 70.94.151;

8 (ii) Comparing and contrasting inspection processes and criteria
9 among all regulatory agencies, including frequency of registration and
10 inspection of facilities; and

11 (iii) Comparing and contrasting inspection processes and criteria
12 utilized by the state's regulatory agencies with criteria established
13 by the United States environmental protection agency regulating gas
14 stations and other businesses that emit gasoline vapors. This should
15 include, but not be limited to, federal stage II vapor recovery
16 requirements and federal ozone standards and nonattainment.

17 (c) In conducting the study, the joint legislative audit and review
18 committee shall develop a stakeholder list, including representatives
19 from each regulatory agency, from the Washington oil marketers
20 association, and from other industry associations or groups. The
21 committee shall meet with stakeholders as it deems necessary, but shall
22 convene at least one meeting of all stakeholders within two months of
23 commencing the study. The committee shall submit its findings and
24 recommendations to the legislature by December 31, 2014.

25 NEW SECTION. **Sec. 109. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

26 Motor Vehicle Account--State Appropriation \$295,000

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

29 (1) \$200,000 of the motor vehicle account--state appropriation is
30 from the cities statewide fuel tax distributions under RCW 46.68.110(2)
31 and is provided solely for the department to inventory, prioritize, and
32 study fish passage barriers associated with city roads and streets in
33 the Puget Sound region. The department shall submit the results to the
34 department of transportation and to organizations representing cities
35 by June 30, 2015.

36 (2) \$95,000 of the motor vehicle account--state appropriation is
37 from the counties statewide fuel tax distribution under RCW

1 46.68.120(3) and is provided solely for the department of
2 transportation to contract with the department to inventory, assess,
3 and prioritize fish passage barriers associated with county roads. The
4 department shall submit the results to the department of
5 transportation, the office of financial management, and the
6 transportation committees of the legislature by June 30, 2015.

7 **TRANSPORTATION AGENCIES--OPERATING**

8 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
9 **COMMISSION**

10 Highway Safety Account--State Appropriation \$3,017,000
11 Highway Safety Account--Federal Appropriation \$40,699,000
12 Highway Safety Account--Private/Local Appropriation \$50,000
13 School Zone Safety Account--State Appropriation \$1,800,000
14 TOTAL APPROPRIATION \$45,566,000

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

17 (1) The commission shall develop and implement, in collaboration
18 with the Washington state patrol, a target zero team pilot program in
19 Yakima and Spokane counties. The pilot program must demonstrate the
20 effectiveness of intense, high visibility driving under the influence
21 enforcement in Washington state. The commission shall apply to the
22 national highway traffic safety administration for federal highway
23 safety grants to cover the cost of the pilot program.

24 (2) \$20,000,000 of the highway safety account--federal
25 appropriation is provided solely for federal funds that may be
26 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
27 2013-2015 fiscal biennium.

28 (3) Of the amounts provided in this section, any amounts that are
29 granted by the commission for the traffic safety resource prosecutor
30 program must be directed to the Washington association of prosecuting
31 attorneys.

32 (4) The commission may continue to oversee pilot projects
33 implementing the use of automated traffic safety cameras to detect
34 speed violations within cities west of the Cascade mountains that have
35 a population over one hundred ninety-five thousand. For the purposes

1 of pilot projects in this subsection, no more than one automated
2 traffic safety camera may be used to detect speed violations within any
3 one jurisdiction.

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

6 (b) By January 1, 2015, any local authority that is operating an
7 automated traffic safety camera to detect speed violations must provide
8 a summary to the transportation committees of the legislature
9 concerning the use of the cameras and data regarding infractions,
10 revenues, and costs.

11 **NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

12 Rural Arterial Trust Account--State Appropriation	\$945,000
13 Motor Vehicle Account--State Appropriation	\$2,186,000
14 County Arterial Preservation Account--State	
15 Appropriation	\$1,456,000
16 TOTAL APPROPRIATION	\$4,587,000

17 **NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

18 Transportation Improvement Account--State	
19 Appropriation	\$3,804,000

20 **NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

21 Motor Vehicle Account--State Appropriation	\$1,330,000
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22 The appropriation in this section is subject to the following
23 conditions and limitations:

24 (1)(a) \$325,000 of the motor vehicle account--state appropriation
25 is for a study of transportation cost drivers and potential
26 efficiencies to contain project costs and gain more value from
27 investments in Washington state's transportation system. The goal is
28 to enable the department of transportation to construct bridge and
29 highway projects more quickly and to build and operate them at a lower
30 cost, while ensuring that appropriate environmental and regulatory
31 protections are maintained and a quality project is delivered. The
32 joint transportation committee must convene an advisory panel to
33 provide study guidance and discuss potential efficiencies and
34 recommendations. The scope of the study must be limited to state-level

1 policies and practices relating to the planning, design, permitting,
2 construction, financing, and operation of department of transportation
3 roadway and bridge projects. The study must:

4 (i) Identify best practices;

5 (ii) Identify inefficiencies in state policy or agency practice
6 where changes may save money;

7 (iii) Recommend changes to improve efficiency and save money; and

8 (iv) Identify potential savings to be achieved by adopting changes
9 in practice or policy.

10 (b) The joint transportation committee shall issue a report of its
11 findings to the house of representatives and senate transportation
12 committees by December 31, 2013.

13 (2) The joint transportation committee shall coordinate a work
14 group comprised of the department of licensing, the department of
15 revenue, county auditors or other agents, and subagents to identify
16 possible issues relating to the administration of, compliance with, and
17 enforcement of the existing statutory requirement for a person to
18 provide an unexpired driver's license when registering a vehicle. The
19 work group shall provide recommendations on how administration and
20 enforcement may be modified, as needed, to address any identified
21 issues, including whether statutory changes may be needed. A report
22 presenting the recommendations must be presented to the house of
23 representatives and senate transportation committees by December 31,
24 2013.

25 (3) The joint transportation committee shall continue to convene a
26 subcommittee for legislative oversight of the I-5/Columbia river
27 crossing bridge replacement project. The Columbia river crossing
28 legislative oversight subcommittee must be made up of six members: Two
29 appointed by the cochairs of the senate transportation committee, two
30 appointed by the chair and ranking member of the house of
31 representatives transportation committee, one designee of the governor,
32 and one citizen jointly appointed by the four members of the joint
33 transportation executive committee. The citizen appointee must be a
34 Washington state resident of the area served by the bridge. At least
35 two of the legislative members must be from the legislative districts
36 served by the bridge. In addition to reviewing project and financing
37 information, the subcommittee must also coordinate with the Oregon
38 legislative oversight committee for the Columbia river crossing bridge.

1 (4) The joint transportation committee shall convene a work group
2 to identify and evaluate internal refinance opportunities for the
3 Tacoma Narrows bridge. The study must include a staff work group,
4 including staff from the office of financial management, the
5 transportation commission, the department of transportation, the office
6 of the state treasurer, and the legislative transportation committees.
7 The joint transportation committee shall issue a report of its findings
8 to the house of representatives and the senate transportation
9 committees by December 31, 2013.

10 (5) The joint transportation committee shall study and review the
11 use of surplus property proceeds to fund facility replacement projects,
12 and the possibility of using the north central region as a pilot. The
13 joint transportation committee shall consult with the department of
14 transportation and the office of financial management regarding the
15 department's current process for prioritizing and funding facility
16 improvement and replacement projects.

17 **NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION**

18	Motor Vehicle Account--State Appropriation	\$2,947,000
19	Multimodal Transportation Account--State	
20	Appropriation	\$112,000
21	TOTAL APPROPRIATION	\$3,059,000

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

24 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
25 during the 2013-2015 fiscal biennium, the legislature authorizes the
26 transportation commission to periodically review and, if necessary,
27 adjust the schedule of fares for the Washington state ferry system only
28 in amounts not greater than those sufficient to generate the amount of
29 revenue required by the biennial transportation budget. When adjusting
30 ferry fares, the commission must consider input from affected ferry
31 users by public hearing and by review with the affected ferry advisory
32 committees, in addition to the data gathered from the current ferry
33 user survey.

34 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
35 2015 fiscal biennium, the legislature authorizes the transportation
36 commission to periodically review and, if necessary, adjust the
37 schedule of toll charges applicable to the Tacoma Narrows bridge only

1 in amounts not greater than those sufficient to support (a) any
2 required costs for operating and maintaining the toll bridge, including
3 the cost of insurance, (b) any amount required by law to meet the
4 redemption of bonds and applicable interest payments, and (c) repayment
5 of the motor vehicle fund.

6 (3)(a) \$400,000 of the motor vehicle account--state appropriation
7 is provided solely for the development of the business case for the
8 transition to a road usage charge system as the basis for funding the
9 state transportation system, from the current motor fuel tax system.
10 The funds are provided for fiscal year 2014 only.

11 (b) The legislature finds that the efforts started in the 2011-2013
12 fiscal biennium regarding the transition to a road usage charge system
13 represent an important first step in the policy and conceptual
14 development of potential alternative systems to fund transportation
15 projects, but that the governance for the development needs
16 clarification. The legislature also finds that significant amounts of
17 research and public education are occurring in similar efforts in
18 several states and that these efforts can and should be leveraged to
19 advance the evaluation in Washington. The legislature intends,
20 therefore, that the commission and its staff lead the policy
21 development of the business case for a road usage charge system, with
22 the goal of providing the business case to the governor and the
23 legislative committees of the legislature in time for inclusion in the
24 2014 supplemental omnibus transportation appropriations act. The
25 legislature intends for additional oversight in the business case
26 development, with guidance from a steering committee as provided in
27 chapter 86, Laws of 2012, augmented with participation by the joint
28 transportation committee. The legislature further intends that the
29 department of transportation continue to address administrative,
30 technical, and conceptual operational issues related to road usage
31 charge systems, and that the department serve as a resource for
32 information gleaned from other states on this topic for the
33 commission's efforts.

34 (c) For the purposes of this subsection (3), the commission shall:

35 (i) Develop preliminary road usage charge policies that are
36 necessary to develop the business case, as well as supporting research
37 and data that will guide the potential application in Washington;

1 (ii) Develop the preferred operational concept or concepts that
2 reflect the preliminary policies;

3 (iii) Evaluate the business case for the road usage charge system
4 that would result from implementing the preliminary policies and
5 preferred operational concept or concepts. The evaluation must assess
6 likely financial outcomes if the system were to be implemented; and

7 (iv) Identify and document policy and other issues that are deemed
8 important to further refine the preferred operational concept or
9 concepts and to gain public acceptance. These identified issues should
10 form the basis for continued work beyond this funding cycle.

11 (d) The commission shall convene a steering committee to guide the
12 development of the business case. The membership must be the same as
13 provided in chapter 86, Laws of 2012, except that the membership must
14 also include the joint transportation committee executive members.

15 (e) The commission shall submit a report of the business case to
16 the governor and the transportation committees of the legislature by
17 December 15, 2013. The report must also include a proposed budget and
18 work plan for fiscal year 2015. A progress report must be submitted to
19 the governor and the joint transportation committee by November 1,
20 2013, including a presentation to the joint transportation committee.

21 (4) \$174,000 of the motor vehicle account--state appropriation is
22 provided solely for the voice of Washington survey program. The
23 funding must be utilized for continued program maintenance and two
24 transportation surveys for the 2013-2015 fiscal biennium.

25 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
26 **INVESTMENT BOARD**

27 Motor Vehicle Account--State Appropriation \$904,000

28 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

29 State Patrol Highway Account--State
30 Appropriation \$370,354,000

31 State Patrol Highway Account--Federal
32 Appropriation \$11,137,000

33 State Patrol Highway Account--Private/Local
34 Appropriation \$3,591,000

35 Highway Safety Account--State Appropriation \$19,429,000

36 Multimodal Transportation Account--State

1	Appropriation	\$273,000
2	Ignition Interlock Device Revolving Account--State	
3	Appropriation	\$573,000
4	TOTAL APPROPRIATION	\$405,357,000

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

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

10 (2) During the 2013-2015 fiscal biennium, the Washington state
11 patrol shall relocate its data center to the state data center in
12 Olympia. The Washington state patrol shall work with the department of
13 enterprise services to negotiate the lease termination agreement for
14 the current data center site.

15 (3) Washington state patrol officers engaged in off-duty uniformed
16 employment providing traffic control services to the department of
17 transportation or other state agencies may use state patrol vehicles
18 for the purpose of that employment, subject to guidelines adopted by
19 the chief of the Washington state patrol. The Washington state patrol
20 must be reimbursed for the use of the vehicle at the prevailing state
21 employee rate for mileage and hours of usage, subject to guidelines
22 developed by the chief of the Washington state patrol.

23 (4) \$573,000 of the ignition interlock device revolving account--
24 state appropriation is provided solely for the ignition interlock
25 program at the Washington state patrol to provide funding for two staff
26 to work and provide support for the program in working with
27 manufacturers, service centers, technicians, and participants in the
28 program.

29 (5) \$370,000 of the state patrol highway account--state
30 appropriation is provided solely for costs associated with the pilot
31 program described under section 216(6) of this act. The Washington
32 state patrol may incur costs related only to the assignment of cadets
33 and necessary computer equipment and to the reimbursement of the
34 department of transportation for contract costs. The appropriation in
35 this subsection must be funded from the portion of the automated
36 traffic safety camera infraction fines deposited into the state patrol
37 highway account; however, if the fines deposited into the state patrol
38 highway account from automated traffic safety camera infractions do not

1 reach three hundred seventy thousand dollars, the department of
2 transportation shall remit funds necessary to the Washington state
3 patrol to ensure the completion of the pilot program. The Washington
4 state patrol may not incur overtime as a result of this pilot program.
5 The Washington state patrol shall not assign troopers to operate or
6 deploy the pilot program equipment used in roadway construction zones.

7 (6) The cost allocation for any costs incurred for the facilities
8 at the Olympia, Washington airport used for the Washington state patrol
9 aviation section must be split evenly between the state patrol highway
10 account and the general fund.

11 (7) The Washington state patrol shall work with the state
12 interoperability executive committee to compile a list of recent
13 studies evaluating the potential savings and benefits of consolidating
14 law enforcement and emergency dispatching centers and report to the
15 joint transportation committee by December 1, 2014, on the findings and
16 recommendations of those studies. As part of this study, the
17 Washington state patrol must look for potential efficiencies within
18 state government.

19 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF LICENSING**

20	Marine Fuel Tax Refund Account--State	
21	Appropriation	\$34,000
22	Motorcycle Safety Education Account--State	
23	Appropriation	\$4,409,000
24	State Wildlife Account--State Appropriation	\$885,000
25	Highway Safety Account--State Appropriation	\$156,679,000
26	Highway Safety Account--Federal Appropriation	\$4,392,000
27	Motor Vehicle Account--State Appropriation	\$76,819,000
28	Motor Vehicle Account--Federal Appropriation	\$467,000
29	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
30	Ignition Interlock Device Revolving Account--State	
31	Appropriation	\$2,656,000
32	Department of Licensing Services Account--State	
33	Appropriation	\$5,959,000
34	TOTAL APPROPRIATION	\$253,844,000

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

1 (1) \$1,235,000 of the highway safety account--state appropriation
2 is provided solely for the implementation of chapter . . . (Substitute
3 House Bill No. 1752), Laws of 2013 (requirements for the operation of
4 commercial motor vehicles in compliance with federal regulations). If
5 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
6 enacted by June 30, 2013, the amount provided in this subsection
7 lapses.

8 (2) \$1,000,000 of the highway safety account--state appropriation
9 is provided solely for information technology field system
10 modernization.

11 (3) \$201,000 of the motor vehicle account--state appropriation is
12 provided solely for the implementation of chapter . . . (Substitute
13 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
14 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
15 2013 is not enacted by June 30, 2013, the amount provided in this
16 subsection lapses.

17 (4) \$425,000 of the highway safety account--state appropriation is
18 provided solely for the implementation of chapter . . . (Substitute
19 Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If
20 chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not
21 enacted by June 30, 2013, the amount provided in this subsection
22 lapses.

23 (5) \$172,000 of the highway safety account--state appropriation is
24 provided solely for the implementation of chapter . . . (Senate Bill
25 No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .
26 (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,
27 the amount provided in this subsection lapses.

28 (6) \$652,000 of the motor vehicle account--state appropriation is
29 provided solely for the implementation of chapter . . . (Engrossed
30 Substitute Senate Bill No. 5785), Laws of 2013 (license plates). If
31 chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013
32 is not enacted by June 30, 2013, the amount provided in this subsection
33 lapses.

34 (7) \$78,000 of the motor vehicle account--state appropriation and
35 \$3,707,000 of the highway safety account--state appropriation are
36 provided solely for the implementation of chapter . . . (Engrossed
37 Substitute Senate Bill No. 5857), Laws of 2013 (vehicle-related fees).

1 If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of
2 2013 is not enacted by June 30, 2013, the amount provided in this
3 subsection lapses.

4 (8) The appropriation in this section reflects the department
5 charging an amount sufficient to cover the full cost of providing the
6 data requested under RCW 46.12.630(1)(b).

7 (9)(a) The department must convene a work group to examine the use
8 of parking placards and special license plates for persons with
9 disabilities and develop a strategic plan for ending any abuse. In
10 developing this plan, the department must work with the department of
11 health, disabled citizen advocacy groups, and representatives from
12 local government.

13 (b) The work group must be composed of no more than two
14 representatives from each of the entities listed in (a) of this
15 subsection. The work group may, when appropriate, consult with any
16 other public or private entity in order to complete the strategic plan.

17 (c) The strategic plan must include:

18 (i) Oversight measures to ensure that parking placards and special
19 license plates for persons with disabilities are being properly issued,
20 including: (A) The entity responsible for coordinating a randomized
21 review of applications for special parking privileges; (B) a volunteer
22 panel of medical professionals to conduct such reviews; (C) a means to
23 protect the anonymity of both the medical professional conducting a
24 review and the medical professional under review; (D) a means to
25 protect the privacy of applicants by removing any personally
26 identifiable information; and (E) possible sanctions against a medical
27 professional for repeated improper issuances of parking placards or
28 special license plates for persons with disabilities, including those
29 sanctions listed in chapter 18.130 RCW; and

30 (ii) The creation of a publicly accessible system in which the
31 validity of parking placards and special license plates for persons
32 with disabilities may be verified. This system must not allow the
33 public to access any personally identifiable information or protected
34 health information of a person who has been issued a parking placard or
35 special license plate.

36 (d) The work group must convene by July 1, 2013, and terminate by
37 December 1, 2013.

1 (e) By December 1, 2013, the work group must deliver to the
2 legislature and the appropriate legislative committees the strategic
3 plan required under this subsection, together with its findings,
4 recommendations, and any necessary draft legislation in order to
5 implement the strategic plan.

6 (10) \$3,082,000 of the highway safety account--state appropriation
7 is provided solely for exam and licensing activities, including the
8 workload associated with providing driver record abstracts, and is
9 subject to the following additional conditions and limitations:

10 (a) The department may furnish driving record abstracts only to
11 those persons or entities expressly authorized to receive the abstracts
12 under Title 46 RCW;

13 (b) The department may furnish driving record abstracts only for an
14 amount that does not exceed the specified fee amounts in RCW 46.52.130
15 (2)(e)(v) and (4); and

16 (c) The department may not enter into a contract, or otherwise
17 participate in any arrangement, with a third party or other state
18 agency for any service that results in an additional cost, in excess of
19 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
20 statutorily authorized persons or entities purchasing a driving record
21 abstract.

22 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

24 High-Occupancy Toll Lanes Operations Account--State

25	Appropriation	\$1,851,000
26	Motor Vehicle Account--State Appropriation	\$509,000
27	State Route Number 520 Corridor Account--State	
28	Appropriation	\$32,419,000
29	State Route Number 520 Civil Penalties Account--State	
30	Appropriation	\$4,169,000
31	Tacoma Narrows Toll Bridge Account--State	
32	Appropriation	\$23,730,000
33	Puget Sound Ferry Operations Account--State	
34	Appropriation	\$250,000
35	TOTAL APPROPRIATION	\$62,928,000

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

1 (1)(a) The legislature finds that the department's tolling division
2 has expanded greatly in recent years to address the demands of
3 administering several newly tolled facilities using emerging toll
4 collection technologies. The legislature intends for the department to
5 continue its good work in administering the tolled facilities of the
6 state, while at the same time implementing controls and processes to
7 ensure the efficient and judicious administration of toll payer
8 dollars.

9 (b) The legislature finds that the department has undertaken a
10 cost-of-service study in the winter and spring of 2013 for the purposes
11 of identifying in detail the costs of operating and administering
12 tolling on state route number 520, state route number 167
13 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
14 of the study is to provide results to establish a baseline by which
15 future activity may be compared and opportunities identified for cost
16 savings and operational efficiencies. In addition, the legislature
17 finds that the state auditor has undertaken a performance audit of the
18 department's contract for the customer service center and back office
19 processing of tolling transactions. The audit findings, which are
20 expected to include lessons learned, are due in late spring 2013.

21 (c) Using the results of the cost-of-service study and the state
22 audit as a basis, the department shall conduct a review of operations
23 using lean management principles in order to eliminate inefficiencies
24 and redundancies, incorporate lessons learned, and identify
25 opportunities to conduct operations more efficiently and effectively.
26 Within current statutory and budgetary tolling policy, the department
27 shall use the results of the review to improve operations in order to
28 conduct toll operations within the appropriations provided in
29 subsections (2) through (4) of this section. The department shall
30 submit the review, along with the status of and plans for the
31 implementation of review recommendations, to the office of financial
32 management and the house of representatives and senate transportation
33 committees by October 15, 2013.

34 (2) \$10,482,000 of the Tacoma Narrows toll bridge account--state
35 appropriation, \$17,056,000 of the state route number 520 corridor
36 account--state appropriation, \$1,226,000 of the high-occupancy toll
37 lanes operations account--state appropriation, and \$509,000 of the
38 motor vehicle account--state appropriation are provided solely for

1 nonvendor costs of administering toll operations, including the costs
2 of: Staffing the division, consultants and other personal service
3 contracts required for technical oversight and management assistance,
4 insurance, payments related to credit card processing, transponder
5 purchases and inventory management, facility operations and
6 maintenance, and other miscellaneous nonvendor costs.

7 (3) \$10,907,000 of the Tacoma Narrows toll bridge account--state
8 appropriation, \$9,363,000 of the state route number 520 corridor
9 account--state appropriation, and \$625,000 of the high-occupancy toll
10 lanes operations account--state appropriation are provided solely for
11 vendor-related costs of operating tolled facilities, including the
12 costs of: The customer service center; cash collections on the Tacoma
13 Narrows bridge; electronic payment processing; and toll collection
14 equipment maintenance, renewal, and replacement.

15 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
16 appropriation and \$6,000,000 of the state route number 520 corridor
17 account--state appropriation are provided solely for the purposes of
18 addressing unforeseen operations and maintenance costs on the Tacoma
19 Narrows bridge and the state route number 520 bridge, respectively.
20 The office of financial management shall place the amounts provided in
21 this section, which represent a portion of the required minimum fund
22 balance under the policy of the state treasurer, in unallotted status.
23 The office may release the funds only when it determines that all other
24 funds designated for operations and maintenance purposes have been
25 exhausted.

26 (5) \$4,169,000 of the state route number 520 civil penalties
27 account--state appropriation and \$1,039,000 of the Tacoma Narrows toll
28 bridge account--state appropriation are provided solely for
29 expenditures related to the toll adjudication process. The department
30 shall report on the civil penalty process to the office of financial
31 management and the house of representatives and senate transportation
32 committees by the end of each calendar quarter. The reports must
33 include a summary table for each toll facility that includes: The
34 number of notices of civil penalty issued; the number of recipients who
35 pay before the notice becomes a penalty; the number of recipients who
36 request a hearing and the number who do not respond; workload costs
37 related to hearings; the cost and effectiveness of debt collection
38 activities; and revenues generated from notices of civil penalty.

1 (6) The Tacoma Narrows toll bridge account--state appropriation in
2 this section reflects reductions in management costs of \$1,235,000.

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

9 (8) The department shall make detailed quarterly reports to the
10 governor and the transportation committees of the legislature on the
11 use of consultants in the tolling program. The reports must include
12 the name of the contractor, the scope of work, the type of contract,
13 timelines, deliverables, any new task orders, and any extensions to
14 existing consulting contracts.

15 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
16 appropriation is provided solely for the development of a plan to
17 integrate and transition customer service, reservation, and payment
18 systems currently provided by the marine division to ferry users into
19 the statewide tolling customer service center.

20 (b)(i) The department shall develop a plan that addresses:

21 (A) A phased implementation approach, beginning with "Good To Go"
22 as a payment option for ferry users;

23 (B) The feasibility, schedule, and cost of creating a single
24 account-based system for toll road and ferry users;

25 (C) Transitioning customer service currently provided by the marine
26 division to the statewide tolling customer service center; and

27 (D) Transitioning existing and planned ferry reservation system
28 support from the marine division to the statewide tolling customer
29 service center.

30 (ii) The plan must be provided to the office of financial
31 management and the transportation committees of the legislature by
32 January 14, 2014.

33 (10) \$120,000 of the state route number 520 corridor account--state
34 appropriation and \$120,000 of the Tacoma Narrows toll bridge account--
35 state appropriation are provided solely to the department to enter into
36 an interagency agreement with the office of financial management to
37 manage a contract with a certified public accounting firm to provide
38 annual independent audits on the state route number 520 toll bridge, as

1 required in master bond resolution 1117, and the Tacoma Narrows bridge.
2 The department is not limited to providing technical support on these
3 audits within existing funds provided in the tolling program and may
4 use resources from elsewhere in the agency.

5 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION--**
6 **INFORMATION TECHNOLOGY--PROGRAM C**

7 Transportation Partnership Account--State
8 Appropriation \$1,460,000
9 Motor Vehicle Account--State Appropriation \$68,773,000
10 Multimodal Transportation Account--State
11 Appropriation \$363,000
12 Transportation 2003 Account (Nickel Account)--State
13 Appropriation \$1,460,000
14 TOTAL APPROPRIATION \$72,056,000

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

17 (1) \$290,000 of the motor vehicle account--state appropriation is
18 provided solely for the department's compliance with its national
19 pollution discharge elimination system permit.

20 (2) \$1,460,000 of the transportation partnership account--state
21 appropriation and \$1,460,000 of the transportation 2003 account (nickel
22 account)--state appropriation are provided solely for maintaining the
23 department's project management reporting system.

24 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION--PROGRAM D--**
26 **OPERATING**

27 Motor Vehicle Account--State Appropriation \$26,251,000

28 The appropriation in this section is subject to the following
29 conditions and limitations: \$850,000 of the motor vehicle account--
30 state appropriation is provided solely for the department's compliance
31 with its national pollution discharge elimination system permit.

32 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION--**
33 **AVIATION--PROGRAM F**

34 Aeronautics Account--State Appropriation \$7,361,000
35 Aeronautics Account--Federal Appropriation \$2,150,000

1 TOTAL APPROPRIATION \$9,511,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$3,500,000 of the aeronautics account--
4 state appropriation is provided solely for the airport aid grant
5 program, which provides competitive grants to public airports for
6 pavement, safety, planning, and security.

7 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

9 Motor Vehicle Account--State Appropriation \$47,607,000

10 Motor Vehicle Account--Federal Appropriation \$500,000

11 Multimodal Transportation Account--State
12 Appropriation \$250,000

13 TOTAL APPROPRIATION \$48,357,000

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

16 (1) \$4,423,000 of the motor vehicle account--state appropriation is
17 provided solely for the department's compliance with its national
18 pollution discharge elimination system permit.

19 (2) The real estate services division of the department must
20 recover the cost of its efforts from sale proceeds and fund additional
21 future sales from those proceeds.

22 (3) The legislature recognizes that the Dryden pit site (WSDOT
23 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
24 property under the jurisdiction of the department, and that the public
25 would benefit significantly from the complete enjoyment of the natural
26 scenic beauty and recreational opportunities available at the site.
27 Therefore, pursuant to RCW 47.12.080, the legislature declares that
28 transferring the property to the department of fish and wildlife for
29 recreational use and fish and wildlife restoration efforts is
30 consistent with the public interest in order to preserve the area for
31 the use of the public and the betterment of the natural environment.
32 The department shall work with the department of fish and wildlife and
33 transfer and convey the Dryden pit site to the department of fish and
34 wildlife as-is for an adjusted fair market value reflecting site
35 conditions, the proceeds of which must be deposited in the motor
36 vehicle fund. The department is not responsible for any costs

1 associated with the cleanup or transfer of this property. This
2 subsection expires June 30, 2014.

3 (4) The legislature recognizes that the trail known as the Apple
4 Capital Loop, and its extensions, serve to separate motor vehicle
5 traffic from pedestrians and bicyclists, increasing motor vehicle
6 safety on existing state route number 28. Consistent with chapter
7 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
8 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
9 and 2-09-04569 to Douglas county and the city of East Wenatchee is
10 consistent with the public interest. The legislature directs the
11 department to transfer the property to Douglas county and the city of
12 East Wenatchee. The department must be paid fair market value for any
13 portions of the transferred real property that is later abandoned,
14 vacated, or ceases to be publicly maintained for trail purposes.
15 Douglas county and the city of East Wenatchee must agree to accept
16 responsibility for trail segments within their respective jurisdictions
17 and sign an agreement with the state that the transfer of these parcels
18 to their respective jurisdictions extinguishes any state obligations to
19 improve, maintain, or be in any way responsible for these assets. This
20 subsection expires June 30, 2014.

21 (5) The legislature recognizes that the SR 20/Cook Road realignment
22 and extension project in the city of Sedro-Woolley will enhance the
23 state and local highway systems by providing a more direct route from
24 state route number 20 and state route number 9 to Interstate 5, and
25 will reduce traffic on state route number 20 and state route number 9,
26 improving the capacity of each route. Furthermore, the legislature
27 declares that certain portions of the department's property held for
28 highway purposes located primarily to the north and west of state route
29 number 20, between state route number 20 to the south and F and S Grade
30 Road to the north, in the incorporated limits of Sedro-Woolley in
31 Skagit county, can help facilitate completion of the project.
32 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
33 is the intent of the legislature that the department sell, transfer, or
34 lease, as appropriate, to the city of Sedro-Woolley only those portions
35 of the property necessary to construct the project, including necessary
36 staging areas. However, any staging areas should revert to the
37 department within three years of completion of the project.

1 TOTAL APPROPRIATION \$407,040,000

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

4 (1) \$377,779,000 of the motor vehicle account--state appropriation
5 and \$10,000,000 of the highway safety account--state appropriation are
6 provided solely for the maintenance program to achieve specific levels
7 of service on the thirty maintenance targets listed by statewide
8 priority in LEAP Transportation Document 2013-4 as developed April 23,
9 2013. Beginning in February 2014, the department shall report to the
10 legislature annually on its updated maintenance accountability process
11 targets and whether or not the department was able to achieve its
12 targets.

13 (2) \$8,450,000 of the motor vehicle account--state appropriation is
14 provided solely for the department's compliance with its national
15 pollution discharge elimination system permit.

16 (3) \$1,305,000 of the motor vehicle account--state appropriation is
17 provided solely for utility fees assessed by local governments as
18 authorized under RCW 90.03.525 for the mitigation of storm water runoff
19 from state highways.

20 (4) The department shall submit a budget decision for the 2014
21 legislative session package that details all costs associated with
22 utility fees assessed by local governments as authorized under RCW
23 90.03.525.

24 (5) \$50,000 of the motor vehicle account--state appropriation is
25 provided solely for clearing and pruning dangerous trees along state
26 route number 542 between mile markers 43 and 48 to prevent safety
27 hazards and delays.

28 (6) \$2,277,000 of the motor vehicle account--state appropriation is
29 provided solely to replace or rehabilitate critical equipment needed to
30 perform snow and ice removal activities and roadway maintenance. These
31 funds may not be used to purchase passenger cars as defined in RCW
32 46.04.382.

33 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

35 Motor Vehicle Account--State Appropriation \$50,504,000
36 Motor Vehicle Account--Federal Appropriation \$2,050,000
37 Motor Vehicle Account--Private/Local Appropriation \$250,000

1 TOTAL APPROPRIATION \$52,804,000

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

4 (1) \$6,000,000 of the motor vehicle account--state appropriation is
5 provided solely for low-cost enhancements. The department shall give
6 priority to low-cost enhancement projects that improve safety or
7 provide congestion relief. The department shall prioritize low-cost
8 enhancement projects on a statewide rather than regional basis. By
9 September 1st of each even-numbered year, the department shall provide
10 a report to the legislature listing all low-cost enhancement projects
11 prioritized on a statewide rather than regional basis completed in the
12 prior year.

13 (2) \$9,000,000 of the motor vehicle account--state appropriation is
14 provided solely for the department's incident response program.

15 (3) During the 2013-2015 fiscal biennium, the department shall
16 continue a pilot program that expands private transportation providers'
17 access to high occupancy vehicle lanes. Under the pilot program, when
18 the department reserves a portion of a highway based on the number of
19 passengers in a vehicle, the following vehicles must be authorized to
20 use the reserved portion of the highway if the vehicle has the capacity
21 to carry eight or more passengers, regardless of the number of
22 passengers in the vehicle: (a) Auto transportation company vehicles
23 regulated under chapter 81.68 RCW; (b) passenger charter carrier
24 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
25 stretch limousines and stretch sport utility vehicles as defined under
26 department of licensing rules; (c) private nonprofit transportation
27 provider vehicles regulated under chapter 81.66 RCW; and (d) private
28 employer transportation service vehicles. For purposes of this
29 subsection, "private employer transportation service" means regularly
30 scheduled, fixed-route transportation service that is offered by an
31 employer for the benefit of its employees. Nothing in this subsection
32 is intended to authorize the conversion of public infrastructure to
33 private, for-profit purposes or to otherwise create an entitlement or
34 other claim by private users to public infrastructure.

35 (4) The department shall work with the cities of Lynnwood and
36 Edmonds to provide traffic light synchronization on state route number
37 524.

1 (5)(a) Upon receipt of funding from the city of Kenmore, the
2 department shall erect guide signs along Interstate 5, Interstate 405,
3 and state route number 522 directing travelers to Bastyr University and
4 Kenmore International Air Harbor.

5 (b) Within existing resources, and only if the department is
6 replacing existing signs, the department shall erect:

7 (i) Guide signs on Interstate 405 northbound and southbound that
8 include the city of Kenmore; and

9 (ii) Overhead signs on Interstate 5 northbound and southbound that
10 include the city of Kenmore.

11 (6) The department, in consultation with the Washington state
12 patrol, must continue a pilot program for the state patrol to issue
13 infractions based on information from automated traffic safety cameras
14 in roadway construction zones on state highways. For the purpose of
15 this pilot program, during the 2013-2015 fiscal biennium, a roadway
16 construction zone includes areas where public employees or private
17 contractors may be present or where a driving condition exists that
18 would make it unsafe to drive at higher speeds, such as, when the
19 department is redirecting or realigning lanes on any public roadway
20 pursuant to ongoing construction. The department shall use the
21 following guidelines to administer the program:

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

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

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

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

1 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
2 infractions detected through the use of automated traffic safety
3 cameras are not part of the registered owner's driving record under RCW
4 46.52.101 and 46.52.120. Additionally, infractions generated by the
5 use of automated traffic safety cameras must be processed in the same
6 manner as parking infractions for the purposes of RCW 3.50.100,
7 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
8 fine issued under this subsection (6) for an infraction generated
9 through the use of an automated traffic safety camera is one hundred
10 thirty-seven dollars. The court shall remit thirty-two dollars of the
11 fine to the state treasurer for deposit into the state patrol highway
12 account; and

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

29 (7) \$102,000 of the motor vehicle account--state appropriation is
30 provided solely to replace or rehabilitate critical equipment needed to
31 perform traffic control. These funds may not be used to purchase
32 passenger cars as defined in RCW 46.04.382.

33 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

35	Motor Vehicle Account--State Appropriation	\$27,281,000
36	Motor Vehicle Account--Federal Appropriation	\$30,000
37	Multimodal Transportation Account--State	

1	Appropriation	\$973,000
2	TOTAL APPROPRIATION	\$28,284,000
3	<u>NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--</u>	
4	TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	
5	Motor Vehicle Account--State Appropriation	\$20,109,000
6	Motor Vehicle Account--Federal Appropriation	\$24,885,000
7	Multimodal Transportation Account--State	
8	Appropriation	\$662,000
9	Multimodal Transportation Account--Federal	
10	Appropriation	\$2,809,000
11	Multimodal Transportation Account--Private/Local	
12	Appropriation	\$100,000
13	TOTAL APPROPRIATION	\$48,565,000

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

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

22 (2) The legislature finds that there are sixteen companies involved
23 in wood preserving in the state that employ four hundred workers and
24 have an annual payroll of fifteen million dollars. Prior to the
25 department's switch to steel guardrails, ninety percent of the twenty-
26 five hundred mile guardrail system was constructed of preserved wood
27 and one hundred ten thousand wood guardrail posts were produced
28 annually for state use. Moreover, the policy of using steel posts
29 requires the state to use imported steel. Given these findings, the
30 department shall contract with an independent research organization
31 with expertise in the evaluation of wood products to determine on a
32 life-cycle basis the cost effectiveness of using wood posts versus
33 steel posts in new guardrail installations.

34 (a) The study must include the following objectives:

35 (i) Examine wood posts that are randomly selected, are
36 representative of commonly found posts in service, and are of
37 sufficient sampling size to produce a statistically valid data set;

- 1 (ii) Assess the residual flexural properties of guardrail posts
- 2 after twenty years in service at various sites representing the
- 3 climatic and soil variability of the state;
- 4 (iii) Measure test results against AASHTO standards;
- 5 (iv) Determine residual preservative levels in wood posts in terms
- 6 of retention and penetration in order to determine the role of
- 7 treatment quality on performance following test procedures outlined in
- 8 American wood protection association standards;
- 9 (v) Examine the levels of decay in the guardrail posts, in terms of
- 10 location of pockets and the presence of viable decay fungi, through
- 11 culturing;
- 12 (vi) Investigate the effects of decay on flexural properties of
- 13 guardrail posts;
- 14 (vii) Determine an acceptable level or number of nonstandard posts
- 15 (i.e. posts with decay pockets that cause post strength to fall below
- 16 AASHTO standards) that can be present in a guardrail run without
- 17 compromising performance; and
- 18 (viii) Conduct thorough data search or identify case studies, or
- 19 both, on service life of wood guardrail posts. Durability test results
- 20 should also be factored in when evaluating service life.
- 21 (b) The study must be submitted to the office of financial
- 22 management and the transportation committees of the legislature by
- 23 January 1, 2015.

24 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
 25 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

26	Motor Vehicle Account--State Appropriation	\$81,628,000
27	Motor Vehicle Account--Federal Appropriation	\$400,000
28	Multimodal Transportation Account--State Appropriation	\$40,000
29	TOTAL APPROPRIATION	\$82,068,000

30 The appropriations in this section are subject to the following
 31 conditions and limitations: The department of enterprise services must
 32 provide a detailed accounting of the revenues and expenditures of the
 33 self-insurance fund to the transportation committees of the legislature
 34 on December 31st and June 30th of each year.

35 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**

1 **PUBLIC TRANSPORTATION--PROGRAM V**

2 State Vehicle Parking Account--State Appropriation \$452,000
3 Regional Mobility Grant Program Account--State
4 Appropriation \$49,948,000
5 Rural Mobility Grant Program Account--State
6 Appropriation \$17,000,000
7 Multimodal Transportation Account--State
8 Appropriation \$39,057,000
9 Multimodal Transportation Account--Federal
10 Appropriation \$3,280,000
11 TOTAL APPROPRIATION \$109,737,000

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

14 (1) \$25,000,000 of the multimodal transportation account--state
15 appropriation is provided solely for a grant program for special needs
16 transportation provided by transit agencies and nonprofit providers of
17 transportation. Of this amount:

18 (a) \$5,500,000 of the multimodal transportation account--state
19 appropriation is provided solely for grants to nonprofit providers of
20 special needs transportation. Grants for nonprofit providers must be
21 based on need, including the availability of other providers of service
22 in the area, efforts to coordinate trips among providers and riders,
23 and the cost effectiveness of trips provided.

24 (b) \$19,500,000 of the multimodal transportation account--state
25 appropriation is provided solely for grants to transit agencies to
26 transport persons with special transportation needs. To receive a
27 grant, the transit agency must, to the greatest extent practicable,
28 have a maintenance of effort for special needs transportation that is
29 no less than the previous year's maintenance of effort for special
30 needs transportation. Grants for transit agencies must be prorated
31 based on the amount expended for demand response service and route
32 deviated service in calendar year 2011 as reported in the "Summary of
33 Public Transportation - 2011" published by the department of
34 transportation. No transit agency may receive more than thirty percent
35 of these distributions.

36 (2) \$17,000,000 of the rural mobility grant program account--state
37 appropriation is provided solely for grants to aid small cities in
38 rural areas as prescribed in RCW 47.66.100.

1 (3)(a) \$6,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for a vanpool grant program for: (a)
3 Public transit agencies to add vanpools or replace vans; and (b)
4 incentives for employers to increase employee vanpool use. The grant
5 program for public transit agencies will cover capital costs only;
6 operating costs for public transit agencies are not eligible for
7 funding under this grant program. Additional employees may not be
8 hired from the funds provided in this section for the vanpool grant
9 program, and supplanting of transit funds currently funding vanpools is
10 not allowed. The department shall encourage grant applicants and
11 recipients to leverage funds other than state funds.

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

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

17 (4) \$9,948,000 of the regional mobility grant program account--
18 state appropriation is reappropriated and provided solely for the
19 regional mobility grant projects identified in LEAP Transportation
20 Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as
21 developed April 23, 2013.

22 (5)(a) \$40,000,000 of the regional mobility grant program account--
23 state appropriation is provided solely for the regional mobility grant
24 projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS
25 - Public Transportation - Program (V) as developed April 23, 2013. The
26 department shall review all projects receiving grant awards under this
27 program at least semiannually to determine whether the projects are
28 making satisfactory progress. Any project that has been awarded funds,
29 but does not report activity on the project within one year of the
30 grant award, must be reviewed by the department to determine whether
31 the grant should be terminated. The department shall promptly close
32 out grants when projects have been completed, and any remaining funds
33 must be used only to fund projects identified in the LEAP
34 transportation document referenced in this subsection. The department
35 shall provide annual status reports on December 15, 2013, and December
36 15, 2014, to the office of financial management and the transportation
37 committees of the legislature regarding the projects receiving the
38 grants. It is the intent of the legislature to appropriate funds

1 through the regional mobility grant program only for projects that will
2 be completed on schedule. A grantee may not receive more than twenty-
3 five percent of the amount appropriated in this subsection. The
4 department shall not approve any increases or changes to the scope of
5 a project for the purpose of a grantee expending remaining funds on an
6 awarded grant.

7 (b) In order to be eligible to receive a grant under (a) of this
8 subsection during the 2013-2015 fiscal biennium, a transit agency must
9 establish a process for private transportation providers to apply for
10 the use of park and ride facilities. For purposes of this subsection,
11 (i) "private transportation provider" means: An auto transportation
12 company regulated under chapter 81.68 RCW; a passenger charter carrier
13 regulated under chapter 81.70 RCW, except marked or unmarked stretch
14 limousines and stretch sport utility vehicles as defined under
15 department of licensing rules; a private nonprofit transportation
16 provider regulated under chapter 81.66 RCW; or a private employer
17 transportation service provider; and (ii) "private employer
18 transportation service" means regularly scheduled, fixed-route
19 transportation service that is offered by an employer for the benefit
20 of its employees.

21 (6) Funds provided for the commute trip reduction (CTR) program may
22 also be used for the growth and transportation efficiency center
23 program.

24 (7) \$6,122,000 of the total appropriation in this section is
25 provided solely for CTR grants and activities. Of this amount:

26 (a) \$3,900,000 of the multimodal transportation account--state
27 appropriation is provided solely for grants to local jurisdictions,
28 selected by the CTR board, for the purpose of assisting employers meet
29 CTR goals;

30 (b) \$1,770,000 of the multimodal transportation account--state
31 appropriation is provided solely for state costs associated with CTR.
32 The department shall develop more efficient methods of CTR assistance
33 and survey procedures; and

34 (c) \$452,000 of the state vehicle parking account--state
35 appropriation is provided solely for CTR-related expenditures,
36 including all expenditures related to the guaranteed ride home program
37 and the STAR pass program.

1 (8) An affected urban growth area that has not previously
2 implemented a commute trip reduction program as of the effective date
3 of this section is exempt from the requirements in RCW 70.94.527.

4 (9) \$200,000 of the multimodal transportation account--state
5 appropriation is contingent on the timely development of an annual
6 report summarizing the status of public transportation systems as
7 identified under RCW 35.58.2796.

8 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **MARINE--PROGRAM X**

10 Puget Sound Ferry Operations Account--State
11 Appropriation \$485,076,000
12 Puget Sound Ferry Operations Account--Private/Local
13 Appropriation \$121,000
14 TOTAL APPROPRIATION \$485,197,000

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

17 (1) The office of financial management budget instructions require
18 agencies to recast enacted budgets into activities. The Washington
19 state ferries shall include a greater level of detail in its 2013-2015
20 supplemental and 2015-2017 omnibus transportation appropriations act
21 requests, as determined jointly by the office of financial management,
22 the Washington state ferries, and the transportation committees of the
23 legislature. This level of detail must include the administrative
24 functions in the operating as well as capital programs.

25 (2) Until a reservation system is operational on the San Juan
26 islands inter-island route, the department shall provide the same
27 priority loading benefits on the San Juan islands inter-island route to
28 home health care workers as are currently provided to patients
29 traveling for purposes of receiving medical treatment.

30 (3) For the 2013-2015 fiscal biennium, the department may enter
31 into a distributor controlled fuel hedging program and other methods of
32 hedging approved by the fuel hedging committee.

33 (4) \$112,342,000 of the Puget Sound ferry operations account--state
34 appropriation is provided solely for auto ferry vessel operating fuel
35 in the 2013-2015 fiscal biennium, which reflect cost savings from a
36 reduced biodiesel fuel requirement and, therefore, are contingent upon
37 the enactment of section 701 of this act. The amount provided in this

1 subsection represent the fuel budget for the purposes of calculating
2 any ferry fare fuel surcharge. The department shall develop a fuel
3 reduction plan to be submitted as part of its 2014 supplemental budget
4 proposal. The plan must include fuel saving proposals, such as vessel
5 modifications, vessel speed reductions, and changes to operating
6 procedures, along with anticipated fuel saving estimates.

7 (5) \$100,000 of the Puget Sound ferry operations account--state
8 appropriation is provided solely for the department's compliance with
9 its national pollution discharge elimination system permit.

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

13 (7) \$3,049,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the operating program share of the
15 \$7,259,000 in lease payments for the ferry division's headquarters
16 building. Consistent with the 2012 facilities oversight plan, the
17 department shall strive to consolidate office space in downtown Seattle
18 by the end of 2015. The department shall consider renewing the lease
19 for the ferry division's current headquarters building only if the
20 lease rate is reduced at least fifty percent and analysis shows that
21 this is the least cost and risk option for the department.
22 Consolidation with other divisions or state agencies, or a reduction in
23 leased space, must also be considered as part of any headquarters lease
24 renewal analysis.

25 (8) \$5,000,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for the purchase of a 2013-2015 marine
27 insurance policy. Within this amount, the department is expected to
28 purchase a policy with the lowest deductible possible, while
29 maintaining at least existing coverage levels for ferry vessels, and
30 providing coverage for all terminals.

31 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **RAIL--PROGRAM Y--OPERATING**

33 Multimodal Transportation Account--State
34 Appropriation \$32,924,000

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

1 (1) \$27,319,000 of the multimodal transportation account--state
2 appropriation is provided solely for the Amtrak service contract and
3 Talgo maintenance contract associated with providing and maintaining
4 state-supported passenger rail service. In recognition of the
5 increased costs the state is expected to absorb due to changes in
6 federal law, the department is directed to analyze the Amtrak contract
7 proposal and find cost saving alternatives. The department shall
8 report to the transportation committees of the legislature before the
9 2014 regular legislative session on its revisions to the Amtrak
10 contract, including a review of the appropriate costs within the
11 contract for concession services, policing, host railroad incentives,
12 and station services and staffing needs. Within thirty days of each
13 annual cost/revenue reconciliation under the Amtrak service contract,
14 the department shall report any changes that would affect the state
15 subsidy amount appropriated in this subsection.

16 (2) Amtrak Cascades runs may not be eliminated.

17 (3) The department shall continue a pilot program by partnering
18 with the travel industry on the Amtrak Cascades service between
19 Vancouver, British Columbia, and Seattle to test opportunities for
20 increasing ridership, maximizing farebox recovery, and stimulating
21 private investment. The pilot program must run from December 31, 2013,
22 to December 31, 2014, and evaluate seasonal differences in the program
23 and the effect of advertising. The department may offer to Washington
24 universities an opportunity for business students to work as interns on
25 the analysis of the pilot program process and results. The department
26 shall report on the results of the pilot program to the office of
27 financial management and the legislature by January 31, 2015.

28 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

30	Motor Vehicle Account--State Appropriation	\$8,737,000
31	Motor Vehicle Account--Federal Appropriation	\$2,567,000
32	TOTAL APPROPRIATION	\$11,304,000

33 **TRANSPORTATION AGENCIES--CAPITAL**

1 appropriation is provided solely for the replacement of the damaged and
2 unrepairable scale house at the Everett southbound I-5 weigh scales,
3 including equipment, weigh-in-motion technology, and an ALPR camera.

4 (5) The Washington state patrol, in cooperation with the Washington
5 state department of transportation, must study the federal funding
6 options available for weigh station construction and improvements on
7 the national highway system. A study report must be provided by July
8 1, 2014, to the office of financial management and the transportation
9 committees of the legislature with recommendations on utilizing federal
10 funds for weigh station projects.

11 NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

12 Rural Arterial Trust Account--State

13	Appropriation	\$35,894,000
14	Highway Safety Account--State Appropriation	\$10,000,000
15	Motor Vehicle Account--State Appropriation	\$706,000
16	County Arterial Preservation Account--State	
17	Appropriation	\$30,000,000
18	TOTAL APPROPRIATION	\$76,600,000

19 NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

20 Small City Pavement and Sidewalk Account--State

21	Appropriation	\$3,500,000
22	Highway Safety Account--State Appropriation	\$10,000,000
23	Transportation Improvement Account--State	
24	Appropriation	\$174,225,000
25	TOTAL APPROPRIATION	\$187,725,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: The highway safety account--state
28 appropriation is provided solely for:

- 29 (1) The arterial preservation program to help low tax-based,
30 medium-sized cities preserve arterial pavements;
- 31 (2) The small city pavement program to help cities meet urgent
32 preservation needs; and
- 33 (3) The small city low-energy street light retrofit demonstration
34 program.

1 construction of the traffic management and emergency operations center,
2 including a schedule for terminating the current lease of the Goldsmith
3 building in Seattle.

4 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **IMPROVEMENTS--PROGRAM I**

6	Multimodal Transportation Account--State	
7	Appropriation	\$1,000,000
8	Transportation Partnership Account--State	
9	Appropriation	\$1,536,032,000
10	Motor Vehicle Account--State Appropriation	\$61,508,000
11	Motor Vehicle Account--Federal Appropriation	\$473,359,000
12	Motor Vehicle Account--Private/Local Appropriation	\$208,452,000
13	Transportation 2003 Account (Nickel Account)--State	
14	Appropriation	\$242,253,000
15	State Route Number 520 Corridor Account--State	
16	Appropriation	\$737,205,000
17	State Route Number 520 Corridor Account--Federal	
18	Appropriation	\$300,000,000
19	Special Category C Account--State Appropriation	\$124,000
20	TOTAL APPROPRIATION	\$3,559,933,000

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

23 (1) Except as provided otherwise in this section, the entire
24 transportation 2003 account (nickel account) appropriation and the
25 entire transportation partnership account appropriation are provided
26 solely for the projects and activities as listed by fund, project, and
27 amount in LEAP Transportation Document 2013-1 as developed April 23,
28 2013, Program - Highway Improvement Program (I). However, limited
29 transfers of specific line-item project appropriations may occur
30 between projects for those amounts listed subject to the conditions and
31 limitations in section 603 of this act.

32 (2) Except as provided otherwise in this section, the entire motor
33 vehicle account--state appropriation and motor vehicle account--federal
34 appropriation are provided solely for the projects and activities
35 listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed
36 April 23, 2013, Program - Highway Improvement Program (I). It is the
37 intent of the legislature to direct the department to give first

1 priority of federal funds gained through efficiencies or the
2 redistribution process to the "Contingency (Unfunded) Highway
3 Preservation Projects" as identified in LEAP Transportation Document
4 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway
5 Preservation Program (P). However, no additional federal funds may be
6 allocated to the I-5/Columbia River Crossing project (400506A).

7 (3) Within the motor vehicle account--state appropriation and
8 motor vehicle account--federal appropriation, the department may
9 transfer funds between programs I and P, except for funds that are
10 otherwise restricted in this act.

11 (4) The transportation 2003 account (nickel account)--state
12 appropriation includes up to \$217,604,000 in proceeds from the sale of
13 bonds authorized by RCW 47.10.861.

14 (5) The transportation partnership account--state appropriation
15 includes up to \$1,156,217,000 in proceeds from the sale of bonds
16 authorized in RCW 47.10.873.

17 (6) The motor vehicle account--state appropriation includes up to
18 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
19 47.10.843.

20 (7)(a) \$1,334,000 of the transportation partnership account--state
21 appropriation, \$48,433,500 of the motor vehicle account--private/local
22 appropriation, and \$32,020,000 of the motor vehicle account--federal
23 appropriation are provided solely for the I-5/Columbia River Crossing
24 project (400506A). The federal funds appropriated in this subsection
25 reflect the maximum amount of federal funds that may be allocated to
26 this project. Section 603 of this act does not apply to the I-
27 5/Columbia River Crossing project (400506A) and, therefore, funds shall
28 not be transferred to this project. Of the amounts appropriated in
29 this subsection, \$1,254,000 of the transportation partnership account--
30 state appropriation, \$30,099,000 of the motor vehicle account--federal
31 appropriation, and \$45,528,000 of the motor vehicle account--
32 private/local appropriation in this subsection are held in unallotted
33 status and are contingent upon the United States coast guard approving
34 the I-5/Columbia River Crossing project's permit. If the permit is
35 approved, the director of the office of financial management may allot
36 the funds. If the permit is not approved, the appropriations in this
37 subsection must be put into allotted status by the director of the
38 office of financial management and may be used only for the development

1 of a new supplemental environmental impact statement to redesign the
2 Interstate 5 bridge between Washington and Oregon in accordance with
3 the requirements of the United States coast guard. The department
4 shall not submit the supplemental environmental impact statement to the
5 appropriate federal agencies for approval until July 1, 2014.

6 (b) It is the intent of the legislature that Washington and Oregon
7 have equal funding commitments and equal total expenditures to date on
8 the shared components of the I-5/Columbia River Crossing project. The
9 department shall provide a quarterly report on this project beginning
10 September 30, 2013. The report must include:

11 (i) An update on preliminary engineering and right-of-way
12 acquisition for the previous quarter;

13 (ii) Planned objectives for right-of-way and preliminary
14 engineering for the ensuing quarter;

15 (iii) An updated comparison of the total appropriation authority
16 for the project by state;

17 (iv) An updated comparison of the total expenditures to date on the
18 project by state; and

19 (v) The committed funding provided by the state of Oregon to right-
20 of-way acquisition.

21 (8)(a) \$5,000,000 of the motor vehicle account--federal
22 appropriation and \$200,000 of the motor vehicle account--state
23 appropriation are provided solely for the I-90 Comprehensive Tolling
24 Study and Environmental Review project (100067T). The department shall
25 prepare a detailed environmental impact statement that complies with
26 the national environmental policy act regarding tolling Interstate 90
27 between Interstate 5 and Interstate 405 for the purposes of both
28 managing traffic and providing funding for the construction of the
29 unfunded state route number 520 from Interstate 5 to Medina project.
30 As part of the preparation of the statement, the department must review
31 any impacts to the network of highways and roads surrounding Lake
32 Washington. In developing this statement, the department must provide
33 significant outreach to potential affected communities. The department
34 may consider traffic management options that extend as far east as
35 Issaquah.

36 (b)(i) As part of the project in this subsection (8), the
37 department shall perform a study of all funding alternatives to tolling
38 Interstate 90 to provide funding for construction of the unfunded state

1 route number 520 and explore and evaluate options to mitigate the
2 effect of tolling on affected residents and all other users of the
3 network of highways and roads surrounding Lake Washington including,
4 but not limited to:

5 (A) Allowing all Washington residents to traverse a portion of the
6 tolled section of Interstate 90 without paying a toll. Residents may
7 choose either (I) the portion of Interstate 90 between the easternmost
8 landing west of Mercer Island and the westernmost landing on Mercer
9 Island, or (II) the portion of Interstate 90 between the westernmost
10 landing east of Mercer Island and the easternmost landing on Mercer
11 Island;

12 (B) Assessing a toll only when a driver traverses, in either
13 direction, the entire portion of Interstate 90 between the easternmost
14 landing west of Mercer Island and the westernmost landing east of
15 Mercer Island; and

16 (C) Allowing affected residents to choose one portion of the tolled
17 section of Interstate 90 upon which they may travel without paying a
18 toll. Residents may choose either (I) the portion of Interstate 90
19 between the easternmost landing west of Mercer Island and the
20 westernmost landing on Mercer Island, or (II) the portion of Interstate
21 90 between the westernmost landing east of Mercer Island and the
22 easternmost landing on Mercer Island.

23 (ii) The department may also consider any alternative mitigation
24 options that conform to the purpose of this subsection (8).

25 (iii) For the purposes of this subsection (8), "affected resident"
26 means anyone who must use a portion of Interstate 90 west of Interstate
27 405 upon which tolling is considered in order to access necessary
28 medical services, such as a hospital.

29 (9) \$541,901,000 of the transportation partnership account--state
30 appropriation, \$144,954,000 of the motor vehicle account--federal
31 appropriation, \$129,779,000 of the motor vehicle account--private/local
32 appropriation, and \$78,004,000 of the transportation 2003 account
33 (nickel account)--state appropriation are provided solely for the SR
34 99/Alaskan Way Viaduct - Replacement project (809936Z).

35 (10) The department shall reconvene an expert review panel of no
36 more than three members as described under RCW 47.01.400 for the
37 purpose of updating the work that was previously completed by the panel
38 on the Alaskan Way viaduct replacement project and to ensure that an

1 appropriate and viable financial plan is created and regularly
2 reviewed. The expert review panel must be selected cooperatively by
3 the chairs of the senate and house of representatives transportation
4 committees, the secretary of transportation, and the governor. The
5 expert review panel must report findings and recommendations to the
6 transportation committees of the legislature, the governor's Alaskan
7 Way viaduct project oversight committee, and the transportation
8 commission annually until the project is operationally complete. This
9 subsection takes effect if chapter ... (Substitute House Bill No.
10 1957), Laws of 2013 is not enacted by June 30, 2013.

11 (11) \$7,408,000 of the transportation partnership account--state
12 appropriation, \$14,594,000 of the transportation 2003 account (nickel
13 account)--state appropriation, \$3,730,000 of the motor vehicle
14 account--state appropriation, \$1,000,000 of the multimodal
15 transportation account--state appropriation, and \$41,395,000 of the
16 motor vehicle account--federal appropriation are provided solely for
17 the US 395/North Spokane Corridor projects (600010A & 600003A). Any
18 future savings on the projects must stay on the US 395/Interstate 90
19 corridor and be made available to the current phase of the North
20 Spokane corridor projects or any future phase of the projects.

21 (12) \$114,369,000 of the transportation partnership account--state
22 appropriation and \$53,755,000 of the transportation 2003 account
23 (nickel account)--state appropriation are provided solely for the I-
24 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
25 project must be completed as soon as practicable as a design-build
26 project. Any future savings on this project or other Interstate 405
27 corridor projects must stay on the Interstate 405 corridor and be made
28 available to either the I-405/SR 167 Interchange - Direct Connector
29 project (140504C) or the I-405 Renton to Bellevue project.

30 (13)(a) The SR 520 Bridge Replacement and HOV project (0BI1003) is
31 supported over time from multiple sources, including a \$300,000,000
32 TIFIA loan, \$819,524,625 in Garvee bonds, toll revenues, state bonds,
33 interest earnings, and other miscellaneous sources.

34 (b) The state route number 520 corridor account--state
35 appropriation includes up to \$668,142,000 in proceeds from the sale of
36 bonds authorized in RCW 47.10.879 and 47.10.886.

37 (c) The state route number 520 corridor account--federal

1 appropriation includes up to \$300,000,000 in proceeds from the sale of
2 bonds authorized in RCW 47.10.879 and 47.10.886.

3 (d) \$153,124,000 of the transportation partnership account--state
4 appropriation, \$300,000,000 of the state route number 520 corridor
5 account--federal appropriation, and \$737,205,000 of the state route
6 number 520 corridor account--state appropriation are provided solely
7 for the SR 520 Bridge Replacement and HOV project (0BI1003). Of the
8 amounts appropriated in this subsection (13)(d), \$105,085,000 of the
9 state route number 520 corridor account--federal appropriation and
10 \$227,415,000 of the state route number 520 corridor account--state
11 appropriation must be put into unallotted status and are subject to
12 review by the office of financial management. The director of the
13 office of financial management shall consult with the joint
14 transportation committee prior to making a decision to allot these
15 funds.

16 (e) When developing the financial plan for the project, the
17 department shall assume that all maintenance and operation costs for
18 the new facility are to be covered by tolls collected on the toll
19 facility and not by the motor vehicle account.

20 (14) \$1,100,000 of the motor vehicle account--federal appropriation
21 is provided solely for the 31st Ave SW Overpass Widening and
22 Improvement project (L1100048).

23 (15) \$22,602,000 of the motor vehicle account--state appropriation
24 is provided solely to advance the design, preliminary engineering, and
25 rights-of-way acquisition for the priority projects identified in LEAP
26 Transportation Document 2013-3 as developed April 23, 2013. Funds must
27 be used to advance the emergent, initial development of these projects
28 for the purpose of expediting delivery of the associated major
29 investments when funding for such investments becomes available.
30 Funding may be reallocated between projects to maximize the
31 accomplishment of design and preliminary engineering work and
32 rights-of-way acquisition, provided that all projects are addressed.
33 It is the intent of the legislature that, while seeking to maximize the
34 outcomes in this section, the department shall provide for continuity
35 of both the state and consulting engineer workforce, while
36 strategically utilizing private sector involvement to ensure
37 consistency with the department's business plan for staffing in the
38 highway construction program in the current fiscal biennium.

1 (16) If a planned roundabout in the vicinity of state route number
2 526 and 84th Street SW would divert commercial traffic onto
3 neighborhood streets, the department may not proceed with improvements
4 at state route number 526 and 84th Street SW until the traffic impacts
5 in the vicinity of state route number 526 and 40th Avenue West are
6 addressed.

7 (17) The legislature finds that there are sixteen companies
8 involved in wood preserving in the state that employ four hundred
9 workers and have an annual payroll of fifteen million dollars. Prior
10 to the department's switch to steel guardrails, ninety percent of the
11 twenty-five hundred mile guardrail system was constructed of preserved
12 wood and one hundred ten thousand wood guardrail posts were produced
13 annually for state use. Moreover, the policy of using steel posts
14 requires the state to use imported steel. Given these findings, where
15 practicable, and until June 30, 2015, the department shall include the
16 design option to use wood guardrail posts, in addition to steel posts,
17 in new guardrail installations. The selection of posts must be
18 consistent with the agency design manual policy that existed before
19 December 2009.

20 (18) The legislature finds that "right-sizing" is a lean,
21 metric-based approach to determining project investments. This concept
22 entails compromise between project cost and design, incorporating local
23 community needs, desired outcomes, and available funding. Furthermore,
24 the legislature finds that the concepts and principles the department
25 has utilized in the safety analyst program have been effective tools to
26 prioritize projects and reduce project costs. Therefore, the
27 department shall establish a pilot project on the SR 3/Belfair Bypass
28 - New Alignment (300344C) to begin implementing the concept of
29 "right-sizing" in the highway construction program.

30 (19) For urban corridors that are all or partially within a
31 metropolitan planning organization boundary, for which the department
32 has not initiated environmental review, and that require an
33 environmental impact statement, at least one alternative must be
34 consistent with the goals set out in RCW 47.01.440.

35 (20) The department shall itemize all future requests for the
36 construction of buildings on a project list and submit them through the
37 transportation executive information system as part of the department's

1 2014 budget submittal. It is the intent of the legislature that new
2 facility construction must be transparent and not appropriated within
3 larger highway construction projects.

4 (21) \$28,963,000 of the motor vehicle account--state appropriation
5 is provided solely for improvement program support activities
6 (095901X). \$18,000,000 of this amount must be held in unallotted
7 status until the office of financial management certifies that the
8 department's 2014 supplemental budget request conforms to the terms of
9 subsection (20) of this section.

10 (22) The department shall report to the chairs of the senate
11 transportation committee and the house of representatives
12 transportation committee whenever the department is in negotiations to
13 provide a public or private entity mitigation for ten million dollars
14 or more.

15 (23) Any new advisory group that the department convenes during the
16 2013-2015 fiscal biennium must be representative of the interests of
17 the entire state of Washington.

18 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **PRESERVATION--PROGRAM P**

20	Transportation Partnership Account--State	
21	Appropriation	\$36,480,000
22	Highway Safety Account--State Appropriation	\$10,000,000
23	Motor Vehicle Account--State Appropriation	\$58,503,000
24	Motor Vehicle Account--Federal Appropriation	\$580,062,000
25	Motor Vehicle Account--Private/Local Appropriation	\$11,270,000
26	Transportation 2003 Account (Nickel Account)--State	
27	Appropriation	\$2,285,000
28	TOTAL APPROPRIATION	\$698,600,000

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

31 (1) Except as provided otherwise in this section, the entire
32 transportation 2003 account (nickel account) appropriation and the
33 entire transportation partnership account appropriation are provided
34 solely for the projects and activities as listed by fund, project, and
35 amount in LEAP Transportation Document 2013-1 as developed April 23,
36 2013, Program - Highway Preservation Program (P). However, limited

1 transfers of specific line-item project appropriations may occur
2 between projects for those amounts listed subject to the conditions and
3 limitations in section 603 of this act.

4 (2) Except as provided otherwise in this section, the entire motor
5 vehicle account--state appropriation and motor vehicle account--federal
6 appropriation are provided solely for the projects and activities
7 listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed
8 April 23, 2013, Program - Highway Preservation Program (P). It is the
9 intent of the legislature to direct the department to give first
10 priority of federal funds gained through efficiencies or the
11 redistribution process to the "Contingency (Unfunded) Highway
12 Preservation Projects" as identified in LEAP Transportation Document
13 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway
14 Preservation Program (P). However, no additional federal funds may be
15 allocated to the I-5/Columbia River Crossing project (400506A).

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

20 (4) \$27,278,000 of the motor vehicle account--federal appropriation
21 and \$1,141,000 of the motor vehicle account--state appropriation are
22 provided solely for the SR 167/Puyallup River Bridge Replacement
23 project (316725A). This project must be completed as a design-build
24 project. The department must work with local jurisdictions and the
25 community during the environmental review process to develop
26 appropriate esthetic design elements, at no additional cost to the
27 department, and traffic management plans pertaining to this project.
28 The department must report to the transportation committees of the
29 legislature on estimated cost and/or time savings realized as a result
30 of using the design-build process.

31 (5) The department shall examine the use of electric arc furnace
32 slag for use as an aggregate for new roads and paving projects in high
33 traffic areas and report back to the legislature on its current use in
34 other areas of the country and any characteristics that can provide
35 greater wear resistance and skid resistance in new pavement
36 construction.

1 two 144-car vessels (projects L2200038 and L2200039). The department
2 shall use as much already procured equipment as practicable on the 144-
3 car vessels.

4 (4) \$8,270,000 of the Puget Sound capital construction account--
5 federal appropriation, \$3,935,000 of the Puget Sound capital
6 construction account--state appropriation, and \$1,534,000 of the
7 multimodal transportation account--state appropriation are provided
8 solely for the Mukilteo ferry terminal (project 952515P). To the
9 greatest extent practicable, the department shall seek additional
10 federal funding for this project.

11 (5) \$4,000,000 of the Puget Sound capital construction account--
12 state appropriation is provided solely for emergency capital repair
13 costs (project 999910K). Funds may only be spent after approval by the
14 office of financial management.

15 (6) Consistent with RCW 47.60.662, which requires the Washington
16 state ferry system to collaborate with passenger-only ferry and transit
17 providers to provide service at existing terminals, the department
18 shall ensure that multimodal access, including for passenger-only
19 ferries and transit service providers, is not precluded by any future
20 modifications at the terminal.

21 (7) \$3,800,000 of the Puget Sound capital construction account--
22 state appropriation is provided solely for the reservation and
23 communications system projects (L200041 & L200042).

24 (8) \$4,210,000 of the Puget Sound capital construction account--
25 state appropriation is provided solely for the capital program share of
26 \$7,259,000 in lease payments for the ferry division's headquarters
27 building. Consistent with the 2012 facilities oversight plan, the
28 department shall strive to consolidate office space in downtown Seattle
29 by the end of 2015. The department shall consider renewing the lease
30 for the ferry division's current headquarters building only if the
31 lease rate is reduced at least fifty percent and analysis shows that
32 this is the least cost and risk option for the department.
33 Consolidation with other divisions or state agencies, or a reduction in
34 leased space, must also be considered as part of any headquarters lease
35 renewal analysis.

36 (9) \$21,950,000 of the total appropriation is for preservation work
37 on the Hyak super class vessel (project 944431D), including
38 installation of a power management system and more efficient propulsion

1 systems, that in combination are anticipated to save up to twenty
2 percent in fuel and reduce maintenance costs. Upon completion of this
3 project, the department shall provide a report to the transportation
4 committees of the legislature on the fuel and maintenance savings
5 achieved for this vessel and the potential to save additional funds
6 through other vessel conversions.

7 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **RAIL--PROGRAM Y--CAPITAL**

9	Essential Rail Assistance Account--State	
10	Appropriation	\$861,000
11	Transportation Infrastructure Account--State	
12	Appropriation	\$8,582,000
13	Multimodal Transportation Account--State	
14	Appropriation	\$33,156,000
15	Multimodal Transportation Account--Federal	
16	Appropriation	\$333,881,000
17	TOTAL APPROPRIATION	\$376,480,000

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

20 (1)(a) Except as provided otherwise in this section, the entire
21 appropriations in this section are provided solely for the projects and
22 activities as listed by project and amount in LEAP Transportation
23 Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program -
24 Rail Capital Program (Y).

25 (b) Within the amounts provided in this section, \$7,332,000 of the
26 transportation infrastructure account--state appropriation is for low-
27 interest loans through the freight rail investment bank program
28 identified in the LEAP transportation document referenced in (a) of
29 this subsection. The department shall issue freight rail investment
30 bank program loans with a repayment period of no more than ten years,
31 and only so much interest as is necessary to recoup the department's
32 costs to administer the loans.

33 (c) Within the amounts provided in this section, \$2,439,000 of the
34 multimodal transportation account--state appropriation, \$1,250,000 of
35 the transportation infrastructure account--state appropriation, and
36 \$311,000 of the essential rail assistance account--state appropriation

1 are for statewide emergent freight rail assistance projects identified
2 in the LEAP transportation document referenced in (a) of this
3 subsection.

4 (2) Unsuccessful 2012 freight rail assistance program grant
5 applicants may be awarded freight rail investment bank program loans,
6 if eligible. If any funds remain in the freight rail investment bank
7 or freight rail assistance program reserves (projects F01001A and
8 F01000A), or any approved grants or loans are terminated, the
9 department shall issue a call for projects for the freight rail
10 investment bank loan program and the freight rail assistance grant
11 program, and shall evaluate the applications in a manner consistent
12 with past practices as specified in section 309, chapter 367, Laws of
13 2011. By November 1, 2013, the department shall submit a prioritized
14 list of recommended projects to the office of financial management and
15 the transportation committees of the legislature.

16 (3) \$314,647,000 of the multimodal transportation account--federal
17 appropriation and \$4,867,000 of the multimodal transportation account--
18 state appropriation are provided solely for expenditures related to
19 passenger high-speed rail grants. The multimodal transportation
20 account--state appropriation funds reflect one and one-half percent of
21 the total project funds, and are provided solely for expenditures that
22 are not eligible for federal reimbursement.

23 (4) As allowable under federal rail authority rules and existing
24 competitive bidding practices, when purchasing new train sets, the
25 department shall give preference to bidders that propose train sets
26 with characteristics and maintenance requirements most similar to those
27 currently owned by the department.

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

32 (6)(a) \$550,000 of the essential rail assistance account--state
33 appropriation and \$1,893,000 of the multimodal transportation account--
34 state appropriation are provided solely for the purpose of
35 rehabilitation and maintenance of the Palouse river and Coulee City
36 railroad line. The department shall complete an evaluation and
37 assessment of future maintenance needs on the line to ensure
38 appropriate levels of state investment.

1 (b) Expenditures from the essential rail assistance account--state
2 appropriation in this section may not exceed the combined total of:

3 (i) Revenues deposited into the essential rail assistance account
4 from leases and sale of property pursuant to RCW 47.76.290; and

5 (ii) Revenues transferred from the miscellaneous program account to
6 the essential rail assistance account, pursuant to RCW 47.76.360, for
7 the purpose of sustaining the grain train program by maintaining the
8 Palouse river and Coulee City railroad line.

9 (7) \$31,500,000 of the multimodal transportation account--federal
10 appropriation is provided solely for the purchase of two new train sets
11 for the state-supported intercity passenger rail service. The
12 department must apply for any federal waivers required to purchase the
13 new train sets, as allowable under existing competitive bidding
14 practices, and seek federal funds in addition to those available from
15 the high-speed rail grants.

16 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

18	Highway Infrastructure Account--State Appropriation	\$207,000
19	Highway Infrastructure Account--Federal	
20	Appropriation	\$1,602,000
21	Freight Mobility Investment Account--State	
22	Appropriation	\$11,794,000
23	Transportation Partnership Account--State	
24	Appropriation	\$7,214,000
25	Highway Safety Account--State Appropriation	\$11,255,000
26	Motor Vehicle Account--State Appropriation	\$6,918,000
27	Motor Vehicle Account--Federal Appropriation	\$28,413,000
28	Freight Mobility Multimodal Account--State	
29	Appropriation	\$9,736,000
30	Freight Mobility Multimodal Account--Private/Local	
31	Appropriation	\$1,320,000
32	Multimodal Transportation Account--State	
33	Appropriation	\$13,913,000
34	TOTAL APPROPRIATION	\$92,372,000

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

1 (1) Except as provided otherwise in this section, the entire
2 appropriations in this section are provided solely for the projects and
3 activities as listed by project and amount in LEAP Transportation
4 Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program -
5 Local Programs (Z).

6 (2) With each department budget submittal, the department shall
7 provide an update on the status of the repayment of the twenty million
8 dollars of unobligated federal funds authority advanced by the
9 department in September 2010 to the city of Tacoma for the Murray
10 Morgan/11th Street bridge project. The department may negotiate with
11 the city of Tacoma an agreement for repayment of the funds over a
12 period of up to twenty-five years at terms agreed upon by the
13 department and the city. The funds previously advanced by the
14 department to the city are not to be considered a general obligation of
15 the city but instead an obligation payable from identified revenues set
16 aside for the repayment of the funds.

17 (3) The amounts identified in the LEAP transportation document
18 referenced under subsection (1) of this section for pedestrian
19 safety/safe routes to school are as follows:

20 (a) \$12,160,000 of the multimodal transportation account--state
21 appropriation, \$6,824,000 of the transportation partnership account--
22 state appropriation, and \$62,000 of the motor vehicle account--federal
23 appropriation are provided solely for pedestrian and bicycle safety
24 program projects.

25 (b) \$11,700,000 of the motor vehicle account--federal
26 appropriation, \$5,200,000 of the motor vehicle account--state
27 appropriation, and \$6,750,000 of the highway safety account--state
28 appropriation are provided solely for newly selected safe routes to
29 school projects, and \$3,400,000 of the motor vehicle account--federal
30 appropriation and \$2,055,000 of the highway safety account--state
31 appropriation are reappropriated for safe routes to school projects
32 selected in the previous biennia. The amount provided for new projects
33 is consistent with federal funding levels from the 2011-2013 omnibus
34 transportation appropriations act and the intent of the fee increases
35 in chapter 74, Laws of 2012 and chapter 80, Laws of 2012. The motor
36 vehicle account--state appropriation in this subsection (3)(b) is the
37 amount made available by the repeal of the deduction from motor vehicle
38 fuel tax liability for handling losses of motor vehicle fuel, as

1 identified in chapter . . . (Substitute House Bill No. 2041), Laws of
2 2013 (handling losses of motor vehicle fuel). If chapter . . .
3 (Substitute House Bill No. 2041), Laws of 2013 is not enacted by June
4 30, 2013, the motor vehicle account--state appropriation in this
5 subsection (3)(b) lapses.

6 (4) \$84,000 of the motor vehicle account--state appropriation,
7 \$3,250,000 of the motor vehicle account--federal appropriation,
8 \$2,450,000 of the highway safety account--state appropriation,
9 \$11,794,000 of the freight mobility investment account--state
10 appropriation, \$9,736,000 of the freight mobility multimodal account--
11 state appropriation, and \$1,320,000 of the freight mobility multimodal
12 account--private/local appropriation are provided solely for the
13 projects and activities as listed by project and amount in LEAP
14 Transportation Document 2013-B as developed April 23, 2013. If chapter
15 . . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June
16 30, 2013, the amounts provided in this subsection lapse.

17 (5) The department may enter into contracts and make expenditures
18 for projects on behalf of and selected by the freight mobility
19 strategic investment board from the amounts provided in section 301 of
20 this act.

21 (6) The department shall submit a report to the transportation
22 committees of the legislature by December 1, 2013, and December 1,
23 2014, on the status of projects funded as part of the pedestrian
24 safety/safe routes to school grant program (OLP600P). The report must
25 include, but is not limited to, a list of projects selected and a brief
26 description of each project's status.

27 (7) \$50,000 of the motor vehicle account--state appropriation is
28 provided solely for the installation of a guard rail on Deer Harbor
29 Road in San Juan county (L2220054).

30 **NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL**
31 **PROGRAM**

32 (1) As part of its budget submittal for the 2014 supplemental
33 budget, the department of transportation shall provide an update to the
34 report provided to the legislature in 2013 that: (a) Compares the
35 original project cost estimates approved in the 2003 and 2005 project
36 lists to the completed cost of the project, or the most recent
37 legislatively approved budget and total project costs for projects not

1 yet completed; (b) identifies highway projects that may be reduced in
2 scope and still achieve a functional benefit; (c) identifies highway
3 projects that have experienced scope increases and that can be reduced
4 in scope; (d) identifies highway projects that have lost significant
5 local or regional contributions that were essential to completing the
6 project; and (e) identifies contingency amounts allocated to projects.

7 (2) As part of its budget submittal for the 2014 supplemental
8 budget, the department of transportation shall provide an annual report
9 on the number of toll credits the department has accumulated and how
10 the department has used the toll credits.

11 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
12 **CAPITAL PROGRAM**

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

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

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

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

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

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

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

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

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

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

5 (2) For completed projects, the report must:

6 (a) Compare the costs and operationally complete date for projects
7 with budgets of twenty million dollars or more that are funded with
8 preexisting funds to the original project cost estimates and schedule;
9 and

10 (b) Provide a list of nickel and TPA projects charging to the
11 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
12 each project is charging.

13 (3) For prospective projects, the report must:

14 (a) Identify the estimated advertisement date for all projects
15 consistent with the structure of the most recently enacted
16 transportation budget that are going to advertisement during the
17 current fiscal biennium;

18 (b) Identify the anticipated operationally complete date for all
19 projects consistent with the structure of the most recently enacted
20 transportation budget that are going to advertisement during the
21 current fiscal biennium; and

22 (c) Identify the estimated cost of completion for all projects
23 consistent with the structure of the most recently enacted
24 transportation budget that are going to advertisement during the
25 current fiscal biennium.

26 (4) The department shall provide a list of change orders executed
27 for each fiscal quarter beginning September 30, 2013. The report must
28 include the name of the contractor, the dollar value of the change
29 order, and a brief explanation for why there needs to be a change
30 order.

31 (5) The department shall provide a quarterly report, beginning
32 September 30, 2013, on project mitigation costs. The report must show:

33 (a) All mitigation payments made during the current fiscal
34 biennium;

35 (b) The party with whom the mitigation was negotiated; and

36 (c) The parties with whom the department are in on-going
37 negotiations.

1 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
2 **PROJECT EXPENDITURES**

3 To the greatest extent practicable, the department of
4 transportation shall expend federal funds received for capital project
5 expenditures before state funds.

6 **TRANSFERS AND DISTRIBUTIONS**

7 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
8 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
9 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
10 **TRANSPORTATION FUND REVENUE**

11	Transportation Partnership Account--State	
12	Appropriation	\$10,406,000
13	Motor Vehicle Account--State Appropriation	\$450,000
14	State Route Number 520 Corridor Account--State	
15	Appropriation	\$3,866,000
16	Highway Bond Retirement Account--State	
17	Appropriation	\$1,074,580,000
18	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
19	Transportation Improvement Board Bond Retirement	
20	Account--State Appropriation	\$16,267,000
21	Nondebt-Limit Reimbursable Bond Retirement Account--State	
22	Appropriation	\$25,825,000
23	Toll Facility Bond Retirement Account--State	
24	Appropriation	\$52,050,000
25	Toll Facility Bond Retirement Account--Federal	
26	Appropriation	\$64,982,000
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation	\$1,958,000
29	Special Category C Account--State Appropriation	\$2,000
30	TOTAL APPROPRIATION	\$1,282,210,000

31 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
32 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
33 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

34 Transportation Partnership Account--State

1 Appropriation: For transfer to the Motor Vehicle
2 Account--State \$1,300,000
3 (2) Multimodal Transportation Account--State
4 Appropriation: For transfer to the Puget Sound
5 Ferry Operations Account--State \$13,000,000
6 (3) Rural Mobility Grant Program Account--State
7 Appropriation: For transfer to the Multimodal
8 Transportation Account--State \$3,000,000
9 (4) Motor Vehicle Account--State
10 Appropriation: For transfer to the Special Category C
11 Account--State \$1,500,000
12 (5) Capital Vessel Replacement Account--State
13 Appropriation: For transfer to the Transportation 2003
14 Account (Nickel Account)--State \$7,702,000
15 (6) Multimodal Transportation Account--State
16 Appropriation: For transfer to the Public Transportation
17 Grant Program Account--State \$26,000,000
18 (7) Motor Vehicle Account--State Appropriation:
19 For transfer to the Puget Sound Ferry Operations
20 Account--State \$28,000,000
21 (8) Motor Vehicle Account--State Appropriation:
22 For transfer to the Puget Sound Capital Construction
23 Account--State \$28,000,000
24 (9) State Route Number 520 Civil Penalties
25 Account--State Appropriation: For transfer to the
26 State Route Number 520 Corridor Account--State \$886,000
27 (10) Multimodal Transportation Account--State
28 Appropriation: For transfer to the Highway Safety
29 Account--State \$10,000,000
30 (11) Motor Vehicle Account--State Appropriation:
31 For transfer to the State Patrol Highway
32 Account--State \$27,000,000
33 (12) Highway Safety Account--State Appropriation:
34 For transfer to the Puget Sound Ferry Operations
35 Account--State \$42,000,000
36 (13) Advanced Environmental Mitigation Revolving
37 Account--State Appropriation: For transfer to the Motor
38 Vehicle Account--State \$2,000,000

1 (14) Advanced Right-of-Way Revolving Fund--State
2 Appropriation: For transfer to the Motor Vehicle
3 Account--State \$6,000,000
4 (15) Tacoma Narrows Toll Bridge Account--State
5 Appropriation: For transfer to the Motor Vehicle
6 Account--State \$950,000
7 (16) License Plate Technology Account--State
8 Appropriation: For transfer to the Highway Safety
9 Account--State \$3,000,000
10 (17) Motor Vehicle Account--State Appropriation:
11 For transfer to the Transportation Equipment
12 Fund--State \$3,915,000
13 (18) Multimodal Transportation Account--State
14 Appropriation: For transfer to the Motor Vehicle
15 Account--State \$10,000,000

16 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER: FOR**
17 **DISTRIBUTION TO TRANSIT ENTITIES**

18 Public Transportation Grant Program Account--State
19 Appropriation \$26,000,000

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

22 (1) One-eighth of the appropriation in this section must be
23 distributed quarterly to transit authorities according to the
24 distribution formula in subsection (2) of this section. Funding must
25 be used for operations.

26 (2) Of the amounts provided in subsection (1) of this section:

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

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

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

33 (3) For the purposes of this section:

34 (a) "Transit authorities" has the same meaning as in RCW
35 9.91.025(2)(c).

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

1 "passenger trips" are transit service metrics as reported by the public
2 transportation program of the department of transportation in the
3 annual report required in RCW 35.58.2796 for calendar year 2011.

4 NEW SECTION. **Sec. 409. STATUTORY APPROPRIATIONS**

5 In addition to the amounts appropriated in this act for revenue for
6 distribution, state contributions to the law enforcement officers' and
7 firefighters' retirement system, and bond retirement and interest
8 including ongoing bond registration and transfer charges, transfers,
9 interest on registered warrants, and certificates of indebtedness,
10 there is also appropriated such further amounts as may be required or
11 available for these purposes under any statutory formula or under any
12 proper bond covenant made under law.

13 NEW SECTION. **Sec. 410.** The department of transportation is
14 authorized to undertake federal advance construction projects under the
15 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
16 meeting approved highway construction and preservation objectives. The
17 legislature recognizes that the use of state funds may be required to
18 temporarily fund expenditures of the federal appropriations for the
19 highway construction and preservation programs for federal advance
20 construction projects prior to conversion to federal funding.

21 **COMPENSATION**

22 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
23 **IMPAIRED**

24 Nothing in this act prohibits the expenditure of any funds by an
25 agency or institution of the state for benefits guaranteed by any
26 collective bargaining agreement in effect on the effective date of this
27 section.

28 NEW SECTION. **Sec. 502. COLLECTIVE BARGAINING AGREEMENTS**

29 Sections 503 through 516 of this act represent the results of the
30 2013-2015 collective bargaining process required under chapters 47.64,
31 41.80, and 41.56 RCW. Provisions of the collective bargaining
32 agreements contained in sections 503 through 516 of this act are

1 described in general terms. Only major economic terms are included in
2 the descriptions. These descriptions do not contain the complete
3 contents of the agreements. The collective bargaining agreements or
4 the continuation of terms and conditions of the 2011-2013 agreements
5 contained in sections 503 through 516 of this act may also be funded by
6 expenditures from nonappropriated accounts. If positions are funded
7 with lidded grants or dedicated fund sources with insufficient revenue,
8 additional funding from other sources is not provided.

9 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
10 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--OPEIU**

11 An agreement has been reached between the governor and the office
12 and professional employees international union local eight (OPEIU)
13 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
14 Funding is provided for an additional step on the OPEIU salary
15 schedule. The agreement also includes a one percent salary increase
16 for all bargaining unit members effective July 1, 2014, through June
17 30, 2015, contingent on the state collecting \$200,000,000 or more in
18 unanticipated general fund--state revenue from increased economic
19 activity.

20 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
21 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA**

22 An agreement has been reached between the governor and the ferry
23 agents, supervisors, and project administrators association pursuant to
24 chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is
25 provided for a one percent salary increase for all bargaining unit
26 members beginning July 1, 2013, and a one percent salary increase for
27 all bargaining unit members beginning July 1, 2014.

28 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
29 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6**

30 An agreement has been reached between the governor and the service
31 employees international union local six pursuant to chapter 47.64 RCW
32 for the 2013-2015 fiscal biennium. Funding is provided for a new step
33 on the salary schedule. The agreement also includes a one percent
34 salary increase for all bargaining unit members effective July 1, 2014,

1 through June 30, 2015, contingent on the state collecting \$200,000,000
2 or more in unanticipated general fund--state revenue from economic
3 activity.

4 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
5 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS**

6 An agreement has been reached between the governor and the Pacific
7 Northwest regional council of carpenters pursuant to chapter 47.64 RCW
8 for the 2013-2015 fiscal biennium. Funding is provided for a one and
9 one-half percent salary increase for all bargaining unit members
10 beginning July 1, 2013, and a one and one-half percent salary increase
11 for all bargaining unit members beginning July 1, 2014.

12 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES**

14 An agreement has been reached between the governor and the Puget
15 Sound metal trades council through an interest arbitration decision
16 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
17 Funding is provided for the awarded one and one-half percent salary
18 increase for all bargaining unit members beginning July 1, 2013, and a
19 one and one-half percent salary increase for all bargaining unit
20 members beginning July 1, 2014.

21 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
22 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-UL**

23 An agreement has been reached between the governor and the marine
24 engineers' beneficial association unlicensed engine room employees
25 through an interest arbitration decision pursuant to chapter 47.64 RCW
26 for the 2013-2015 fiscal biennium. Funding is provided for the awarded
27 one percent salary increase for all bargaining unit members beginning
28 July 1, 2013, a one percent salary increase for all bargaining unit
29 members beginning July 1, 2014, and additional vacation accrual
30 beginning July 1, 2014.

31 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
32 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-L**

33 An agreement has been reached between the governor and the marine
34 engineers' beneficial association licensed engineer officers through an

1 interest arbitration decision pursuant to chapter 47.64 RCW for the
2 2013-2015 fiscal biennium. Funding is provided for the awarded one
3 percent salary increase for all bargaining unit members beginning July
4 1, 2013, a one percent salary increase for all bargaining unit members
5 beginning July 1, 2014, and additional vacation accrual beginning July
6 1, 2014.

7 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
8 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MATES**

9 An agreement has been reached between the governor and the masters,
10 mates, and pilots - mates through an interest arbitration decision
11 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
12 Funding is provided for the awarded three percent salary increase for
13 all bargaining unit members beginning July 1, 2014, additional pay for
14 relief employees, increased uniform allowance, and increased Friday
15 Harbor relief pay.

16 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
17 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MASTERS**

18 An agreement has been reached between the governor and the masters,
19 mates, and pilots - masters through an interest arbitration decision
20 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
21 Funding is provided for a one percent salary increase for all
22 bargaining unit members beginning July 1, 2013, a one percent salary
23 increase for all bargaining unit members beginning July 1, 2014, relief
24 assignment pay for all compensated hours beginning July 1, 2014,
25 increased uniform allowance, increased license renewal allowance, and
26 increased Friday Harbor relief pay.

27 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
28 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P WATCH SUPERVISORS**

29 An agreement has been reached between the governor and the masters,
30 mates, and pilots - watch supervisors through an interest arbitration
31 decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal
32 biennium. Funding is provided for the awarded 16.125 percent salary
33 increase for all bargaining unit members beginning July 1, 2013, and a
34 16.125 percent salary increase for all bargaining unit members
35 beginning July 1, 2014.

1 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--IBU**

3 An agreement has been reached between the governor and the
4 inlandboatmen's union of the pacific pursuant to chapter 47.64 RCW for
5 the 2013-2015 fiscal biennium. Funding is provided for an eighteen
6 percent increase for entry-level wage rates for all bargaining unit
7 members beginning July 1, 2013. For all other wage rates, funding is
8 provided to increase rates two and one-half percent for all bargaining
9 unit members beginning July 1, 2013, and to increase rates two and one-
10 half percent for all bargaining unit members beginning July 1, 2014.
11 Funding is also provided for marine license fees.

12 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENTS--PTE**
13 **LOCAL 17**

14 An agreement has been reached between the governor and the
15 professional and technical employees local seventeen under chapter
16 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to
17 add a longevity step. The agreement also includes a one percent salary
18 increase for all bargaining unit members effective July 1, 2014,
19 through June 30, 2015, contingent on the state collecting \$200,000,000
20 or more in unanticipated general fund--state revenue from increased
21 economic activity.

22 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENTS--WSP**
23 **TROOPERS ASSOCIATION**

24 An agreement has been reached between the governor and the
25 Washington state patrol troopers association through an interest
26 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
27 biennium. Funding is provided for the awarded three percent salary
28 increase for all bargaining unit members effective July 1, 2013, and a
29 one percent increase to longevity pay for years five through nine
30 effective July 1, 2014.

31 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENTS--WSP**
32 **LIEUTENANTS ASSOCIATION**

33 An agreement has been reached between the governor and the
34 Washington state patrol lieutenants association through an interest
35 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal

1 biennium. Funding is provided for the awarded three percent salary
2 increase for all bargaining unit members effective July 1, 2014, and
3 for parking of department-issued vehicles for employees assigned
4 vehicles at the general administration building or capitol campus.

5 NEW SECTION. **Sec. 517. COMPENSATION--REPRESENTED EMPLOYEES--**
6 **SUPER COALITION--INSURANCE BENEFITS**

7 No agreement has been reached between the governor and the health
8 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
9 biennium. Appropriations in this act for state agencies, including
10 institutions of higher education, are sufficient to continue the
11 provisions of the 2011-2013 collective bargaining agreement and are
12 subject to the following conditions and limitations:

13 (1)(a) The monthly employer funding rate for insurance benefit
14 premiums, public employees' benefits board administration, and the
15 uniform medical plan must not exceed \$809 per eligible employee for
16 fiscal year 2014. For fiscal year 2015, the monthly employer funding
17 rate must not exceed \$820 per eligible employee.

18 (b) In order to achieve the level of funding provided for health
19 benefits, the public employees' benefits board must require any of the
20 following: Employee premium copayments; increases in point-of-service
21 cost sharing; the implementation of managed competition; or other
22 changes to benefits consistent with RCW 41.05.065.

23 (c) The health care authority shall deposit any moneys received on
24 behalf of the uniform medical plan as a result of rebates on
25 prescription drugs, audits of hospitals, subrogation payments, or any
26 other moneys recovered as a result of prior uniform medical plan claims
27 payments into the public employees' and retirees' insurance account to
28 be used for insurance benefits. Such receipts must not be used for
29 administrative expenditures.

30 (2) The health care authority, subject to the approval of the
31 public employees' benefits board, shall provide subsidies for health
32 benefit premiums to eligible retired or disabled public employees and
33 school district employees who are eligible for medicare, pursuant to
34 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
35 \$150.00 per month.

1 NEW SECTION. **Sec. 518.** **COMPENSATION--REPRESENTED EMPLOYEES**
2 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

3 Appropriations for state agencies in this act are sufficient for
4 represented employees outside the super coalition for health benefits
5 and are subject to the following conditions and limitations:

6 (1)(a) The monthly employer funding rate for insurance benefit
7 premiums, public employees' benefits board administration, and the
8 uniform medical plan must not exceed \$809 per eligible employee for
9 fiscal year 2014. For fiscal year 2015, the monthly employer funding
10 rate must not exceed \$820 per eligible employee.

11 (b) In order to achieve the level of funding provided for health
12 benefits, the public employees' benefits board shall require any of the
13 following: Employee premium copayments; increases in point-of-service
14 cost sharing; the implementation of managed competition; or other
15 changes to benefits consistent with RCW 41.05.065.

16 (c) The health care authority shall deposit any moneys received on
17 behalf of the uniform medical plan as a result of rebates on
18 prescription drugs, audits of hospitals, subrogation payments, or any
19 other moneys recovered as a result of prior uniform medical plan claims
20 payments into the public employees' and retirees' insurance account to
21 be used for insurance benefits. Such receipts must not be used for
22 administrative expenditures.

23 (2) The health care authority, subject to the approval of the
24 public employees' benefits board, shall provide subsidies for health
25 benefit premiums to eligible retired or disabled public employees and
26 school district employees who are eligible for medicare, pursuant to
27 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
28 \$150.00 per month.

29 NEW SECTION. **Sec. 519.** **COMPENSATION--NONREPRESENTED EMPLOYEES--**
30 **INSURANCE BENEFITS**

31 Appropriations for state agencies in this act are sufficient for
32 nonrepresented state employee health benefits for state agencies,
33 including institutions of higher education, and are subject to the
34 following conditions and limitations:

35 (1)(a) The monthly employer funding rate for insurance benefit
36 premiums, public employees' benefits board administration, and the

1 uniform medical plan must not exceed \$809 per eligible employee for
2 fiscal year 2014. For fiscal year 2015, the monthly employer funding
3 rate must not exceed \$820 per eligible employee.

4 (b) In order to achieve the level of funding provided for health
5 benefits, the public employees' benefits board shall require any of the
6 following: Employee premium copayments; increases in point-of-service
7 cost sharing; the implementation of managed competition; or make other
8 changes to benefits consistent with RCW 41.05.065.

9 (c) The health care authority shall deposit any moneys received on
10 behalf of the uniform medical plan as a result of rebates on
11 prescription drugs, audits of hospitals, subrogation payments, or any
12 other moneys recovered as a result of prior uniform medical plan claims
13 payments into the public employees' and retirees' insurance account to
14 be used for insurance benefits. Such receipts must not be used for
15 administrative expenditures.

16 (2) The health care authority, subject to the approval of the
17 public employees' benefits board, shall provide subsidies for health
18 benefit premiums to eligible retired or disabled public employees and
19 school district employees who are eligible for medicare, pursuant to
20 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
21 \$150.00 per month.

22 NEW SECTION. **Sec. 520. COMPENSATION--NONREPRESENTED EMPLOYEES--**
23 **SALARIES AND WAGES**

24 For classified state employees, except those within the Washington
25 management service and those represented by a bargaining unit under
26 chapter 41.80, 41.56, or 47.64 RCW, funding is provided within agency
27 appropriations for implementation of a longevity step, in accordance
28 with rules adopted under RCW 41.06.133.

29 **Sec. 521.** RCW 47.64.170 and 2011 c 367 s 712 are each amended to
30 read as follows:

31 (1) Any ferry employee organization certified as the bargaining
32 representative shall be the exclusive representative of all ferry
33 employees in the bargaining unit and shall represent all such employees
34 fairly.

35 (2) A ferry employee organization or organizations and the governor

1 may each designate any individual as its representative to engage in
2 collective bargaining negotiations.

3 (3) Negotiating sessions, including strategy meetings of the
4 employer or employee organizations, mediation, and the deliberative
5 process of arbitrators are exempt from the provisions of chapter 42.30
6 RCW. Hearings conducted by arbitrators may be open to the public by
7 mutual consent of the parties.

8 (4) Terms of any collective bargaining agreement may be enforced by
9 civil action in Thurston county superior court upon the initiative of
10 either party.

11 (5) Ferry system employees or any employee organization shall not
12 negotiate or attempt to negotiate directly with anyone other than the
13 person who has been appointed or authorized a bargaining representative
14 for the purpose of bargaining with the ferry employees or their
15 representative.

16 (6)(a) Within ten working days after the first Monday in September
17 of every odd-numbered year, the parties shall attempt to agree on an
18 interest arbitrator to be used if the parties are not successful in
19 negotiating a comprehensive collective bargaining agreement. If the
20 parties cannot agree on an arbitrator within the ten-day period, either
21 party may request a list of seven arbitrators from the federal
22 mediation and conciliation service. The parties shall select an
23 interest arbitrator using the coin toss/alternate strike method within
24 thirty calendar days of receipt of the list. Immediately upon
25 selecting an interest arbitrator, the parties shall cooperate to
26 reserve dates with the arbitrator for potential arbitration between
27 August 1st and September 15th of the following even-numbered year. The
28 parties shall also prepare a schedule of at least five negotiation
29 dates for the following year, absent an agreement to the contrary. The
30 parties shall execute a written agreement before November 1st of each
31 odd-numbered year setting forth the name of the arbitrator and the
32 dates reserved for bargaining and arbitration. This subsection (6)(a)
33 imposes minimum obligations only and is not intended to define or limit
34 a party's full, good faith bargaining obligation under other sections
35 of this chapter.

36 (b) The negotiation of a proposed collective bargaining agreement
37 by representatives of the employer and a ferry employee organization
38 shall commence on or about February 1st of every even-numbered year.

1 (c) For negotiations covering the 2009-2011 biennium and subsequent
2 biennia, the time periods specified in this section, and in RCW
3 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of
4 all agreements on or before October 1st of the even-numbered year next
5 preceding the biennial budget period during which the agreement should
6 take effect. These time periods may only be altered by mutual
7 agreement of the parties in writing. Any such agreement and any
8 impasse procedures agreed to by the parties under RCW 47.64.200 must
9 include an agreement regarding the new time periods that will allow
10 final resolution by negotiations or arbitration by October 1st of each
11 even-numbered year.

12 (7) It is the intent of this section that the collective bargaining
13 agreement or arbitrator's award shall commence on July 1st of each odd-
14 numbered year and shall terminate on June 30th of the next odd-numbered
15 year to coincide with the ensuing biennial budget year, as defined by
16 RCW 43.88.020(7), to the extent practical. It is further the intent of
17 this section that all collective bargaining agreements be concluded by
18 October 1st of the even-numbered year before the commencement of the
19 biennial budget year during which the agreements are to be in effect.
20 After the expiration date of a collective bargaining agreement
21 negotiated under this chapter, except to the extent provided in
22 subsection (11) of this section and RCW 47.64.270(4), all of the terms
23 and conditions specified in the collective bargaining agreement remain
24 in effect until the effective date of a subsequently negotiated
25 agreement, not to exceed one year from the expiration date stated in
26 the agreement. Thereafter, the employer may unilaterally implement
27 according to law.

28 (8) The office of financial management shall conduct a salary
29 survey, for use in collective bargaining and arbitration, which must be
30 conducted through a contract with a firm nationally recognized in the
31 field of human resources management consulting.

32 (9) Except as provided in subsection (11) of this section:

33 (a) The governor shall submit a request either for funds necessary
34 to implement the collective bargaining agreements including, but not
35 limited to, the compensation and fringe benefit provisions or for
36 legislation necessary to implement the agreement, or both. Requests
37 for funds necessary to implement the collective bargaining agreements

1 shall not be submitted to the legislature by the governor unless such
2 requests:

3 (i) Have been submitted to the director of the office of financial
4 management by October 1st before the legislative session at which the
5 requests are to be considered; and

6 (ii) Have been certified by the director of the office of financial
7 management as being feasible financially for the state.

8 (b) The governor shall submit a request either for funds necessary
9 to implement the arbitration awards or for legislation necessary to
10 implement the arbitration awards, or both. Requests for funds
11 necessary to implement the arbitration awards shall not be submitted to
12 the legislature by the governor unless such requests:

13 (i) Have been submitted to the director of the office of financial
14 management by October 1st before the legislative session at which the
15 requests are to be considered; and

16 (ii) Have been certified by the director of the office of financial
17 management as being feasible financially for the state.

18 (c) The legislature shall approve or reject the submission of the
19 request for funds necessary to implement the collective bargaining
20 agreements or arbitration awards as a whole for each agreement or
21 award. The legislature shall not consider a request for funds to
22 implement a collective bargaining agreement or arbitration award unless
23 the request is transmitted to the legislature as part of the governor's
24 budget document submitted under RCW 43.88.030 and 43.88.060. If the
25 legislature rejects or fails to act on the submission, either party may
26 reopen all or part of the agreement and award or the exclusive
27 bargaining representative may seek to implement the procedures provided
28 for in RCW 47.64.210 and 47.64.300.

29 (10) If, after the compensation and fringe benefit provisions of an
30 agreement are approved by the legislature, a significant revenue
31 shortfall occurs resulting in reduced appropriations, as declared by
32 proclamation of the governor or by resolution of the legislature, both
33 parties shall immediately enter into collective bargaining for a
34 mutually agreed upon modification of the agreement.

35 (11)(a) For the collective bargaining agreements negotiated for the
36 2011-2013 fiscal biennium, the legislature may consider a request for
37 funds to implement a collective bargaining agreement even if the
38 request for funds was not received by the office of financial

1 management by October 1st and was not transmitted to the legislature as
2 part of the governor's budget document submitted under RCW 43.88.030
3 and 43.88.060.

4 (b) For the ((2011-2013)) 2013-2015 fiscal biennium, a collective
5 bargaining agreement related to employee health care benefits
6 negotiated between the employer and coalition pursuant to RCW
7 41.80.020(3) regarding the dollar amount expended on behalf of each
8 employee must be a separate agreement for which the governor may
9 request funds necessary to implement the agreement. ((If such an
10 agreement is negotiated and funded by the legislature, this agreement
11 will supersede any terms and conditions of an expired 2009-2011
12 biennial master collective bargaining agreement under this chapter
13 regarding health care benefits.)) The legislature may act upon a 2013-
14 2015 collective bargaining agreement related to employee health care
15 benefits if an agreement is reached and submitted to the office of
16 financial management and legislative budget committees before final
17 legislative action on the biennial or supplemental operating budget by
18 the sitting legislature.

19 (c) For the collective bargaining agreements negotiated for the
20 2013-2015 fiscal biennium, the legislature may consider a request for
21 funds to implement a collective bargaining agreement reached after
22 October 1st after a determination of financial infeasibility by the
23 director of the office of financial management if the request for funds
24 is transmitted to the legislature as part of the governor's budget
25 document submitted under RCW 43.88.030 and 43.88.060.

26 **Sec. 522.** RCW 47.64.270 and 2011 c 367 s 713 are each amended to
27 read as follows:

28 (1) The employer and one coalition of all the exclusive bargaining
29 representatives subject to this chapter and chapter 41.80 RCW shall
30 conduct negotiations regarding the dollar amount expended on behalf of
31 each employee for health care benefits.

32 (2) Absent a collective bargaining agreement to the contrary, the
33 department of transportation shall provide contributions to insurance
34 and health care plans for ferry system employees and dependents, as
35 determined by the state health care authority, under chapter 41.05 RCW.

36 (3) The employer and employee organizations may collectively

1 bargain for insurance plans other than health care benefits, and
2 employer contributions may exceed that of other state agencies as
3 provided in RCW 41.05.050.

4 (4) For the ((2011-2013)) 2013-2015 fiscal biennium, a collective
5 bargaining agreement related to employee health care benefits
6 negotiated between the employer and coalition pursuant to RCW
7 41.80.020(3) regarding the dollar amount expended on behalf of each
8 employee must be a separate agreement for which the governor may
9 request funds necessary to implement the agreement. ((If such an
10 agreement is negotiated and funded by the legislature, this agreement
11 will supersede any terms and conditions of an expired 2009-2011
12 biennial collective bargaining agreement under this chapter regarding
13 health care benefits.))

14 **IMPLEMENTING PROVISIONS**

15 NEW SECTION. **Sec. 601. STAFFING LEVELS**

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

25 (2) To this end, the department of transportation is directed to
26 reduce the size of its engineering and technical workforce to a level
27 sustained by current law revenue levels currently estimated at two
28 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
29 department shall submit a report on the progress made in 2011-2013 by
30 July 1, 2013.

31 (3) In order to successfully deliver the highway construction
32 program as funded, the department of transportation may continue to
33 contract out engineering and technical services. In addition, the
34 department may continue the incentive program for retirements and
35 employee separations.

1 NEW SECTION. **Sec. 602. FOR THE DEPARTMENT OF TRANSPORTATION**

2 The department shall begin to transition from owning a fleet of
3 passenger vehicles in Thurston county to using the state motor pool.
4 The funding appropriated in this act may not be used by programs
5 headquartered in Thurston county to purchase passenger cars as defined
6 in RCW 46.04.382.

7 NEW SECTION. **Sec. 603. FUND TRANSFERS**

8 (1) The transportation 2003 projects or improvements and the 2005
9 transportation partnership projects or improvements are listed in the
10 LEAP list titled 2013-1 as developed April 23, 2013, which consists of
11 a list of specific projects by fund source and amount over a ten-year
12 period. Current fiscal biennium funding for each project is a line-
13 item appropriation, while the outer year funding allocations represent
14 a ten-year plan. The department is expected to use the flexibility
15 provided in this section to assist in the delivery and completion of
16 all transportation partnership account and transportation 2003 account
17 (nickel account) projects on the LEAP transportation documents
18 referenced in this act. However, this section does not apply to the I-
19 5/Columbia River Crossing project (400506A). For the 2011-2013 and
20 2013-2015 project appropriations, unless otherwise provided in this
21 act, the director of financial management may authorize a transfer of
22 appropriation authority between projects funded with transportation
23 2003 account (nickel account) appropriations, or transportation
24 partnership account appropriations, in order to manage project spending
25 and efficiently deliver all projects in the respective program under
26 the following conditions and limitations:

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

29 (b) Transfers from a project may not be made as a result of the
30 reduction of the scope of a project or be made to support increases in
31 the scope of a project;

32 (c) Each transfer between projects may only occur if the director
33 of financial management finds that any resulting change will not hinder
34 the completion of the projects as approved by the legislature. Until
35 the legislature reconvenes to consider the 2014 supplemental omnibus
36 transportation appropriations act, any unexpended 2011-2013
37 appropriation balance as approved by the office of financial

1 management, in consultation with the legislative staff of the house of
2 representatives and senate transportation committees, may be considered
3 when transferring funds between projects;

4 (d) Transfers from a project may be made if the funds appropriated
5 to the project are in excess of the amount needed to complete the
6 project;

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

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

11 (g) Transfers between projects may be made, without the approval of
12 the director of the office of financial management, by the department
13 of transportation until the transfer amount by project exceeds two
14 hundred fifty thousand dollars, or ten percent of the total project,
15 whichever is less. These transfers must be reported quarterly to the
16 director of financial management and the chairs of the house of
17 representatives and senate transportation committees.

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

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

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

31 **NEW SECTION. Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES**
32 **THROUGH FINANCIAL CONTRACTS**

33 (1) The agency in subsection (2) of this section may enter into
34 financial contracts, paid from any funds of an agency, appropriated or
35 nonappropriated, for the purposes indicated and in not more than the
36 principal amounts indicated, plus financing expenses and required
37 reserves pursuant to chapter 39.94 RCW. When securing properties under

1 this section, agencies shall use the most economical financial contract
2 option available, including long-term leases, lease-purchase
3 agreements, lease-development with option to purchase agreements, or
4 financial contracts using certificates of participation. Expenditures
5 made by an agency for one of the indicated purposes before the issue
6 date of the authorized financial contract and any certificates of
7 participation therein are intended to be reimbursed from proceeds of
8 the financial contract and any certificates of participation therein to
9 the extent provided in the agency's financing plan approved by the
10 state finance committee.

11 (2) The Washington state patrol may enter into agreements with the
12 department of enterprise services and the state treasurer's office to
13 develop requests to the legislature for the acquisition of properties
14 and facilities through financial contracts. The agreements may include
15 charges for services rendered. The Washington state patrol may enter
16 into a financing contract for up to \$4,680,000 plus financing expenses
17 and required reserves pursuant to chapter 39.94 RCW to purchase and
18 install mobile office platforms in state patrol and pursuit vehicles.

19 NEW SECTION. **Sec. 605. FOR THE DEPARTMENT OF TRANSPORTATION**

20 (1) The department of transportation shall prepare an updated
21 facilities and property plan to improve the oversight of real estate
22 procurement and property management across all department programs and
23 regions, including the Washington state ferries. The plan must be
24 submitted to the office of financial management and the transportation
25 committees of the legislature by December 31, 2013. The plan must
26 include:

27 (a) An inventory of all currently owned and leased buildings,
28 including tunnel and bridge operation or maintenance facilities, and
29 traffic management centers as provided by the state's facilities
30 inventory process prescribed by the office of financial management
31 annually by September 1st;

32 (b) A land inventory, as of July 2013, including an indication of
33 whether the land is being held for right-of-way, disposition, or future
34 operational facilities;

35 (c) A prioritized list of all facilities that are planned to be
36 constructed, renovated, or remodeled in the next ten years, including

1 each facilities' purpose and use, and the funding source indicating
2 whether the funding that is assumed for the facility improvements is
3 project or operational funding;

4 (d) A list of options for consolidating staff, equipment, and
5 operational activities to reduce costs with an emphasis on
6 consolidating facilities from leased facilities into state-owned
7 facilities. New locations for a permanent state program or activity,
8 unless a life-cycle cost analysis supports leasing in lieu of ownership
9 or funds are not available for construction, should be state-owned
10 facilities;

11 (e) A department-wide coordinated process and plan for regularly
12 evaluating facility needs, which includes all facilities in the
13 inventory under (a) of this subsection; and

14 (f) A list of department-owned property that can be declared
15 surplus property.

16 (2) Except as provided otherwise in this act, the department of
17 transportation may not enter into new leases, equal value exchanges, or
18 property transactions, including land acquisitions, except for right-
19 of-way purchases for projects on the legislative project lists, without
20 first consulting with the office of financial management.

21 NEW SECTION. **Sec. 606. FOR THE DEPARTMENT OF TRANSPORTATION**

22 As part of its 2014 supplemental budget submittal, the department
23 shall provide a report to the legislature and the office of financial
24 management that:

25 (1) Identifies, by capital project, the amount of state funding
26 that has been reappropriated from the 2011-2013 fiscal biennium into
27 the 2013-2015 fiscal biennium; and

28 (2) Identifies, for each project, the amount of cost savings or
29 increases in funding that have been identified as compared to the 2013
30 enacted omnibus transportation appropriations act.

31 NEW SECTION. **Sec. 607. FOR THE DEPARTMENT OF TRANSPORTATION**

32 The department of transportation, in conjunction with the office of
33 minority and women's business enterprises, shall review the city of
34 Seattle's minority and women's business enterprise inclusion plans that
35 the city has implemented. The review should include a comparison
36 between the existing state process and the city of Seattle inclusion

1 process for bidding construction projects. As part of the review, any
2 identified advantages or disadvantages along with any realized benefits
3 that the city of Seattle has experienced should be included in a report
4 that is due to the transportation committees of the legislature by
5 December 1, 2013.

6 NEW SECTION. **Sec. 608. VOLUNTARY RETIREMENT AND SEPARATION**
7 **INCENTIVES**

8 As a management tool to reduce costs and make more effective use of
9 resources, while improving employee productivity and morale, agencies
10 may implement a voluntary retirement and/or separation program that is
11 cost neutral or results in cost savings, including costs to the state
12 pension systems, over a two-year period following the commencement of
13 the program, provided that the program is approved by the director of
14 financial management. Agencies participating in this authorization may
15 offer voluntary retirement and/or separation incentives and options
16 according to procedures and guidelines established by the office of
17 financial management, in consultation with the office of the state
18 human resources director and the department of retirement systems. The
19 options may include, but are not limited to, financial incentives for
20 voluntary separation or retirement. An employee does not have any
21 contractual right to a financial incentive offered pursuant to this
22 section. Offers must be reviewed and monitored jointly by the office
23 of the state human resources director and the department of retirement
24 systems. Agencies must submit a report by June 30, 2015, to the
25 legislature and the office of financial management on the outcome of
26 their approved incentive program. The report should include
27 information on the details of the program, including the incentive
28 payment amount for each participant, the total cost to the state, and
29 the projected or actual net dollar savings over the two-year period.

30 The department of retirement systems may collect from employers the
31 actuarial cost of any incentive provided under this program, or any
32 other incentive to retire provided by employers to members of the
33 state's pension systems, for deposit in the appropriate pension
34 account.

35 NEW SECTION. **Sec. 609. COMPENSATION--REVISE PENSION CONTRIBUTION**
36 **RATES**

1 The appropriations for school districts and state agencies,
2 including institutions of higher education, are subject to the
3 following conditions and limitations: Appropriations are adjusted to
4 reflect changes to agency appropriations to reflect pension
5 contribution rates adopted by the pension funding council and the law
6 enforcement officers' and firefighters' retirement system plan 2 board.

7 NEW SECTION. **Sec. 610. FOR THE DEPARTMENT OF TRANSPORTATION**

8 The department of transportation may provide up to \$3,000,000 in
9 toll credits to Kitsap Transit for its role in passenger-only ferry
10 service and ferry corridor-related projects. The number of toll
11 credits provided must be equal to, but no more than, the number
12 sufficient to meet federal match requirements for grant funding for
13 passenger-only ferry service, but must not exceed the amount authorized
14 in this section.

15 NEW SECTION. **Sec. 611.** To the extent that any appropriation
16 authorizes expenditures of state funds from the motor vehicle account,
17 special category C account, Tacoma Narrows toll bridge account,
18 transportation 2003 account (nickel account), transportation
19 partnership account, transportation improvement account, Puget Sound
20 capital construction account, multimodal transportation account, state
21 route number 520 corridor account, or other transportation capital
22 project account in the state treasury for a state transportation
23 program that is specified to be funded with proceeds from the sale of
24 bonds authorized in chapter 47.10 RCW, the legislature declares that
25 any such expenditures made prior to the issue date of the applicable
26 transportation bonds for that state transportation program are intended
27 to be reimbursed from proceeds of those transportation bonds in a
28 maximum amount equal to the amount of such appropriation.

29 NEW SECTION. **Sec. 612. WEB SITE REPORTING REQUIREMENTS FOR THE**
30 **DEPARTMENT OF TRANSPORTATION**

31 (1) The department of transportation shall post on its web site
32 every report that is due from the department to the legislature during
33 the 2013-2015 fiscal biennium on one web page. The department must
34 post both completed reports and planned reports on a single web page.

1 (2) The department shall provide a web link for each change order
2 that is more than five hundred thousand dollars on the affected project
3 web page.

4 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

5 **Sec. 701.** RCW 43.19.642 and 2012 c 86 s 802 are each amended to
6 read as follows:

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

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

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

24 (4) By December 1, 2009, the department of enterprise services
25 shall:

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

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

31 (5) During the 2011-2013 and 2013-2015 fiscal (~~biennium~~) biennia,
32 the Washington state ferries is required to use a minimum of five
33 percent biodiesel as compared to total volume of all diesel
34 (~~purchased~~) purchases made by the Washington state ferries for the

1 operation of the Washington state ferries diesel-powered vessels, as
2 long as the price of a B5 biodiesel blend does not exceed the price of
3 conventional diesel fuel by five percent or more.

4 **Sec. 702.** RCW 46.12.630 and 2012 c 86 s 803 are each amended to
5 read as follows:

6 In addition to any other authority which it may have, the
7 department of licensing may furnish lists of registered and legal
8 owners of motor vehicles only for the purposes specified in this
9 section to:

10 (1)(a) The manufacturers of motor vehicles, or their authorized
11 agents, to be used:

12 ((+a+)) (i) To enable those manufacturers to carry out the
13 provisions of the national traffic and motor vehicle safety act of 1966
14 (15 U.S.C. Sec. 1382-1418), including amendments or additions thereto,
15 respecting safety-related defects in motor vehicles; or

16 ((+b+)) (ii) During the 2011-2013 fiscal biennium, in research
17 activities, and in producing statistical reports, as long as the
18 personal information is not published, redisclosed, or used to contact
19 individuals; or

20 (b) During fiscal year 2014, an entity that is an authorized agent
21 of a motor vehicle manufacturer, for purposes of using lists of
22 registered and legal owner information to conduct research activities
23 and produce statistical reports, as long as the entity does not allow
24 personal information received under this section to be published,
25 redisclosed, or used to contact individuals. The department must
26 charge an amount sufficient to cover the full cost of providing the
27 data requested under this subsection (1)(b). Full cost of providing
28 the data includes the information technology, administrative, and
29 contract oversight costs;

30 (2) Any governmental agency of the United States or Canada, or
31 political subdivisions thereof, to be used by it or by its authorized
32 commercial agents or contractors only in connection with the
33 enforcement of motor vehicle or traffic laws by, or programs related to
34 traffic safety of, that government agency. Only such parts of the list
35 as are required for completion of the work required of the agent or
36 contractor shall be provided to such agent or contractor;

1 (3) A commercial parking company requiring the names and addresses
2 of registered owners to notify them of outstanding parking violations.
3 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
4 requirements of Executive Order 97-01, the department may provide only
5 the parts of the list that are required for completion of the work
6 required of the company;

7 (4) An authorized agent or contractor of the department, to be used
8 only in connection with providing motor vehicle excise tax, licensing,
9 title, and registration information to motor vehicle dealers;

10 (5) Any business regularly making loans to other persons to finance
11 the purchase of motor vehicles, to be used to assist the person
12 requesting the list to determine ownership of specific vehicles for the
13 purpose of determining whether or not to provide such financing; or

14 (6) A company or its agents operating a toll facility under chapter
15 47.46 RCW or other applicable authority requiring the names, addresses,
16 and vehicle information of motor vehicle registered owners to identify
17 toll violators.

18 Where both a mailing address and residence address are recorded on
19 the vehicle record and are different, only the mailing address will be
20 disclosed. Both addresses will be disclosed in response to requests
21 for disclosure from courts, law enforcement agencies, or government
22 entities with enforcement, investigative, or taxing authority and only
23 for use in the normal course of conducting their business.

24 If a list of registered and legal owners of motor vehicles is used
25 for any purpose other than that authorized in this section, the
26 manufacturer, governmental agency, commercial parking company,
27 authorized agent, contractor, financial institution, toll facility
28 operator, or their authorized agents or contractors responsible for the
29 unauthorized disclosure or use will be denied further access to such
30 information by the department of licensing.

31 **Sec. 703.** RCW 46.18.060 and 2012 c 65 s 6 are each amended to read
32 as follows:

33 (1) The department must review and either approve or reject special
34 license plate applications submitted by sponsoring organizations.

35 (2) Duties of the department include, but are not limited to, the
36 following:

1 (a) Review and approve the annual financial reports submitted by
2 sponsoring organizations with active special license plate series and
3 present those annual financial reports to the joint transportation
4 committee;

5 (b) Report annually to the joint transportation committee on the
6 special license plate applications that were considered by the
7 department;

8 (c) Issue approval and rejection notification letters to sponsoring
9 organizations, the executive committee of the joint transportation
10 committee, and the legislative sponsors identified in each application.
11 The letters must be issued within seven days of making a determination
12 on the status of an application; and

13 (d) Review annually the number of plates sold for each special
14 license plate series created after January 1, 2003. The department may
15 submit a recommendation to discontinue a special plate series to the
16 executive committee of the joint transportation committee.

17 (3) Except as provided in RCW 46.18.245, in order to assess the
18 effects and impact of the proliferation of special license plates, the
19 legislature declares a temporary moratorium on the issuance of any
20 additional plates until July 1, (~~2013~~) 2015. During this period of
21 time, the department is prohibited from accepting, reviewing,
22 processing, or approving any applications. Additionally, a special
23 license plate may not be enacted by the legislature during the
24 moratorium, unless the proposed license plate has been approved by the
25 former special license plate review board before February 15, 2005.

26 (4) The limitations under subsection (3) of this section do not
27 apply to the following special license plates:

28 (a) 4-H license plates created under RCW 46.18.200;

29 (b) Music Matters license plates created under RCW 46.18.200;

30 (c) State flower license plates created under RCW 46.18.200;

31 (d) Volunteer firefighter license plates created under RCW
32 46.18.200.

33 **Sec. 704.** RCW 46.68.113 and 2011 c 353 s 7 are each amended to
34 read as follows:

35 (1) During the 2013-2015 fiscal biennium, cities and towns shall
36 provide to the transportation commission, or its successor entity,
37 preservation rating information on at least seventy percent of the

1 total city and town arterial network. Thereafter, the preservation
2 rating information requirement shall increase in five percent
3 increments in subsequent biennia, but in no case shall it exceed eighty
4 percent. The rating system used by cities and towns must be based upon
5 the Washington state pavement rating method or an equivalent standard
6 approved by the department of transportation. Beginning January 1,
7 2007, the preservation rating information shall be submitted to the
8 department.

9 (2) Cities and towns are exempt from the requirement to report
10 preservation rating information to the department or the transportation
11 commission through the 2013-2015 fiscal biennium.

12 **Sec. 705.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
13 read as follows:

14 There is hereby created in the motor vehicle fund the RV account.
15 All moneys hereafter deposited in said account shall be used by the
16 department of transportation for the construction, maintenance, and
17 operation of recreational vehicle sanitary disposal systems at safety
18 rest areas in accordance with the department's highway system plan as
19 prescribed in chapter 47.06 RCW. During the ((2009-2011 and)) 2011-
20 2013 and 2013-2015 fiscal biennia, the legislature may transfer from
21 the RV account to the motor vehicle fund such amounts as reflect the
22 excess fund balance of the RV account to accomplish the purposes
23 identified in this section.

24 **Sec. 706.** RCW 46.68.325 and 2011 c 367 s 721 are each amended to
25 read as follows:

26 (1) The rural mobility grant program account is created in the
27 state treasury. Moneys in the account may be spent only after
28 appropriation. Expenditures from the account may be used only for the
29 grants provided under RCW 47.66.100.

30 (2) Beginning September 2011, by the last day of September,
31 December, March, and June of each year, the state treasurer shall
32 transfer from the multimodal transportation account to the rural
33 mobility grant program account two million five hundred thousand
34 dollars.

35 (3) During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia,
36 the legislature may transfer from the rural mobility grant program

1 account to the multimodal transportation account such amounts as
2 reflect the excess fund balance of the rural mobility grant program
3 account.

4 NEW SECTION. **Sec. 707.** A new section is added to chapter 47.06A
5 RCW to read as follows:

6 During the 2013-2015 fiscal biennium, members of the freight
7 advisory committee group created as a standing committee of the board
8 may be reimbursed for travel expenses as provided in RCW 43.03.050 and
9 43.03.060.

10 **Sec. 708.** RCW 47.29.170 and 2011 c 367 s 701 are each amended to
11 read as follows:

12 Before accepting any unsolicited project proposals, the commission
13 must adopt rules to facilitate the acceptance, review, evaluation, and
14 selection of unsolicited project proposals. These rules must include
15 the following:

16 (1) Provisions that specify unsolicited proposals must meet
17 predetermined criteria;

18 (2) Provisions governing procedures for the cessation of
19 negotiations and consideration;

20 (3) Provisions outlining that unsolicited proposals are subject to
21 a two-step process that begins with concept proposals and would only
22 advance to the second step, which are fully detailed proposals, if the
23 commission so directed;

24 (4) Provisions that require concept proposals to include at least
25 the following information: Proposers' qualifications and experience;
26 description of the proposed project and impact; proposed project
27 financing; and known public benefits and opposition; and

28 (5) Provisions that specify the process to be followed if the
29 commission is interested in the concept proposal, which must include
30 provisions:

31 (a) Requiring that information regarding the potential project
32 would be published for a period of not less than thirty days, during
33 which time entities could express interest in submitting a proposal;

34 (b) Specifying that if letters of interest were received during the
35 thirty days, then an additional sixty days for submission of the fully
36 detailed proposal would be allowed; and

1 (c) Procedures for what will happen if there are insufficient
2 proposals submitted or if there are no letters of interest submitted in
3 the appropriate time frame.

4 The commission may adopt other rules as necessary to avoid
5 conflicts with existing laws, statutes, or contractual obligations of
6 the state.

7 The commission may not accept or consider any unsolicited proposals
8 before July 1, (~~(2013)~~) 2015.

9 **Sec. 709.** RCW 47.56.403 and 2011 c 367 s 709 are each amended to
10 read as follows:

11 (1) The department may provide for the establishment, construction,
12 and operation of a pilot project of high occupancy toll lanes on state
13 route 167 high occupancy vehicle lanes within King county. The
14 department may issue, buy, and redeem bonds, and deposit and expend
15 them; secure and remit financial and other assistance in the
16 construction of high occupancy toll lanes, carry insurance, and handle
17 any other matters pertaining to the high occupancy toll lane pilot
18 project.

19 (2) Tolls for high occupancy toll lanes will be established as
20 follows:

21 (a) The schedule of toll charges for high occupancy toll lanes must
22 be established by the transportation commission and collected in a
23 manner determined by the commission.

24 (b) Toll charges shall not be assessed on transit buses and vanpool
25 vehicles owned or operated by any public agency.

26 (c) The department shall establish performance standards for the
27 state route 167 high occupancy toll lane pilot project. The department
28 must automatically adjust the toll charge, using dynamic tolling, to
29 ensure that toll-paying single-occupant vehicle users are only
30 permitted to enter the lane to the extent that average vehicle speeds
31 in the lane remain above forty-five miles per hour at least ninety
32 percent of the time during peak hours. The toll charge may vary in
33 amount by time of day, level of traffic congestion within the highway
34 facility, vehicle occupancy, or other criteria, as the commission may
35 deem appropriate. The commission may also vary toll charges for
36 single-occupant inherently low-emission vehicles such as those powered

1 by electric batteries, natural gas, propane, or other clean burning
2 fuels.

3 (d) The commission shall periodically review the toll charges to
4 determine if the toll charges are effectively maintaining travel time,
5 speed, and reliability on the highway facilities.

6 (3) The department shall monitor the state route 167 high occupancy
7 toll lane pilot project and shall annually report to the transportation
8 commission and the legislature on operations and findings. At a
9 minimum, the department shall provide facility use data and review the
10 impacts on:

11 (a) Freeway efficiency and safety;

12 (b) Effectiveness for transit;

13 (c) Person and vehicle movements by mode;

14 (d) Ability to finance improvements and transportation services
15 through tolls; and

16 (e) The impacts on all highway users. The department shall analyze
17 aggregate use data and conduct, as needed, separate surveys to assess
18 usage of the facility in relation to geographic, socioeconomic, and
19 demographic information within the corridor in order to ascertain
20 actual and perceived questions of equitable use of the facility.

21 (4) The department shall modify the pilot project to address
22 identified safety issues and mitigate negative impacts to high
23 occupancy vehicle lane users.

24 (5) Authorization to impose high occupancy vehicle tolls for the
25 state route 167 high occupancy toll pilot project expires if either of
26 the following two conditions apply:

27 (a) If no contracts have been let by the department to begin
28 construction of the toll facilities associated with this pilot project
29 within four years of July 24, 2005; or

30 (b) If high occupancy vehicle tolls are being collected on June 30,
31 ((2013)) 2015.

32 (6) The department of transportation shall adopt rules that allow
33 automatic vehicle identification transponders used for electronic toll
34 collection to be compatible with other electronic payment devices or
35 transponders from the Washington state ferry system, other public
36 transportation systems, or other toll collection systems to the extent
37 that technology permits.

1 (7) The conversion of a single existing high occupancy vehicle lane
2 to a high occupancy toll lane as proposed for SR-167 must be taken as
3 the exception for this pilot project.

4 (8) A violation of the lane restrictions applicable to the high
5 occupancy toll lanes established under this section is a traffic
6 infraction.

7 (9) Procurement activity associated with this pilot project shall
8 be open and competitive in accordance with chapter 39.29 RCW.

9 **Sec. 710.** RCW 47.56.876 and 2011 c 367 s 720 are each amended to
10 read as follows:

11 ~~((1))~~ A special account to be known as the state route number 520
12 civil penalties account is created in the state treasury. All state
13 route number 520 bridge replacement and HOV program civil penalties
14 generated from the nonpayment of tolls on the state route number 520
15 corridor must be deposited into the account, as provided under RCW
16 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
17 appropriation. Expenditures from the account may be used to fund any
18 project within the state route number 520 bridge replacement and HOV
19 program, including mitigation. During the 2011-2013 and 2013-2015
20 fiscal ~~((biennium))~~ biennia, the legislature may transfer from the
21 state route number 520 civil penalties account to the state route
22 number 520 corridor account such amounts as reflect the excess fund
23 balance of the state route number 520 civil penalties account. Funds
24 transferred must be used solely for capital expenditures for the state
25 route number 520 bridge replacement and HOV project (8BI1003).

26 ~~((2) This section is contingent on the enactment by June 30, 2010,~~
27 ~~of either chapter 249, Laws of 2010 or chapter . . . (Substitute House~~
28 ~~Bill No. 2897), Laws of 2010, but if the enacted bill does not~~
29 ~~designate the department as the toll penalty adjudicating agency, this~~
30 ~~section is null and void.))~~

31 **Sec. 711.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are
32 each reenacted and amended to read as follows:

33 (1) The use of automated traffic safety cameras for issuance of
34 notices of infraction is subject to the following requirements:

35 (a) The appropriate local legislative authority must prepare an
36 analysis of the locations within the jurisdiction where automated

1 traffic safety cameras are proposed to be located: (i) Before enacting
2 an ordinance allowing for the initial use of automated traffic safety
3 cameras; and (ii) before adding additional cameras or relocating any
4 existing camera to a new location within the jurisdiction. Automated
5 traffic safety cameras may be used to detect one or more of the
6 following: Stoplight, railroad crossing, or school speed zone
7 violations. At a minimum, the local ordinance must contain the
8 restrictions described in this section and provisions for public notice
9 and signage. Cities and counties using automated traffic safety
10 cameras before July 24, 2005, are subject to the restrictions described
11 in this section, but are not required to enact an authorizing
12 ordinance. Beginning one year after June 7, 2012, cities and counties
13 using automated traffic safety cameras must post an annual report of
14 the number of traffic accidents that occurred at each location where an
15 automated traffic safety camera is located as well as the number of
16 notices of infraction issued for each camera and any other relevant
17 information about the automated traffic safety cameras that the city or
18 county deems appropriate on the city's or county's web site.

19 (b) Use of automated traffic safety cameras is restricted to the
20 following locations only: (i) Intersections of two arterials with
21 traffic control signals that have yellow change interval durations in
22 accordance with RCW 47.36.022, which interval durations may not be
23 reduced after placement of the camera; (ii) railroad crossings; and
24 (iii) school speed zones.

25 (c) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
26 automated traffic safety cameras may be used to detect speed violations
27 for the purposes of section 201(2), chapter 367, Laws of 2011 and
28 section 201(4) of this act if the local legislative authority first
29 enacts an ordinance authorizing the use of cameras to detect speed
30 violations.

31 (d) Automated traffic safety cameras may only take pictures of the
32 vehicle and vehicle license plate and only while an infraction is
33 occurring. The picture must not reveal the face of the driver or of
34 passengers in the vehicle. The primary purpose of camera placement is
35 to take pictures of the vehicle and vehicle license plate when an
36 infraction is occurring. Cities and counties shall consider installing
37 cameras in a manner that minimizes the impact of camera flash on
38 drivers.

1 (e) A notice of infraction must be mailed to the registered owner
2 of the vehicle within fourteen days of the violation, or to the renter
3 of a vehicle within fourteen days of establishing the renter's name and
4 address under subsection (3)(a) of this section. The law enforcement
5 officer issuing the notice of infraction shall include with it a
6 certificate or facsimile thereof, based upon inspection of photographs,
7 microphotographs, or electronic images produced by an automated traffic
8 safety camera, stating the facts supporting the notice of infraction.
9 This certificate or facsimile is prima facie evidence of the facts
10 contained in it and is admissible in a proceeding charging a violation
11 under this chapter. The photographs, microphotographs, or electronic
12 images evidencing the violation must be available for inspection and
13 admission into evidence in a proceeding to adjudicate the liability for
14 the infraction. A person receiving a notice of infraction based on
15 evidence detected by an automated traffic safety camera may respond to
16 the notice by mail.

17 (f) The registered owner of a vehicle is responsible for an
18 infraction under RCW 46.63.030(1)(d) unless the registered owner
19 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
20 car business, satisfies the conditions under subsection (3) of this
21 section. If appropriate under the circumstances, a renter identified
22 under subsection (3)(a) of this section is responsible for an
23 infraction.

24 (g) Notwithstanding any other provision of law, all photographs,
25 microphotographs, or electronic images prepared under this section are
26 for the exclusive use of law enforcement in the discharge of duties
27 under this section and are not open to the public and may not be used
28 in a court in a pending action or proceeding unless the action or
29 proceeding relates to a violation under this section. No photograph,
30 microphotograph, or electronic image may be used for any purpose other
31 than enforcement of violations under this section nor retained longer
32 than necessary to enforce this section.

33 (h) All locations where an automated traffic safety camera is used
34 must be clearly marked at least thirty days prior to activation of the
35 camera by placing signs in locations that clearly indicate to a driver
36 that he or she is entering a zone where traffic laws are enforced by an
37 automated traffic safety camera. Signs placed in automated traffic
38 safety camera locations after June 7, 2012, must follow the

1 specifications and guidelines under the manual of uniform traffic
2 control devices for streets and highways as adopted by the department
3 of transportation under chapter 47.36 RCW.

4 (i) If a county or city has established an authorized automated
5 traffic safety camera program under this section, the compensation paid
6 to the manufacturer or vendor of the equipment used must be based only
7 upon the value of the equipment and services provided or rendered in
8 support of the system, and may not be based upon a portion of the fine
9 or civil penalty imposed or the revenue generated by the equipment.

10 (2) Infractions detected through the use of automated traffic
11 safety cameras are not part of the registered owner's driving record
12 under RCW 46.52.101 and 46.52.120. Additionally, infractions generated
13 by the use of automated traffic safety cameras under this section shall
14 be processed in the same manner as parking infractions, including for
15 the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).
16 The amount of the fine issued for an infraction generated through the
17 use of an automated traffic safety camera shall not exceed the amount
18 of a fine issued for other parking infractions within the jurisdiction.
19 However, the amount of the fine issued for a traffic control signal
20 violation detected through the use of an automated traffic safety
21 camera shall not exceed the monetary penalty for a violation of RCW
22 46.61.050 as provided under RCW 46.63.110, including all applicable
23 statutory assessments.

24 (3) If the registered owner of the vehicle is a rental car
25 business, the law enforcement agency shall, before a notice of
26 infraction being issued under this section, provide a written notice to
27 the rental car business that a notice of infraction may be issued to
28 the rental car business if the rental car business does not, within
29 eighteen days of receiving the written notice, provide to the issuing
30 agency by return mail:

31 (a) A statement under oath stating the name and known mailing
32 address of the individual driving or renting the vehicle when the
33 infraction occurred; or

34 (b) A statement under oath that the business is unable to determine
35 who was driving or renting the vehicle at the time the infraction
36 occurred because the vehicle was stolen at the time of the infraction.
37 A statement provided under this subsection must be accompanied by a
38 copy of a filed police report regarding the vehicle theft; or

1 (c) In lieu of identifying the vehicle operator, the rental car
2 business may pay the applicable penalty.

3 Timely mailing of this statement to the issuing law enforcement
4 agency relieves a rental car business of any liability under this
5 chapter for the notice of infraction.

6 (4) Nothing in this section prohibits a law enforcement officer
7 from issuing a notice of traffic infraction to a person in control of
8 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
9 (b), or (c).

10 (5) For the purposes of this section, "automated traffic safety
11 camera" means a device that uses a vehicle sensor installed to work in
12 conjunction with an intersection traffic control system, a railroad
13 grade crossing control system, or a speed measuring device, and a
14 camera synchronized to automatically record one or more sequenced
15 photographs, microphotographs, or electronic images of the rear of a
16 motor vehicle at the time the vehicle fails to stop when facing a
17 steady red traffic control signal or an activated railroad grade
18 crossing control signal, or exceeds a speed limit in a school speed
19 zone as detected by a speed measuring device. During the 2011-2013 and
20 2013-2015 fiscal (~~(biennium)~~) biennia, an automated traffic safety
21 camera includes a camera used to detect speed violations for the
22 purposes of section 201(2), chapter 367, Laws of 2011 and section
23 201(4) of this act.

24 (6) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
25 this section does not apply to automated traffic safety cameras for the
26 purposes of section 216(5), chapter 367, Laws of 2011 and section
27 216(6) of this act.

28 **Sec. 712.** RCW 46.20.745 and 2012 c 183 s 10 are each amended to
29 read as follows:

30 (1) The ignition interlock device revolving account program is
31 created within the department to assist in covering the monetary costs
32 of installing, removing, and leasing an ignition interlock device, and
33 applicable licensing, for indigent persons who are required under RCW
34 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock
35 device in all vehicles owned or operated by the person. For purposes
36 of this subsection, "indigent" has the same meaning as in RCW
37 10.101.010, as determined by the department. During the 2013-2015

1 fiscal biennium, the ignition interlock device revolving account
2 program also includes ignition interlock enforcement work conducted by
3 the Washington state patrol.

4 (2) A pilot program is created within the ignition interlock device
5 revolving account program for the purpose of monitoring compliance by
6 persons required to use ignition interlock devices and by ignition
7 interlock companies and vendors.

8 (3) The department, the state patrol, and the Washington traffic
9 safety commission shall coordinate to establish a compliance pilot
10 program that will target at least one county from eastern Washington
11 and one county from western Washington, as determined by the
12 department, state patrol, and Washington traffic safety commission.

13 (4) At a minimum, the compliance pilot program shall:

14 (a) Review the number of ignition interlock devices that are
15 required to be installed in the targeted county and the number of
16 ignition interlock devices actually installed;

17 (b) Work to identify those persons who are not complying with
18 ignition interlock requirements or are repeatedly violating ignition
19 interlock requirements; and

20 (c) Identify ways to track compliance and reduce noncompliance.

21 (5) As part of monitoring compliance, the Washington traffic safety
22 commission shall also track recidivism for violations of RCW 46.61.502
23 and 46.61.504 by persons required to have an ignition interlock
24 driver's license under RCW 46.20.385 and 46.20.720.

25 **Sec. 713.** RCW 46.68.370 and 2011 c 367 s 716 are each amended to
26 read as follows:

27 The license plate technology account is created in the state
28 treasury. All receipts collected under RCW 46.17.015 must be deposited
29 into this account. Expenditures from this account must support current
30 and future license plate technology and systems integration upgrades
31 for both the department and correctional industries. Moneys in the
32 account may be spent only after appropriation. Additionally, the
33 moneys in this account may be used to reimburse the motor vehicle
34 account for any appropriation made to implement the digital license
35 plate system. During the 2011-2013 and 2013-2015 fiscal (~~biennium~~)
36 biennia, the legislature may transfer from the license plate technology

1 account to the highway safety account [fund] such amounts as reflect
2 the excess fund balance of the license plate technology account.

3 **Sec. 714.** RCW 47.12.244 and 2011 c 367 s 717 are each amended to
4 read as follows:

5 There is created the "advance right-of-way revolving fund" in the
6 custody of the treasurer, into which the department is authorized to
7 deposit directly and expend without appropriation:

8 (1) An initial deposit of ten million dollars from the motor
9 vehicle fund included in the department of transportation's 1991-93
10 budget;

11 (2) All moneys received by the department as rental income from
12 real properties that are not subject to federal aid reimbursement,
13 except moneys received from rental of capital facilities properties as
14 defined in chapter 47.13 RCW; and

15 (3) Any federal moneys available for acquisition of right-of-way
16 for future construction under the provisions of section 108 of Title
17 23, United States Code.

18 During the ((~~2009-2011~~ and)) 2011-2013 and 2013-2015 fiscal
19 biennia, the legislature may transfer from the advance right-of-way
20 revolving fund to the motor vehicle account amounts as reflect the
21 excess fund balance of the advance right-of-way revolving fund.

22 **Sec. 715.** RCW 47.12.340 and 2010 c 247 s 703 are each amended to
23 read as follows:

24 The advanced environmental mitigation revolving account is created
25 in the custody of the treasurer, into which the department shall
26 deposit directly and may expend without appropriation:

27 (1) An initial appropriation included in the department of
28 transportation's 1997-99 budget, and deposits from other identified
29 sources;

30 (2) All moneys received by the department from internal and
31 external sources for the purposes of conducting advanced environmental
32 mitigation; and

33 (3) Interest gained from the management of the advanced
34 environmental mitigation revolving account.

35 (4) During the ((~~2009-2011 fiscal biennium~~)) 2011-2013 and 2013-
36 2015 fiscal biennia, the legislature may transfer from the advanced

1 environmental mitigation revolving account to the motor vehicle account
2 such amounts as reflect the excess fund balance of the advanced
3 environmental mitigation revolving account.

4 **Sec. 716.** RCW 46.63.180 and 2011 c 375 s 2 are each amended to
5 read as follows:

6 (1) School districts may install and operate automated school bus
7 safety cameras on school buses to be used for the detection of
8 violations of RCW 46.61.370(1) if the use of the cameras is approved by
9 a vote of the school district board of directors. School districts are
10 not required to take school buses out of service if the buses are not
11 equipped with automated school bus safety cameras or functional
12 automated safety cameras. Further, school districts shall be held
13 harmless from and not liable for any criminal or civil liability
14 arising under the provisions of this section.

15 (a) Automated school bus safety cameras may only take pictures of
16 the vehicle and vehicle license plate and only while an infraction is
17 occurring. The picture must not reveal the face of the driver or of
18 passengers in the vehicle.

19 (b) A notice of infraction must be mailed to the registered owner
20 of the vehicle within fourteen days of the violation, or to the renter
21 of a vehicle within fourteen days of establishing the renter's name and
22 address under subsection (2)(a)(i) of this section. The law
23 enforcement officer issuing the notice of infraction shall include a
24 certificate or facsimile of the notice, based upon inspection of
25 photographs, microphotographs, or electronic images produced by an
26 automated school bus safety camera, stating the facts supporting the
27 notice of infraction. This certificate or facsimile is prima facie
28 evidence of the facts contained in it and is admissible in a proceeding
29 charging a violation under this chapter. The photographs,
30 microphotographs, or electronic images evidencing the violation must be
31 available for inspection and admission into evidence in a proceeding to
32 adjudicate the liability for the infraction. A person receiving a
33 notice of infraction based on evidence detected by an automated school
34 bus safety camera may respond to the notice by mail.

35 (c) The registered owner of a vehicle is responsible for an
36 infraction under RCW 46.63.030(1)(e) unless the registered owner
37 overcomes the presumption in RCW 46.63.075, or, in the case of a rental

1 car business, satisfies the conditions under subsection (2) of this
2 section. If appropriate under the circumstances, a renter identified
3 under subsection (2)(a)(i) of this section is responsible for an
4 infraction.

5 (d) Notwithstanding any other provision of law, all photographs,
6 microphotographs, or electronic images prepared under this section are
7 for the exclusive use of law enforcement in the discharge of duties
8 under this section and are not open to the public and may not be used
9 in a court in a pending action or proceeding unless the action or
10 proceeding relates to a violation under this section. No photograph,
11 microphotograph, or electronic image may be used for any purpose other
12 than enforcement of violations under this section nor retained longer
13 than necessary to enforce this section.

14 (e) If a school district installs and operates an automated school
15 bus safety camera under this section, the compensation paid to the
16 manufacturer or vendor of the equipment used must be based only upon
17 the value of the equipment and services provided or rendered in support
18 of the system, and may not be based upon a portion of the fine or civil
19 penalty imposed or the revenue generated by the equipment. Further,
20 any repair, replacement, or administrative work costs related to
21 installing or repairing automated school bus safety cameras must be
22 solely paid for by the manufacturer or vendor of the cameras. Before
23 entering into a contract with the manufacturer or vendor of the
24 equipment used under this subsection (1)(e), the school district must
25 follow the competitive bid process as outlined in RCW 28A.335.190(1).

26 (f) Any revenue collected from infractions detected through the use
27 of automated school bus safety cameras, less the administration and
28 operating costs of the cameras, must be remitted to school districts
29 for school zone safety projects as determined by the school district
30 using the automated school bus safety cameras. The administration and
31 operating costs of the cameras includes infraction enforcement and
32 processing costs that are incurred by local law enforcement or local
33 courts. During the 2013-2015 fiscal biennium, the infraction revenue
34 may also be used for school bus safety projects by those school
35 districts eligible to apply for funding from the school zone safety
36 account appropriation in section 201 of this act.

37 (2)(a) If the registered owner of the vehicle is a rental car
38 business, the law enforcement agency shall, before a notice of

1 infraction is issued under this section, provide a written notice to
2 the rental car business that a notice of infraction may be issued to
3 the rental car business if the rental car business does not, within
4 eighteen days of receiving the written notice, provide to the issuing
5 agency by return mail:

6 (i) A statement under oath stating the name and known mailing
7 address of the individual driving or renting the vehicle when the
8 infraction occurred;

9 (ii) A statement under oath that the business is unable to
10 determine who was driving or renting the vehicle at the time the
11 infraction occurred because the vehicle was stolen at the time of the
12 infraction. A statement provided under this subsection (2)(a)(ii) must
13 be accompanied by a copy of a filed police report regarding the vehicle
14 theft; or

15 (iii) In lieu of identifying the vehicle operator, the rental car
16 business may pay the applicable penalty.

17 (b) Timely mailing of a statement under this subsection to the
18 issuing law enforcement agency relieves a rental car business of any
19 liability under this chapter for the notice of infraction.

20 (3) For purposes of this section, "automated school bus safety
21 camera" means a device that is affixed to a school bus that is
22 synchronized to automatically record one or more sequenced photographs,
23 microphotographs, or electronic images of the rear of a vehicle at the
24 time the vehicle is detected for an infraction identified in RCW
25 46.61.370(1).

26 **Sec. 717.** RCW 46.68.060 and 2011 c 367 s 718 and 2011 c 298 s 26
27 are each reenacted and amended to read as follows:

28 There is hereby created in the state treasury a fund to be known as
29 the highway safety fund to the credit of which must be deposited all
30 moneys directed by law to be deposited therein. This fund must be used
31 for carrying out the provisions of law relating to driver licensing,
32 driver improvement, financial responsibility, cost of furnishing
33 abstracts of driving records and maintaining such case records, and to
34 carry out the purposes set forth in RCW 43.59.010, and chapters 46.72
35 and 46.72A RCW. During the ((2009-2011 and)) 2011-2013 and 2013-2015
36 fiscal biennia, the legislature may transfer from the highway safety

1 fund to the Puget Sound ferry operations account, the motor vehicle
2 fund, and the multimodal transportation account such amounts as reflect
3 the excess fund balance of the highway safety fund.

4 **Sec. 718.** RCW 82.70.020 and 2005 c 297 s 3 are each amended to
5 read as follows:

6 (1) Employers in this state who are taxable under chapter 82.04 or
7 82.16 RCW and provide financial incentives to their own or other
8 employees for ride sharing, for using public transportation, for using
9 car sharing, or for using nonmotorized commuting before July 1,
10 ((2013)) 2014, are allowed a credit against taxes payable under
11 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
12 employees for ride sharing in vehicles carrying two or more persons,
13 for using public transportation, for using car sharing, or for using
14 nonmotorized commuting, not to exceed sixty dollars per employee per
15 fiscal year.

16 (2) Property managers who are taxable under chapter 82.04 or 82.16
17 RCW and provide financial incentives to persons employed at a worksite
18 in this state managed by the property manager for ride sharing, for
19 using public transportation, for using car sharing, or for using
20 nonmotorized commuting before July 1, ((2013)) 2014, are allowed a
21 credit against taxes payable under chapters 82.04 and 82.16 RCW for
22 amounts paid to or on behalf of these persons for ride sharing in
23 vehicles carrying two or more persons, for using public transportation,
24 for using car sharing, or for using nonmotorized commuting, not to
25 exceed sixty dollars per person per fiscal year.

26 (3) The credit under this section is equal to the amount paid to or
27 on behalf of each employee multiplied by fifty percent, but may not
28 exceed sixty dollars per employee per fiscal year. No refunds may be
29 granted for credits under this section.

30 (4) A person may not receive credit under this section for amounts
31 paid to or on behalf of the same employee under both chapters 82.04 and
32 82.16 RCW.

33 (5) A person may not take a credit under this section for amounts
34 claimed for credit by other persons.

35 **Sec. 719.** RCW 82.70.040 and 2005 c 297 s 5 are each amended to
36 read as follows:

1 (1)(a)(i) The department shall keep a running total of all credits
2 allowed under RCW 82.70.020 during each fiscal year. The department
3 shall not allow any credits that would cause the total amount allowed
4 to exceed two million seven hundred fifty thousand dollars in any
5 fiscal year. This limitation includes any deferred credits carried
6 forward under subsection (2)(b)(i) of this section from prior years.

7 (ii) During the 2013-2015 fiscal biennium, the department shall not
8 allow any credits that would cause the total amount allowed to exceed
9 one million five hundred thousand dollars in any fiscal year. This
10 limitation includes any deferred credits carried forward under
11 subsection (2)(b)(i) of this section from prior years.

12 (b) If the total amount of credit applied for by all applicants in
13 any year exceeds the limit in this subsection, the department shall
14 ratably reduce the amount of credit allowed for all applicants so that
15 the limit in this subsection is not exceeded. If a credit is reduced
16 under this subsection, the amount of the reduction may not be carried
17 forward and claimed in subsequent fiscal years.

18 (2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess
19 of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

20 (b)(i) Through June 30, 2005, a person with taxes equal to or in
21 excess of the credit under RCW 82.70.020, and therefore not subject to
22 the limitation in (a) of this subsection, may elect to defer tax
23 credits for a period of not more than three years after the year in
24 which the credits accrue. No credits deferred under this subsection
25 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
26 credits under this subsection (2)(b)(i) must submit an application as
27 provided in RCW 82.70.025 in the year in which the deferred tax credits
28 will be used. This application is subject to the provisions of
29 subsection (1) of this section for the year in which the tax credits
30 will be applied. If a deferred credit is reduced under subsection
31 (1)(b) of this section, the amount of deferred credit disallowed
32 because of the reduction may be carried forward as long as the period
33 of deferral does not exceed three years after the year in which the
34 credit was earned.

35 (ii) For credits approved by the department after June 30, 2005,
36 the approved credit may be carried forward to subsequent years until
37 used. Credits carried forward as authorized by this subsection are

1 subject to the limitation in subsection (1)(a) of this section for the
2 fiscal year for which the credits were originally approved.

3 (3) No person shall be approved for tax credits under RCW 82.70.020
4 in excess of two hundred thousand dollars in any fiscal year. This
5 limitation does not apply to credits carried forward from prior years
6 under subsection (2)(b) of this section.

7 (4) No person may claim tax credits after June 30, (~~2013~~) 2014.

8 (5) Credits may not be carried forward other than as authorized in
9 subsection (2)(b) of this section.

10 (6) No person is eligible for tax credits under RCW 82.70.020 if
11 the additional revenues for the multimodal transportation account
12 created by Engrossed Substitute House Bill No. 2231 are terminated.

13 **Sec. 720.** RCW 82.70.900 and 2003 c 364 s 8 are each amended to
14 read as follows:

15 This chapter expires July 1, (~~2013~~) 2014, except for RCW
16 82.70.050, which expires January 1, (~~2014~~) 2015.

17 **2011-2013 FISCAL BIENNIUM**
18 **TRANSPORTATION AGENCIES--OPERATING**

19 **Sec. 801.** 2012 c 86 s 201 (uncodified) is amended to read as
20 follows:

21 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

22 Highway Safety Account--State Appropriation	((\$2,983,000))
	<u>\$2,982,000</u>
24 Highway Safety Account--Federal Appropriation	((\$42,507,000))
	<u>\$35,497,000</u>
26 Highway Safety Account--Private/Local Appropriation	\$50,000
27 School Zone Safety Account--State Appropriation	((\$3,340,000))
	<u>\$2,340,000</u>
29 TOTAL APPROPRIATION	((\$48,880,000))
	<u>\$40,869,000</u>

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

33 (1) \$1,673,900 of the highway safety account--federal appropriation
34 is provided solely for the conclusion of the target zero trooper pilot

1 program, which the commission has developed and implemented in
2 collaboration with the Washington state patrol. The pilot program must
3 continue to demonstrate the effectiveness of intense, high visibility,
4 driving under the influence enforcement in Washington. The commission
5 shall continue to apply to the national highway traffic safety
6 administration for federal highway safety grants to cover the cost of
7 the pilot program. State funding is provided in section ((207)) 807 of
8 this act for the state patrol to continue the target zero trooper
9 program in fiscal year 2013.

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

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

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

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

26 (3) \$460,000 of the highway safety account--state appropriation is
27 provided solely for the implementation of chapter ... (Engrossed Second
28 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
29 accountability). If chapter ... (Engrossed Second Substitute House
30 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
31 amount provided in this subsection lapses.

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

36 (5) ((~~\$22,000,000~~)) \$15,000,000 of the highway safety account--
37 federal appropriation is provided solely for federal funds that may be

1 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
2 2011-2013 fiscal biennium.

3 **Sec. 802.** 2012 c 86 s 202 (uncodified) is amended to read as
4 follows:

5 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

6 Rural Arterial Trust Account--State Appropriation	((\$915,000))
	<u>\$907,000</u>
7 Motor Vehicle Account--State Appropriation	((\$2,088,000))
	<u>\$2,086,000</u>
8 County Arterial Preservation Account--State	
9 Appropriation	((\$1,428,000))
	<u>\$1,413,000</u>
10 TOTAL APPROPRIATION	((\$4,431,000))
	<u>\$4,406,000</u>

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

25 **Sec. 803.** 2012 c 86 s 203 (uncodified) is amended to read as
26 follows:

27 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

28 Transportation Improvement Account--State	
29 Appropriation	((\$3,625,000))
	<u>\$3,611,000</u>

31 The appropriation in this section is subject to the following
32 conditions and limitations: The transportation improvement 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

1 required under section 204(8), chapter 247, Laws of 2010. The report
2 must include a description of how recommendations were implemented,
3 what efficiencies were achieved, and an explanation of any
4 recommendations that were not implemented.

5 **Sec. 804.** 2012 c 86 s 205 (uncodified) is amended to read as
6 follows:

7 **FOR THE TRANSPORTATION COMMISSION**

8	Motor Vehicle Account--State Appropriation	((\$3,028,000))
9		<u>\$2,930,000</u>
10	Multimodal Transportation Account--State Appropriation	\$112,000
11	TOTAL APPROPRIATION	((\$3,140,000))
12		<u>\$3,042,000</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 (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 (4) \$775,000 of the motor vehicle account--state appropriation is
2 provided solely to determine the feasibility of transitioning from the
3 gas tax to a road user assessment system of paying for transportation.

4 (a) The transportation commission, with direction from the steering
5 committee created in (b) of this subsection, must: Review relevant
6 reports and data related to models of road user assessments and methods
7 of transitioning to a road user assessment system; analyze the research
8 to identify issues for policy decisions in Washington; make
9 recommendations for the design of systemwide trials; develop a plan to
10 assess public perspectives and educate the public on the current
11 transportation funding system and options for a new system; and perform
12 other tasks as deemed necessary by the steering committee.

13 (b) The transportation commission must convene a steering committee
14 to provide direction to and guide the transportation commission's work.
15 Membership of the steering committee must include, but is not limited
16 to, members representing the following interests: The trucking
17 industry; business; cities and counties; public transportation;
18 environmental; user fee technology; auto and light truck manufacturers;
19 and the motoring public. In addition, a member from each of the two
20 largest caucuses of the senate, appointed by the president of the
21 senate, and a member from each of the two largest caucuses of the house
22 of representatives, appointed by the speaker of the house of
23 representatives, must serve on the steering committee.

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

28 (5) \$160,000 of the motor vehicle account--state appropriation is
29 provided solely for the transportation commission to establish a
30 statewide transportation survey panel and conduct two surveys on
31 transportation funding and policy issues during the 2011-2013 fiscal
32 biennium. At a minimum, the results of the first survey must be
33 submitted to the legislature by January 2013.

34 **Sec. 805.** 2012 c 86 s 206 (uncodified) is amended to read as
35 follows:

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

37 Motor Vehicle Account--State Appropriation ((\$781,000))

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

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

(2) The freight mobility strategic investment board shall submit a report to the transportation committees of the legislature by December 1, 2011, on the implementation of the recommendations that resulted from the evaluation of efficiencies in the delivery of transportation funding and services to local governments that was required under section 204(8), chapter 247, Laws of 2010. The report must include a description of how recommendations were implemented, what efficiencies were achieved, and an explanation of any recommendations that were not implemented.

(3) \$25,000 of the motor vehicle account--state appropriation is provided solely to supplement existing staff and resources for activities related to the development of a freight plan identified under the federal moving forward for progress in the 21st century (MAP-21) act of 2012.

Sec. 806. 2012 c 86 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Multimodal Transportation Account--State Appropriation	\$132,000
((Ignition Interlock Device Revolving Account--	
State Appropriation	\$212,000))
State Patrol Highway Account--State	
Appropriation	((\$350,605,000))
	<u>\$348,619,000</u>
State Patrol Highway Account--Federal	
Appropriation	\$10,903,000
State Patrol Highway Account--Private/Local	
Appropriation	((\$3,494,000))
	<u>\$3,674,000</u>
Highway Safety Account--State Appropriation	((\$432,000))
	<u>\$5,984,000</u>
TOTAL APPROPRIATION	((\$365,778,000))

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

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

(2) The Washington state patrol shall continue to collaborate with the Washington traffic safety commission on the target zero trooper pilot program referenced in section ((201)) 801(1) of this act.

(3) \$370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(5) ((of this act)), chapter 86, Laws of 2012. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the Washington state department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in the roadway construction zones.

1 (4) (~~(\$12,160,000)~~) \$12,244,000 of the total appropriation is
2 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
3 The Washington state patrol shall analyze their fuel consumption and
4 submit a report to the legislative transportation committees by
5 December 31, 2011, on fuel conservation methods that could be used to
6 minimize costs and ensure that the Washington state patrol is managing
7 fuel consumption effectively.

8 (5) (~~(\$7,672,000)~~) \$8,312,000 of the total appropriation is
9 provided solely for the purchase of pursuit vehicles.

10 (6) (~~(\$6,686,000)~~) \$6,806,000 of the total appropriation is
11 provided solely for vehicle repair and maintenance costs of vehicles
12 used for highway purposes.

13 (7) (~~(\$1,724,000)~~) \$1,856,000 of the total appropriation is
14 provided solely for the purchase of mission vehicles used for highway
15 purposes in the commercial vehicle and traffic investigation sections
16 of the Washington state patrol.

17 (8) \$1,200,000 of the total appropriation is provided solely for
18 outfitting officers. The Washington state patrol shall prepare a cost-
19 benefit analysis of the standard trooper uniform as compared to a
20 battle dress uniform and uniforms used by other states and
21 jurisdictions. The Washington state patrol shall report the results of
22 the analysis to the transportation committees of the legislature by
23 December 1, 2011.

24 (9) The Washington state patrol shall not account for or record
25 locally provided DUI cost reimbursement payments as expenditure credits
26 to the state patrol highway account. The patrol shall report the
27 amount of expected locally provided DUI cost reimbursements to the
28 office of financial management and transportation committees of the
29 legislature by September 30th of each year.

30 (10) During the 2011-2013 fiscal biennium, the Washington state
31 patrol shall continue to perform traffic accident investigations on
32 Thurston county roads, and shall work with Thurston county to
33 transition the traffic accident investigations on Thurston county roads
34 to Thurston county by July 1, 2013.

35 (11) \$2,187,000 of the state patrol highway account--state
36 appropriation is provided solely for mobile office platforms.

37 (12) \$2,731,000 of the state patrol highway account--state

1 appropriation is provided solely for the continuation of the target
2 zero trooper program.

3 (13) \$432,000 of the highway safety account--state appropriation is
4 provided solely for the implementation of chapter . . . (Second
5 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
6 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
7 not enacted by June 30, 2012, the amount provided in this subsection
8 lapses. Additionally, the total highway safety account--state
9 appropriation in this section assumes the revenue generated by the fees
10 that the Washington state patrol is authorized to charge manufacturers,
11 technicians, and other providers under Second Substitute House Bill No.
12 2443. Within the amounts provided in this subsection is funding for
13 three additional troopers to provide oversight of the ignition
14 interlock industry.

15 (14) \$212,000 of the (~~ignition interlock device revolving~~)
16 highway safety account--state appropriation is provided solely for two
17 additional troopers to provide oversight of the ignition interlock
18 industry. If chapter . . . (Second Substitute House Bill No. 2443),
19 Laws of 2012 is enacted by June 30, 2012, the amount provided in this
20 subsection lapses.

21 (15) \$132,000 of the multimodal transportation account--state
22 appropriation is provided solely for the implementation of chapter
23 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
24 alert system). If chapter . . . (Engrossed Substitute House Bill No.
25 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
26 provided in this subsection lapses.

27 **Sec. 807.** 2012 c 86 s 208 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF LICENSING**

30 Marine Fuel Tax Refund Account--State Appropriation	\$32,000
31 Motorcycle Safety Education Account--State	
32 Appropriation	(\$4,367,000)
33	<u>\$4,364,000</u>
34 Wildlife Account--State Appropriation	(\$826,000)
35	<u>\$824,000</u>
36 Highway Safety Account--State Appropriation	(\$148,666,000)
37	<u>\$146,578,000</u>

1 (5) \$128,000 of the highway safety account--state appropriation is
2 provided solely for the implementation of chapter ... (Engrossed
3 Substitute House Bill No. 1635), Laws of 2011 (driver's license exams).
4 If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011
5 is not enacted by June 30, 2011, the amount provided in this subsection
6 lapses.

7 (6) \$68,000 of the highway safety account--state appropriation is
8 provided solely for the implementation of chapter ... (Engrossed Second
9 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
10 accountability). If chapter ... (Engrossed Second Substitute House
11 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
12 amount provided in this subsection lapses.

13 (7) \$63,000 of the highway safety account--state appropriation is
14 provided solely for the implementation of chapter ... (Substitute House
15 Bill No. 1237), Laws of 2011 (selective service system). If chapter
16 ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by
17 June 30, 2011, the amount provided in this subsection lapses.

18 (8) \$340,000 of the motor vehicle account--private/local
19 appropriation is provided solely for the implementation of chapter ...
20 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
21 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
22 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
23 provided in this subsection lapses.

24 (9) \$1,738,000 of the department of licensing services account--
25 state appropriation is provided solely for purchasing equipment for
26 field licensing service offices and subagent offices.

27 (10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state
28 appropriation is provided solely for information technology field
29 system modernization.

30 (11) \$963,000 of the highway safety account--state appropriation is
31 provided solely for implementation of chapter 374, Laws of 2011
32 (limousine carriers) and chapter 298, Laws of 2011 (master license
33 service program).

34 (12) \$99,000 of the motor vehicle account--state appropriation is
35 provided solely for the implementation of chapter . . . (Substitute
36 House Bill No. 2299), Laws of 2012 (special license plates). If
37 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not

1 enacted by June 30, 2012, the amount provided in this subsection
2 lapses.

3 (13) \$174,000 of the highway safety account--state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
6 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
7 enacted by June 30, 2012, the amount provided in this subsection
8 lapses. Additionally, the total appropriation in this section assumes
9 the revenue generated by the fee established in Substitute Senate Bill
10 No. 6075. Within the amounts provided in this subsection, the
11 department must improve on the information that the department makes
12 publicly available to victims of domestic violence and sexual assault
13 on how to better protect their personal information, especially their
14 residential addresses. Specifically, the department must provide a
15 link to the secretary of state's address confidentiality program web
16 site. The department also must provide information regarding a
17 person's ability to provide a mailing address in addition to the
18 person's residential address when registering a vehicle with the
19 department.

20 (14) \$289,000 of the highway safety account--state appropriation is
21 provided solely for the implementation of chapter . . . (Engrossed
22 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
23 matching system). If chapter . . . (Engrossed Substitute Senate Bill
24 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
25 provided in this subsection lapses.

26 (15) \$397,000 of the highway safety account--state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
29 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
30 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
31 provided in this subsection lapses. Additionally, the total highway
32 safety account--state appropriation in this section assumes the revenue
33 generated by the policy changes in chapter . . . (Engrossed Substitute
34 Senate Bill No. 6284), Laws of 2012.

35 (16) \$222,000 of the motor vehicle account--state appropriation and
36 \$36,000 of the highway safety account--state appropriation are provided
37 solely for the implementation of chapter . . . (Engrossed Substitute
38 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If

1 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
2 is not enacted by June 30, 2012, the amount provided in this subsection
3 lapses.

4 (17) \$274,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of chapter . . . (Engrossed
6 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
7 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
8 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
9 provided in this subsection lapses.

10 (18) Within the amounts provided in this section, the department
11 must develop a transition plan for moving to a paperless renewal notice
12 for drivers' licenses and vehicle registrations. The plan must
13 consider people that do not have access to the internet and must
14 include an opportunity for people to opt-in to a paper renewal notice.
15 Prior to the implementation of a paperless renewal system, the
16 department must consult with the joint transportation committee.

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

31 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
32 2011-2013 fiscal biennium, the legislature authorizes the department to
33 adjust the business and vehicle fees for the for hire licensing program
34 in amounts sufficient to recover the costs of administering the for
35 hire licensing program.

36 (21) The legislature intends to establish a veteran designation for
37 drivers' licenses and identicards issued under chapter 46.20 RCW, as
38 proposed under House Bill No. 2378, during the 2013 legislative

1 session. The designation would serve to establish a person's service
2 in the armed forces and be granted to a person who provides a United
3 States department of defense discharge document, DD Form 214, that
4 shows a discharge status of "honorable" or "general under honorable
5 conditions." The department shall report to the transportation
6 committees of the legislature by December 1, 2012, with a plan to
7 implement the designation. The plan must include the most cost-
8 effective options for implementation, a proposed fee amount to cover
9 the costs of the designation, and any other recommendations on the
10 implementation of the designation.

11 (22) \$59,000 of the motor vehicle account--state appropriation is
12 provided solely for the implementation of chapter . . . (Substitute
13 House Bill No. 2312), Laws of 2012 (military service award emblems).
14 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
15 enacted by June 30, 2012, the amount provided in this subsection
16 lapses.

17 (23) \$656,000 of the ignition interlock device revolving account--
18 state appropriation is provided solely for the implementation of
19 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
20 (DUI accountability). If chapter . . . (Second Substitute House Bill
21 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
22 provided in this subsection lapses.

23 (24) \$134,000 of the highway safety account--state appropriation
24 and \$134,000 of the motor vehicle account--state appropriation are
25 provided solely for the implementation of chapter . . . (Engrossed
26 Second Substitute House Bill No. 2373), Laws of 2012 (state
27 recreational resources). If chapter . . . (Engrossed Second Substitute
28 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
29 amount provided in this subsection lapses.

30 (25) \$3,082,000 of the highway safety account--state appropriation
31 is provided solely for exam and licensing activities, including the
32 workload associated with providing driver record abstracts, and is
33 subject to the following additional conditions and limitations:

34 (a) The department may furnish driving record abstracts only to
35 those persons or entities expressly authorized to receive the abstracts
36 under Title 46 RCW;

37 (b) The department may furnish driving record abstracts only for an

1 amount that does not exceed the specified fee amounts in RCW 46.52.130
2 (2)(e)(v) and (4); and

3 (c) The department may not enter into a contract, or otherwise
4 participate in any arrangement, with a third party or other state
5 agency for any service that results in an additional cost, in excess of
6 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
7 statutorily authorized persons or entities purchasing a driving record
8 abstract.

9 **Sec. 808.** 2012 c 86 s 209 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
12 **MAINTENANCE--PROGRAM B**

13	High Occupancy Toll Lanes Operations Account--State	
14	Appropriation	((\$1,276,000))
15		<u>\$1,569,000</u>
16	Motor Vehicle Account--State Appropriation	((\$538,000))
17		<u>\$537,000</u>
18	Tacoma Narrows Toll Bridge Account--State	
19	Appropriation	((\$23,365,000))
20		<u>\$23,361,000</u>
21	State Route Number 520 Corridor Account--State	
22	Appropriation	((\$27,295,000))
23		<u>\$27,120,000</u>
24	State Route Number 520 Civil Penalties	
25	Account--State Appropriation	((\$3,622,000))
26		<u>\$2,564,000</u>
27	TOTAL APPROPRIATION	((\$56,096,000))
28		<u>\$55,151,000</u>

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

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

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

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

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

29 (5) (~~(\$17,786,000)~~) \$15,238,000 of the state route number 520
30 corridor account--state appropriation is provided solely for nonvendor
31 costs associated with tolling the state route number 520 bridge. Funds
32 from the state route number 520 corridor account--state appropriation
33 shall not be used to pay for items prohibited by Executive Order No.
34 1057, including subscriptions to technical publications, employee
35 educational expenses, professional membership dues and fees, employee
36 recognition and safety awards, meeting meals and light refreshments,
37 commute trip reduction incentives, and employee travel.

1 **AND CONSTRUCTION--PROGRAM D--OPERATING**

2 Motor Vehicle Account--State Appropriation ((\$25,466,000))
3 \$25,440,000

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

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

15 (2) \$850,000 of the motor vehicle account--state appropriation is
16 provided solely for the department's compliance with its national
17 pollution discharge elimination system permit.

18 **Sec. 811.** 2012 c 86 s 212 (uncodified) is amended to read as
19 follows:

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

21 Aeronautics Account--State Appropriation ((\$6,002,000))
22 \$5,999,000
23 Aeronautics Account--Federal Appropriation \$2,150,000
24 TOTAL APPROPRIATION ((\$8,152,000))
25 \$8,149,000

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

28 ((+1)) \$200,000 of the aeronautics account--state appropriation is
29 a reappropriation provided solely to complete runway preservation
30 projects.

31 **Sec. 812.** 2012 c 86 s 213 (uncodified) is amended to read as
32 follows:

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

35 Motor Vehicle Account--State Appropriation ((\$45,796,000))
36 \$45,725,000

1	Motor Vehicle Account--Federal Appropriation	\$500,000
2	Multimodal Transportation Account--State	
3	Appropriation	\$250,000
4	TOTAL APPROPRIATION	((\$46,546,000))
5		<u>\$46,475,000</u>

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

8 (1) \$3,754,000 of the motor vehicle account--state appropriation is
9 provided solely for the department's compliance with its national
10 pollution discharge elimination system permit.

11 (2) It is the intent of the legislature that the real estate
12 services division of the department will recover the cost of its
13 efforts from future sale proceeds.

14 (3) The legislature recognizes that the Dryden pit site (WSDOT
15 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
16 property under the jurisdiction of the department of transportation,
17 and that the public would benefit significantly from the complete
18 enjoyment of the natural scenic beauty and recreational opportunities
19 available at the site. Therefore, pursuant to RCW 47.12.080, the
20 legislature declares that transferring the property to the department
21 of fish and wildlife for recreational use and fish and wildlife
22 restoration efforts is consistent with the public interest in order to
23 preserve the area for the use of the public and the betterment of the
24 natural environment. The department of transportation shall work with
25 the department of fish and wildlife, and shall transfer and convey the
26 Dryden pit site to the department of fish and wildlife as is for an
27 adjusted fair market value reflecting site conditions, the proceeds of
28 which must be deposited in the motor vehicle fund. The department of
29 transportation is not responsible for any costs associated with the
30 cleanup or transfer of this property. By July 1, 2011, and annually
31 thereafter until the entire Dryden pit property has been transferred,
32 the department shall submit a status report regarding the transaction
33 to the chairs of the legislative transportation committees.

34 (4) The legislature recognizes that the trail known as the Apple
35 Capital Loop, and its extensions, serve to separate motor vehicle
36 traffic from pedestrians and bicyclists, increasing motor vehicle
37 safety on existing state route number 28. Consistent with chapter
38 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that

1 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
2 and 2-09-04569 to Douglas county and the city of East Wenatchee is
3 consistent with the public interest. The legislature directs the
4 department to transfer the property to Douglas county and the city of
5 East Wenatchee. The department must be paid fair market value for any
6 portions of the transferred real property that is later abandoned,
7 vacated, or ceases to be publicly maintained for trail purposes.
8 Douglas county and the city of East Wenatchee must agree to accept
9 responsibility for trail segments within their respective jurisdictions
10 and sign an agreement with the state that the transfer of these parcels
11 to their respective jurisdictions extinguishes any state obligations to
12 improve, maintain, or be in any way responsible for these assets. The
13 department shall report to the transportation committees of the
14 legislature by June 30, 2013, and annually thereafter, on the status of
15 the transfer until complete.

16 **Sec. 813.** 2012 c 86 s 214 (uncodified) is amended to read as
17 follows:

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

20 Motor Vehicle Account--State Appropriation	(\$827,000)
21	<u>\$826,000</u>
22 Multimodal Transportation Account--State Appropriation	\$110,000
23 TOTAL APPROPRIATION	(\$937,000)
24	<u>\$936,000</u>

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

27 (1)(a) \$225,000 of the motor vehicle account--state appropriation
28 is provided solely to carry out work related to assessing the
29 operational feasibility of a road user assessment, including
30 technology, agency administration, multistate and federal standards,
31 and other necessary elements. This work must be carried out under the
32 guidance of the steering committee and in coordination with the
33 transportation commission's policy assessment and public outreach
34 planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws
35 of 2012.

36 (b) If subsequent appropriations are provided, the department may
37 conduct a limited scope pilot project to test the feasibility of a road

1 user assessment system to be applied to electric vehicles. The pilot
2 project must be carried out under the guidance of the steering
3 committee described under section 205(4) (~~of this act~~) chapter 86,
4 Laws of 2012 and in coordination with the transportation commission.

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

16 (3) The public-private partnerships office must explore retail
17 partnerships at state-owned park-and-ride facilities, as authorized in
18 RCW 47.04.295, and if feasible, solicit proposals to implement a retail
19 partnership pilot project at one park-and-ride facility by June 30,
20 2013.

21 **Sec. 814.** 2012 c 86 s 215 (uncodified) is amended to read as
22 follows:

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

24 Motor Vehicle Account--State Appropriation	((\$373,709,000))
	<u>\$376,259,000</u>
26 Motor Vehicle Account--Federal Appropriation	\$7,000,000
27 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
28 TOTAL APPROPRIATION	((\$380,709,000))
	<u>\$386,759,000</u>

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

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

1 (2) (~~(\$7,000,000)~~) \$7,850,000 of the motor vehicle account--state
2 appropriation is provided solely for third-party damages to the highway
3 system where the responsible party is known and reimbursement is
4 anticipated. The department shall request additional appropriation
5 authority for any funds received for reimbursements of third-party
6 damages that are in excess of this appropriation.

7 (3) \$7,000,000 of the motor vehicle account--federal appropriation
8 is for unanticipated federal funds that may be received during the
9 2011-2013 fiscal biennium. Upon receipt of the funds, the department
10 shall provide a report on the use of the funds to the transportation
11 committees of the legislature and the office of financial management.

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

15 (5) \$4,530,000 of the motor vehicle account--state appropriation is
16 provided solely for the department's compliance with its national
17 pollution discharge elimination system permit.

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

22 (7) \$6,884,000 of the motor vehicle account--state appropriation is
23 provided solely for the high priority maintenance backlog. Addressing
24 the maintenance backlog must result in increased levels of service. If
25 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
26 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
27 appropriation provided in this subsection lapses.

28 (8) The department shall track the costs associated with active
29 traffic management systems on a corridor basis and report to the
30 transportation committees of the legislature on the costs and benefits
31 of the systems by December 1, 2012.

32 **Sec. 815.** 2012 c 86 s 216 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
35 **OPERATING**

36 Motor Vehicle Account--State Appropriation (~~(\$48,818,000)~~)
37 \$48,741,000

1	Motor Vehicle Account--Federal Appropriation	\$2,050,000
2	Motor Vehicle Account--Private/Local Appropriation	\$250,000
3	TOTAL APPROPRIATION	(\$51,118,000)
4		<u>\$51,041,000</u>

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

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

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

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

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

13 (4) \$9,000,000 of the motor vehicle account--state appropriation is
14 provided solely for the department's incident response program.

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

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

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

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

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

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

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

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

1 number 167 to determine whether improvements are needed and the costs
2 of any needed improvements.

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

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

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

30 (5) \$190,000 of the motor vehicle account--state appropriation is
31 provided solely for the regional transportation planning organizations
32 across the state to implement the comprehensive transportation planning
33 and data framework. The framework must provide regional transportation
34 planning organizations with the ability to identify the spatial and
35 temporal status of current and future high priority projects, and the
36 next stage investment necessary to implement those projects. The
37 framework must be accessible to the public and provide transparency and
38 accountability to the regional transportation planning process.

1 (6) Within existing resources, the department shall work with the
2 department of archaeology and historic preservation to develop a
3 statewide policy regarding the curation of artifacts and the use of
4 museums and information centers as potential mitigation under the
5 national environmental policy act. This policy must address the
6 following issues: How to minimize costs associated with information
7 centers and museums; when to use existing facilities to preserve and
8 display artifacts; how to minimize the time that stand-alone facilities
9 are needed; and how to transfer artifacts and other items to facilities
10 that are not owned or rented by the department. A report regarding
11 this policy must be submitted to the joint transportation committee by
12 September 1, 2012.

13 **Sec. 818.** 2012 c 86 s 219 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
16 **PROGRAM U**

17	Motor Vehicle Account--State Appropriation	((\$74,734,000))
18		<u>\$71,530,000</u>
19	Motor Vehicle Account--Federal Appropriation	\$400,000
20	Multimodal Transportation Account--State	
21	Appropriation	\$1,798,000
22	TOTAL APPROPRIATION	((\$76,932,000))
23		<u>\$73,728,000</u>

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

26 (1) The department of enterprise services must provide a detailed
27 accounting of the revenues and expenditures of the self-insurance fund
28 to the transportation committees of the legislature on December 31st
29 and June 30th of each year.

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

32 (a) TO THE SECRETARY OF STATE--ARCHIVES AND
33 RECORDS MANAGEMENT \$512,000

34 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR
35 SERVICES \$488,000

36 (c) TO THE OFFICE OF THE ATTORNEY
37 GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

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

30 **Sec. 819.** 2012 c 86 s 220 (uncodified) is amended to read as
31 follows:

32	FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM	
33	V	
34	Motor Vehicle Account--Federal Appropriation	\$160,000
35	State Vehicle Parking Account--State Appropriation	\$452,000
36	Regional Mobility Grant Program Account--State	
37	Appropriation	((\$48,942,000))

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

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

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

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

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

32 (4) (~~(\$8,942,000)~~) \$6,453,000 of the regional mobility grant
33 program account--state appropriation is reappropriated and provided
34 solely for the regional mobility grant projects identified in LEAP
35 Transportation Document (~~(2012-1)~~) 2013-2 ALL PROJECTS - Public
36 Transportation - Program (V) as developed (~~(March 8, 2012)~~) April 23,
37 2013. The department shall continue to review all projects receiving
38 grant awards under this program at least semiannually to determine

1 whether the projects are making satisfactory progress. The department
2 shall promptly close out grants when projects have been completed, and
3 any remaining funds must be used only to fund projects identified in
4 the LEAP transportation document referenced in this subsection. It is
5 the intent of the legislature to appropriate funds through the regional
6 mobility grant program only for projects that will be completed on
7 schedule and that all funds in the regional mobility grant program be
8 used as soon as practicable to advance eligible projects.

9 (5)(a) (~~(\$40,000,000)~~) \$31,878,000 of the regional mobility grant
10 program account--state appropriation is provided solely for the
11 regional mobility grant projects identified in LEAP Transportation
12 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS - Public Transportation -
13 Program (V) as developed (~~(March 8, 2012)~~) April 23, 2013. The
14 department shall review all projects receiving grant awards under this
15 program at least semiannually to determine whether the projects are
16 making satisfactory progress. Any project that has been awarded funds,
17 but does not report activity on the project within one year of the
18 grant award, must be reviewed by the department to determine whether
19 the grant should be terminated. The department shall promptly close
20 out grants when projects have been completed, and any remaining funds
21 must be used only to fund projects identified in the LEAP
22 transportation document referenced in this subsection. The department
23 shall provide annual status reports on December 15, 2011, and December
24 15, 2012, to the office of financial management and the transportation
25 committees of the legislature regarding the projects receiving the
26 grants. It is the intent of the legislature to appropriate funds
27 through the regional mobility grant program only for projects that will
28 be completed on schedule.

29 (b) In order to be eligible to receive a grant under (a) of this
30 subsection during the 2011-2013 fiscal biennium, a transit agency must
31 establish a process for private transportation providers to apply for
32 the use of park and ride facilities. For purposes of this subsection,
33 (i) "private transportation provider" means: An auto transportation
34 company regulated under chapter 81.68 RCW; a passenger charter carrier
35 regulated under chapter 81.70 RCW, except marked or unmarked stretch
36 limousines and stretch sport utility vehicles as defined under
37 department of licensing rules; a private nonprofit transportation
38 provider regulated under chapter 81.66 RCW; or a private employer

1 transportation service provider; and (ii) "private employer
2 transportation service" means regularly scheduled, fixed-route
3 transportation service that is offered by an employer for the benefit
4 of its employees.

5 (6) \$2,309,000 of the multimodal transportation account--state
6 appropriation is provided solely for the tri-county connection service
7 for Island, Skagit, and Whatcom transit agencies.

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

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

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

19 (10) \$300,000 of the multimodal transportation account--state
20 appropriation is provided solely for the continuation of state support
21 for the Whatcom smart trips commute trip reduction program.

22 (11) \$818,000 of the multimodal transportation account--state
23 appropriation is provided solely for state support of the Everett
24 connector bus service.

25 (12) The department shall contact all transit agencies with a
26 nonvoting member recommended by a labor organization and request
27 information regarding the participation of board members, both voting
28 and nonvoting, for all transit agency meetings in 2012 and the three
29 previous calendar years. The department shall provide a report to the
30 transportation committees of the legislature regarding the findings of
31 this survey, which must include the transit agencies, if any, that
32 refuse to respond either in whole or in part, by January 15, 2013.

33 (13) \$250,000 of the multimodal transportation account--state
34 appropriation is provided solely for the Clark county public
35 transportation benefit area to comply with the requirements of RCW
36 81.104.110 regarding the formation of an expert review panel to provide
37 an independent technical review of any plan that relies on any voter-
38 approved local funding options.

1 (14) \$100,000 of the multimodal transportation account--state
2 appropriation is provided solely for community transit to conduct a
3 federally mandated alternatives analysis study to allow a second swift
4 line to be funded through the federal transit administration's new
5 starts or small starts process.

6 (15) \$160,000 of the motor vehicle account--federal appropriation
7 is provided solely for King county metro to study demand potential for
8 a state route number 18 and Interstate 90 park-and-ride location, to
9 size the facilities appropriately, to perform site analysis, and to
10 develop preliminary design concepts.

11 **Sec. 820.** 2012 c 86 s 221 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**
14 Puget Sound Ferry Operations Account--State
15 Appropriation ((~~\$468,135,000~~))
16 \$465,085,000

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

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

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

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

35 (4) The department shall request from the United States coast guard
36 variable minimum staffing levels on all of its vessels by December 31,
37 2011.

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

19 (6) For the 2011-2013 fiscal biennium, the department of
20 transportation may enter into a distributor controlled fuel hedging
21 program and other methods of hedging approved by the fuel hedging
22 committee.

23 (7) (~~(\$136,648,000)~~) \$127,748,000 of the Puget Sound ferry
24 operations account--state appropriation is provided solely for auto
25 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
26 amount provided in this appropriation represents the fuel budget for
27 the purposes of calculating any ferry fare fuel surcharge.

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

1 (9) The Washington state ferries shall participate in the
2 facilities plan included in section 604 (~~(of this act)~~), chapter 367,
3 Laws of 2011 and shall include an investigation and identification of
4 less costly relocation options for the Seattle headquarters office.
5 The department shall include relocation options for the Washington
6 state ferries Seattle headquarters office in the facilities plan.
7 Until September 1, 2012, the department may not enter into a lease
8 renewal for the Seattle headquarters office.

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

18 (11) Two Kwa-di-tabil class ferry vessels must be placed on the
19 Port Townsend/Coupeville (Keystone) route to provide service at the
20 same levels provided when the steel electric vessels were in service.
21 After the vessels as funded under section 308 (5) (~~(of this act)~~),
22 chapter 86, Laws of 2012 are in service, the two most appropriate of
23 these vessels for the Port Townsend/Coupeville (Keystone) route must be
24 placed on the route. \$100,000 of the Puget Sound ferry operations
25 account--state appropriation is provided solely for the additional
26 staffing required to maintain a reservation system at this route when
27 the second vessel is in service.

28 (12) \$706,000 of the Puget Sound ferry operations account--state
29 appropriation is provided solely for terminal operations to implement
30 new federal passenger vessel Americans with disabilities act
31 requirements.

32 (13) \$152,000 of the Puget Sound ferry operations account--state
33 appropriation is provided solely for the department's compliance with
34 its national pollution discharge elimination system permit.

35 **Sec. 821.** 2012 c 86 s 222 (uncodified) is amended to read as
36 follows:

1 (5) \$300,000 of the multimodal transportation account--state
2 appropriation is provided solely for the department to conduct a study
3 to examine the interconnectivity benefits of, and potential for, a
4 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
5 part of its consideration, the department shall conduct a thorough
6 market analysis of the potential for adding or changing stops on the
7 Amtrak Cascades route.

8 **Sec. 822.** 2012 c 86 s 223 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
11 **OPERATING**

12 Motor Vehicle Account--State Appropriation	((\$8,518,000))
	<u>\$8,505,000</u>
14 Motor Vehicle Account--Federal Appropriation	\$2,567,000
15 TOTAL APPROPRIATION	((\$11,085,000))
	<u>\$11,072,000</u>

16

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

27 **TRANSPORTATION AGENCIES--CAPITAL**

28 **Sec. 901.** 2012 c 86 s 302 (uncodified) is amended to read as
29 follows:

30 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

31 Motor Vehicle Account--State Appropriation	\$874,000
32 Rural Arterial Trust Account--State Appropriation . . .	((\$62,510,000))
	<u>\$61,470,000</u>
34 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>

1 County Arterial Preservation Account--State
 2 Appropriation \$29,360,000
 3 TOTAL APPROPRIATION ((~~\$92,744,000~~))
 4 \$95,204,000

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

7 (1) \$874,000 of the motor vehicle account--state appropriation may
 8 be used for county ferry projects as developed pursuant to RCW
 9 47.56.725(4).

10 (2) (~~(\$62,510,000)~~) \$61,470,000 of the rural arterial trust
 11 account--state appropriation is provided solely for county road
 12 preservation grant projects as approved by the county road
 13 administration board. These funds may be used to assist counties
 14 recovering from federally declared emergencies by providing
 15 capitalization advances and local match for federal emergency funding,
 16 and may only be made using existing fund balances. It is the intent of
 17 the legislature that the rural arterial trust account be managed based
 18 on cash flow. The county road administration board shall specifically
 19 identify any of the selected projects and shall include information
 20 concerning the selected projects in its next annual report to the
 21 legislature.

22 **Sec. 902.** 2012 c 86 s 303 (uncodified) is amended to read as
 23 follows:

24 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

25 Small City Pavement and Sidewalk Account--State
 26 Appropriation \$5,270,000
 27 Transportation Improvement Account--State
 28 Appropriation ((~~\$237,545,000~~))
 29 \$213,152,000
 30 Highway Safety Account--State Appropriation \$3,500,000
 31 TOTAL APPROPRIATION ((~~\$242,815,000~~))
 32 \$221,922,000

33 (~~The appropriations in this section are subject to the following~~
 34 ~~conditions and limitations: The transportation improvement~~
 35 ~~account state appropriation includes up to \$22,143,000 in proceeds~~
 36 ~~from the sale of bonds authorized in RCW 47.26.500.))~~

1 subject to the conditions and limitations in section 603, chapter
2 . . . , Laws of 2013 (section 603 of this act).

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

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

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

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

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

37 (7) (~~(\$561,000)~~) \$665,000 of the transportation partnership
38 account--state appropriation and (~~(\$1,176,000)~~) \$954,000 of the

1 transportation 2003 account (nickel account)--state appropriation are
2 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
3 Nickel/TPA project, as indicated in the LEAP transportation document
4 referenced in subsection (1) of this section. Funds may be used only
5 for environmental mitigation work that is required by permits that were
6 issued for projects funded by the transportation partnership account or
7 transportation 2003 account (nickel account).

8 (8) The transportation 2003 account (nickel account)--state
9 appropriation includes up to (~~(\$339,608,000)~~) \$308,996,000 in proceeds
10 from the sale of bonds authorized by RCW 47.10.861.

11 (9) The transportation partnership account--state appropriation
12 includes up to (~~(\$972,392,000)~~) \$734,097,000 in proceeds from the sale
13 of bonds authorized in RCW 47.10.873.

14 (10) The motor vehicle account--state appropriation includes up to
15 (~~(\$55,870,000)~~) \$5,000,000 in proceeds from the sale of bonds
16 authorized in RCW 47.10.843.

17 (11) The state route number 520 corridor account--state
18 appropriation includes up to (~~(\$1,779,000,000)~~) \$990,801,000 and the
19 state route number 520 corridor account--federal appropriation includes
20 up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW
21 47.10.879. Of the amounts appropriated in this subsection,
22 \$300,000,000 of the state route number 520 corridor account--federal
23 appropriation must be put into unallotted status and is subject to
24 review by the office of financial management. The director of
25 financial management shall consult with the joint transportation
26 committee prior to making a decision to allot these funds.

27 (12) (~~(\$767,000)~~) \$692,000 of the motor vehicle account--state
28 appropriation and (~~(\$3,736,000)~~) \$3,002,000 of the motor vehicle
29 account--federal appropriation are provided solely for the US 2 High
30 Priority Safety project (100224I). Expenditure of these funds is for
31 safety projects on state route number 2 between Monroe and Gold Bar,
32 which may include median rumble strips, traffic cameras, and electronic
33 message signs.

34 (13) (~~(\$820,000)~~) \$819,900 of the motor vehicle account--federal
35 appropriation, (~~(\$16,308,000)~~) \$6,226,000 of the motor vehicle
36 account--private/local appropriation, and (~~(\$48,000)~~) \$344,000 of the
37 motor vehicle account--state appropriation are provided solely for the

1 US 2/Bickford Avenue - Intersection Safety Improvements project
2 (100210E).

3 (14) \$1,025,000 of the motor vehicle account--state appropriation
4 is provided solely for environmental work on the Belfair Bypass project
5 (300344C).

6 (15) (~~(\$372,000)~~) \$360,000 of the motor vehicle account--federal
7 appropriation and (~~(\$9,000)~~) \$49,000 of the motor vehicle account--
8 -state appropriation are provided solely for the I-5/Vicinity of Joint
9 Base Lewis-McChord - Install Ramp Meters project (300596M).

10 (16) (~~(\$202,863,000)~~) \$102,588,000 of the transportation
11 partnership account--state appropriation (~~(and—\$51,138,000)~~),
12 \$43,847,000 of the transportation 2003 account (nickel account)--state
13 appropriation, \$12,000 of the motor vehicle account--federal
14 appropriation, and \$68,000 of the motor vehicle account--private/local
15 appropriation are provided solely for the I-5/Tacoma HOV Improvements
16 (Nickel/TPA) project (300504A). The use of funds in this subsection to
17 renovate any buildings is subject to the requirements of section 604
18 (~~(of this act)~~), chapter 367, Laws of 2011. The department shall
19 report to the legislature and the office of financial management on any
20 costs associated with building renovations funded in this subsection.

21 (17)(a) \$7,423,000 of the transportation partnership account--state
22 appropriation and (~~(\$54,461,000)~~) \$50,332,000 of the motor vehicle
23 account--federal appropriation are provided solely for the I-5/Columbia
24 River Crossing project (400506A). (~~(Of the amounts appropriated in~~
25 ~~this subsection, \$15,000,000 of the motor vehicle account--federal~~
26 ~~appropriation must be put into unallotted status and is subject to the~~
27 ~~review of the office of financial management. This funding may only be~~
28 ~~allotted once the state of Oregon's total contribution of shared~~
29 ~~expenses on the project are within five million dollars of the state of~~
30 ~~Washington's shared expenses.))~~

31 (b) It is the intent of the legislature that Washington and Oregon
32 have equal funding commitments and equal total expenditures to date on
33 the shared components of the Columbia river crossing project. The
34 department shall provide a quarterly report on this project beginning
35 March 31, 2012. This report must include:

36 (i) An update on preliminary engineering and right-of-way
37 acquisition for the previous quarter;

1 (ii) Planned objectives for right-of-way and preliminary
2 engineering for the ensuing quarter;

3 (iii) An updated comparison of the total appropriation authority
4 for the project by state;

5 (iv) An updated comparison of the total expenditures to date on the
6 project by state; and

7 (v) The committed funding provided by the state of Oregon to right-
8 of-way acquisition.

9 (c) \$200,000 of the transportation partnership account--state
10 appropriation in this subsection is provided solely for the department
11 to work with the department of archaeology and historic preservation to
12 ensure that the cultural resources investigation is properly conducted
13 on the Columbia river crossing project. This project must be conducted
14 with active archaeological management and result in one report that
15 spans the single cultural area in Oregon and Washington. Additionally,
16 the department shall establish a scientific peer review of independent
17 archaeologists that are knowledgeable about the region and its cultural
18 resources.

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

29 (e) The Washington state department of transportation budget
30 includes resources to continue work on solutions that advance the
31 Columbia river crossing project to completion of the required
32 environmental impact statement. The department must report to the
33 Columbia river crossing legislative oversight subcommittee of the joint
34 transportation committee, established in section 204(7) (~~of this~~
35 ~~act~~), chapter 86, Laws of 2012, on the progress made on the Columbia
36 river crossing project at each meeting of the oversight subcommittee.
37 Reporting must include updated information on cost estimates, rights-
38 of-way purchases and procurement schedules, and financing plans for the

1 Columbia river crossing project, including projected traffic volumes,
2 fuel and gas price assumptions, toll rates, costs of toll collections,
3 as well as potential need for general transportation funding. By
4 January 1, 2013, the department shall provide to the oversight
5 subcommittee of the joint transportation committee a phased master plan
6 for the Columbia river crossing project.

7 (18) Within the amounts provided for the Columbia river crossing
8 project (400506A), the department shall conduct a traffic and revenue
9 analysis for the Columbia river crossing project that will lay the
10 foundation for investment grade traffic and revenue analysis. While
11 conducting the analysis, the department must coordinate with the Oregon
12 department of transportation, the Washington state transportation
13 commission, (~~and the Washington state legislative oversight~~
14 ~~committee~~) the Washington state treasurer's office, and the Oregon
15 state treasurer's office.

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

- 18 (i) Exemptions from tolls for vehicles with two or more occupants;
19 (ii) A variable toll where the tolls vary by time of day and day of
20 the week; and
21 (iii) A frequency-based toll rate for the facility.

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

- 23 (i) The impact that light rail service in the corridor will have on
24 estimated toll revenues;
25 (ii) The level of diversion from the Interstate 5 corridor and the
26 impact on estimated toll revenues; and
27 (iii) The estimated toll revenues from vehicle trips originating
28 within the region and outside the region by vehicle type.

29 (c) The department must submit a report of findings to the
30 transportation committees of the legislature by July 1, 2013.

31 (19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal
32 appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--
33 state appropriation are provided solely for the SR 9/SR 204
34 Intersection Improvement project (L2000040).

35 (20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal
36 appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--
37 state appropriation are provided solely for the US 12/Nine Mile Hill to
38 Woodward Canyon Vic - Build New Highway project (501210T).

1 (~~21~~) (~~(\$5,791,000 of the Tacoma Narrows toll bridge account—state~~
2 ~~appropriation is provided solely for deferred sales tax expenses on the~~
3 ~~construction of the new Tacoma Narrows bridge. However, if chapter~~
4 ~~...~~ (~~Senate Bill No. 6073~~), ~~Laws of 2012 (sales tax exemption on SR~~
5 ~~16 projects) is enacted by June 30, 2012, the amount provided in this~~
6 ~~subsection lapses.~~

7 (~~22~~) ~~(\$391,000)~~) \$226,000 of the motor vehicle account--federal
8 appropriation and (~~(\$16,000)~~) \$19,000 of the motor vehicle account--
9 state appropriation are provided solely for the SR 16/Rosedale Street
10 NW Vicinity - Frontage Road project (301639C). The frontage road must
11 be built for driving speeds of no more than thirty-five miles per hour.

12 (~~(23)~~ ~~(\$621,000)~~) (22) \$663,000 of the motor vehicle account--
13 federal appropriation (~~(is)~~) and \$12,000 of the motor vehicle account--
14 state appropriation are provided solely for the SR 20/Race Road to
15 Jacob's Road safety project (L2200042).

16 (~~(24)~~ ~~(\$32,162,000)~~) (23) \$15,746,000 of the transportation
17 partnership account--state appropriation (~~(is)~~) and \$122,000 of the
18 motor vehicle account--private/local appropriation are provided solely
19 for the SR 28/ US 2 and US 97 Eastmont Avenue Extension project
20 (202800D).

21 (~~(25)~~ ~~(\$1,227,000)~~) (24) \$705,000 of the motor vehicle account--
22 federal appropriation and (~~(\$38,000)~~) \$165,000 of the motor vehicle
23 account--state appropriation are provided solely for design and right-
24 of-way work on the I-82/Red Mountain Vicinity project (508208M). The
25 department shall continue to work with the local partners in developing
26 transportation solutions necessary for the economic growth in the Red
27 Mountain American viticulture area of Benton county.

28 (~~(26)~~ ~~(\$1,500,000)~~) (25) \$3,000,000 of the motor vehicle account--
29 federal appropriation (~~(is)~~) and \$120,000 of the motor vehicle
30 account--state appropriation are provided solely for the I-90
31 Comprehensive Tolling Study and Environmental Review project (100067T).
32 The department shall undertake a comprehensive environmental review of
33 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
34 purposes of both managing traffic and providing funding for
35 construction of the unfunded state route number 520 from Interstate 5
36 to Medina project. The environmental review must include significant
37 outreach to potentially affected communities. The department may

1 consider traffic management options that extend as far east as
2 Issaquah.

3 ~~((+27))~~ (26) \$12,149,000 of the motor vehicle account--federal
4 appropriation ~~((and))~~, \$362,000 of the motor vehicle account--state
5 appropriation, and \$50,000 of the motor vehicle account--private/local
6 appropriation are provided solely for the I-90/Sullivan Road to Barker
7 Road - Additional Lanes project (609049N).

8 ~~((+28))~~ (27) Up to \$8,000,000 in savings realized on the I-
9 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
10 (509009B) may be used for design work on the next two-mile segment of
11 the corridor. Any additional savings on this project must remain on
12 the corridor. Project funds may not be used to build or improve
13 buildings until the plan described in section 604 ~~((of this act))~~,
14 chapter 367, Laws of 2011 is complete.

15 ~~((+29) \$657,000)~~ (28) \$637,000 of the motor vehicle account--
16 federal appropriation ~~((is))~~ and \$15,000 of the motor vehicle account--
17 state appropriation are provided solely for the US 97A/North of
18 Wenatchee - Wildlife Fence project (209790B).

19 ~~((+30))~~ (29) The department shall reconvene an expert review panel
20 of no more than three members as described under RCW 47.01.400 for the
21 purpose of updating the work that was previously completed by the panel
22 on the Alaskan Way viaduct replacement project and to ensure that an
23 appropriate and viable financial plan is created and regularly
24 reviewed. The expert review panel must be selected cooperatively by
25 the chairs of the senate and house of representatives transportation
26 committees, the secretary of transportation, and the governor. The
27 expert review panel must report findings and recommendations to the
28 transportation committees of the legislature, the governor's Alaskan
29 Way viaduct project oversight committee, and the transportation
30 commission by October 2011, and annually thereafter until the project
31 is operationally complete.

32 ~~((+31))~~ (30) It is important that the public and policymakers have
33 accurate and timely access to information related to the Alaskan Way
34 viaduct replacement project as it proceeds to, and during, the
35 construction of all aspects of the project including, but not limited
36 to, information regarding costs, schedules, contracts, project status,
37 and neighborhood impacts. Therefore, it is the intent of the
38 legislature that the state, city, and county departments of

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

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

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

9 ~~((+32))~~ (31) Within the amounts provided in this section,
10 ~~((+20,000))~~ \$42,000 of the motor vehicle account--state appropriation
11 and ~~((+980,000))~~ \$958,000 of the motor vehicle account--federal
12 appropriation are provided solely for the department to continue work
13 on a comprehensive tolling study of the state route number 167 corridor
14 (project 316718S). As funding allows, the department shall also
15 continue work on a comprehensive tolling study of the state route
16 number 509 corridor.

17 ~~((+33))~~ (32)(a) ~~((+137,022,000))~~ \$70,663,000 of the transportation
18 partnership account--state appropriation and ~~((+50,623,000))~~
19 \$38,613,000 of the transportation 2003 account (nickel account)--state
20 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
21 2 - Widening project (8BI1002). This project must be completed as soon
22 as practicable as a design-build project and must be constructed with
23 a footprint that would accommodate potential future express toll lanes.

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

34 ~~((Of the amount appropriated in (a) of this subsection,~~
35 ~~\$15,000,000 of the transportation partnership account state~~
36 ~~appropriation is provided solely for the preliminary design and~~
37 ~~purchase of rights of way on the state route number 167 direct~~
38 ~~connector. It is the intent of the legislature to fund an additional~~

1 ~~\$25,000,000 of the transportation partnership account state~~
2 ~~appropriation for the preliminary design and purchase of rights-of-way~~
3 ~~on the state route number 167 direct connector during the 2013-2015~~
4 ~~biennium.~~

5 (d)) Within the amounts provided for this project, funding is
6 provided solely for tolling equipment, such as gantries, barriers, or
7 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
8 The department shall place amounts for tolling equipment into
9 unallotted status until the traffic and revenue analysis required in
10 RCW 47.56.886 is submitted to the governor and the legislature. Once
11 the report has been submitted, the office of financial management may
12 approve the allotment of funds for tolling equipment only after
13 consultation with the joint transportation committee.

14 ((+34)) (33) Funding for a signal at state route number 507 and
15 Yew Street is included in the appropriation for intersection and spot
16 improvements (0BI2002).

17 (34) \$3,392,000 of the transportation partnership account--state
18 appropriation is provided solely for the preliminary design and
19 purchase of rights-of-way on the state route number 167 direct
20 connector (140504C).

21 (35) (~~(\$224,592,000)~~) \$52,078,000 of the transportation partnership
22 account--state appropriation (~~(and \$898,286,000)~~), \$902,101,000 of the
23 state route number 520 corridor account--state appropriation,
24 \$17,155,000 of the motor vehicle account--federal appropriation, and
25 \$1,303,000 of the motor vehicle account--private/local appropriation
26 are provided solely for the state route number 520 bridge replacement
27 and HOV program (8BI1003). When developing the financial plan for the
28 program, the department shall assume that all maintenance and operation
29 costs for the new facility are to be covered by tolls collected on the
30 toll facility, and not by the motor vehicle account.

31 (36) \$500,000 of the motor vehicle account--state appropriation is
32 provided solely for a multimodal corridor plan on state route number
33 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

34 (37) \$300,000 of the motor vehicle account--federal appropriation
35 (~~(is)~~) and \$13,000 of the motor vehicle account--state appropriation
36 are provided solely for the SR 523 Corridor study (L1000059).

37 (38) The department shall consider using the city of Mukilteo's

1 off-site mitigation program in the event any projects on state route
2 number 525 or 526 require environmental mitigation.

3 (39) Any savings on projects on the state route number 532 corridor
4 must be used within the corridor to begin work on flood prevention and
5 raising portions of the highway above flood and storm influences.

6 (40) The total appropriation provided in this section assumes
7 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
8 Laws of 2012 (design-build procedures) and reflects efficiencies and
9 cost savings generated by this innovative design and contracting tool.

10 (41) Construction of a new traffic management center may not
11 commence until the budget evaluation study in section 102(1) (~~of this~~
12 ~~act~~), chapter 86, Laws of 2012 is complete and the office of financial
13 management has determined that a new traffic management center is the
14 preferred option and has approved this project.

15 (42) The department shall itemize all future requests for the
16 construction of new buildings on a project list. Each building
17 construction project must be listed in the project list along with all
18 other highway construction projects and submitted by the department as
19 part of its budget submittal. It is the intent of the legislature that
20 new facility construction must be transparent and not appropriated
21 within larger highway construction projects.

22 (43) (~~(\$250,000)~~) \$240,000 of the motor vehicle account--federal
23 appropriation (~~is~~) and \$10,000 of the motor vehicle account--state
24 appropriation are provided solely for planning a proposed off-ramp
25 eastbound from state route number 518 to Des Moines Memorial Drive in
26 Burien (L1100045).

27 (44) (~~(\$1,100,000)~~) \$425,000 of the motor vehicle account--federal
28 appropriation (~~is~~) and \$18,000 of the motor vehicle account--state
29 appropriation are provided solely for preliminary engineering on the I-
30 5/Marvin Road Interchange study (L2200087).

31 (45) (~~(\$400,000)~~) \$389,000 of the motor vehicle account--federal
32 appropriation (~~is~~) and \$22,000 of the motor vehicle account--state
33 appropriation are provided solely for the SR 150/No-See-Um Road
34 Intersection - Realignment project (L2200092).

35 (46) \$750,000 of the motor vehicle account--federal appropriation
36 (~~is~~) and \$31,000 of the motor vehicle account--state appropriation
37 are provided solely for (~~preliminary engineering on~~) the SR
38 305/Suquamish Way Intersection Improvements project (L2200093).

1 (47) (~~(\$700,000)~~) \$658,000 of the motor vehicle account--federal
2 appropriation (~~(is)~~) and \$16,000 of the motor vehicle account--state
3 appropriation are provided solely for the US 395/Lind Road Intersection
4 project (L2200086).

5 (48) \$7,398,000 of the motor vehicle account--state appropriation
6 is provided solely to advance the design, preliminary engineering, and
7 rights-of-way acquisition for the priority projects identified in LEAP
8 Transportation Document 2013-3 as developed April 23, 2013. Funds must
9 be used to advance the emergent, initial development of these projects
10 for the purpose of expediting delivery of the associated major
11 investments when funding for such investments becomes available.
12 Funding may be reallocated between projects to maximize the
13 accomplishment of design and preliminary engineering work and rights-
14 of-way acquisition, provided that all projects are addressed. It is
15 the intent of the legislature that, while seeking to maximize the
16 outcomes in this section, the department shall provide for continuity
17 of both the state and consulting engineer workforce, while
18 strategically utilizing private sector involvement to ensure
19 consistency with the department's business plan for staffing in the
20 highway construction program in the current and next fiscal biennium.

21 **Sec. 904.** 2012 c 86 s 306 (uncodified) is amended to read as
22 follows:

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

24	Transportation Partnership Account--State	
25	Appropriation	((\$44,463,000))
26		<u>\$23,488,000</u>
27	Motor Vehicle Account--State Appropriation	((\$81,741,000))
28		<u>\$78,112,000</u>
29	Motor Vehicle Account--Federal Appropriation	((\$540,306,000))
30		<u>\$469,626,000</u>
31	Motor Vehicle Account--Private/Local	
32	Appropriation	((\$21,585,000))
33		<u>\$18,892,000</u>
34	Tacoma Narrows Toll Bridge Account--State	
35	Appropriation	\$259,000
36	((Transportation 2003 Account (Nickel Account) --State	
37	Appropriation	(\$23,000))

1	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
2	TOTAL APPROPRIATION	(((\$691,877,000))
3		<u>\$593,877,000</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 ((2012-2)) 2013-1 as developed
11 ((~~March 8, 2012~~)) April 23, 2013, Program - Highway Preservation
12 Program (P). However, limited transfers of specific line-item project
13 appropriations may occur between projects for those amounts listed
14 subject to the conditions and limitations in section 603, chapter
15 . . . , Laws of 2013 (section 603 of this act).

16 (2) The department of transportation shall continue to implement
17 the lowest life-cycle cost planning approach to pavement management
18 throughout the state to encourage the most effective and efficient use
19 of pavement preservation funds. Emphasis should be placed on
20 increasing the number of roads addressed on time and reducing the
21 number of roads past due.

22 (3) Within the motor vehicle account--state appropriation and motor
23 vehicle account--federal appropriation, the department may transfer
24 funds between programs I and P, except for funds that are otherwise
25 restricted in this act.

26 (4) The department shall apply for surface transportation program
27 enhancement funds to be expended in lieu of or in addition to state
28 funds for eligible costs of projects in programs I and P.

29 ((~~The motor vehicle account--state appropriation includes up to~~
30 ~~\$17,652,000 in proceeds from the sale of bonds authorized in RCW~~
31 ~~47.10.843.~~

32 (~~6~~)) The department must work with cities and counties to develop
33 a comparison of direct and indirect labor costs, overhead rates, and
34 other costs for high-cost bridge inspections charged by the state,
35 counties, and other entities. The comparison is due to the
36 transportation committees of the legislature on September 1, 2011.

37 ((~~7~~) ~~\$789,000~~) (6) \$739,000 of the motor vehicle account--federal
38 appropriation and ((~~6~~) ~~\$6,000~~) \$56,000 of the motor vehicle account--

1 state appropriation are provided solely for the environmental impact
2 statement and preliminary planning for the replacement of the state
3 route number 9 Snohomish river bridge (project L2000018).

4 ~~((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--
5 federal appropriation, ~~((1,992,000))~~ \$1,794,000 of the motor vehicle
6 account--private/local appropriation, and ~~((390,000))~~ \$340,000 of the
7 motor vehicle account--state appropriation are provided solely for the
8 SR 21/Keller Ferry - Replace Boat project (602110J).

9 ~~((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal
10 appropriation ~~((is))~~ and \$13,000 of the motor vehicle account--state
11 appropriation are provided solely for the I-90/Ritzville to Tokio -
12 Paving of Outside Lanes project (609041G).

13 ~~((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--
14 federal appropriation and ~~((232,000))~~ \$124,000 of the motor vehicle
15 account--state appropriation are provided solely for the SR
16 167/Puyallup River Bridge Replacement project (316725A). This project
17 must be completed as a design-build project. The department must work
18 with local jurisdictions and the community during the environmental
19 review process to develop appropriate esthetic design elements, at no
20 additional cost to the department, and traffic management plans
21 pertaining to this project. The department must report to the
22 transportation committees of the legislature on estimated cost and/or
23 time savings realized as a result of using the design-build process.

24 ~~((11) \$507,000))~~ (10) \$649,000 of the motor vehicle account--
25 federal appropriation and ~~((13,000))~~ \$15,000 of the motor vehicle
26 account--state appropriation are provided solely for the SR
27 906/Travelers Rest - Building Renovation project (090600A).

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

31 **Sec. 905.** 2012 c 86 s 307 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
34 **CAPITAL**

35	Motor Vehicle Account--State Appropriation	((8,779,000))
36		<u>\$8,801,000</u>
37	Motor Vehicle Account--Federal Appropriation	((7,283,000))

1 \$7,184,000
 2 TOTAL APPROPRIATION ((~~\$16,062,000~~))
 3 \$15,985,000

4 The appropriations in this section are subject to the following
 5 conditions and limitations: ((~~\$1,000,000~~)) \$371,000 of the motor
 6 vehicle account--state appropriation for project 000005Q is provided
 7 solely for state matching funds for federally selected competitive
 8 grants or congressional earmark projects. These moneys must be placed
 9 into reserve status until such time as federal funds are secured that
 10 require a state match.

11 **Sec. 906.** 2012 c 86 s 308 (uncodified) is amended to read as
 12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
 14 **CONSTRUCTION--PROGRAM W**

15 Puget Sound Capital Construction Account--State
 16 Appropriation ((~~\$61,965,000~~))
 17 \$62,332,000
 18 Puget Sound Capital Construction Account--Federal
 19 Appropriation ((~~\$61,736,000~~))
 20 \$56,634,000
 21 Puget Sound Capital Construction Account--Private/Local
 22 Appropriation ((~~\$200,000~~))
 23 \$356,000
 24 Transportation 2003 Account (Nickel Account)--State
 25 Appropriation ((~~\$119,928,000~~))
 26 \$113,720,000
 27 Transportation Partnership Account--State
 28 Appropriation ((~~\$12,838,000~~))
 29 \$12,892,000
 30 Multimodal Transportation Account--State
 31 Appropriation \$27,527,000
 32 TOTAL APPROPRIATION ((~~\$284,194,000~~))
 33 \$273,461,000

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

- 36 (1) Except as provided otherwise in this section, the entire
 37 appropriations in this section are provided solely for the projects and

1 activities as listed in LEAP Transportation Document ((2012-1)) 2013-2
2 ALL PROJECTS as developed ((March 8, 2012)) April 23, 2013, Program -
3 Washington State Ferries Capital Program (W).

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

9 (3) The multimodal transportation account--state appropriation
10 includes up to \$27,527,000 in proceeds from the sale of bonds
11 authorized in RCW 47.10.867.

12 (4) The Puget Sound capital construction account--state
13 appropriation includes up to \$45,000,000 in proceeds from the sale of
14 bonds authorized in RCW 47.10.843.

15 (5) ((~~\$17,970,000~~)) \$17,370,000 of the transportation 2003 account
16 (nickel account)--state appropriation is provided solely for the
17 acquisition of new Kwa-di-tabil class ferry vessels (project 944470A)
18 subject to the conditions of RCW 47.56.780.

19 (6) \$25,404,000 of the multimodal transportation account--state
20 appropriation, \$1,000,000 of the Puget Sound capital construction
21 account--federal appropriation, \$11,500,000 of the transportation
22 partnership account--state appropriation, and ((~~\$85,924,000~~))
23 \$54,616,000 of the transportation 2003 account (nickel account)--state
24 appropriation are provided solely for the acquisition of one 144-car
25 vessel (project L2200038). The department shall use as much already
26 procured equipment as practicable on the 144-car vessel. The vendor
27 must present to the joint transportation committee and the office of
28 financial management, by August 15, 2011, a list of options that will
29 result in significant cost savings changes in terms of construction or
30 the long-term maintenance and operations of the vessel. The vendor
31 must allow for exercising the options without a penalty. If neither
32 chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011
33 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June
34 30, 2011, \$75,000,000 of the transportation 2003 account (nickel
35 account)--state appropriation in this subsection lapses.

36 (7) \$5,749,000 of the total appropriation is provided solely for
37 continued permitting work on the Mukilteo ferry terminal (project
38 952515P). The department shall seek additional federal funding for

1 this project. Prior to beginning terminal improvements, the department
2 shall report to the legislature on the final environmental impact
3 statement by December 31, 2012. The report must include an overview of
4 the costs and benefits of each of the alternatives considered, as well
5 as an identification of costs and a funding plan for the preferred
6 alternative.

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

14 (9) (~~(\$3,000,000)~~) \$6,000,000 of the Puget Sound capital
15 construction account--state appropriation is provided solely for
16 emergency capital repair costs (project 999910K). Funds may be spent
17 only after approval from the office of financial management.

18 (10) \$4,851,000 of the Puget Sound capital construction account--
19 state appropriation is provided solely for the reservation and
20 communications system projects (L200041 & L200042).

21 (11) \$1,000,000 of the Puget Sound capital construction account--
22 state appropriation is provided solely for security and operational
23 planning as a first step in introducing liquid natural gas (LNG) to the
24 Washington ferry fleet, including the issuance of a request for
25 proposals (RFP). \$750,000 is provided solely for the department to
26 work with appropriate agencies of the state and federal government to
27 amend the state's current alternative security plan to account for the
28 use of LNG as a propulsion fuel in the ferry fleet, and to begin public
29 outreach efforts. \$250,000 is provided solely to issue an RFP for a
30 design-build contract to fully convert the existing diesel powered
31 Issaquah class fleet to be solely powered by LNG. The successful
32 bidder must be awarded the \$250,000 appropriation and must be able to
33 offer detailed design services, attain coast guard approval regarding
34 vessel safety and any other requirements pertaining to design, acquire
35 engines with LNG as a sole fuel source, provide public outreach and
36 education regarding the conversion of ferry vessels to LNG, perform all
37 conversion work, and supply dependable and suitable quantities of LNG.
38 The RFP must include incentives for proposals that include alternative

1 financing arrangements, such as a delayed payment plan based on fuel
 2 savings. To the extent allowable under current law, the bidder awarded
 3 the design-build contract for converting the Issaquah fleet to LNG
 4 under this subsection must be given bidding preferences in any future
 5 LNG-related ferry proposals or projects. The RFP referenced in this
 6 subsection must be issued by the department by August 1, 2012. The
 7 department must provide a report to the joint transportation committee
 8 on the development of the RFP in July 2012 and an update report again
 9 in September 2012.

10 (12) (~~(\$500,000)~~) \$1,200,000 of the Puget Sound capital
 11 construction account--state appropriation is provided solely for the
 12 ADA visual paging project (L2200083). If any new federal grants are
 13 received by the department that may supplant the state funds in this
 14 appropriation, the state funds in this appropriation must be placed in
 15 unallotted status.

16 (13) Consistent with RCW 47.60.662, which requires the Washington
 17 state ferry system to collaborate with passenger-only ferry and transit
 18 providers to provide service at existing terminals, the department
 19 shall ensure that multimodal access, including for passenger-only
 20 ferries and transit service providers, is not precluded by any future
 21 modifications at the terminal.

22 (14) The appropriation in this section includes up to \$47,759,000
 23 in proceeds from the sale of bonds authorized in RCW 47.10.861.

24 **Sec. 907.** 2012 c 86 s 309 (uncodified) is amended to read as
 25 follows:

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

27	Essential Rail Assistance Account--State	
28	Appropriation	\$1,565,000
29	Transportation Infrastructure Account--State	
30	Appropriation	((\$5,693,000))
31		<u>\$5,018,000</u>
32	Multimodal Transportation Account--State	
33	Appropriation	((\$58,220,000))
34		<u>\$31,124,000</u>
35	Multimodal Transportation Account--Federal	
36	Appropriation	((\$236,597,000))
37		<u>\$110,725,000</u>

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

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

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

16 (ii) Self-sustaining economic development that creates family-wage
17 jobs;

18 (iii) Preservation of transportation corridors that would otherwise
19 be lost;

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

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

24 (vi) Mitigation of impacts of increased rail traffic on
25 communities.

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

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

33 (5) The multimodal transportation account--state appropriation
34 includes up to \$12,103,000 in proceeds from the sale of bonds
35 authorized in RCW 47.10.867.

36 (6) The Burlington Northern Santa Fe Skagit river bridge is an
37 integral part of the rail system. Constructed in 1916, the bridge does
38 not meet current design standards and is at risk during flood events

1 that occur on the Skagit river. The department shall work with
2 Burlington Northern Santa Fe and local jurisdictions to secure federal
3 funding for the Skagit river bridge and to develop an appropriate
4 replacement plan and schedule.

5 (7) (~~(\$218,341,000)~~) \$103,992,000 of the multimodal transportation
6 account--federal appropriation and (~~(\$3,639,000)~~) \$1,815,000 of the
7 multimodal transportation account--state appropriation are provided
8 solely for expenditures related to passenger high-speed rail grants.
9 At one and one-half percent of the total project funds, the multimodal
10 transportation account--state funds are provided solely for
11 expenditures that are not federally reimbursable. Funding in this
12 subsection is the initial portion of multiyear high-speed rail program
13 grants awarded to Washington state for high-speed intercity passenger
14 rail investments. Funding will allow for two additional round trips
15 between Seattle and Portland and other rail improvements.

16 (8) \$750,000 of the multimodal transportation account--state
17 appropriation is provided solely for the Port of Royal Slope
18 rehabilitation project (L1000053). Funding is contingent upon the
19 project completing the rail cost-benefit methodology process developed
20 during the 2008 interim using the legislative priorities outlined in
21 subsection (2)(c) of this section.

22 (9) As allowable under federal rail authority rules and existing
23 competitive bidding practices, when purchasing new train sets, the
24 department shall give preference to bidders that propose train sets
25 with characteristics and maintenance requirements most similar to those
26 currently owned by the department.

27 (10) Funds generated by the grain train program are solely for
28 operating, sustaining, and enhancing the grain train program including,
29 but not limited to, operations, capital investments, inspection,
30 developing business plans for future growth, and fleet management. Any
31 funds deemed by the department, in consultation with relevant port
32 districts, to be in excess of current operating needs or capital
33 reserves of the grain train program may be transferred from the
34 miscellaneous program account to the essential rail assistance account
35 for the purpose of sustaining the grain train program through
36 maintaining the Palouse river and Coulee City railroad line, on which
37 the grain train program operates.

1 (11) \$500,000 of the essential rail assistance account--state
2 appropriation is provided solely for the purpose of rehabilitation and
3 maintenance of the Palouse river and Coulee City railroad line.
4 Expenditures from this appropriation may not exceed the combined total
5 of:

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

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

11 (12) \$200,000 of the multimodal transportation account--state
12 appropriation is provided solely for the Clark county chelatchie
13 prairie rail road (project L2200085).

14 **Sec. 908.** 2012 c 86 s 310 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
17 **CAPITAL**

18	((Highway Infrastructure Account--State Appropriation	\$207,000
19	Highway Infrastructure Account--Federal	
20	Appropriation	\$1,602,000))
21	Motor Vehicle Account--State Appropriation	((\$4,179,000))
22		<u>\$2,511,000</u>
23	Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
24		<u>\$19,759,000</u>
25	<u>Highway Safety Account--State Appropriation</u>	<u>\$752,000</u>
26	Freight Mobility Investment Account--State	
27	Appropriation	((\$11,278,000))
28		<u>\$5,044,000</u>
29	Transportation Partnership Account--State	
30	Appropriation	((\$7,181,000))
31		<u>\$3,967,000</u>
32	Freight Mobility Multimodal Account--State	
33	Appropriation	((\$15,668,000))
34		<u>\$11,868,000</u>
35	Freight Mobility Multimodal Account--Local	
36	Appropriation	((\$2,834,000))
37		<u>\$960,000</u>

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

18 (6) Except as provided otherwise in this section, the entire
19 appropriations in this section are provided solely for the projects and
20 activities as listed by project and amount in LEAP Transportation
21 Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~))
22 April 23, 2013, Program - Local Programs (Z).

23 (7) For the 2011-2013 project appropriations, unless otherwise
24 provided in this act, the director of the office of financial
25 management may authorize a transfer of appropriation authority between
26 projects managed by the freight mobility strategic investment board and
27 may also advance projects in future biennia, as identified in LEAP
28 Transportation Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed
29 ((~~March 8, 2012~~)) April 23, 2013, into the current biennium in order
30 for the board to manage project spending and efficiently deliver all
31 projects in the respective program.

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

37 (9) If funding is specifically designated in this act for main

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

4 (10) (~~(\$267,000)~~) \$50,000 of the motor vehicle account--state
5 appropriation and (~~(\$2,859,000)~~) \$50,000 of the motor vehicle account--
6 federal appropriation are provided solely for completion of the US 101
7 northeast peninsula safety rest area and associated roadway
8 improvements east of Port Angeles at the Deer Park scenic view point
9 (3LP187A). The department must surplus any right-of-way previously
10 purchased for this project near Sequim. Approval to proceed with
11 construction is contingent on surplus of previously purchased right-of-
12 way.

13 (11) Up to (~~(\$3,702,000)~~) \$2,680,000 of the motor vehicle account--
14 federal appropriation and (~~(\$75,000)~~) \$55,000 of the motor vehicle
15 account--state appropriation are provided solely to reimburse the
16 cities of Kirkland and Redmond for pavement and bridge deck
17 rehabilitation on state route number 908 (1LP611A). These funds may
18 not be expended unless the cities sign an agreement stating that the
19 cities agree to take ownership of state route number 908 in its
20 entirety and agree that the payment of these funds represents the
21 entire state commitment to the cities for state route number 908
22 expenditures.

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

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

29 (14) (~~(\$896,000)~~) \$293,000 of the multimodal transportation
30 account--state appropriation is provided solely for realignment of
31 Parker Road and construction of secondary access off of state route
32 number 20 (L2200040).

33 (~~(An additional \$2,500,000 of the motor vehicle account--~~
34 ~~federal appropriation is provided solely for the Strander Blvd/SW 27th~~
35 ~~St Connection project (1LP902F), which amount is reflected in the LEAP~~
36 ~~transportation document identified in subsection (6) of this section.~~
37 ~~These funds may only be committed if needed, may not be used to~~

1 ~~supplant any other committed project partnership funding, and must be~~
2 ~~the last funds expended.~~

3 ~~(16)~~ ~~\$500,000~~) \$30,000 of the motor vehicle account--federal
4 appropriation is provided solely for safety improvements at the
5 intersection of South Wapato and McDonald Road (L1000052).

6 ~~((17)~~ ~~\$2,000,000~~) (16) \$850,000 of the multimodal transportation
7 account--state appropriation is provided solely for the state route
8 number 432 rail realignment and highway improvements project
9 (L1000056).

10 ~~((18))~~ (17) \$100,000 of the motor vehicle account--federal
11 appropriation is provided solely for state route number 164 and Auburn
12 Way South pedestrian improvements (L1000057).

13 ~~((19))~~ (18) \$115,000 of the motor vehicle account--federal
14 appropriation is provided solely for median street lighting on state
15 route number 410 (L1000058).

16 ~~((20))~~ (19) \$60,000 of the multimodal transportation account--
17 state appropriation is provided solely for a cross docking study for
18 the port of Douglas county (L1000060).

19 ~~((21))~~ (20) \$100,000 of the motor vehicle account--federal
20 appropriation is provided solely for city of Auburn - 8th and R Street
21 NE intersection improvements (L2200043).

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

1 appropriation is provided solely for improvements to Penney Avenue in
2 the town of Naches (L2200090).

3 ~~((+34))~~ (31) \$450,000 of the motor vehicle account--federal
4 appropriation is provided solely for preliminary engineering on NW
5 Friberg Street and Goodwin Road in the city of Camas (L2200091).

6 **IMPLEMENTING PROVISIONS**

7 **Sec. 1001.** 2011 c 367 s 601 (uncodified) is amended to read as
8 follows:

9 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

10 (1) The ~~((following agencies))~~ agency listed in subsection (2) of
11 this section may enter into financial contracts, paid from any funds of
12 an agency, appropriated or nonappropriated, for the purposes indicated
13 and in not more than the principal amounts indicated, plus financing
14 expenses and required reserves pursuant to chapter 39.94 RCW. When
15 securing properties under this section, agencies shall use the most
16 economical financial contract option available, including long-term
17 leases, lease-purchase agreements, lease-development with option to
18 purchase agreements, or financial contracts using certificates of
19 participation. Expenditures made by an agency for one of the indicated
20 purposes before the issue date of the authorized financial contract and
21 any certificates of participation therein are intended to be reimbursed
22 from proceeds of the financial contract and any certificates of
23 participation therein to the extent provided in the agency's financing
24 plan approved by the state finance committee.

25 (2) ~~((State agencies))~~ The Washington state patrol may enter into
26 agreements with the department of ~~((general administration))~~ enterprise
27 services and the state treasurer's office to develop requests to the
28 legislature for the acquisition of properties and facilities through
29 financial contracts. The agreements may include charges for services
30 rendered. The Washington state patrol may:

31 (a) ~~((Department of transportation: Enter into a financing~~
32 ~~contract for up to \$10,824,000 plus financing expenses and required~~
33 ~~reserves pursuant to chapter 39.94 RCW for the acquisition and~~
34 ~~implementation of a time, leave, and labor distribution system that is~~

1 integrated with the state's accounting and human resource management
2 systems.

3 ~~(b) Department of licensing: Enter into a financing contract for~~
4 ~~up to \$7,414,000 plus financing expenses and required reserves pursuant~~
5 ~~to chapter 39.94 RCW for the purchase of a prorated and fuel tax system.~~

6 ~~(c) Washington state patrol: (i))~~ Enter into a financing contract
7 for up to \$8,241,000 plus financing expenses and required reserves
8 pursuant to chapter 39.94 RCW to purchase and install mobile office
9 platforms in state patrol and pursuit vehicles.

10 ((+ii)) (b) Enter into a financing contract for up to
11 ~~(((\$40,100,000))~~ \$39,100,000 plus financing expenses and required
12 reserves pursuant to chapter 39.94 RCW to purchase equipment and
13 engineering services to convert to a narrowband digital system.

14 **TRANSFERS AND DISTRIBUTIONS**

15 **Sec. 1101.** 2012 c 86 s 401 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
18 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
19 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
20 **REVENUE**

21	Highway Bond Retirement Account--State	
22	Appropriation	(((\$879,501,000))
23		<u>\$862,130,000</u>
24	Ferry Bond Retirement Account--State	
25	Appropriation	(((\$31,801,000))
26		<u>\$31,807,000</u>
27	State Route Number 520 Corridor Account--State	
28	Appropriation	(((\$3,818,000))
29		<u>\$4,766,000</u>
30	Transportation Improvement Board Bond Retirement	
31	Account--State Appropriation	(((\$16,482,000))
32		<u>\$17,174,000</u>
33	Nondebt-Limit Reimbursable Account Appropriation	(((\$22,476,000))
34		<u>\$21,877,000</u>
35	Transportation Partnership Account--State	

1	Appropriation	((\$3,654,000))
2		<u>\$2,570,000</u>
3	Motor Vehicle Account--State Appropriation	((\$382,000))
4		<u>\$270,000</u>
5	Transportation 2003 Account (Nickel Account)--State	
6	Appropriation	((\$1,305,000))
7		<u>\$1,411,000</u>
8	((Transportation Improvement Account--State	
9	Appropriation	\$29,000))
10	Multimodal Transportation Account--State	
11	Appropriation	((\$158,000))
12		<u>\$181,000</u>
13	Toll Facility Bond Retirement Account--State	
14	Appropriation	((\$48,807,000))
15		<u>\$41,279,000</u>
16	Toll Facility Bond Retirement Account--Federal	
17	Appropriation	((\$7,500,000))
18		<u>\$18,283,000</u>
19	TOTAL APPROPRIATION	((\$1,015,913,000))
20		<u>\$1,001,748,000</u>

21 **Sec. 1102.** 2012 c 86 s 402 (uncodified) is amended to read as
22 follows:

23 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
24 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
25 **FISCAL AGENT CHARGES**

26	State Route Number 520 Corridor Account--State	
27	Appropriation	((\$960,000))
28		<u>\$1,826,000</u>
29	Transportation Partnership Account--State	
30	Appropriation	((\$587,000))
31		<u>\$352,000</u>
32	Motor Vehicle Account--State Appropriation	((\$58,000))
33		<u>\$28,000</u>
34	Transportation 2003 Account (Nickel Account)--State	
35	Appropriation	((\$255,000))
36		<u>\$152,000</u>
37	((Transportation Improvement Account--State Appropriation	\$5,000))

1 Multimodal Transportation Account--State
 2 Appropriation ((~~\$23,000~~))
 3 \$14,000
 4 TOTAL APPROPRIATION ((~~\$1,888,000~~))
 5 \$2,372,000

6 **Sec. 1103.** 2012 c 86 s 404 (uncodified) is amended to read as
 7 follows:

8 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**
 9 Motor Vehicle Account--State Appropriation for motor
 10 vehicle fuel tax distributions to cities and
 11 counties ((~~\$470,701,000~~))
 12 \$465,681,000

13 **Sec. 1104.** 2012 c 86 s 405 (uncodified) is amended to read as
 14 follows:

15 **FOR THE STATE TREASURER--TRANSFERS**
 16 Motor Vehicle Account--State Appropriation: For
 17 motor vehicle fuel tax refunds and statutory
 18 transfers ((~~\$1,227,005,000~~))
 19 \$1,213,253,000

20 **Sec. 1105.** 2012 c 86 s 406 (uncodified) is amended to read as
 21 follows:

22 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**
 23 Motor Vehicle Account--State Appropriation: For
 24 motor vehicle fuel tax refunds and transfers . . . ((~~\$151,870,000~~))
 25 \$147,557,000

26 **Sec. 1106.** 2012 c 86 s 407 (uncodified) is amended to read as
 27 follows:

28 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**
 29 (1) Motor Vehicle Account--State Appropriation:
 30 For transfer to the Puget Sound Ferry Operations
 31 Account--State \$45,500,000
 32 (2) Recreational Vehicle Account--State
 33 Appropriation: For transfer to the Motor Vehicle
 34 Account--State \$1,150,000

1 (b) The amount transferred in subsection (2) of this section shall
2 not exceed the expenditures incurred from the motor vehicle account--
3 state for the recreational vehicle sanitary disposal systems program.

4 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

5 **Sec. 1201.** 2012 c 86 s 701 (uncodified) is amended to read as
6 follows:

7 It is the intent of the legislature that the appropriations in
8 (~~sections 702 through 713 of this act be~~) chapter 86, Laws of 2012
9 that were supported by the legislative changes in chapter 80, Laws of
10 2012 and chapter 74, Laws of 2012 were an initial commitment to the
11 programs and activities funded and that the commitment continue through
12 the 2013-2015 fiscal biennium. To that end, it is the intent of the
13 legislature that the spending plan for the 2013-2015 fiscal biennium
14 reflect the programmatic areas and amounts described in LEAP
15 Transportation Document 2012-4, as developed March 8, 2012, except for
16 the amounts for "WSDOT Preliminary Design/Rights-of-Way," which are
17 superseded for the 2013-2015 fiscal biennium by the amounts provided in
18 section 306(15) of this act for the projects identified in LEAP
19 Transportation Document 2013-3 as developed April 23, 2013.

20 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

21 NEW SECTION. **Sec. 1301.** The appropriations to the department of
22 transportation in chapter 86, Laws of 2012 and this act must be
23 expended for the programs and in the amounts specified in this act.
24 However, after May 1, 2013, unless specifically prohibited, the
25 department may transfer state appropriations for the 2011-2013 fiscal
26 biennium among operating programs after approval by the director of the
27 office of financial management. However, the department shall not
28 transfer state moneys that are provided solely for a specific purpose.
29 The department shall not transfer funds, and the director of the office
30 of financial management shall not approve the transfer, unless the
31 transfer is consistent with the objective of conserving, to the maximum
32 extent possible, the expenditure of state funds and not federal funds.

1 The director of the office of financial management shall notify the
2 appropriate transportation committees of the legislature prior to
3 approving any allotment modifications or transfers under this section.
4 The written notification must include a narrative explanation and
5 justification of the changes, along with expenditures and allotments by
6 program and appropriation, both before and after any allotment
7 modifications or transfers.

8 NEW SECTION. **Sec. 1302.** The following acts or parts of acts are
9 each repealed:

- 10 (1) 2012 c 86 s 702 (uncodified);
- 11 (2) 2012 c 86 s 703 (uncodified);
- 12 (3) 2012 c 86 s 704 (uncodified);
- 13 (4) 2012 c 86 s 705 (uncodified);
- 14 (5) 2012 c 86 s 706 (uncodified);
- 15 (6) 2012 c 86 s 707 (uncodified);
- 16 (7) 2012 c 86 s 709 (uncodified);
- 17 (8) 2012 c 86 s 710 (uncodified);
- 18 (9) 2012 c 86 s 711 (uncodified);
- 19 (10) 2012 c 86 s 712 (uncodified);
- 20 (11) 2012 c 86 s 713 (uncodified);
- 21 (12) 2012 c 86 s 714 (uncodified);
- 22 (13) 2012 c 86 s 715 (uncodified); and
- 23 (14) 2012 c 86 s 716 (uncodified).

24 MISCELLANEOUS

25 NEW SECTION. **Sec. 1401.** If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected.

29 NEW SECTION. **Sec. 1402.** Except for sections 702 and 709 of this
30 act, this act is necessary for the immediate preservation of the public
31 peace, health, or safety, or support of the state government and its
32 existing public institutions, and takes effect immediately.

1 NEW SECTION. **Sec. 1403.** Section 702 of this act is necessary for
2 the immediate preservation of the public peace, health, or safety, or
3 support of the state government and its existing public institutions,
4 and takes effect July 1, 2013.

5 NEW SECTION. **Sec. 1404.** Section 709 of this act is necessary for
6 the immediate preservation of the public peace, health, or safety, or
7 support of the state government and its existing public institutions,
8 and takes effect June 30, 2013, unless chapter . . . (Substitute House
9 Bill No. 1745), Laws of 2013 is enacted on or before June 30, 2013, in
10 which case section 709 of this act does not take effect.

(End of Bill)

INDEX

PAGE #

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS 75, 166

ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM 54

COLLECTIVE BARGAINING AGREEMENTS 61

COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED 61

COLLECTIVE BARGAINING AGREEMENTS

 PTE LOCAL 17 65

 WSP LIEUTENANTS ASSOCIATION 65

 WSP TROOPERS ASSOCIATION 65

COMPENSATION

 NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS 67

 NONREPRESENTED EMPLOYEES--SALARIES AND WAGES 68

 REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS 67

 REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS 66

 REVISE PENSION CONTRIBUTION RATES 78

COUNTY ROAD ADMINISTRATION BOARD 7, 37, 102, 137

DEPARTMENT OF AGRICULTURE 3

DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION 2

DEPARTMENT OF ENTERPRISE SERVICES 3

DEPARTMENT OF FISH AND WILDLIFE 5

DEPARTMENT OF LICENSING 13, 108

 TRANSFERS 58, 169

DEPARTMENT OF TRANSPORTATION 76, 77, 79

DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS

 CARPENTERS 63

 FASPAA 62

 IBU 65

 MEBA-L 63

 MEBA-UL 63

 METAL TRADES 63

 MM&P MASTERS 64

 MM&P MATES 64

 MM&P WATCH SUPERVISORS 64

 OPEIU 62

 SEIU LOCAL 6 62

DEPARTMENT OF TRANSPORTATION

 AVIATION--PROGRAM F 20, 117

CHARGES FROM OTHER AGENCIES--PROGRAM U	29, 127
ECONOMIC PARTNERSHIPS--PROGRAM K	23, 119
FACILITIES--PROGRAM D--CAPITAL	38
FACILITIES--PROGRAM D--OPERATING	20, 116
HIGHWAY MAINTENANCE--PROGRAM M	23, 120
IMPROVEMENTS--PROGRAM I	39, 139
INFORMATION TECHNOLOGY--PROGRAM C	20, 116
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	52, 160
LOCAL PROGRAMS--PROGRAM Z--OPERATING	35, 137
MARINE--PROGRAM X	33, 133
PRESERVATION--PROGRAM P	46, 150
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	21, 117
PUBLIC TRANSPORTATION--PROGRAM V	29, 128
RAIL--PROGRAM Y--OPERATING	34, 136
RAIL--PROGRAM Y--CAPITAL	50, 156
TOLL OPERATIONS AND MAINTENANCE--PROGRAM B	16, 114
TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL	48, 152
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	24, 121
TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S	27, 125
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	28, 125
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	48, 153
FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES	57
FOR THE DEPARTMENT OF TRANSPORTATION	74
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	11, 36, 104
FUND TRANSFERS	74
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE	3
JOINT TRANSPORTATION COMMITTEE	7
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	3
OFFICE OF FINANCIAL MANAGEMENT	2
QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM	55
STAFFING LEVELS	73
STATE PARKS AND RECREATION COMMISSION	3
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	58, 169
BOND RETIREMENT AND INTEREST	57, 58, 167, 168
STATE REVENUES FOR DISTRIBUTION	58, 169
TRANSFERS	58, 169
STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES	60
STATUTORY APPROPRIATIONS	61

TRANSPORTATION COMMISSION 9, 103
TRANSPORTATION IMPROVEMENT BOARD 7, 37, 102, 138
UTILITIES AND TRANSPORTATION COMMISSION 2
VOLUNTARY RETIREMENT AND SEPARATION INCENTIVES 78
WASHINGTON STATE PATROL 11, 36, 105
WASHINGTON TRAFFIC SAFETY COMMISSION 6, 100
WEB SITE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF TRANSPORTATION 79"

1 Correct the title.

--- END ---