
ENGROSSED SUBSTITUTE HOUSE BILL 2762

State of Washington

63rd Legislature

2014 Regular Session

By House Transportation (originally sponsored by Representatives Clibborn, Fey, and Gregerson; by request of Governor Inslee)

READ FIRST TIME 03/03/14.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.12.630, 47.28.030, 81.53.281, 82.70.020, 82.70.040,
3 82.70.050, 82.70.900, and 47.28.170; amending 2013 c 306 ss 101, 102,
4 103, 106, 107, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
5 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302,
6 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 404, 405,
7 406, 407, 517, 518, 519, 603, and 606 (uncodified); reenacting and
8 amending RCW 46.68.340 and 47.04.010; adding a new section to chapter
9 43.21C RCW; adding new sections to chapter 306, Laws of 2013
10 (uncodified); making appropriations and authorizing expenditures for
11 capital improvements; providing contingent effective dates; providing
12 an expiration date; and declaring an emergency.

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

14 **2013-2015 FISCAL BIENNIUM**
15 **GENERAL GOVERNMENT AGENCIES--OPERATING**

16 **Sec. 101.** 2013 c 306 s 101 (uncodified) is amended to read as
17 follows:

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

2 Motor Vehicle Account--State Appropriation ((~~\$435,000~~))
3 \$434,000

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

9 **Sec. 102.** 2013 c 306 s 102 (uncodified) is amended to read as
10 follows:

11 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

12 Grade Crossing Protective Account--State
13 Appropriation ((~~\$504,000~~))
14 \$514,000

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

17 (1) \$10,000 of the grade crossing protective account--state
18 appropriation is provided solely for the commission to study the safety
19 of equipment, driver qualifications, insurance levels, safety of
20 operations, and the past accidents of charter party carriers providing
21 railroad crew transportation.

22 (2) The study must include a review of current practices regarding:

23 (a) Driver qualifications, including a driver's experience and
24 skill, physical condition, type or class of license, and any license
25 suspensions or revocations;

26 (b) Equipment safety;

27 (c) Safety of operations;

28 (d) Passenger safety;

29 (e) Insurance coverage levels, including liability coverage,
30 uninsured and underinsured motorist coverage, and property damage
31 coverage; and

32 (f) Safety complaints received by the commission.

33 (3) This study must also include examination of past accidents
34 involving vehicles regulated under chapter 81.61 RCW. A railroad
35 company, and any charter party carrier that owns or leases, operates,
36 or maintains contract crew hauling vehicles in the state, must, at the
37 request of the commission, provide data on such accidents, including

1 the location, time of day, visibility, a description of the event, and
2 whether the accident caused any property damage or personal injuries.
3 The commission must make this data available upon request.

4 (4) The commission must provide a report to the legislature by
5 December 31, 2014, summarizing the findings to date, including
6 recommendations for avoiding accidents in the future and providing
7 recommended statutory changes that would enhance public safety.

8 **Sec. 103.** 2013 c 306 s 103 (uncodified) is amended to read as
9 follows:

10 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

11 Motor Vehicle Account--State Appropriation	(\$1,641,000)
12	<u>\$1,638,000</u>
13 Puget Sound Ferry Operations Account--State	
14 Appropriation	\$176,000
15 TOTAL APPROPRIATION	(\$1,817,000)
16	<u>\$1,814,000</u>

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

19 (1) \$932,000 of the motor vehicle account--state appropriation is
20 provided solely for the office of financial management, from funds set
21 aside out of statewide fuel taxes distributed to counties according to
22 RCW 46.68.120(3), to contract with the Washington state association of
23 counties to identify, analyze, evaluate, and implement county
24 transportation performance measures associated with transportation
25 system policy goals outlined in RCW 47.04.280. The Washington state
26 association of counties, in cooperation with state agencies, must:
27 Identify, analyze, and report on county transportation system
28 preservation; identify, evaluate, and report on opportunities to
29 streamline reporting requirements for counties; and evaluate project
30 management tools to help improve project delivery at the county level.

31 (2) \$70,000 of the Puget Sound ferry operations account--state
32 appropriation is provided solely for the state's share of the marine
33 salary survey.

34 **Sec. 104.** 2013 c 306 s 106 (uncodified) is amended to read as
35 follows:

1 **FOR THE DEPARTMENT OF AGRICULTURE**

2 Motor Vehicle Account--State Appropriation ((~~\$1,208,000~~))
3 \$1,206,000

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

6 (1) \$351,000 of the motor vehicle account--state appropriation is
7 provided solely for costs associated with the motor fuel quality
8 program.

9 (2) \$857,000 of the motor vehicle account--state appropriation is
10 provided solely to test the quality of biofuel. The department must
11 test fuel quality at the biofuel manufacturer, distributor, and
12 retailer.

13 **Sec. 105.** 2013 c 306 s 107 (uncodified) is amended to read as
14 follows:

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

16 Motor Vehicle Account--State Appropriation ((~~\$529,000~~))
17 \$528,000

18 **TRANSPORTATION AGENCIES--OPERATING**

19 **Sec. 201.** 2013 c 306 s 201 (uncodified) is amended to read as
20 follows:

21 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

22 Highway Safety Account--State Appropriation ((~~\$3,017,000~~))
23 \$3,029,000

24 Highway Safety Account--Federal Appropriation ((~~\$40,699,000~~))
25 \$40,792,000

26 Highway Safety Account--Private/Local Appropriation ((~~\$50,000~~))
27 \$118,000

28 School Zone Safety Account--State Appropriation ((~~\$1,800,000~~))
29 \$1,700,000

30 TOTAL APPROPRIATION ((~~\$45,566,000~~))
31 \$45,639,000

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

1 (1) The commission shall develop and implement, in collaboration
2 with the Washington state patrol, a target zero team pilot program in
3 Yakima and Spokane counties. The pilot program must demonstrate the
4 effectiveness of intense, high visibility driving under the influence
5 enforcement in Washington state. The commission shall apply to the
6 national highway traffic safety administration for federal highway
7 safety grants to cover the cost of the pilot program.

8 (2) \$20,000,000 of the highway safety account--federal
9 appropriation is provided solely for federal funds that may be
10 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
11 2013-2015 fiscal biennium.

12 ~~((4))~~ (3) The commission may continue to oversee pilot projects
13 implementing the use of automated traffic safety cameras to detect
14 speed violations within cities west of the Cascade mountains that have
15 a population over one hundred ninety-five thousand. For the purposes
16 of pilot projects in this subsection, no more than one automated
17 traffic safety camera may be used to detect speed violations within any
18 one jurisdiction.

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

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

26 (4)(a) The commission shall coordinate with counties to implement
27 and administer a statewide yellow dot program that will provide a
28 yellow dot window decal and yellow dot folder during the 2013-2015
29 fiscal biennium.

30 (b) The commission may utilize available federal dollars and state
31 dollars to implement and administer the program. The commission may
32 accept donations and partnership funds through the state's existing
33 donation process and deposit the funds to the highway safety account
34 for the start-up and continued support of the program.

35 (c) The commission, in conjunction with counties, shall maintain a
36 separate web page that allows a person to download the yellow dot form
37 to be placed in the yellow dot folder and lists the locations in which
38 a person may pick up the yellow dot window decal and folder. The

1 commission and counties may not collect any personal information. A
2 person using the program is responsible for maintaining the information
3 in the yellow dot folder, and that participation in the program does
4 not create any new or distinct obligation for emergency medical
5 responders or law enforcement personnel to determine if there is a
6 yellow dot folder in the motor vehicle or use the information contained
7 in the yellow dot folder.

8 (d) The commission may adopt rules necessary to implement this
9 subsection.

10 **Sec. 202.** 2013 c 306 s 202 (uncodified) is amended to read as
11 follows:

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13 Rural Arterial Trust Account--State Appropriation	((\$945,000))
	<u>\$942,000</u>
15 Motor Vehicle Account--State Appropriation	((\$2,186,000))
	<u>\$2,200,000</u>
17 County Arterial Preservation Account--State	
18 Appropriation	((\$1,456,000))
	<u>\$1,450,000</u>
20 TOTAL APPROPRIATION	((\$4,587,000))
	<u>\$4,592,000</u>

22 **Sec. 203.** 2013 c 306 s 203 (uncodified) is amended to read as
23 follows:

24 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

25 Transportation Improvement Account--State	
26 Appropriation	((\$3,804,000))
	<u>\$3,909,000</u>

28 **Sec. 204.** 2013 c 306 s 204 (uncodified) is amended to read as
29 follows:

30 **FOR THE JOINT TRANSPORTATION COMMITTEE**

31 Motor Vehicle Account--State Appropriation	((\$1,330,000))
	<u>\$1,577,000</u>

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

1 (1)(a) \$325,000 of the motor vehicle account--state appropriation
2 is for a study of transportation cost drivers and potential
3 efficiencies to contain project costs and gain more value from
4 investments in Washington state's transportation system. The goal is
5 to enable the department of transportation to construct bridge and
6 highway projects more quickly and to build and operate them at a lower
7 cost, while ensuring that appropriate environmental and regulatory
8 protections are maintained and a quality project is delivered. The
9 joint transportation committee must convene an advisory panel to
10 provide study guidance and discuss potential efficiencies and
11 recommendations. The scope of the study must be limited to state-level
12 policies and practices relating to the planning, design, permitting,
13 construction, financing, and operation of department of transportation
14 roadway and bridge projects. The study must:

- 15 (i) Identify best practices;
- 16 (ii) Identify inefficiencies in state policy or agency practice
17 where changes may save money;
- 18 (iii) Recommend changes to improve efficiency and save money; and
- 19 (iv) Identify potential savings to be achieved by adopting changes
20 in practice or policy.

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

24 (2) The joint transportation committee shall coordinate a work
25 group comprised of the department of licensing, the department of
26 revenue, county auditors or other agents, and subagents to identify
27 possible issues relating to the administration of, compliance with, and
28 enforcement of the existing statutory requirement for a person to
29 provide an unexpired driver's license when registering a vehicle. The
30 work group shall provide recommendations on how administration and
31 enforcement may be modified, as needed, to address any identified
32 issues, including whether statutory changes may be needed. A report
33 presenting the recommendations must be presented to the house of
34 representatives and senate transportation committees by December 31,
35 2013.

36 (3) The joint transportation committee shall continue to convene a
37 subcommittee for legislative oversight of the I-5/Columbia river
38 crossing bridge replacement project. The Columbia river crossing

1 legislative oversight subcommittee must be made up of six members: Two
2 appointed by the cochairs of the senate transportation committee, two
3 appointed by the chair and ranking member of the house of
4 representatives transportation committee, one designee of the governor,
5 and one citizen jointly appointed by the four members of the joint
6 transportation executive committee. The citizen appointee must be a
7 Washington state resident of the area served by the bridge. At least
8 two of the legislative members must be from the legislative districts
9 served by the bridge. In addition to reviewing project and financing
10 information, the subcommittee must also coordinate with the Oregon
11 legislative oversight committee for the Columbia river crossing bridge.

12 (4) The joint transportation committee shall convene a work group
13 to identify and evaluate internal refinance opportunities for the
14 Tacoma Narrows bridge. The study must include a staff work group,
15 including staff from the office of financial management, the
16 transportation commission, the department of transportation, the office
17 of the state treasurer, and the legislative transportation committees.
18 The joint transportation committee shall issue a report of its findings
19 to the house of representatives and the senate transportation
20 committees by December 31, 2013.

21 (5) The joint transportation committee shall study and review the
22 use of surplus property proceeds to fund facility replacement projects,
23 and the possibility of using the north central region as a pilot. The
24 joint transportation committee shall consult with the department of
25 transportation and the office of financial management regarding the
26 department's current process for prioritizing and funding facility
27 improvement and replacement projects.

28 (6) \$250,000 of the motor vehicle account--state appropriation is
29 provided solely for the joint transportation committee to evaluate the
30 current status of electric vehicle charging stations in Washington, and
31 to report to the transportation committees of the legislature by
32 December 31, 2014, regarding potential business models to sustain
33 private sector vehicle charging networks and the best role for the
34 public sector in those business models, including the potential for
35 public funding, grant programs, and other incentives to encourage
36 installation of electric vehicle charging stations. In conducting the
37 study, the committee must coordinate with the department of
38 transportation and consult with local governments and stakeholders in

1 the electric vehicle industry. The committee may also consult with
2 users of electric vehicles and stakeholders representing manufacturers
3 and operators of electric vehicle charging stations.

4 (7) The joint transportation committee shall coordinate a work
5 group to review the existing titling and registration processes along
6 with policies that county auditors, subagents, and agents must comply
7 with when conducting title and registration transactions. The goal and
8 related outcomes of the work group review are to provide
9 recommendations to streamline processes, modernize policies, and
10 identify potential information technology opportunities. Members of
11 the work group shall only include county auditors, subagents, agents,
12 and the department of licensing. The work group shall submit a report
13 to the transportation committees of the legislature on or before
14 December 1, 2014.

15 **Sec. 205.** 2013 c 306 s 205 (uncodified) is amended to read as
16 follows:

17 **FOR THE TRANSPORTATION COMMISSION**

18	Motor Vehicle Account--State Appropriation	((\$2,947,000))
19		<u>\$3,520,000</u>
20	Multimodal Transportation Account--State	
21	Appropriation	\$112,000
22	TOTAL APPROPRIATION	((\$3,059,000))
23		<u>\$3,632,000</u>

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

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

36 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
37 2015 fiscal biennium, the legislature authorizes the transportation

1 commission to periodically review and, if necessary, adjust the
2 schedule of toll charges applicable to the Tacoma Narrows bridge only
3 in amounts not greater than those sufficient to support (a) any
4 required costs for operating and maintaining the toll bridge, including
5 the cost of insurance, (b) any amount required by law to meet the
6 redemption of bonds and applicable interest payments, and (c) repayment
7 of the motor vehicle fund.

8 (3) Consistent with RCW 43.135.055 and 47.56.880, during the
9 2013-2015 fiscal biennium, the legislature authorizes the
10 transportation commission to set, periodically review, and, if
11 necessary, adjust the schedule of toll charges applicable to the
12 Interstate 405 express toll lanes.

13 (4)(a) \$400,000 of the motor vehicle account--state appropriation
14 is provided solely for the development of the business case for the
15 transition to a road usage charge system as the basis for funding the
16 state transportation system, from the current motor fuel tax system.
17 The funds are provided for fiscal year 2014 only.

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

1 charge systems, and that the department serve as a resource for
2 information gleaned from other states on this topic for the
3 commission's efforts.

4 (c) For the purposes of this subsection (~~((3))~~) (4), the commission
5 shall:

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

9 (ii) Develop the preferred operational concept or concepts that
10 reflect the preliminary policies;

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

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

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

23 (e) The commission shall submit a report of the business case to
24 the governor and the transportation committees of the legislature by
25 December 15, 2013. The report must also include a proposed budget and
26 work plan for fiscal year 2015. A progress report must be submitted to
27 the governor and the joint transportation committee by November 1,
28 2013, including a presentation to the joint transportation committee.

29 (~~((4))~~) (5) \$174,000 of the motor vehicle account--state
30 appropriation is provided solely for the voice of Washington survey
31 program. The funding must be utilized for continued program
32 maintenance and two transportation surveys for the 2013-2015 fiscal
33 biennium.

34 (6)(a) \$450,000 of the motor vehicle account--state appropriation
35 is provided solely for a work plan to further develop the concept of a
36 road usage charge system. The work plan must include: Refinement of
37 initial policy analysis and development, a concept of operations that
38 incorporates refined policy inputs, and a financial analysis evaluating

1 the operational concept. The refinement of initial policy analysis and
2 development funded under this subsection must be supplemented by the
3 products of complementary policy refinement tasks delegated to the
4 department of transportation in section 214 of this act and the office
5 of the state treasurer in section 705 of this act. It is the intent of
6 the legislature that consideration for potential planning for a pilot
7 project and any risk analysis occur in the 2015 legislative session.

8 (b)(i) For the purposes of the refinement of initial policy
9 analysis and development, the work plan must consider phasing and
10 staging of how a road usage charge would be implemented as it relates
11 to the types of vehicles that would be subject to a road usage charge
12 and the nature and manner of a transition period.

13 (ii) For the purposes of this subsection (6)(b), the legislature
14 intends that the commission focus its analysis by assuming that the
15 exemptions under a road usage charge would be the same as those under
16 the motor vehicle fuel and special fuel taxes. In addition, the
17 commission must engage the road usage charge steering committee, which
18 was reauthorized in chapter 306, Laws of 2013 for fiscal year 2014 and
19 is hereby reauthorized in this act with the same membership, to
20 continue in its role and, at a minimum, to guide the work specified in
21 (a) of this subsection, including the following: Assessing and
22 recommending the type of vehicles that would be subject to the road
23 usage charge, and assessing and recommending the options for the timing
24 and duration of the transition period. The steering committee shall
25 report its findings and guidance to the commission by December 1, 2014.

26 (c)(i) For the purposes of the development of the concept of
27 operations, the development must incorporate the products of (b) of
28 this subsection, and, to the extent practicable, the products of work
29 conducted by the department of transportation in section 214 of this
30 act and the office of the state treasurer in section 705 of this act.

31 (ii) To reduce system development and operational costs, for road
32 user charge options that rely on in-vehicle devices to record mileage,
33 the work plan must recommend how the state can utilize the technology
34 and back-office platforms that are scheduled to be provided by
35 commercial account managers under the Oregon road usage charge program.

36 (iii) In addition to a time permit and an odometer charge, the
37 concept of operations recommendation must be developed to include a

1 means for periodic payments based on mileage reporting utilizing
2 methods other than onboard diagnostic in-vehicle devices.

3 (d) The work plan and recommendations, along with a proposed work
4 plan and budget for the 2015-2017 fiscal biennium, must be submitted by
5 the commission to the transportation committees of the legislature by
6 January 15, 2015.

7 (7) Within existing resources, the commission shall undertake a
8 study of the urban and rural financial and equity implications of a
9 potential road usage charge system in Washington. The commission shall
10 work with the department of transportation and the department of
11 licensing to conduct this analysis. For any survey work that is
12 considered, the commission should utilize the existing voice of
13 Washington survey panel and budget to inform the study. The results
14 must be presented to the governor and the legislature by January 15,
15 2015.

16 (8) \$125,000 of the motor vehicle account--state appropriation is
17 provided solely for the commission to update the statewide
18 transportation plan with the required federal elements to bring the
19 plan into federal compliance. The legislature intends that a single,
20 statewide long-range transportation policy plan required under RCW
21 47.01.071(4) will fulfill both the state and federal planning
22 requirements.

23 **Sec. 206.** 2013 c 306 s 206 (uncodified) is amended to read as
24 follows:

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

26 Motor Vehicle Account--State Appropriation	(((\$904,000))
27	<u>\$882,000</u>

28 **Sec. 207.** 2013 c 306 s 207 (uncodified) is amended to read as
29 follows:

30 **FOR THE WASHINGTON STATE PATROL**

31 State Patrol Highway Account--State	
32 Appropriation	(((\$370,354,000))
33	<u>\$368,093,000</u>
34 State Patrol Highway Account--Federal	
35 Appropriation	(((\$11,137,000))
36	<u>\$11,096,000</u>

1	State Patrol Highway Account--Private/Local	
2	Appropriation	((\$3,591,000))
3		<u>\$3,580,000</u>
4	Highway Safety Account--State Appropriation	((\$19,429,000))
5		<u>\$19,283,000</u>
6	Multimodal Transportation Account--State	
7	Appropriation	\$273,000
8	Ignition Interlock Device Revolving Account--State	
9	Appropriation	((\$573,000))
10		<u>\$569,000</u>
11	TOTAL APPROPRIATION	((\$405,357,000))
12		<u>\$402,894,000</u>

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

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

18 (2) During the 2013-2015 fiscal biennium, the Washington state
19 patrol shall relocate its data center to the state data center in
20 Olympia. The Washington state patrol shall work with the department of
21 enterprise services to negotiate the lease termination agreement for
22 the current data center site.

23 (3) Washington state patrol officers engaged in off-duty uniformed
24 employment providing traffic control services to the department of
25 transportation or other state agencies may use state patrol vehicles
26 for the purpose of that employment, subject to guidelines adopted by
27 the chief of the Washington state patrol. The Washington state patrol
28 must be reimbursed for the use of the vehicle at the prevailing state
29 employee rate for mileage and hours of usage, subject to guidelines
30 developed by the chief of the Washington state patrol.

31 (4) \$573,000 of the ignition interlock device revolving account--
32 state appropriation is provided solely for the ignition interlock
33 program at the Washington state patrol to provide funding for two staff
34 to work and provide support for the program in working with
35 manufacturers, service centers, technicians, and participants in the
36 program.

37 (5) \$370,000 of the state patrol highway account--state
38 appropriation is provided solely for costs associated with the pilot

1 program described under section 216(~~(+6)~~) (5) of this act. The
2 Washington state patrol may incur costs related only to the assignment
3 of cadets and necessary computer equipment and to the reimbursement of
4 the department of transportation for contract costs. The appropriation
5 in this subsection must be funded from the portion of the automated
6 traffic safety camera infraction fines deposited into the state patrol
7 highway account; however, if the fines deposited into the state patrol
8 highway account from automated traffic safety camera infractions do not
9 reach three hundred seventy thousand dollars, the department of
10 transportation shall remit funds necessary to the Washington state
11 patrol to ensure the completion of the pilot program. The Washington
12 state patrol may not incur overtime as a result of this pilot program.
13 The Washington state patrol shall not assign troopers to operate or
14 deploy the pilot program equipment used in roadway construction zones.

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

19 (7) The Washington state patrol shall work with the state
20 interoperability executive committee to compile a list of recent
21 studies evaluating the potential savings and benefits of consolidating
22 law enforcement and emergency dispatching centers and report to the
23 joint transportation committee by December 1, 2014, on the findings and
24 recommendations of those studies. As part of this study, the
25 Washington state patrol must look for potential efficiencies within
26 state government.

27 (8) It is the intent of the legislature to increase the
28 competitiveness of entry-to-mid-level Washington state patrol trooper
29 base salaries. In order to make progress in this area, the agency
30 shall prioritize efforts during labor negotiations to assist in
31 attracting and retaining troopers.

32 (9) The Washington state patrol shall coordinate and support local
33 law enforcement in Pierce county in providing traffic control on the
34 highways and other activities within current budget during the United
35 States open national golf championship in June 2015.

36 **Sec. 208.** 2013 c 306 s 208 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF LICENSING	
2	Marine Fuel Tax Refund Account--State	
3	Appropriation	\$34,000
4	Motorcycle Safety Education Account--State	
5	Appropriation	((\$4,409,000))
6		<u>\$4,401,000</u>
7	State Wildlife Account--State Appropriation	((\$885,000))
8		<u>\$873,000</u>
9	Highway Safety Account--State Appropriation	((\$156,679,000))
10		<u>\$159,130,000</u>
11	Highway Safety Account--Federal Appropriation	((\$4,392,000))
12		<u>\$4,375,000</u>
13	Motor Vehicle Account--State Appropriation	((\$76,819,000))
14		<u>\$81,727,000</u>
15	Motor Vehicle Account--Federal Appropriation	\$467,000
16	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
17	Ignition Interlock Device Revolving Account--State	
18	Appropriation	((\$2,656,000))
19		<u>\$4,350,000</u>
20	Department of Licensing Services Account--State	
21	Appropriation	((\$5,959,000))
22		<u>\$5,990,000</u>
23	TOTAL APPROPRIATION	((\$253,844,000))
24		<u>\$262,891,000</u>

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

27 (1) \$1,235,000 of the highway safety account--state appropriation
28 is provided solely for the implementation of chapter . . . (Substitute
29 House Bill No. 1752), Laws of 2013 (requirements for the operation of
30 commercial motor vehicles in compliance with federal regulations). If
31 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
32 enacted by June 30, 2013, the amount provided in this subsection
33 lapses.

34 (2) \$1,000,000 of the highway safety account--state appropriation
35 is provided solely for information technology field system
36 modernization.

37 (3) \$5,286,000 of the highway safety account--state appropriation
38 is provided solely for business and technology modernization.

1 (4) \$2,355,000 of the motor vehicle account--state appropriation is
2 provided solely for replacing prorated and fuel tax computer systems
3 used to administer interstate licensing and the collection of fuel tax
4 revenues.

5 (5) \$1,491,000 of the highway safety account--state appropriation
6 is provided solely for the implementation of an updated central
7 issuance system.

8 (6) \$201,000 of the motor vehicle account--state appropriation is
9 provided solely for the implementation of chapter . . . (Substitute
10 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
11 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
12 2013 is not enacted by June 30, 2013, the amount provided in this
13 subsection lapses.

14 (~~(4)~~) (7) \$425,000 of the highway safety account--state
15 appropriation is provided solely for the implementation of chapter
16 . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner
17 information). If chapter . . . (Substitute Senate Bill No. 5182), Laws
18 of 2013 is not enacted by June 30, 2013, the amount provided in this
19 subsection lapses.

20 (~~(5)~~) (8) \$172,000 of the highway safety account--state
21 appropriation is provided solely for the implementation of chapter
22 . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers'
23 licenses). If chapter . . . (Senate Bill No. 5775), Laws of 2013 is
24 not enacted by June 30, 2013, the amount provided in this subsection
25 lapses.

26 (~~(6)~~) (9) \$652,000 of the motor vehicle account--state
27 appropriation is provided solely for the implementation of chapter
28 . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013
29 (license plates). If chapter . . . (Engrossed Substitute Senate Bill
30 No. 5785), Laws of 2013 is not enacted by June 30, 2013, the amount
31 provided in this subsection lapses.

32 (~~(7)~~) (10) \$78,000 of the motor vehicle account--state
33 appropriation and \$3,707,000 of the highway safety account--state
34 appropriation are provided solely for the implementation of chapter
35 . . . (Engrossed Substitute Senate Bill No. 5857), Laws of 2013
36 (vehicle-related fees). If chapter . . . (Engrossed Substitute Senate
37 Bill No. 5857), Laws of 2013 is not enacted by June 30, 2013, the
38 amount provided in this subsection lapses.

1 (~~(8)~~) (11) The appropriation in this section reflects the
2 department charging an amount sufficient to cover the full cost of
3 providing the data requested under RCW 46.12.630(1)(b).

4 (~~(9)~~) (12)(a) The department must convene a work group to examine
5 the use of parking placards and special license plates for persons with
6 disabilities and develop a strategic plan for ending any abuse. In
7 developing this plan, the department must work with the department of
8 health, disabled citizen advocacy groups, and representatives from
9 local government.

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

14 (c) The strategic plan must include:

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

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

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

35 (e) By December 1, 2013, the work group must deliver to the
36 legislature and the appropriate legislative committees the strategic
37 plan required under this subsection, together with its findings,

1 recommendations, and any necessary draft legislation in order to
2 implement the strategic plan.

3 ~~((+10+))~~ (13) \$3,082,000 of the highway safety account--state
4 appropriation is provided solely for exam and licensing activities,
5 including the workload associated with providing driver record
6 abstracts, and is subject to the following additional conditions and
7 limitations:

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

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

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

20 (14) \$292,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of chapter . . . (Engrossed
22 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
23 replacement). If chapter . . . (Engrossed Second Substitute House Bill
24 No. 1129), Laws of 2014 is not enacted by June 30, 2014, the amount
25 provided in this subsection lapses.

26 (15) \$384,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 Second Substitute House Bill No. 1902), Laws of 2014 (intermittent-use
29 trailer license plates). If chapter . . . (Engrossed Second Substitute
30 House Bill No. 1902), Laws of 2014 is not enacted by June 30, 2014, the
31 amount provided in this subsection lapses.

32 (16) \$62,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter . . . (House Bill No.
34 2100), Laws of 2014 (Seattle University license plates). If chapter
35 . . . (House Bill No. 2100), Laws of 2014 is not enacted by June 30,
36 2014, the amount provided in this subsection lapses.

37 (17) \$66,000 of the motor vehicle account--state appropriation is
38 provided solely for the implementation of chapter . . . (House Bill No.

1 2700), Laws of 2014 (breast cancer awareness license plates). If
2 chapter . . . (House Bill No. 2700), Laws of 2014 is not enacted by
3 June 30, 2014, the amount provided in this subsection lapses.

4 (18) \$61,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of chapter . . . (Engrossed
6 House Bill No. 2752), Laws of 2014 (Washington state tree license
7 plates). If chapter . . . (Engrossed House Bill No. 2752), Laws of
8 2014 is not enacted by June 30, 2014, the amount provided in this
9 subsection lapses.

10 (19) \$32,000 of the motor vehicle account--state appropriation is
11 provided solely for the implementation of chapter . . . (House Bill
12 No. 2741), Laws of 2014 (initial vehicle registration). If chapter
13 . . . (House Bill No. 2741), Laws of 2014 is not enacted by June 30,
14 2014, the amount provided in this subsection lapses.

15 (20) \$66,000 of the highway safety account--state appropriation is
16 provided solely for the implementation of chapter . . . (Substitute
17 House Bill No. 2518), Laws of 2014 (pilot identicard program). If
18 chapter . . . (Substitute House Bill No. 2518), Laws of 2014 is not
19 enacted by June 30, 2014, the amount provided in this subsection
20 lapses.

21 (21) Within existing resources, the department must convene a work
22 group that includes, at a minimum, representatives from the department
23 of transportation, the trucking industry, manufacturers of compressed
24 natural gas and liquefied natural gas, and any other stakeholders as
25 deemed necessary, for the following purposes:

26 (a) To evaluate the annual license fee in lieu of fuel tax under
27 RCW 82.38.075 to determine a fee that more closely represents the
28 average consumption of vehicles by weight and to make recommendations
29 to the transportation committees of the legislature by December 1,
30 2014, on an updated fee schedule; and

31 (b) To develop a transition plan to move vehicles powered by
32 liquefied natural gas and compressed natural gas from the annual
33 license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030.
34 The transition plan must incorporate stakeholder feedback and must
35 include draft legislation and cost and revenue estimates. The
36 transition plan must be submitted to the transportation committees of
37 the legislature by December 1, 2015.

1 (22) \$125,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 Senate Bill No. 5467), Laws of 2014 (vehicle owner list furnishment
4 requirements). If chapter . . . (Substitute Senate Bill No. 5467),
5 Laws of 2014 is not enacted by June 30, 2014, the amount provided in
6 this subsection lapses.

7 (23) The department must convene a work group to study the issue of
8 regulating tow truck operators that are not licensed as registered tow
9 truck operators under chapter 46.55 RCW. The work group must examine
10 the advisability of regulating such operators, including any potential
11 benefits to public safety, and possible methodologies for accomplishing
12 this regulation. The work group must include the department,
13 representatives of the Washington state patrol, organized groups of
14 registered tow truck operators, and automobile clubs. The work group
15 may also include hulk haulers, wreckers, transporters, and other
16 stakeholders relating to the issue of unregulated towing for monetary
17 compensation. The work group shall convene as necessary and report its
18 recommendations and draft legislation to the transportation committees
19 of the legislature by December 1, 2014.

20 (24) The department when modernizing its computer systems must
21 place personal and company data elements in separate data fields to
22 allow the department to select discrete data elements when providing
23 information or data to persons or entities outside the department.
24 This requirement must be included as part of the systems design in the
25 department's business and technology modernization. A person's photo,
26 social security number, or medical information must not be made
27 available through public disclosure or data being provided under RCW
28 46.12.630.

29 **Sec. 209.** 2013 c 306 s 209 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
32 **MAINTENANCE--PROGRAM B**

33 High-Occupancy Toll Lanes Operations Account--State
34 Appropriation ((\$1,851,000))
35 \$1,966,000
36 Motor Vehicle Account--State Appropriation ((\$509,000))
37 \$515,000

1	State Route Number 520 Corridor Account--State	
2	Appropriation	((\$32,419,000))
3		<u>\$35,104,000</u>
4	State Route Number 520 Civil Penalties Account--State	
5	Appropriation	((\$4,169,000))
6		<u>\$4,163,000</u>
7	Tacoma Narrows Toll Bridge Account--State	
8	Appropriation	((\$23,730,000))
9		<u>\$25,257,000</u>
10	Puget Sound Ferry Operations Account--State	
11	Appropriation	\$250,000
12	<u>Interstate 405 Express Toll Lanes Operations</u>	
13	<u>Account--State Appropriation</u>	<u>\$2,019,000</u>
14	TOTAL APPROPRIATION	((\$62,928,000))
15		<u>\$69,274,000</u>

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

18 (1)(a) The legislature finds that the department's tolling division
19 has expanded greatly in recent years to address the demands of
20 administering several newly tolled facilities using emerging toll
21 collection technologies. The legislature intends for the department to
22 continue its good work in administering the tolled facilities of the
23 state, while at the same time implementing controls and processes to
24 ensure the efficient and judicious administration of toll payer
25 dollars.

26 (b) The legislature finds that the department has undertaken a
27 cost-of-service study in the winter and spring of 2013 for the purposes
28 of identifying in detail the costs of operating and administering
29 tolling on state route number 520, state route number 167
30 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
31 of the study is to provide results to establish a baseline by which
32 future activity may be compared and opportunities identified for cost
33 savings and operational efficiencies. In addition, the legislature
34 finds that the state auditor has undertaken a performance audit of the
35 department's contract for the customer service center and back office
36 processing of tolling transactions. The audit findings, which are
37 expected to include lessons learned, are due in late spring 2013.

1 (c) Using the results of the cost-of-service study and the state
2 audit as a basis, the department shall conduct a review of operations
3 using lean management principles in order to eliminate inefficiencies
4 and redundancies, incorporate lessons learned, and identify
5 opportunities to conduct operations more efficiently and effectively.
6 Within current statutory and budgetary tolling policy, the department
7 shall use the results of the review to improve operations in order to
8 conduct toll operations within the appropriations provided in
9 subsections (2) through (4) of this section. The department shall
10 submit the review, along with the status of and plans for the
11 implementation of review recommendations, to the office of financial
12 management and the house of representatives and senate transportation
13 committees by October 15, 2013.

14 (2) (~~(\$10,482,000)~~) \$10,352,000 of the Tacoma Narrows toll bridge
15 account--state appropriation, (~~(\$17,056,000)~~) \$16,916,000 of the state
16 route number 520 corridor account--state appropriation, (~~(\$1,226,000)~~)
17 \$1,219,000 of the high-occupancy toll lanes operations account--state
18 appropriation, and (~~(\$509,000)~~) \$515,000 of the motor vehicle account--
19 state appropriation are provided solely for nonvendor costs of
20 administering toll operations, including the costs of: Staffing the
21 division, consultants and other personal service contracts required for
22 technical oversight and management assistance, insurance, payments
23 related to credit card processing, transponder purchases and inventory
24 management, facility operations and maintenance, and other
25 miscellaneous nonvendor costs.

26 (3) (~~(\$10,907,000)~~) \$11,265,000 of the Tacoma Narrows toll bridge
27 account--state appropriation, (~~(\$9,363,000)~~) \$9,730,000 of the state
28 route number 520 corridor account--state appropriation, and \$625,000 of
29 the high-occupancy toll lanes operations account--state appropriation
30 are provided solely for vendor-related costs of operating tolled
31 facilities, including the costs of: The customer service center; cash
32 collections on the Tacoma Narrows bridge; electronic payment
33 processing; and toll collection equipment maintenance, renewal, and
34 replacement.

35 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
36 appropriation and \$6,000,000 of the state route number 520 corridor
37 account--state appropriation are provided solely for the purposes of
38 addressing unforeseen operations and maintenance costs on the Tacoma

1 Narrows bridge and the state route number 520 bridge, respectively.
2 The office of financial management shall place the amounts provided in
3 this section, which represent a portion of the required minimum fund
4 balance under the policy of the state treasurer, in unallotted status.
5 The office may release the funds only when it determines that all other
6 funds designated for operations and maintenance purposes have been
7 exhausted.

8 (5) (~~(\$4,169,000)~~) \$4,163,000 of the state route number 520 civil
9 penalties account--state appropriation and \$1,039,000 of the Tacoma
10 Narrows toll bridge account--state appropriation are provided solely
11 for expenditures related to the toll adjudication process. The
12 department shall report on the civil penalty process to the office of
13 financial management and the house of representatives and senate
14 transportation committees by the end of each calendar quarter. The
15 reports must include a summary table for each toll facility that
16 includes: The number of notices of civil penalty issued; the number of
17 recipients who pay before the notice becomes a penalty; the number of
18 recipients who request a hearing and the number who do not respond;
19 workload costs related to hearings; the cost and effectiveness of debt
20 collection activities; and revenues generated from notices of civil
21 penalty.

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

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

30 (8) The department shall make detailed quarterly reports to the
31 governor and the transportation committees of the legislature on the
32 use of consultants in the tolling program. The reports must include
33 the name of the contractor, the scope of work, the type of contract,
34 timelines, deliverables, any new task orders, and any extensions to
35 existing consulting contracts.

36 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
37 appropriation is provided solely for the development of a plan to

1 integrate and transition customer service, reservation, and payment
2 systems currently provided by the marine division to ferry users into
3 the statewide tolling customer service center.

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

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

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

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

11 (D) Transitioning existing and planned ferry reservation system
12 support from the marine division to the statewide tolling customer
13 service center.

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

17 (10) \$2,019,000 of the Interstate 405 express toll lanes operations
18 account--state appropriation is provided solely for operating and
19 maintenance costs, including staff costs related to operating an
20 additional toll facility, consulting support for operations, purchase
21 of transponders, costs related to adjudication, credit card fees,
22 printing and postage, and the customer service center support. Of the
23 amount provided in this subsection, \$519,000 of the Interstate 405
24 express toll lanes operations account--state appropriation must be
25 placed in unallotted status by the office of financial management until
26 tolling commences.

27 (11) \$2,458,000 of the state route number 520 corridor account--
28 state appropriation, \$122,000 of the high-occupancy toll lanes
29 operations account--state appropriation, and \$1,301,000 of the Tacoma
30 Narrows toll bridge account--state appropriation is provided solely for
31 replacement of the customer service center operator and supporting toll
32 systems required for billing. Included in the amounts provided within
33 this subsection is funding for an expert review panel to oversee the
34 development and implementation of the procurement process. Of the
35 amounts provided in this subsection, \$906,000 of the state route number
36 520 corridor account--state appropriation, \$45,000 of the high-
37 occupancy toll lanes operations account--state appropriation, and
38 \$480,000 of the Tacoma Narrows toll bridge account--state appropriation

1 must be placed in unallotted status by the office of financial
2 management until a procurement plan is finalized and approved by the
3 office of financial management.

4 **Sec. 210.** 2013 c 306 s 210 (uncodified) is amended to read as
5 follows:

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

8	Transportation Partnership Account--State	
9	Appropriation	\$1,460,000
10	Motor Vehicle Account--State Appropriation	(\$68,773,000)
11		<u>\$66,099,000</u>
12	Multimodal Transportation Account--State	
13	Appropriation	(\$363,000)
14		<u>\$2,883,000</u>
15	Transportation 2003 Account (Nickel Account)--State	
16	Appropriation	\$1,460,000
17	<u>Puget Sound Ferry Operations Account--State</u>	
18	<u>Appropriation</u>	<u>\$263,000</u>
19	TOTAL APPROPRIATION	(\$72,056,000)
20		<u>\$72,165,000</u>

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

23 (1) \$290,000 of the motor vehicle account--state appropriation is
24 provided solely for the department's compliance with its national
25 pollution discharge elimination system permit.

26 (2) \$1,460,000 of the transportation partnership account--state
27 appropriation and \$1,460,000 of the transportation 2003 account (nickel
28 account)--state appropriation are provided solely for maintaining the
29 department's project management reporting system.

30 **Sec. 211.** 2013 c 306 s 211 (uncodified) is amended to read as
31 follows:

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

34	Motor Vehicle Account--State Appropriation	(\$26,251,000)
35		<u>\$26,177,000</u>

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

5 **Sec. 212.** 2013 c 306 s 212 (uncodified) is amended to read as
6 follows:

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

8 Aeronautics Account--State Appropriation	(((\$7,361,000)))
9	<u>\$8,019,000</u>
10 Aeronautics Account--Federal Appropriation	\$2,150,000
11 TOTAL APPROPRIATION	(((\$9,511,000)))
12	<u>\$10,169,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations: ((~~\$3,500,000~~))

15 (1) \$4,065,000 of the aeronautics account--state appropriation is
16 provided solely for airport investment studies and the airport aid
17 grant program, which provides competitive grants to public airports for
18 pavement, safety, maintenance, planning, and security.

19 (2) \$102,000 of the aeronautics account--state appropriation is
20 provided solely for the aviation emergency services program.

21 **Sec. 213.** 2013 c 306 s 213 (uncodified) is amended to read as
22 follows:

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

25 Motor Vehicle Account--State Appropriation	(((\$47,607,000)))
26	<u>\$47,408,000</u>
27 Motor Vehicle Account--Federal Appropriation	\$500,000
28 Multimodal Transportation Account--State	
29 Appropriation	\$250,000
30 TOTAL APPROPRIATION	(((\$48,357,000)))
31	<u>\$48,158,000</u>

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

34 (1) \$4,423,000 of the motor vehicle account--state appropriation is
35 provided solely for the department's compliance with its national
36 pollution discharge elimination system permit.

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

4 (3) The legislature recognizes that the Dryden pit site (WSDOT
5 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
6 property under the jurisdiction of the department, and that the public
7 would benefit significantly from the complete enjoyment of the natural
8 scenic beauty and recreational opportunities available at the site.
9 Therefore, pursuant to RCW 47.12.080, the legislature declares that
10 transferring the property to the department of fish and wildlife for
11 recreational use and fish and wildlife restoration efforts is
12 consistent with the public interest in order to preserve the area for
13 the use of the public and the betterment of the natural environment.
14 The department shall work with the department of fish and wildlife and
15 transfer and convey the Dryden pit site to the department of fish and
16 wildlife as-is for an adjusted fair market value reflecting site
17 conditions, the proceeds of which must be deposited in the motor
18 vehicle fund. The department is not responsible for any costs
19 associated with the cleanup or transfer of this property. This
20 subsection expires June 30, 2014.

21 (4) The legislature recognizes that the trail known as the Apple
22 Capital Loop, and its extensions, serve to separate motor vehicle
23 traffic from pedestrians and bicyclists, increasing motor vehicle
24 safety on existing state route number 28. Consistent with chapter
25 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
26 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
27 and 2-09-04569 to Douglas county and the city of East Wenatchee is
28 consistent with the public interest. The legislature directs the
29 department to transfer the property to Douglas county and the city of
30 East Wenatchee. The department must be paid fair market value for any
31 portions of the transferred real property that is later abandoned,
32 vacated, or ceases to be publicly maintained for trail purposes.
33 Douglas county and the city of East Wenatchee must agree to accept
34 responsibility for trail segments within their respective jurisdictions
35 and sign an agreement with the state that the transfer of these parcels
36 to their respective jurisdictions extinguishes any state obligations to
37 improve, maintain, or be in any way responsible for these assets. This
38 subsection expires June 30, 2014.

1 (5) The legislature recognizes that the SR 20/Cook Road realignment
2 and extension project in the city of Sedro-Woolley will enhance the
3 state and local highway systems by providing a more direct route from
4 state route number 20 and state route number 9 to Interstate 5, and
5 will reduce traffic on state route number 20 and state route number 9,
6 improving the capacity of each route. Furthermore, the legislature
7 declares that certain portions of the department's property held for
8 highway purposes located primarily to the north and west of state route
9 number 20, between state route number 20 to the south and F and S Grade
10 Road to the north, in the incorporated limits of Sedro-Woolley in
11 Skagit county, can help facilitate completion of the project.
12 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
13 is the intent of the legislature that the department sell, transfer, or
14 lease, as appropriate, to the city of Sedro-Woolley only those portions
15 of the property necessary to construct the project, including necessary
16 staging areas. However, any staging areas should revert to the
17 department within three years of completion of the project.

18 (6) Within the amounts provided in this section, the department
19 shall create a quality assurance position. This position must provide
20 independent project quality assurance validation and ensure that
21 quality assurance audit functions are accountable at the highest level
22 of the organization.

23 (7) To maximize available resources, the department's efforts to
24 eliminate fish passage barriers caused by state roads and highways must
25 be based on the principle of maximizing habitat recovery through a
26 coordinated investment strategy that, to the maximum extent practical
27 and allowable, prioritizes opportunities: To correct multiple fish
28 barriers in whole streams rather than through individual, isolated
29 projects; to coordinate with other entities sponsoring barrier
30 removals, such as regional fisheries enhancement groups, in a manner
31 that achieves the greatest cost savings to all parties; and to
32 eliminate barriers located furthest downstream in a stream system. The
33 department must also recognize that many of the barriers owned by the
34 state are located in the same stream systems as barriers that are owned
35 by cities and counties with limited financial resources for correction
36 and that state/local partnership opportunities should be sought to
37 address these barriers.

1 **Sec. 214.** 2013 c 306 s 214 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
4 **K**

5 Motor Vehicle Account--State Appropriation ((~~\$570,000~~))
6 \$590,000

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

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

33 (2) The economic partnerships program must continue to explore
34 retail partnerships at state-owned park-and-ride facilities, as
35 authorized in RCW 47.04.295.

36 (3) The department, in collaboration with the transportation
37 commission, shall work with the office of the state treasurer and the
38 state's bond counsel to explore legal approaches for ensuring that any

1 reduction, refunding, crediting, or repeal of the motor vehicle fuel
2 tax, in whole or in part, can be accomplished without unlawfully
3 impairing the legal rights of motor vehicle fuel tax bond holders. The
4 results of this work must be shared with the transportation committees
5 of the legislature and the office of financial management by September
6 1, 2014.

7 (4) \$21,000 of the motor vehicle account--state appropriation is
8 provided solely as matching funds for the department to partner with
9 other transportation agencies located in the western region of North
10 America to develop strategies and methods for reporting, collecting,
11 crediting, and remitting road usage charges resulting from inter-
12 jurisdictional travel. At least one partnering jurisdiction must share
13 a common border with Washington. The results of this work must be
14 reported to the governor, the transportation commission, and the
15 transportation committees of the legislature by September 1, 2014.

16 **Sec. 215.** 2013 c 306 s 215 (uncodified) is amended to read as
17 follows:

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

19 Highway Safety Account--State Appropriation	\$10,000,000
20 Motor Vehicle Account--State Appropriation	(((\$390,040,000))
21	<u>\$393,861,000</u>
22 Motor Vehicle Account--Federal Appropriation	\$7,000,000
23 TOTAL APPROPRIATION	(((\$407,040,000))
24	<u>\$410,861,000</u>

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

27 (1) ~~(((\$377,779,000 — of — the — motor — vehicle — account—state~~
28 ~~appropriation—and—\$10,000,000—of—the—highway—safety—account—state~~
29 ~~appropriation—are—provided—solely—for—the—maintenance—program—to~~
30 ~~achieve—specific—levels—of—service—on—the—thirty—maintenance—targets~~
31 ~~listed—by—statewide—priority—in—LEAP—Transportation—Document—2013—4—as~~
32 ~~developed—April—23,—2013.—Beginning—in—February—2014,—the—department~~
33 ~~shall—report—to—the—legislature—annually—on—its—updated—maintenance~~
34 ~~accountability—process—targets—and—whether—or—not—the—department—was~~
35 ~~able—to—achieve—its—targets.—~~

36 ~~(2)—\$8,450,000))~~ \$10,910,000 of the motor vehicle account--state

1 appropriation is provided solely for the department's compliance with
2 its national pollution discharge elimination system permit.

3 ~~((3) \$1,305,000))~~ (2) \$3,926,000 of the motor vehicle account--
4 state appropriation is provided solely for utility fees assessed by
5 local governments as authorized under RCW 90.03.525 for the mitigation
6 of storm water runoff from state highways.

7 ~~((4))~~ (3) The department shall submit a budget decision for the
8 2014 legislative session package that details all costs associated with
9 utility fees assessed by local governments as authorized under RCW
10 90.03.525.

11 ~~((5))~~ (4) \$50,000 of the motor vehicle account--state
12 appropriation is provided solely for clearing and pruning dangerous
13 trees along state route number 542 between mile markers 43 and 48 to
14 prevent safety hazards and delays.

15 ~~((6))~~ (5) \$2,277,000 of the motor vehicle account--state
16 appropriation is provided solely to replace or rehabilitate critical
17 equipment needed to perform snow and ice removal activities and roadway
18 maintenance. These funds may not be used to purchase passenger cars as
19 defined in RCW 46.04.382.

20 **Sec. 216.** 2013 c 306 s 216 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
23 **OPERATING**

24	Motor Vehicle Account--State Appropriation	(\$50,504,000))
25		<u>\$50,223,000</u>
26	Motor Vehicle Account--Federal Appropriation	\$2,050,000
27	Motor Vehicle Account--Private/Local Appropriation	\$250,000
28	TOTAL APPROPRIATION	(\$52,804,000))
29		<u>\$52,523,000</u>

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

32 (1) \$6,000,000 of the motor vehicle account--state appropriation is
33 provided solely for low-cost enhancements. The department shall give
34 priority to low-cost enhancement projects that improve safety or
35 provide congestion relief. The department shall prioritize low-cost
36 enhancement projects on a statewide rather than regional basis. By
37 September 1st of each even-numbered year, the department shall provide

1 a report to the legislature listing all low-cost enhancement projects
2 prioritized on a statewide rather than regional basis completed in the
3 prior year.

4 (2) \$9,000,000 of the motor vehicle account--state appropriation is
5 provided solely for the department's incident response program.

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

26 (4) The department shall work with the cities of Lynnwood and
27 Edmonds to provide traffic light synchronization on state route number
28 524.

29 ~~((+6+))~~ (5) The department, in consultation with the Washington
30 state patrol, must continue a pilot program for the state patrol to
31 issue infractions based on information from automated traffic safety
32 cameras in roadway construction zones on state highways. For the
33 purpose of this pilot program, during the 2013-2015 fiscal biennium, a
34 roadway construction zone includes areas where public employees or
35 private contractors may be present or where a driving condition exists
36 that would make it unsafe to drive at higher speeds, such as, when the
37 department is redirecting or realigning lanes on any public roadway

1 pursuant to ongoing construction. The department shall use the
2 following guidelines to administer the program:

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

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

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

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

20 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
21 infractions detected through the use of automated traffic safety
22 cameras are not part of the registered owner's driving record under RCW
23 46.52.101 and 46.52.120. Additionally, infractions generated by the
24 use of automated traffic safety cameras must be processed in the same
25 manner as parking infractions for the purposes of RCW 3.50.100,
26 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
27 fine issued under this subsection (~~((+6+))~~) (5) for an infraction
28 generated through the use of an automated traffic safety camera is one
29 hundred thirty-seven dollars. The court shall remit thirty-two dollars
30 of the fine to the state treasurer for deposit into the state patrol
31 highway account; and

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

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

10 ~~((7))~~ (6) \$102,000 of the motor vehicle account--state
11 appropriation is provided solely to replace or rehabilitate critical
12 equipment needed to perform traffic control. These funds may not be
13 used to purchase passenger cars as defined in RCW 46.04.382.

14 **Sec. 217.** 2013 c 306 s 217 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
17 **SUPPORT--PROGRAM S**

18	Motor Vehicle Account--State Appropriation	((\$27,281,000))
19		<u>\$27,204,000</u>
20	Motor Vehicle Account--Federal Appropriation	((\$30,000))
21		<u>\$280,000</u>
22	Multimodal Transportation Account--State	
23	Appropriation	((\$973,000))
24		<u>\$1,131,000</u>
25	TOTAL APPROPRIATION	((\$28,284,000))
26		<u>\$28,615,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$200,000 of the motor vehicle account--
29 state appropriation is provided solely for enhanced disadvantaged
30 business enterprise outreach to increase the pool of disadvantaged
31 businesses available for department contracts. The department must
32 submit a status report on disadvantaged business enterprise outreach to
33 the transportation committees of the legislature by November 15, 2014.
34

35 **Sec. 218.** 2013 c 306 s 218 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
2 **AND RESEARCH--PROGRAM T**

3	Motor Vehicle Account--State Appropriation	((\$20,109,000))
4		<u>\$19,955,000</u>
5	Motor Vehicle Account--Federal Appropriation	((\$24,885,000))
6		<u>\$27,385,000</u>
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		<u>\$50,911,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations: ((~~1~~)) Within available resources, the
17 department must collaborate with the affected metropolitan planning
18 organizations, regional transportation planning organizations, transit
19 agencies, and private transportation providers to develop a plan to
20 reduce vehicle demand, increase public transportation options, and
21 reduce vehicle miles traveled on corridors affected by growth at Joint
22 Base Lewis-McChord.

23 **Sec. 219.** 2013 c 306 s 219 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
26 **PROGRAM U**

27	Motor Vehicle Account--State Appropriation	((\$81,628,000))
28		<u>\$74,209,000</u>
29	Motor Vehicle Account--Federal Appropriation	\$400,000
30	Multimodal Transportation Account--State	
31	Appropriation	((\$40,000))
32		<u>\$3,069,000</u>
33	TOTAL APPROPRIATION	((\$82,068,000))
34		<u>\$77,678,000</u>

35 The appropriations in this section are subject to the following
36 conditions and limitations: The department of enterprise services must

1 provide a detailed accounting of the revenues and expenditures of the
2 self-insurance fund to the transportation committees of the legislature
3 on December 31st and June 30th of each year.

4 **Sec. 220.** 2013 c 306 s 220 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
7 **V**

8	State Vehicle Parking Account--State Appropriation	((\$452,000))
9		<u>\$754,000</u>
10	Regional Mobility Grant Program Account--State	
11	Appropriation	((\$49,948,000))
12		<u>\$51,111,000</u>
13	Rural Mobility Grant Program Account--State	
14	Appropriation	\$17,000,000
15	Multimodal Transportation Account--State	
16	Appropriation	((\$39,057,000))
17		<u>\$39,748,000</u>
18	Multimodal Transportation Account--Federal	
19	Appropriation	\$3,280,000
20	<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$160,000</u>
21	TOTAL APPROPRIATION	((\$109,737,000))
22		<u>\$112,053,000</u>

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

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

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

35 (b) \$19,500,000 of the multimodal transportation account--state
36 appropriation is provided solely for grants to transit agencies to
37 transport persons with special transportation needs. To receive a

1 grant, the transit agency must, to the greatest extent practicable,
2 have a maintenance of effort for special needs transportation that is
3 no less than the previous year's maintenance of effort for special
4 needs transportation. Grants for transit agencies must be prorated
5 based on the amount expended for demand response service and route
6 deviated service in calendar year 2011 as reported in the "Summary of
7 Public Transportation - 2011" published by the department of
8 transportation. No transit agency may receive more than thirty percent
9 of these distributions.

10 (2) \$17,000,000 of the rural mobility grant program account--state
11 appropriation is provided solely for grants to aid small cities in
12 rural areas as prescribed in RCW 47.66.100.

13 (3)(a) \$6,000,000 of the multimodal transportation account--state
14 appropriation is provided solely for a vanpool grant program for: (a)
15 Public transit agencies to add vanpools or replace vans; and (b)
16 incentives for employers to increase employee vanpool use. The grant
17 program for public transit agencies will cover capital costs only;
18 operating costs for public transit agencies are not eligible for
19 funding under this grant program. Additional employees may not be
20 hired from the funds provided in this section for the vanpool grant
21 program, and supplanting of transit funds currently funding vanpools is
22 not allowed. The department shall encourage grant applicants and
23 recipients to leverage funds other than state funds.

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

26 (c) \$520,000 of the amount provided in this subsection is provided
27 solely for the purchase of additional vans for use by vanpools serving
28 (~~soldiers and civilian employees at~~) or traveling through the Joint
29 Base Lewis-McChord I-5 corridor between mile post 116 and 127.

30 (4) (~~(\$9,948,000)~~) \$11,111,000 of the regional mobility grant
31 program account--state appropriation is reappropriated and provided
32 solely for the regional mobility grant projects identified in LEAP
33 Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS - Public
34 Transportation - Program (V) as developed (~~(April 23, 2013)~~) February
35 27, 2014.

36 (5)(a) \$40,000,000 of the regional mobility grant program account--
37 state appropriation is provided solely for the regional mobility grant
38 projects identified in LEAP Transportation Document (~~(2013-2)~~) 2014-2

1 ALL PROJECTS - Public Transportation - Program (V) as developed ((~~April~~
2 ~~23, 2013~~) February 27, 2014). The department shall review all projects
3 receiving grant awards under this program at least semiannually to
4 determine whether the projects are making satisfactory progress. Any
5 project that has been awarded funds, but does not report activity on
6 the project within one year of the grant award, must be reviewed by the
7 department to determine whether the grant should be terminated. The
8 department shall promptly close out grants when projects have been
9 completed, and any remaining funds must be used only to fund projects
10 identified in the LEAP transportation document referenced in this
11 subsection. The department shall provide annual status reports on
12 December 15, 2013, and December 15, 2014, to the office of financial
13 management and the transportation committees of the legislature
14 regarding the projects receiving the grants. It is the intent of the
15 legislature to appropriate funds through the regional mobility grant
16 program only for projects that will be completed on schedule. A
17 grantee may not receive more than ((~~twenty-five~~) thirty) percent of the
18 amount appropriated in this subsection. The department shall not
19 approve any increases or changes to the scope of a project for the
20 purpose of a grantee expending remaining funds on an awarded grant.

21 (b) In order to be eligible to receive a grant under (a) of this
22 subsection during the 2013-2015 fiscal biennium, a transit agency must
23 establish a process for private transportation providers to apply for
24 the use of park and ride facilities. For purposes of this subsection,
25 (i) "private transportation provider" means: An auto transportation
26 company regulated under chapter 81.68 RCW; a passenger charter carrier
27 regulated under chapter 81.70 RCW, except marked or unmarked stretch
28 limousines and stretch sport utility vehicles as defined under
29 department of licensing rules; a private nonprofit transportation
30 provider regulated under chapter 81.66 RCW; or a private employer
31 transportation service provider; and (ii) "private employer
32 transportation service" means regularly scheduled, fixed-route
33 transportation service that is offered by an employer for the benefit
34 of its employees.

35 (6) Funds provided for the commute trip reduction (CTR) program may
36 also be used for the growth and transportation efficiency center
37 program.

1 (7) (~~(\$6,122,000)~~) \$6,424,000 of the total appropriation in this
2 section is provided solely for CTR grants and activities. Of this
3 amount:

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

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

12 (c) (~~(\$452,000)~~) \$754,000 of the state vehicle parking account--
13 state appropriation is provided solely for CTR-related expenditures,
14 including all expenditures related to the guaranteed ride home program
15 and the STAR pass program.

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

19 (9) \$200,000 of the multimodal transportation account--state
20 appropriation is contingent on the timely development of an annual
21 report summarizing the status of public transportation systems as
22 identified under RCW 35.58.2796.

23 (10) \$300,000 of the multimodal transportation account--state
24 appropriation is provided solely for the continuation of state support
25 for the Whatcom smart trips commute trip reduction program.

26 (11) \$160,000 of the motor vehicle account--federal appropriation
27 is provided solely for King county metro to study demand potential for
28 a state route number 18 and Interstate 90 park and ride location, to
29 size the facilities appropriately, to perform site analysis, and to
30 develop preliminary design concepts. When studying potential park and
31 ride locations pursuant to this subsection, King county metro must take
32 into consideration the effect of the traffic using the weigh station at
33 the Interstate 90 and state route number 18 interchange at exit 25 and,
34 to the maximum extent practicable, choose a park and ride location that
35 minimizes traffic impacts for the Interstate 90 and state route number
36 18 interchange and the weigh station.

1 proposal. The plan must include fuel saving proposals, such as vessel
2 modifications, vessel speed reductions, and changes to operating
3 procedures, along with anticipated fuel saving estimates.

4 (5) \$100,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely for the department's compliance with
6 its national pollution discharge elimination system permit.

7 (6) When purchasing uniforms that are required by collective
8 bargaining agreements, the department shall contract with the lowest
9 cost provider.

10 (7) \$3,049,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the operating program share of the
12 \$7,259,000 in lease payments for the ferry division's headquarters
13 building. Consistent with the 2012 facilities oversight plan, the
14 department shall strive to consolidate office space in downtown Seattle
15 by the end of 2015. The department shall consider renewing the lease
16 for the ferry division's current headquarters building only if the
17 lease rate is reduced at least fifty percent and analysis shows that
18 this is the least cost and risk option for the department.
19 Consolidation with other divisions or state agencies, or a reduction in
20 leased space, must also be considered as part of any headquarters lease
21 renewal analysis.

22 (8) \$5,000,000 of the Puget Sound ferry operations account--state
23 appropriation is provided solely for the purchase of a 2013-2015 marine
24 insurance policy. Within this amount, the department is expected to
25 purchase a policy with the lowest deductible possible, while
26 maintaining at least existing coverage levels for ferry vessels, and
27 providing coverage for all terminals.

28 (9) Within the amounts provided in this section, and with the goal
29 of maximizing the on-time sailing of fully loaded ferries, the
30 department must increase the staffing levels for ferry terminal traffic
31 control at the Fauntleroy ferry terminal.

32 (10) Within existing resources, the department must evaluate the
33 feasibility of using re-refined used motor oil processed in Washington
34 state as a ferry fuel source. The evaluation must include, but is not
35 limited to, research on existing entities currently using the process
36 for re-refined fuel, any required combustible engine modifications,
37 additional needed equipment on the vessels or fueling locations, cost
38 analysis, compatibility with B-5 blended diesel, and meeting engine

1 performance specifications. The department must establish an
2 evaluation group that includes, but is not limited to, persons
3 experienced in the re-refined motor oil industry. The department must
4 deliver a report containing the results of the evaluation to the
5 transportation committees of the legislature and the office of
6 financial management by December 1, 2014.

7 (11) \$71,000 of the Puget Sound ferry operations account--state
8 appropriation is provided solely for one traffic attendant for ferry
9 terminal traffic control at the Fauntleroy ferry terminal.

10 **Sec. 222.** 2013 c 306 s 222 (uncodified) is amended to read as
11 follows:

12	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING	
13	Multimodal Transportation Account--State	
14	Appropriation	((\$32,924,000))
15		<u>\$46,134,000</u>

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

18 (1) ((\$27,319,000)) \$40,289,000 of the multimodal transportation
19 account--state appropriation is provided solely for ((~~the Amtrak~~
20 ~~service contract and Talgo maintenance contract associated with~~
21 ~~providing~~)) operating and maintaining state-supported passenger rail
22 service. In recognition of the increased costs the state is expected
23 to absorb due to changes in federal law, the department is directed to
24 analyze the Amtrak contract proposal and find cost saving alternatives.
25 The department shall report to the transportation committees of the
26 legislature before the 2014 regular legislative session on its
27 revisions to the Amtrak contract, including a review of the appropriate
28 costs within the contract for concession services, policing, host
29 railroad incentives, and station services and staffing needs. Within
30 thirty days of each annual cost/revenue reconciliation under the Amtrak
31 service contract, the department shall report any changes that would
32 affect the state subsidy amount appropriated in this subsection.
33 Through a competitive process, the department may contract with a
34 private entity for services related to operations and maintenance of
35 the Amtrak Cascades route, including, but not limited to, concession
36 services.

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

1 (3) The department shall continue a pilot program by partnering
2 with the travel industry on the Amtrak Cascades service between
3 Vancouver, British Columbia, and Seattle to test opportunities for
4 increasing ridership, maximizing farebox recovery, and stimulating
5 private investment. The pilot program must run from December 31, 2013,
6 to December 31, 2014, and evaluate seasonal differences in the program
7 and the effect of advertising. The department may offer to Washington
8 universities an opportunity for business students to work as interns on
9 the analysis of the pilot program process and results. The department
10 shall report on the results of the pilot program to the office of
11 financial management and the legislature by January 31, 2015.

12 (4) \$250,000 of the multimodal transportation account--state
13 appropriation is provided solely for the department to develop an
14 inventory of short line rail infrastructure that can be used to support
15 a data-driven approach to identifying system needs. The department
16 shall work with short line rail owners and operators within the state,
17 provide status updates periodically to the joint transportation
18 committee, submit a progress report of its findings to the
19 transportation committees of the legislature and the office of
20 financial management by December 15, 2014, submit a preliminary report
21 of key findings and recommendations to the transportation committees of
22 the legislature and the office of financial management by March 1,
23 2015, and submit a final report to the transportation committees of the
24 legislature and the office of financial management by June 30, 2015.

25 **Sec. 223.** 2013 c 306 s 223 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
28 **OPERATING**

29 Motor Vehicle Account--State Appropriation	(\$8,737,000)
30	\$8,704,000
31 Motor Vehicle Account--Federal Appropriation	\$2,567,000
32 TOTAL APPROPRIATION	(\$11,304,000)
33	\$11,271,000

34 **TRANSPORTATION AGENCIES--CAPITAL**

1 the Marysville district office and vehicle inspection building and
2 Spokane East office.

3 (3) \$450,000 of the state patrol highway account--state
4 appropriation is provided solely for upgrades to scales at Ridgefield
5 Port of Entry, Dryden, South Pasco, Deer Park, and Kelso required to
6 meet current certification requirements.

7 (4) (~~(\$850,000)~~) \$1,200,000 of the state patrol highway account--
8 state appropriation is provided solely for the replacement of the
9 damaged and unrepairable scale house at the Everett southbound I-5
10 weigh scales, including equipment, weigh-in-motion technology, and an
11 ALPR camera.

12 (5) The Washington state patrol, in cooperation with the Washington
13 state department of transportation, must study the federal funding
14 options available for weigh station construction and improvements on
15 the national highway system. A study report must be provided by July
16 1, 2014, to the office of financial management and the transportation
17 committees of the legislature with recommendations on utilizing federal
18 funds for weigh station projects.

19 **Sec. 303.** 2013 c 306 s 303 (uncodified) is amended to read as
20 follows:

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

22 Rural Arterial Trust Account--State	
23 Appropriation	((\$35,894,000))
24	<u>\$55,894,000</u>
25 Highway Safety Account--State Appropriation	\$10,000,000
26 Motor Vehicle Account--State Appropriation	\$706,000
27 County Arterial Preservation Account--State	
28 Appropriation	\$30,000,000
29 TOTAL APPROPRIATION	((\$76,600,000))
30	<u>\$96,600,000</u>

31 **Sec. 304.** 2013 c 306 s 304 (uncodified) is amended to read as
32 follows:

33 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

34 Small City Pavement and Sidewalk Account--State	
35 Appropriation	((\$3,500,000))
36	<u>\$5,000,000</u>

1 Highway Safety Account--State Appropriation \$10,000,000
2 Transportation Improvement Account--State
3 Appropriation ((~~\$174,225,000~~))
4 \$226,851,000
5 TOTAL APPROPRIATION ((~~\$187,725,000~~))
6 \$241,851,000

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

- 10 (1) The arterial preservation program to help low tax-based,
11 medium-sized cities preserve arterial pavements;
12 (2) The small city pavement program to help cities meet urgent
13 preservation needs; and
14 (3) The small city low-energy street light retrofit demonstration
15 program.

16 **Sec. 305.** 2013 c 306 s 305 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**
19 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**
20 Transportation Partnership Account--State
21 Appropriation ((~~\$13,425,000~~))
22 \$14,390,000
23 Motor Vehicle Account--State Appropriation ((~~\$8,106,000~~))
24 \$11,435,000
25 TOTAL APPROPRIATION ((~~\$21,531,000~~))
26 \$25,825,000

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

- 29 (1) The legislature recognizes that the Marginal Way site (King
30 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
31 real property under the jurisdiction of the department and that the
32 public would benefit significantly if this site is used to provide
33 important social services. Therefore, the legislature declares that
34 committing the Marginal Way site to this use is consistent with the
35 public interest.

36 Pursuant to RCW 47.12.063, the department shall work with the owner
37 of King county parcel number 7643400010, which abuts both parcels of

1 the Marginal Way site, and shall convey the Marginal Way site to that
2 abutting property owner for the appraised fair market value of the
3 parcels, the proceeds of which must be deposited in the motor vehicle
4 fund. The conveyance is conditional upon the purchaser's agreement to
5 commit the use of the Marginal Way site to operations with the goal of
6 ending hunger in western Washington. The department may not make this
7 conveyance before September 1, 2013, and may not make this conveyance
8 after January 15, 2014.

9 The Washington department of transportation is not responsible for
10 any costs associated with the cleanup or transfer of the Marginal Way
11 site.

12 (2) (~~(\$13,425,000)~~) \$14,390,000 of the transportation partnership
13 account--state appropriation is provided solely for the construction of
14 a new traffic management and emergency operations center on property
15 owned by the department on Dayton Avenue in Shoreline (project
16 100010T). Consistent with the office of financial management's 2012
17 study, it is the intent of the legislature to appropriate no more than
18 \$15,000,000 for the total construction costs. The department shall
19 report to the transportation committees of the legislature and the
20 office of financial management by June 30, 2014, on the progress of the
21 construction of the traffic management and emergency operations center,
22 including a schedule for terminating the current lease of the Goldsmith
23 building in Seattle.

24 **Sec. 306.** 2013 c 306 s 306 (uncodified) is amended to read as
25 follows:

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

27 Multimodal Transportation Account--State	
28 Appropriation	\$1,000,000
29 Transportation Partnership Account--State	
30 Appropriation	((\$1,536,032,000))
31	<u>\$1,313,555,000</u>
32 Motor Vehicle Account--State Appropriation	((\$61,508,000))
33	<u>\$69,478,000</u>
34 Motor Vehicle Account--Federal Appropriation	((\$473,359,000))
35	<u>\$516,181,000</u>
36 Motor Vehicle Account--Private/Local Appropriation	((\$208,452,000))
37	<u>\$166,357,000</u>

1	Transportation 2003 Account (Nickel Account)--State	
2	Appropriation	((\$242,253,000))
3		<u>\$325,778,000</u>
4	State Route Number 520 Corridor Account--State	
5	Appropriation	((\$737,205,000))
6		<u>\$880,111,000</u>
7	State Route Number 520 Corridor Account--Federal	
8	Appropriation	\$300,000,000
9	Special Category C Account--State Appropriation	\$124,000
10	TOTAL APPROPRIATION	((\$3,559,933,000))
11		<u>\$3,572,584,000</u>

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

14 (1) Except as provided otherwise in this section, the entire
15 transportation 2003 account (nickel account) appropriation and the
16 entire transportation partnership account appropriation are provided
17 solely for the projects and activities as listed by fund, project, and
18 amount in LEAP Transportation Document ((2013-1)) 2014-1 as developed
19 ((April-23,-2013)) February 27, 2014, Program - Highway Improvement
20 Program (I). However, limited transfers of specific line-item project
21 appropriations may occur between projects for those amounts listed
22 subject to the conditions and limitations in section ((603)) 601 of
23 this act.

24 (2) Except as provided otherwise in this section, the entire motor
25 vehicle account--state appropriation and motor vehicle account--federal
26 appropriation are provided solely for the projects and activities
27 listed in LEAP Transportation Document ((2013-2)) 2014-2 ALL PROJECTS
28 as developed ((April-23,-2013)) February 27, 2014, Program - Highway
29 Improvement Program (I). ((It-is-the-intent-of-the-legislature-to
30 direct))The department ((to-give-first-priority-of)) shall apply any
31 federal funds gained through efficiencies or the redistribution process
32 in an amount up to \$27,200,000 for cost overruns related to the pontoon
33 design errors on the SR 520 Bridge Replacement and HOV project
34 (8BI1003) as described in subsection (12)(f) of this section. Any
35 federal funds gained through efficiencies or the redistribution process
36 that are in excess of \$27,200,000 must then be applied to the remainder
37 of the "Contingency (Unfunded) Highway Preservation Projects" as
38 identified in LEAP Transportation Document 2013-2 ALL PROJECTS as

1 developed April 23, 2013, Program - Highway Preservation Program (P).
2 However, no additional federal funds may be allocated to the I-
3 5/Columbia River Crossing project (400506A).

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

8 (4) The transportation 2003 account (nickel account)--state
9 appropriation includes up to (~~(\$217,604,000)~~) \$260,999,000 in proceeds
10 from the sale of bonds authorized by RCW 47.10.861.

11 (5) The transportation partnership account--state appropriation
12 includes up to (~~(\$1,156,217,000)~~) \$791,357,000 in proceeds from the
13 sale of bonds authorized in RCW 47.10.873.

14 (6) The motor vehicle account--state appropriation includes up to
15 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
16 47.10.843.

17 (~~(+8)~~) (7)(a) (~~(\$5,000,000)~~) \$6,174,000 of the motor vehicle
18 account--federal appropriation and (~~(\$200,000)~~) \$269,000 of the motor
19 vehicle account--state appropriation are provided solely for the I-90
20 Comprehensive Tolling Study and Environmental Review project (100067T).
21 The department shall prepare a detailed environmental impact statement
22 that complies with the national environmental policy act regarding
23 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
24 purposes of both managing traffic and providing funding for the
25 construction of the unfunded state route number 520 from Interstate 5
26 to Medina project. As part of the preparation of the statement, the
27 department must review any impacts to the network of highways and roads
28 surrounding Lake Washington. In developing this statement, the
29 department must provide significant outreach to potential affected
30 communities. The department may consider traffic management options
31 that extend as far east as Issaquah.

32 (b)(i) As part of the project in this subsection (~~(+8)~~) (7), the
33 department shall perform a study of all funding alternatives to tolling
34 Interstate 90 to provide funding for construction of the unfunded state
35 route number 520 and explore and evaluate options to mitigate the
36 effect of tolling on affected residents and all other users of the
37 network of highways and roads surrounding Lake Washington including,
38 but not limited to:

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

8 (B) Assessing a toll only when a driver traverses, in either
9 direction, the entire portion of Interstate 90 between the easternmost
10 landing west of Mercer Island and the westernmost landing east of
11 Mercer Island; and

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

19 (ii) The department may also consider any alternative mitigation
20 options that conform to the purpose of this subsection (~~((+8))~~) (7).

21 (iii) For the purposes of this subsection (~~((+8))~~) (7), "affected
22 resident" means anyone who must use a portion of Interstate 90 west of
23 Interstate 405 upon which tolling is considered in order to access
24 necessary medical services, such as a hospital.

25 (~~((+9) - \$541,901,000)~~) (8)(a) \$490,796,000 of the transportation
26 partnership account--state appropriation, (~~((+144,954,000))~~) \$156,979,000
27 of the motor vehicle account--federal appropriation, (~~((+129,779,000))~~)
28 \$132,191,000 of the motor vehicle account--private/local appropriation,
29 and (~~((+78,004,000))~~) \$123,305,000 of the transportation 2003 account
30 (nickel account)--state appropriation are provided solely for the SR
31 99/Alaskan Way Viaduct - Replacement project (809936Z). The department
32 may enter into a new agreement with King county for the purpose of
33 public transportation mitigation. However, except as otherwise
34 provided in this subsection, amounts appropriated in this subsection
35 solely for the SR 99/Alaskan Way Viaduct - Replacement project
36 (809936Z) may not be spent for the purpose of public transportation
37 mitigation, except pursuant to an agreement or agreements between the
38 department and King county as that agreement or agreements existed on

1 January 1, 2013. Should the department enter into such an agreement,
2 the department must report to the transportation committees of the
3 legislature the amount and source of the funds.

4 (b) \$6,000,000 of the project funding currently available for
5 central waterfront construction mitigation is provided solely for
6 public transportation mitigation.

7 ~~((10))~~ (9) The department shall reconvene an expert review panel
8 of no more than three members as described under RCW 47.01.400 for the
9 purpose of updating the work that was previously completed by the panel
10 on the Alaskan Way viaduct replacement project and to ensure that an
11 appropriate and viable financial plan is created and regularly
12 reviewed. The expert review panel must be selected cooperatively by
13 the chairs of the senate and house of representatives transportation
14 committees, the secretary of transportation, and the governor. The
15 expert review panel must report findings and recommendations to the
16 transportation committees of the legislature, the governor's Alaskan
17 Way viaduct project oversight committee, and the transportation
18 commission annually until the project is operationally complete. This
19 subsection takes effect if chapter ... (Substitute House Bill No.
20 1957), Laws of 2013 is not enacted by June 30, 2013.

21 ~~((11) - \$7,408,000))~~ (10) \$7,103,000 of the transportation
22 partnership account--state appropriation, ~~((14,594,000))~~ \$22,774,000
23 of the transportation 2003 account (nickel account)--state
24 appropriation, ~~((3,730,000 - of - the - motor - vehicle - account - state~~
25 ~~appropriation,))~~ \$1,000,000 of the multimodal transportation account--
26 state appropriation, and ~~((41,395,000))~~ \$51,712,000 of the motor
27 vehicle account--federal appropriation are provided solely for the US
28 395/North Spokane Corridor projects (600010A & 600003A). Any future
29 savings on the projects must stay on the US 395/Interstate 90 corridor
30 and be made available to the current phase of the North Spokane
31 corridor projects or any future phase of the projects.

32 ~~((12) - \$114,369,000))~~ (11) \$129,952,000 of the transportation
33 partnership account--state appropriation and ~~((53,755,000))~~
34 \$58,583,000 of the transportation 2003 account (nickel account)--state
35 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
36 2 - Widening project (8BI1002). This project must be completed as soon
37 as practicable as a design-build project. Any future savings on this
38 project or other Interstate 405 corridor projects must stay on the

1 Interstate 405 corridor and be made available to either the I-405/SR
2 167 Interchange - Direct Connector project (140504C) or the I-405
3 Renton to Bellevue project.

4 ~~((13))~~ (12)(a) The SR 520 Bridge Replacement and HOV project
5 ~~((0BI1003))~~ (8BI1003) is supported over time from multiple sources,
6 including a \$300,000,000 TIFIA loan, ~~((819,524,625))~~ \$923,000,000 in
7 Garvee bonds, toll revenues, state bonds, interest earnings, and other
8 miscellaneous sources.

9 (b) The state route number 520 corridor account--state
10 appropriation includes up to ~~((668,142,000))~~ \$814,784,000 in proceeds
11 from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

12 (c) The state route number 520 corridor account--federal
13 appropriation includes up to \$300,000,000 in proceeds from the sale of
14 bonds authorized in RCW 47.10.879 and 47.10.886.

15 (d) ~~((153,124,000))~~ \$165,175,000 of the transportation partnership
16 account--state appropriation, \$300,000,000 of the state route number
17 520 corridor account--federal appropriation, and ~~((737,205,000))~~
18 \$880,111,000 of the state route number 520 corridor account--state
19 appropriation are provided solely for the SR 520 Bridge Replacement and
20 HOV project ~~((0BI1003))~~ (8BI1003). Of the amounts appropriated in
21 this subsection ~~((13))~~ (12)(d), ~~((105,085,000))~~ \$84,001,000 of the
22 state route number 520 corridor account--federal appropriation and
23 ~~((227,415,000))~~ \$354,411,000 of the state route number 520 corridor
24 account--state appropriation must be put into unallotted status and are
25 subject to review by the office of financial management. The director
26 of the office of financial management shall consult with the joint
27 transportation committee prior to making a decision to allot these
28 funds.

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

33 (f) The legislature finds that the most appropriate way to pay for
34 the cost overruns related to change orders, additional sales tax, and
35 future risks associated with pontoon design errors is for the state to
36 issue triple pledge bonds in the 2015-2017 fiscal biennium resulting in
37 \$110,961,000 in proceeds, and use efficiencies, including the use of
38 least cost planning or practical design, and favorable bids in the

1 highway construction program to generate an additional \$61,066,000
2 towards paying for the estimated project overruns. Of this additional
3 \$61,066,000, \$33,866,000 should come from the transportation
4 partnership account--state appropriation and \$27,200,000 should come
5 from federal funds, with the expenditure from federal funds to come
6 first. The legislature assumes that issuing bonds to complete this
7 project as listed in LEAP Transportation Document 2014-1 as developed
8 February 27, 2014, does not require a comprehensive financial plan for
9 a project that completes the state route number 520 corridor to
10 Interstate 5.

11 (g) The department's 2014 supplemental budget allotment submittal
12 must include a project-specific plan detailing how the department will
13 achieve the mandatory budget savings in (f) of this subsection,
14 including the use of least cost planning or practical design as a means
15 to generate savings, as referenced in subsection (23) of this section.
16 The use of least cost planning or practical design may result in a
17 reduction of project cost, but not a reduction of functional scope.
18 The director of financial management shall notify the transportation
19 committees of the legislature in writing seven days prior to approving
20 any allotment modifications under this subsection.

21 (13) Within the amounts provided in this section, the department
22 must continue to work with the Seattle department of transportation in
23 their joint planning, design, outreach, and operation of the remaining
24 west side elements, including, but not limited to, the Montlake lid,
25 the bicycle/pedestrian path, the effective network of transit
26 connections, and the Portage Bay bridge of the SR 520 Bridge
27 Replacement and HOV project.

28 (14) (~~(\$1,100,000)~~) \$1,062,000 of the motor vehicle account--
29 federal appropriation is provided solely for the 31st Ave SW Overpass
30 Widening and Improvement project (L1100048).

31 (15) (~~(\$22,602,000)~~) \$25,243,000 of the motor vehicle account--
32 state appropriation is provided solely to advance the design,
33 preliminary engineering, and rights-of-way acquisition for the priority
34 projects identified in LEAP Transportation Document (~~(2013-3)~~) 2014-3
35 as developed (~~(April 23, 2013)~~) February 27, 2014. Funds must be used
36 to advance the emergent, initial development of these projects for the
37 purpose of expediting delivery of the associated major investments when
38 funding for such investments becomes available. Funding may be

1 reallocated between projects to maximize the accomplishment of design
2 and preliminary engineering work and rights-of-way acquisition,
3 provided that all projects are addressed. It is the intent of the
4 legislature that, while seeking to maximize the outcomes in this
5 section, the department shall provide for continuity of both the state
6 and consulting engineer workforce, while strategically utilizing
7 private sector involvement to ensure consistency with the department's
8 business plan for staffing in the highway construction program in the
9 current fiscal biennium.

10 (16) If a planned roundabout in the vicinity of state route number
11 526 and 84th Street SW would divert commercial traffic onto
12 neighborhood streets, the department may not proceed with improvements
13 at state route number 526 and 84th Street SW until the traffic impacts
14 in the vicinity of state route number 526 and 40th Avenue West are
15 addressed.

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

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

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

6 (20) The department shall itemize all future requests for the
7 construction of buildings on a project list and submit them through the
8 transportation executive information system as part of the department's
9 2014 budget submittal. It is the intent of the legislature that new
10 facility construction must be transparent and not appropriated within
11 larger highway construction projects.

12 (21) (~~(\$28,963,000)~~) \$19,513,000 of the motor vehicle account--
13 state appropriation (~~(is)~~) and \$9,450,000 of the motor vehicle
14 account--federal appropriation are provided solely for improvement
15 program support activities (095901X). \$18,000,000 of this amount must
16 be held in unallotted status until the office of financial management
17 certifies that the department's 2014 supplemental budget request
18 conforms to the terms of subsection (20) of this section.

19 (~~(+23)~~) (22) Any new advisory group that the department convenes
20 during the 2013-2015 fiscal biennium must be representative of the
21 interests of the entire state of Washington.

22 (23) Practical design offers targeted benefits to a state
23 transportation system within available fiscal resources. This delivers
24 value not just for individual projects, but for the entire system.
25 Applying practical design standards will also preserve and enhance
26 safety and mobility. The department shall implement a practical design
27 strategy for transportation design standards. By June 30, 2015, the
28 department shall report to the governor and the house of
29 representatives and senate transportation committees on where practical
30 design has been applied or is intended to be applied in the department
31 and the cost savings resulting from the use of practical design.

32 (24) The department of transportation shall accept transfer to the
33 state highway system of Quarry Road (also known as the Granite Falls
34 Alternate Route) as a partially controlled limited access facility,
35 consistent with the right-of-way and limited access plan adopted by
36 Snohomish county and the city of Granite Falls in 2008. The department
37 of transportation shall defend any and all claims related to access and
38 challenges to the limited access designation. This subsection takes

1 effect ninety days after the date the governor signs this act if an
2 agreement between the department of transportation and Snohomish county
3 has not been signed by this act's effective date.

4 **Sec. 307.** 2013 c 306 s 307 (uncodified) is amended to read as
5 follows:

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

7 Transportation Partnership Account--State	
8 Appropriation	((\$36,480,000))
9	<u>\$34,966,000</u>
10 Highway Safety Account--State Appropriation	\$10,000,000
11 Motor Vehicle Account--State Appropriation	((\$58,503,000))
12	<u>\$59,796,000</u>
13 Motor Vehicle Account--Federal Appropriation	((\$580,062,000))
14	<u>\$595,604,000</u>
15 Motor Vehicle Account--Private/Local Appropriation	((\$11,270,000))
16	<u>\$11,827,000</u>
17 Transportation 2003 Account (Nickel Account)--State	
18 Appropriation	((\$2,285,000))
19	<u>\$2,650,000</u>
20 <u>Tacoma Narrows Toll Bridge Account--State Appropriation</u>	<u>\$120,000</u>
21 TOTAL APPROPRIATION	((\$698,600,000))
22	<u>\$714,963,000</u>

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

25 (1) Except as provided otherwise in this section, the entire
26 transportation 2003 account (nickel account) appropriation and the
27 entire transportation partnership account appropriation are provided
28 solely for the projects and activities as listed by fund, project, and
29 amount in LEAP Transportation Document ((~~2013-1~~)) 2014-1 as developed
30 ((~~April 23, 2013~~)) February 27, 2014, Program - Highway Preservation
31 Program (P). However, limited transfers of specific line-item project
32 appropriations may occur between projects for those amounts listed
33 subject to the conditions and limitations in section ((~~603~~)) 601 of
34 this act.

35 (2) Except as provided otherwise in this section, the entire motor
36 vehicle account--state appropriation and motor vehicle account--federal
37 appropriation are provided solely for the projects and activities

1 listed in LEAP Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS
2 as developed (~~(April 23, 2013)~~) February 27, 2014, Program - Highway
3 Preservation Program (P). (~~(It is the intent of the legislature to~~
4 ~~direct)~~) The department (~~(to give first priority of)~~) shall apply any
5 federal funds gained through efficiencies or the redistribution process
6 in an amount up to \$27,200,000 for cost overruns related to the pontoon
7 design errors on the SR 520 Bridge Replacement and HOV project
8 (8BI1003) as described in subsection (12)(f) of this section. Any
9 federal funds gained through efficiencies or the redistribution process
10 that are in excess of \$27,200,000 must then be applied to the remainder
11 of the "Contingency (Unfunded) Highway Preservation Projects" as
12 identified in LEAP Transportation Document 2013-2 ALL PROJECTS as
13 developed April 23, 2013, Program - Highway Preservation Program (P).
14 However, no additional federal funds may be allocated to the I-
15 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)~~) \$26,610,000 of the motor vehicle account--
21 federal appropriation, \$51,000 (~~(and \$1,141,000)~~) of the motor vehicle
22 account--state appropriation, and \$769,000 of the highway safety
23 account--state appropriation are provided solely for the SR
24 167/Puyallup River Bridge Replacement project (316725A). This project
25 must be completed as a design-build project. The department must work
26 with local jurisdictions and the community during the environmental
27 review process to develop appropriate esthetic design elements, at no
28 additional cost to the department, and traffic management plans
29 pertaining to this project. The department must report to the
30 transportation committees of the legislature on estimated cost and/or
31 time savings realized as a result of using the design-build process.

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

1 Transportation Partnership Account--State

2	<u>Appropriation</u>	<u>\$2,813,000</u>
3	TOTAL APPROPRIATION	<u>((\$291,348,000)</u>
4		<u>\$378,663,000</u>

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

7 (1) Except as provided otherwise in this section, the entire
8 appropriations in this section are provided solely for the projects and
9 activities as listed in LEAP Transportation Document ((~~2013-2~~)) 2014-2
10 ALL PROJECTS as developed ((~~April 23, 2013~~)) February 27, 2014, Program
11 - Washington State Ferries Capital Program (W).

12 (2) The Puget Sound capital construction account--state
13 appropriation includes up to \$20,000,000 in proceeds from the sale of
14 bonds authorized in RCW 47.10.843.

15 (3) ((~~\$143,633,000~~)) \$137,425,000 of the transportation 2003
16 account (nickel account)--state appropriation ((~~is~~)), \$2,338,000 of the
17 transportation partnership account--state appropriation, and \$300,000
18 of the Puget Sound capital construction account--federal appropriation
19 are provided solely for the acquisition of two 144-car vessels
20 (projects L2200038 and L2200039). The department shall use as much
21 already procured equipment as practicable on the 144-car vessels.

22 (4) ((~~\$8,270,000~~)) \$14,728,000 of the Puget Sound capital
23 construction account--federal appropriation, ((~~\$3,935,000~~)) \$4,038,000
24 of the Puget Sound capital construction account--state appropriation,
25 and ((~~\$1,534,000~~)) \$1,535,000 of the multimodal transportation
26 account--state appropriation are provided solely for the Mukilteo ferry
27 terminal (project 952515P). To the greatest extent practicable, the
28 department shall seek additional federal funding for this project.
29 Within the multimodal transportation account--state appropriation
30 amount provided in this subsection, the department shall lease to the
31 city in which the project is located a portion of the department's
32 property associated with this project to provide safe, temporary public
33 access from the easterly terminus of First Street to the vicinity of
34 Front Street. The department shall provide the lease at no cost in
35 recognition of the impacts of this project to the city and require
36 appropriate liability and maintenance coverage in the terms of the
37 lease. Public access must be installed and removed at no cost to the
38 state prior to construction of the multimodal terminal project.

1 (5) (~~(\$4,000,000)~~) \$4,935,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for
3 emergency capital repair costs (project 999910K). Funds may only be
4 spent after approval by the office of financial management.

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

11 (7) (~~(\$3,800,000)~~) \$4,026,000 of the Puget Sound capital
12 construction account--state appropriation is provided solely for the
13 reservation and communications system projects (L200041 & L200042).

14 (8) \$4,210,000 of the Puget Sound capital construction account--
15 state appropriation is provided solely for the capital program share of
16 \$7,259,000 in lease payments for the ferry division's headquarters
17 building. Consistent with the 2012 facilities oversight plan, the
18 department shall strive to consolidate office space in downtown Seattle
19 by the end of 2015. The department shall consider renewing the lease
20 for the ferry division's current headquarters building only if the
21 lease rate is reduced at least fifty percent and analysis shows that
22 this is the least cost and risk option for the department.
23 Consolidation with other divisions or state agencies, or a reduction in
24 leased space, must also be considered as part of any headquarters lease
25 renewal analysis.

26 (9) (~~(\$21,950,000)~~) \$23,737,000 of the total appropriation is for
27 preservation work on the Hyak super class vessel (project 944431D),
28 including installation of a power management system and more efficient
29 propulsion systems, that in combination are anticipated to save up to
30 twenty percent in fuel and reduce maintenance costs. Upon completion
31 of this project, the department shall provide a report to the
32 transportation committees of the legislature on the fuel and
33 maintenance savings achieved for this vessel and the potential to save
34 additional funds through other vessel conversions.

35 (10) The transportation 2003 account (nickel account)--state
36 appropriation includes up to \$50,000,000 in proceeds from the sale of
37 bonds authorized in RCW 47.10.861.

1 (11) \$50,000,000 of the transportation 2003 account (nickel
2 account)--state appropriation is provided solely for the acquisition of
3 one 144-car vessel (project 0NRC017). If chapter . . . (Engrossed
4 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
5 replacement) is not enacted by June 30, 2014, the amount provided in
6 the subsection lapses.

7 (12) If the department pursues a conversion of the existing diesel
8 powered Issaquah class fleet to a different fuel source or engine
9 technology, the department must use a design-build procurement process.

10 **Sec. 310.** 2013 c 306 s 310 (uncodified) is amended to read as
11 follows:

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

13	Essential Rail Assistance Account--State	
14	Appropriation	((\$861,000))
15		<u>\$1,020,000</u>
16	Transportation Infrastructure Account--State	
17	Appropriation	((\$8,582,000))
18		<u>\$9,190,000</u>
19	Multimodal Transportation Account--State	
20	Appropriation	((\$33,156,000))
21		<u>\$44,085,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation	((\$333,881,000))
24		<u>\$426,859,000</u>
25	<u>Multimodal Transportation Account--Private/Local</u>	
26	<u>Appropriation</u>	<u>\$409,000</u>
27	TOTAL APPROPRIATION	((\$376,480,000))
28		<u>\$481,563,000</u>

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

31 (1)(a) Except as provided otherwise in this section, the entire
32 appropriations in this section are provided solely for the projects and
33 activities as listed by project and amount in LEAP Transportation
34 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
35 February 27, 2014, Program - Rail Capital Program (Y).

36 (b) Within the amounts provided in this section, ((~~\$7,332,000~~))
37 \$7,669,000 of the transportation infrastructure account--state

1 appropriation is for low-interest loans through the freight rail
2 investment bank program identified in the LEAP transportation document
3 referenced in (a) of this subsection. The department shall issue
4 freight rail investment bank program loans with a repayment period of
5 no more than ten years, and only so much interest as is necessary to
6 recoup the department's costs to administer the loans.

7 (c) Within the amounts provided in this section, (~~(\$2,439,000)~~)
8 \$2,440,000 of the multimodal transportation account--state
9 appropriation, \$1,250,000 of the transportation infrastructure
10 account--state appropriation, and \$311,000 of the essential rail
11 assistance account--state appropriation are for statewide emergent
12 freight rail assistance projects identified in the LEAP transportation
13 document referenced in (a) of this subsection.

14 (2) Unsuccessful 2012 freight rail assistance program grant
15 applicants may be awarded freight rail investment bank program loans,
16 if eligible. (~~(If any funds remain in the freight rail investment bank
17 or freight rail assistance program reserves (projects F01001A and
18 F01000A), or any approved grants or loans are terminated,)~~) The
19 department shall issue a call for projects for the freight rail
20 investment bank loan program and the freight rail assistance grant
21 program, and shall evaluate the applications in a manner consistent
22 with past practices as specified in section 309, chapter 367, Laws of
23 2011. By November 1, (~~(2013)~~) 2014, the department shall submit a
24 prioritized list of recommended projects to the office of financial
25 management and the transportation committees of the legislature.

26 (3) (~~(\$314,647,000)~~) (a) \$421,066,000 of the multimodal
27 transportation account--federal appropriation and (~~(\$4,867,000)~~)
28 \$10,658,000 of the multimodal transportation account--state
29 appropriation are provided solely for expenditures related to passenger
30 high-speed rail grants. Except for the Mount Vernon project (P01101A),
31 the multimodal transportation account--state appropriation funds
32 reflect one and one-half percent of the total project funds, and are
33 provided solely for expenditures that are not eligible for federal
34 reimbursement.

35 (b) \$31,500,000 of the multimodal transportation account--federal
36 appropriation is provided solely for the purchase of two new train sets
37 for the state-supported intercity passenger rail service. The
38 department must apply for any federal waivers required to purchase the

1 new train sets, as allowable under existing competitive bidding
2 practices, and seek federal funds in addition to those available from
3 the high-speed rail grants.

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

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

13 (6)(a) (~~(\$550,000)~~) \$709,000 of the essential rail assistance
14 account--state appropriation, \$241,000 of the transportation
15 infrastructure account--state appropriation, and \$1,893,000 of the
16 multimodal transportation account--state appropriation are provided
17 solely for the purpose of rehabilitation and maintenance of the Palouse
18 river and Coulee City railroad line (project F01111B). The department
19 shall complete an evaluation and assessment of future maintenance needs
20 on the line to ensure appropriate levels of state investment.

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

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

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

29 (~~(\$31,500,000 of the multimodal transportation account--federal~~
30 ~~appropriation is provided solely for the purchase of two new train sets~~
31 ~~for the state-supported intercity passenger rail service. The~~
32 ~~department must apply for any federal waivers required to purchase the~~
33 ~~new train sets, as allowable under existing competitive bidding~~
34 ~~practices, and seek federal funds in addition to those available from~~
35 ~~the high-speed rail grants)) (a) When the department identifies a
36 prospective rail project that may have strategic significance for the
37 state, or at the request of a proponent of a prospective rail project
38 or a member of the legislature, the department shall evaluate the~~

1 prospective project according to the cost-benefit methodology developed
2 during the 2008 interim using the legislative priorities specified in
3 (b) of this subsection. The department shall report its cost-benefit
4 evaluation of the prospective rail project, as well as the department's
5 best estimate of an appropriate construction schedule and total project
6 costs, to the office of financial management and the transportation
7 committees of the legislature.

8 (b) The legislative priorities to be used in the cost-benefit
9 methodology are, in order of relative importance:

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

12 (ii) Self-sustaining economic development that creates family-wage
13 jobs;

14 (iii) Preservation of transportation corridors that would otherwise
15 be lost;

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

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

20 (vi) Mitigation of impacts of increased rail traffic on
21 communities.

22 **Sec. 311.** 2013 c 306 s 311 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **CAPITAL**

26	Highway Infrastructure Account--State Appropriation	\$207,000
27	Highway Infrastructure Account--Federal	
28	Appropriation	\$1,602,000
29	(Freight Mobility Investment Account--State	
30	Appropriation	\$11,794,000)
31	Transportation Partnership Account--State	
32	Appropriation	((\$7,214,000))
33		<u>\$9,236,000</u>
34	Highway Safety Account--State Appropriation	((\$11,255,000))
35		<u>\$8,915,000</u>
36	Motor Vehicle Account--State Appropriation	((\$6,918,000))
37		<u>\$2,201,000</u>

1	Motor Vehicle Account--Federal Appropriation	((\$28,413,000))
2		<u>\$34,581,000</u>
3	(Freight Mobility Multimodal Account--State	
4	Appropriation	\$9,736,000
5	Freight Mobility Multimodal Account--Private/Local	
6	Appropriation	\$1,320,000))
7	Multimodal Transportation Account--State	
8	Appropriation	((\$13,913,000))
9		<u>\$18,740,000</u>
10	TOTAL APPROPRIATION	((\$92,372,000))
11		<u>\$75,482,000</u>

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

14 (1) Except as provided otherwise in this section, the entire
15 appropriations in this section are provided solely for the projects and
16 activities as listed by project and amount in LEAP Transportation
17 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
18 February 27, 2014, Program - Local Programs (Z).

19 (2) With each department budget submittal, the department shall
20 provide an update on the status of the repayment of the twenty million
21 dollars of unobligated federal funds authority advanced by the
22 department in September 2010 to the city of Tacoma for the Murray
23 Morgan/11th Street bridge project. The department may negotiate with
24 the city of Tacoma an agreement for repayment of the funds over a
25 period of up to twenty-five years at terms agreed upon by the
26 department and the city. The funds previously advanced by the
27 department to the city are not to be considered a general obligation of
28 the city but instead an obligation payable from identified revenues set
29 aside for the repayment of the funds.

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

33 (a) ((~~\$12,160,000~~)) \$16,543,000 of the multimodal transportation
34 account--state appropriation, ((~~\$6,824,000~~)) \$8,724,000 of the
35 transportation partnership account--state appropriation, and \$62,000 of
36 the motor vehicle account--federal appropriation are provided solely
37 for pedestrian and bicycle safety program projects.

1 (b) \$11,700,000 of the motor vehicle account--federal
2 appropriation(~~(, \$5,200,000 of the motor vehicle account--state~~
3 ~~appropriation,)~~) and \$6,750,000 of the highway safety account--state
4 appropriation are provided solely for newly selected safe routes to
5 school projects, and (~~(\$3,400,000)~~) \$6,503,000 of the motor vehicle
6 account--federal appropriation and (~~(\$2,055,000)~~) \$2,165,000 of the
7 highway safety account--state appropriation are reappropriated for safe
8 routes to school projects selected in the previous biennia. The amount
9 provided for new projects is consistent with federal funding levels
10 from the 2011-2013 omnibus transportation appropriations act and the
11 intent of the fee increases in chapter 74, Laws of 2012 and chapter 80,
12 Laws of 2012. (~~The motor vehicle account--state appropriation in this~~
13 ~~subsection (3)(b) is the amount made available by the repeal of the~~
14 ~~deduction from motor vehicle fuel tax liability for handling losses of~~
15 ~~motor vehicle fuel, as identified in chapter . . . (Substitute House~~
16 ~~Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel).~~
17 ~~If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not~~
18 ~~enacted by June 30, 2013, the motor vehicle account--state~~
19 ~~appropriation in this subsection (3)(b) lapses.))~~

20 (4) (~~(\$84,000 of the motor vehicle account--state appropriation,~~
21 ~~\$3,250,000 of the motor vehicle account--federal appropriation,~~
22 ~~\$2,450,000 of the highway safety account--state appropriation,~~
23 ~~\$11,794,000 of the freight mobility investment account--state~~
24 ~~appropriation, \$9,736,000 of the freight mobility multimodal account--~~
25 ~~state appropriation, and \$1,320,000 of the freight mobility multimodal~~
26 ~~account--private/local appropriation are provided solely for the~~
27 ~~projects and activities as listed by project and amount in LEAP~~
28 ~~Transportation Document 2013-B as developed April 23, 2013. If chapter~~
29 ~~. . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June~~
30 ~~30, 2013, the amounts provided in this subsection lapse.~~

31 ~~(5))~~) The department may enter into contracts and make expenditures
32 for projects on behalf of and selected by the freight mobility
33 strategic investment board from the amounts provided in section 301 of
34 this act.

35 ~~((6))~~) (5) The department shall submit a report to the
36 transportation committees of the legislature by December 1, 2013, and
37 December 1, 2014, on the status of projects funded as part of the

1 pedestrian safety/safe routes to school grant program (0LP600P). The
2 report must include, but is not limited to, a list of projects selected
3 and a brief description of each project's status.

4 ~~((7))~~ (6) \$50,000 of the motor vehicle account--state
5 appropriation is provided solely for the installation of a guard rail
6 on Deer Harbor Road in San Juan county (L2220054).

7 **Sec. 312.** 2013 c 306 s 312 (uncodified) is amended to read as
8 follows:

9 **ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

10 (1) As part of its budget submittal for the (~~2014 supplemental~~)
11 2015 biennial budget, the department of transportation shall provide an
12 update to the report provided to the legislature in 2013 that: (a)
13 Compares the original project cost estimates approved in the 2003 and
14 2005 project lists to the completed cost of the project, or the most
15 recent legislatively approved budget and total project costs for
16 projects not yet completed; (b) identifies highway projects that may be
17 reduced in scope and still achieve a functional benefit; (c) identifies
18 highway projects that have experienced scope increases and that can be
19 reduced in scope; (d) identifies highway projects that have lost
20 significant local or regional contributions that were essential to
21 completing the project; and (e) identifies contingency amounts
22 allocated to projects.

23 (2) As part of its budget submittal for the (~~2014 supplemental~~)
24 2015 biennial budget, the department of transportation shall provide an
25 annual report on the number of toll credits the department has
26 accumulated and how the department has used the toll credits.

27 **TRANSFERS AND DISTRIBUTIONS**

28 **Sec. 401.** 2013 c 306 s 401 (uncodified) is amended to read as
29 follows:

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

34 Transportation Partnership Account--State

1	Appropriation	((\$10,406,000))
2		<u>\$2,552,000</u>
3	Motor Vehicle Account--State Appropriation	((\$450,000))
4		<u>\$187,000</u>
5	State Route Number 520 Corridor Account--State	
6	Appropriation	\$3,866,000
7	Highway Bond Retirement Account--State	
8	Appropriation	((\$1,074,580,000))
9		<u>\$982,559,000</u>
10	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
11	Transportation Improvement Board Bond Retirement	
12	Account--State Appropriation	\$16,267,000
13	Nondebt-Limit Reimbursable Bond Retirement Account--State	
14	Appropriation	\$25,825,000
15	Toll Facility Bond Retirement Account--State	
16	Appropriation	\$52,050,000
17	((Toll Facility Bond Retirement Account--Federal	
18	Appropriation	\$64,982,000))
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation	((\$1,958,000))
21		<u>\$682,000</u>
22	((Special Category C Account--State Appropriation	\$2,000))
23	TOTAL APPROPRIATION	((\$1,282,210,000))
24		<u>\$1,115,812,000</u>

25 **Sec. 402.** 2013 c 306 s 402 (uncodified) is amended to read as
26 follows:

27 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
28 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
29 **FISCAL AGENT CHARGES**

30	Transportation Partnership Account--State	
31	Appropriation	((\$1,156,000))
32		<u>\$381,000</u>
33	Motor Vehicle Account--State Appropriation	((\$50,000))
34		<u>\$25,000</u>
35	State Route Number 520 Corridor Account--State	
36	Appropriation	\$531,000
37	Transportation 2003 Account (Nickel Account)--State	

1 Appropriation ((~~\$218,000~~))
 2 \$123,000
 3 TOTAL APPROPRIATION ((~~\$1,955,000~~))
 4 \$1,060,000

5 NEW SECTION. **Sec. 403.** A new section is added to 2013 c 306
 6 (uncodified) to read as follows:

7 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
 9 **STATUTORILY PRESCRIBED REVENUE**

10 Toll Facility Bond Retirement Account--Federal
 11 Appropriation \$64,982,000

12 **Sec. 404.** 2013 c 306 s 404 (uncodified) is amended to read as
 13 follows:

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

15 Motor Vehicle Account--State Appropriation: For
 16 motor vehicle fuel tax distributions to cities
 17 and counties ((~~\$474,610,000~~))
 18 \$478,598,000

19 **Sec. 405.** 2013 c 306 s 405 (uncodified) is amended to read as
 20 follows:

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

22 Motor Vehicle Account--State Appropriation: For
 23 motor vehicle fuel tax refunds and statutory
 24 transfers ((~~\$1,235,491,000~~))
 25 \$1,242,728,000

26 **Sec. 406.** 2013 c 306 s 406 (uncodified) is amended to read as
 27 follows:

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

29 Motor Vehicle Account--State Appropriation: For motor
 30 vehicle fuel tax refunds and transfers ((~~\$138,627,000~~))
 31 \$138,494,000

32 **Sec. 407.** 2013 c 306 s 407 (uncodified) is amended to read as
 33 follows:

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

2 (1) Recreational Vehicle Account--State

3 Appropriation: For transfer to the Motor Vehicle

4 Account--State \$1,300,000

5 (2) Multimodal Transportation Account--State

6 Appropriation: For transfer to the Puget Sound

7 Ferry Operations Account--State \$13,000,000

8 (3) Rural Mobility Grant Program Account--State

9 Appropriation: For transfer to the Multimodal

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

11 (4) Motor Vehicle Account--State

12 Appropriation: For transfer to the Special Category C

13 Account--State \$1,500,000

14 (5) Capital Vessel Replacement Account--State

15 Appropriation: For transfer to the Transportation 2003

16 Account (Nickel Account)--State (~~(\$7,702,000)~~)

17 \$7,571,000

18 (6) Multimodal Transportation Account--State

19 Appropriation: For transfer to the Public Transportation

20 Grant Program Account--State \$26,000,000

21 (7) Motor Vehicle Account--State Appropriation:

22 For transfer to the Puget Sound Ferry Operations

23 Account--State \$28,000,000

24 (8) Motor Vehicle Account--State Appropriation:

25 For transfer to the Puget Sound Capital Construction

26 Account--State \$28,000,000

27 (9) State Route Number 520 Civil Penalties

28 Account--State Appropriation: For transfer to the

29 State Route Number 520 Corridor Account--State \$886,000

30 (10) Multimodal Transportation Account--State

31 Appropriation: For transfer to the Highway Safety

32 Account--State \$10,000,000

33 (11) Motor Vehicle Account--State Appropriation:

34 For transfer to the State Patrol Highway

35 Account--State \$27,000,000

36 (12) Highway Safety Account--State Appropriation:

37 For transfer to the Puget Sound Ferry Operations

38 Account--State \$42,000,000

1 (13) Advanced Environmental Mitigation Revolving
2 Account--State Appropriation: For transfer to the Motor
3 Vehicle Account--State \$2,000,000
4 (14) Advanced Right-of-Way Revolving Fund--State
5 Appropriation: For transfer to the Motor Vehicle
6 Account--State \$6,000,000
7 (15) Tacoma Narrows Toll Bridge Account--State
8 Appropriation: For transfer to the Motor Vehicle
9 Account--State \$950,000
10 (16) License Plate Technology Account--State
11 Appropriation: For transfer to the Highway Safety
12 Account--State \$3,000,000
13 (17) Motor Vehicle Account--State Appropriation:
14 For transfer to the Transportation Equipment
15 Fund--State \$3,915,000
16 (18) (~~Multimodal Transportation Account--State~~
17 ~~Appropriation: For transfer to the Motor Vehicle~~
18 ~~Account--State \$10,000,000~~)
19 (a) Capital Vessel Replacement Account--State
20 Appropriation: For transfer to Transportation 2003
21 Account (Nickel Account)--State \$11,128,000
22 (b) If chapter . . . (Engrossed Second Substitute House Bill No.
23 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June
24 30, 2014, the amount transferred in (a) of this subsection lapses.

25 **COMPENSATION**

26 **Sec. 501.** 2013 c 306 s 517 (uncodified) is amended to read as
27 follows:

28 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
29 **BENEFITS**

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

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan must not exceed (~~(\$809)~~) \$782 per eligible
4 employee for fiscal year 2014. For fiscal year 2015, the monthly
5 employer funding rate must not exceed \$820 per eligible employee.

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

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

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

24 **Sec. 502.** 2013 c 306 s 518 (uncodified) is amended to read as
25 follows:

26 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
27 **BENEFITS**

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

31 (1)(a) The monthly employer funding rate for insurance benefit
32 premiums, public employees' benefits board administration, and the
33 uniform medical plan must not exceed (~~(\$809)~~) \$782 per eligible
34 employee for fiscal year 2014. For fiscal year 2015, the monthly
35 employer funding rate must not exceed \$820 per eligible employee.

36 (b) In order to achieve the level of funding provided for health
37 benefits, the public employees' benefits board shall require any of the

1 following: Employee premium copayments; increases in point-of-service
2 cost sharing; the implementation of managed competition; or other
3 changes to benefits consistent with RCW 41.05.065.

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

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

17 **Sec. 503.** 2013 c 306 s 519 (uncodified) is amended to read as
18 follows:

19 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

20 Appropriations for state agencies in this act are sufficient for
21 nonrepresented state employee health benefits for state agencies,
22 including institutions of higher education, and are subject to the
23 following conditions and limitations:

24 (1)(a) The monthly employer funding rate for insurance benefit
25 premiums, public employees' benefits board administration, and the
26 uniform medical plan must not exceed (~~(\$809)~~) \$782 per eligible
27 employee for fiscal year 2014. For fiscal year 2015, the monthly
28 employer funding rate must not exceed \$820 per eligible employee.

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

34 (c) The health care authority shall deposit any moneys received on
35 behalf of the uniform medical plan as a result of rebates on
36 prescription drugs, audits of hospitals, subrogation payments, or any
37 other moneys recovered as a result of prior uniform medical plan claims

1 payments into the public employees' and retirees' insurance account to
2 be used for insurance benefits. Such receipts must not be used for
3 administrative expenditures.

4 (2) The health care authority, subject to the approval of the
5 public employees' benefits board, shall provide subsidies for health
6 benefit premiums to eligible retired or disabled public employees and
7 school district employees who are eligible for medicare, pursuant to
8 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
9 \$150.00 per month.

10 **IMPLEMENTING PROVISIONS**

11 **Sec. 601.** 2013 c 306 s 603 (uncodified) is amended to read as
12 follows:

13 **FUND TRANSFERS**

14 (1) The transportation 2003 projects or improvements and the 2005
15 transportation partnership projects or improvements are listed in the
16 LEAP list titled (~~(2013-1)~~) 2014-1 as developed (~~(April-23, 2013)~~)
17 February 27, 2014, which consists of a list of specific projects by
18 fund source and amount over a ten-year period. Current fiscal biennium
19 funding for each project is a line-item appropriation, while the outer
20 year funding allocations represent a ten-year plan. The department is
21 expected to use the flexibility provided in this section to assist in
22 the delivery and completion of all transportation partnership account
23 and transportation 2003 account (nickel account) projects on the LEAP
24 transportation documents referenced in this act. However, this section
25 does not apply to the I-5/Columbia River Crossing project (400506A).
26 For the 2011-2013 and 2013-2015 project appropriations, unless
27 otherwise provided in this act, the director of financial management
28 may authorize a transfer of appropriation authority between projects
29 funded with transportation 2003 account (nickel account)
30 appropriations, or transportation partnership account appropriations,
31 in order to manage project spending and efficiently deliver all
32 projects in the respective program under the following conditions and
33 limitations:

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

1 (b) Transfers from a project may not be made as a result of the
2 reduction of the scope of a project or be made to support increases in
3 the scope of a project;

4 (c) Each transfer between projects may only occur if the director
5 of financial management finds that any resulting change will not hinder
6 the completion of the projects as approved by the legislature. Until
7 the legislature reconvenes to consider the 2014 supplemental omnibus
8 transportation appropriations act, any unexpended 2011-2013
9 appropriation balance as approved by the office of financial
10 management, in consultation with the legislative staff of the house of
11 representatives and senate transportation committees, may be considered
12 when transferring funds between projects;

13 (d) Transfers from a project may be made if the funds appropriated
14 to the project are in excess of the amount needed to complete the
15 project;

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

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

20 (g) Transfers between projects may be made, without the approval of
21 the director of the office of financial management, by the department
22 of transportation until the transfer amount by project exceeds two
23 hundred fifty thousand dollars, or ten percent of the total project,
24 whichever is less. These transfers must be reported quarterly to the
25 director of financial management and the chairs of the house of
26 representatives and senate transportation committees.

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

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

33 (4) The office of financial management shall document approved
34 transfers and schedule changes in the transportation executive
35 information system, compare changes to the legislative baseline funding
36 and schedules identified by project identification number identified in
37 the LEAP transportation documents referenced in this act, and transmit

1 revised project lists to chairs of the transportation committees of the
2 legislature on a quarterly basis.

3 **Sec. 602.** 2013 c 306 s 606 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION**

6 As part of its (~~2014—supplemental~~) 2015 biennial budget
7 submittal, the department shall provide a report to the legislature and
8 the office of financial management that:

9 (1) Identifies, by capital project, the amount of state funding
10 that has been reappropriated from the (~~2011—2013~~) 2013-2015 fiscal
11 biennium into the (~~2013—2015~~) 2015-2017 fiscal biennium; and

12 (2) Identifies, for each project, the amount of cost savings or
13 increases in funding that have been identified as compared to the
14 (~~2013~~) 2014 enacted omnibus transportation appropriations act.

15 NEW SECTION. **Sec. 603.** A new section is added to 2013 c 306
16 (uncodified) to read as follows:

17 (1) The appropriations to the department of transportation in this
18 act must be expended for the programs and in the amounts specified in
19 this act, except as expressly provided in sections 601 and 306(12) of
20 this act and in subsection (2) of this section after approval by the
21 director of financial management.

22 (2)(a) To the extent that it allows for the more efficient use of
23 federal moneys, unless specifically prohibited by this act, the
24 department of transportation may transfer state and federal motor
25 vehicle account appropriations among programs I, M, P, T, and Z,
26 provided that a program's total motor vehicle account appropriation may
27 not change due to this transfer. The department may likewise transfer
28 state and federal moneys that are provided for a specified purpose in
29 programs I, M, P, T, and Z, so long as the total motor vehicle account
30 appropriation associated with that specified purpose does not change.

31 (b) The department shall not transfer funds, and the director of
32 financial management shall not approve the transfer, unless the
33 transfer is consistent with, to the maximum extent possible, the
34 objectives of using federal moneys efficiently and conserving the
35 expenditure of state funds. The director of financial management shall
36 notify the transportation committees of the legislature in writing

1 seven days prior to approving any allotment modifications or transfers
2 under this section. The written notification must include a narrative
3 explanation and justification of the changes, along with expenditures
4 and allotments by budget unit and appropriation, both before and after
5 any allotment modification or transfers.

6 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

7 **Sec. 701.** RCW 46.12.630 and 2013 c 306 s 702 are each amended to
8 read as follows:

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

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

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

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

23 (b) During (~~(fiscal year 2014)~~) the 2013-2015 fiscal biennium, an
24 entity that is an authorized agent of a motor vehicle manufacturer, for
25 purposes of using lists of registered and legal owner information to
26 conduct research activities and produce statistical reports, as long as
27 the entity does not allow personal information received under this
28 section to be published, redisclosed, or used to contact individuals.
29 The department must charge an amount sufficient to cover the full cost
30 of providing the data requested under this subsection (1)(b). Full
31 cost of providing the data includes the information technology,
32 administrative, and contract oversight costs;

33 (2) Any governmental agency of the United States or Canada, or
34 political subdivisions thereof, to be used by it or by its authorized

1 commercial agents or contractors only in connection with the
2 enforcement of motor vehicle or traffic laws by, or programs related to
3 traffic safety of, that government agency. Only such parts of the list
4 as are required for completion of the work required of the agent or
5 contractor shall be provided to such agent or contractor;

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

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

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

19 (6) A company or its agents operating a toll facility under chapter
20 47.46 RCW or other applicable authority requiring the names, addresses,
21 and vehicle information of motor vehicle registered owners to identify
22 toll violators.

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

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

36 **Sec. 702.** RCW 46.68.340 and 2013 2nd sp.s. c 35 s 14 and 2013 2nd
37 sp.s. c 4 s 986 are each reenacted and amended to read as follows:

1 The ignition interlock device revolving account is created in the
2 state treasury. All receipts from the fee assessed under RCW
3 46.20.385(6) must be deposited into the account. Moneys in the account
4 may be spent only after appropriation. Expenditures from the account
5 may be used only for administering and operating the ignition interlock
6 device revolving account program ~~((and))~~, implementing effective
7 strategies to reduce motor vehicle-related deaths and serious injuries,
8 such as those found in the Washington state strategic highway safety
9 plan: Target Zero, and during the 2013-2015 fiscal biennium, ~~((the~~
10 ~~legislature may appropriate moneys from the ignition interlock device~~
11 ~~revolving account for))~~ substance abuse programs for offenders. If
12 amounts appropriated from the account during the 2013-2015 fiscal
13 biennium exceed amounts available for expenditure in the account during
14 the 2013-2015 fiscal biennium, expenditures from the account must first
15 be used to support the ignition interlock device revolving account
16 program.

17 **Sec. 703.** RCW 47.28.030 and 2011 c 367 s 710 are each amended to
18 read as follows:

19 (1)(a) A state highway shall be constructed, altered, repaired, or
20 improved, and improvements located on property acquired for
21 right-of-way purposes may be repaired or renovated pending the use of
22 such right-of-way for highway purposes, by contract or state forces.
23 The work or portions thereof may be done by state forces when the
24 estimated costs thereof are less than fifty thousand dollars and
25 effective July 1, 2005, sixty thousand dollars.

26 (b) When delay of performance of such work would jeopardize a state
27 highway or constitute a danger to the traveling public, the work may be
28 done by state forces when the estimated cost thereof is less than
29 eighty thousand dollars and effective July 1, 2005, one hundred
30 thousand dollars.

31 (c) When the department of transportation determines to do the work
32 by state forces, it shall enter a statement upon its records to that
33 effect, stating the reasons therefor.

34 (d) To enable a larger number of small businesses and veteran,
35 minority, and women contractors to effectively compete for department
36 of transportation contracts, the department may adopt rules providing
37 for bids and award of contracts for the performance of work, or

1 furnishing equipment, materials, supplies, or operating services
2 whenever any work is to be performed and the engineer's estimate
3 indicates the cost of the work would not exceed eighty thousand dollars
4 and effective July 1, 2005, one hundred thousand dollars.

5 (2) The rules adopted under this section:

6 (a) Shall provide for competitive bids to the extent that
7 competitive sources are available except when delay of performance
8 would jeopardize life or property or inconvenience the traveling
9 public; and

10 (b) Need not require the furnishing of a bid deposit nor a
11 performance bond, but if a performance bond is not required then
12 progress payments to the contractor may be required to be made based on
13 submittal of paid invoices to substantiate proof that disbursements
14 have been made to laborers, material suppliers, mechanics, and
15 subcontractors from the previous partial payment; and

16 (c) May establish prequalification standards and procedures as an
17 alternative to those set forth in RCW 47.28.070, but the
18 prequalification standards and procedures under RCW 47.28.070 shall
19 always be sufficient.

20 (3) The department of transportation shall comply with such goals
21 and rules as may be adopted by the office of minority and women's
22 business enterprises to implement chapter 39.19 RCW with respect to
23 contracts entered into under this chapter. The department may adopt
24 such rules as may be necessary to comply with the rules adopted by the
25 office of minority and women's business enterprises under chapter 39.19
26 RCW.

27 (4)(a) For the period of March 15, (~~(2010)~~) 2014, through June 30,
28 (~~(2013)~~) 2015, work for less than one hundred twenty thousand dollars
29 may be performed on ferry vessels and terminals by state forces.

30 (b) The department shall hire a disinterested, third party to
31 conduct an independent analysis to identify methods of reducing out-of-
32 service times for vessel maintenance, preservation, and improvement
33 projects. The analysis must include options that consider
34 consolidating work while vessels are at shipyards by having state
35 forces perform services traditionally performed at Eagle Harbor at the
36 shipyard and decreasing the allowable time at shipyards. The analysis
37 must also compare the out-of-service vessel times of performing
38 services by state forces versus contracting out those services which in

1 turn must be used to form a recommendation as to what the threshold of
2 work performed on ferry vessels and terminals by state forces should
3 be. This analysis must be presented to the transportation committees
4 of the senate and house of representatives by December 1, 2010.

5 (c) The department shall develop a proposed ferry vessel
6 maintenance, preservation, and improvement program and present it to
7 the transportation committees of the senate and house of
8 representatives by December 1, 2010. The proposed program must:

9 (i) Improve the basis for budgeting vessel maintenance,
10 preservation, and improvement costs and for projecting those costs into
11 a sixteen-year financial plan;

12 (ii) Limit the amount of planned out-of-service time to the
13 greatest extent possible, including options associated with department
14 staff as well as commercial shipyards; and

15 (iii) Be based on the service plan in the capital plan, recognizing
16 that vessel preservation and improvement needs may vary by route.

17 (d) In developing the proposed ferry vessel maintenance,
18 preservation, and improvement program, the department shall consider
19 the following, related to reducing vessel out-of-service time:

20 (i) The costs compared to benefits of Eagle Harbor repair and
21 maintenance facility operations options to include staffing costs and
22 benefits in terms of reduced out-of-service time;

23 (ii) The maintenance requirements for on-vessel staff, including
24 the benefits of a systemwide standard;

25 (iii) The costs compared to benefits of staff performing
26 preservation or maintenance work, or both, while the vessel is
27 underway, tied up between sailings, or not deployed;

28 (iv) A review of the department's vessel maintenance, preservation,
29 and improvement program contracting process and contractual
30 requirements;

31 (v) The costs compared to benefits of allowing for increased costs
32 associated with expedited delivery;

33 (vi) A method for comparing the anticipated out-of-service time of
34 proposed projects and other projects planned during the same
35 construction period;

36 (vii) Coordination with required United States coast guard dry
37 dockings;

1 (viii) A method for comparing how proposed projects relate to the
2 service requirements of the route on which the vessel normally
3 operates; and

4 (ix) A method for evaluating the ongoing maintenance and
5 preservation costs associated with proposed improvement projects.

6 **Sec. 704.** RCW 81.53.281 and 2003 c 190 s 3 are each amended to
7 read as follows:

8 There is hereby created in the state treasury a "grade crossing
9 protective fund" to carry out the provisions of RCW 81.53.261,
10 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or
11 subsidies to public, private, and nonprofit entities for rail safety
12 projects authorized or ordered by the commission; and for personnel and
13 associated costs related to supervising and administering rail safety
14 grants and/or subsidies. During the 2013-2015 fiscal biennium, funds
15 in this account may also be used to conduct the study required by
16 section 102 of this act. The commission shall transfer from the public
17 service revolving fund's miscellaneous fees and penalties accounts
18 moneys appropriated for these purposes as needed. At the time the
19 commission makes each allocation of cost to said grade crossing
20 protective fund, it shall certify that such cost shall be payable out
21 of said fund. When federal-aid highway funds are involved, the
22 department of transportation shall, upon entry of an order by the
23 commission requiring the installation or upgrading of a grade crossing
24 protective device, submit to the commission an estimate for the cost of
25 the proposed installation and related work. Upon receipt of the
26 estimate the commission shall pay to the department of transportation
27 the percentage of the estimate specified in RCW 81.53.295, as now or
28 hereafter amended, to be used as the grade crossing protective fund
29 portion of the cost of the installation and related work.

30 The commission may adopt rules for the allocation of money from the
31 grade crossing protective fund.

32 NEW SECTION. **Sec. 705.** A new section is added to 2013 c 306
33 (uncodified) to read as follows:

34 The office of the state treasurer shall explore the fiscal
35 implications with respect to outstanding motor vehicle fuel
36 transportation bonds and to future transportation bond sales, relating

1 to any reduction, refunding, crediting, or repeal of the motor vehicle
2 fuel tax, in whole or in part, that may occur in a transition to a
3 potential road usage charge by which transportation activities may be
4 funded in the future. The exploration of fiscal implications must
5 examine possible effects on the state credit rating, interest rates,
6 and other factors that affect the cost of financing transportation
7 projects. The draft report of this work must be shared with the
8 transportation committees of the legislature, the transportation
9 commission, and the office of financial management by September 1,
10 2014. A final report must be provided to the transportation committees
11 of the legislature, the transportation commission, and the office of
12 financial management by December 31, 2014.

13 **Sec. 706.** RCW 82.70.020 and 2013 c 306 s 718 are each amended to
14 read as follows:

15 (1) Employers in this state who are taxable under chapter 82.04 or
16 82.16 RCW and provide financial incentives to their own or other
17 employees for ride sharing, for using public transportation, for using
18 car sharing, or for using nonmotorized commuting before July 1,
19 ((2014)) 2015, are allowed a credit against taxes payable under
20 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
21 employees for ride sharing in vehicles carrying two or more persons,
22 for using public transportation, for using car sharing, or for using
23 nonmotorized commuting, not to exceed sixty dollars per employee per
24 fiscal year.

25 (2) Property managers who are taxable under chapter 82.04 or 82.16
26 RCW and provide financial incentives to persons employed at a worksite
27 in this state managed by the property manager for ride sharing, for
28 using public transportation, for using car sharing, or for using
29 nonmotorized commuting before July 1, ((2014)) 2015, are allowed a
30 credit against taxes payable under chapters 82.04 and 82.16 RCW for
31 amounts paid to or on behalf of these persons for ride sharing in
32 vehicles carrying two or more persons, for using public transportation,
33 for using car sharing, or for using nonmotorized commuting, not to
34 exceed sixty dollars per person per fiscal year.

35 (3) The credit under this section is equal to the amount paid to or
36 on behalf of each employee multiplied by fifty percent, but may not

1 exceed sixty dollars per employee per fiscal year. No refunds may be
2 granted for credits under this section.

3 (4) A person may not receive credit under this section for amounts
4 paid to or on behalf of the same employee under both chapters 82.04 and
5 82.16 RCW.

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

8 **Sec. 707.** RCW 82.70.040 and 2013 c 306 s 719 are each amended to
9 read as follows:

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

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

21 (b) If the total amount of credit applied for by all applicants in
22 any year exceeds the limit in this subsection, the department shall
23 ratably reduce the amount of credit allowed for all applicants so that
24 the limit in this subsection is not exceeded. If a credit is reduced
25 under this subsection, the amount of the reduction may not be carried
26 forward and claimed in subsequent fiscal years.

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

29 (b)(i) Through June 30, 2005, a person with taxes equal to or in
30 excess of the credit under RCW 82.70.020, and therefore not subject to
31 the limitation in (a) of this subsection, may elect to defer tax
32 credits for a period of not more than three years after the year in
33 which the credits accrue. No credits deferred under this subsection
34 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
35 credits under this subsection (2)(b)(i) must submit an application as
36 provided in RCW 82.70.025 in the year in which the deferred tax credits
37 will be used. This application is subject to the provisions of

1 subsection (1) of this section for the year in which the tax credits
2 will be applied. If a deferred credit is reduced under subsection
3 (1)(b) of this section, the amount of deferred credit disallowed
4 because of the reduction may be carried forward as long as the period
5 of deferral does not exceed three years after the year in which the
6 credit was earned.

7 (ii) For credits approved by the department after June 30, 2005,
8 the approved credit may be carried forward to subsequent years until
9 used. Credits carried forward as authorized by this subsection are
10 subject to the limitation in subsection (1)(a) of this section for the
11 fiscal year for which the credits were originally approved.

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

16 (4) No person may claim tax credits after June 30, (~~2014~~) 2015.

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

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

22 **Sec. 708.** RCW 82.70.050 and 2003 c 364 s 5 are each amended to
23 read as follows:

24 (1) During the 2013-2015 fiscal biennium, the director shall on the
25 25th of February, May, August, and November of each year advise the
26 state treasurer of the amount of credit taken under RCW 82.70.020
27 during the preceding calendar quarter ending on the last day of
28 December, March, June, and September, respectively.

29 (2) On the last day of March, June, September, and December of each
30 year, the state treasurer, based upon information provided by the
31 department, shall deposit to the general fund a sum equal to the dollar
32 amount of the credit provided under RCW 82.70.020 from the multimodal
33 transportation account.

34 **Sec. 709.** RCW 82.70.900 and 2013 c 306 s 720 are each amended to
35 read as follows:

1 This chapter expires ((~~July 1, 2014, except for RCW 82.70.050,~~
2 ~~which expires January 1, 2015~~)) June 30, 2015.

3 NEW SECTION. **Sec. 710.** A new section is added to chapter 43.21C
4 RCW to read as follows:

5 During the 2013-2015 fiscal biennium, the repair or replacement of
6 a state bridge deemed structurally deficient, as defined in RCW
7 47.04.010, is exempt from compliance with this chapter as long as the
8 action occurs within the existing right-of-way, except that the repair
9 or replacement may occur outside the existing right-of-way as needed to
10 meet current engineering standards or state or local environmental
11 permit requirements for highway construction as long as the repair or
12 replacement does not result in additional lanes for automobiles. The
13 issuance of applicable state and local agency permits or approvals
14 associated with the repair or replacement of such bridges is also
15 included in this exemption from compliance with this chapter.

16 **Sec. 711.** RCW 47.04.010 and 2003 c 244 s 2 and 2003 c 141 s 8 are
17 each reenacted and amended to read as follows:

18 The following words and phrases, wherever used in this title, shall
19 have the meaning as in this section ascribed to them, unless where used
20 the context thereof shall clearly indicate to the contrary or unless
21 otherwise defined in the chapter of which they are a part:

22 (1) "Alley." A highway within the ordinary meaning of alley not
23 designated for general travel and primarily used as a means of access
24 to the rear of residences and business establishments;

25 (2) "Arterial highway." Every highway, as herein defined, or
26 portion thereof designated as such by proper authority;

27 (3) "Business district." The territory contiguous to and including
28 a highway, as herein defined, when within any six hundred feet along
29 such highway there are buildings in use for business or industrial
30 purposes, including but not limited to hotels, banks, or office
31 buildings, railroad stations, and public buildings which occupy at
32 least three hundred feet of frontage on one side or three hundred feet
33 collectively on both sides of the highway;

34 (4) "Center line." The line, marked or unmarked parallel to and
35 equidistant from the sides of a two-way traffic roadway of a highway
36 except where otherwise indicated by painted lines or markers;

1 (5) "Center of intersection." The point of intersection of the
2 center lines of the roadways of intersecting highways;

3 (6) "City street." Every highway as herein defined, or part
4 thereof located within the limits of incorporated cities and towns,
5 except alleys;

6 (7) "Combination of vehicles." Every combination of motor vehicle
7 and motor vehicle, motor vehicle and trailer, or motor vehicle and
8 semitrailer;

9 (8) "Commercial vehicle." Any vehicle the principal use of which
10 is the transportation of commodities, merchandise, produce, freight,
11 animals, or passengers for hire;

12 (9) "County road." Every highway as herein defined, or part
13 thereof, outside the limits of incorporated cities and towns and which
14 has not been designated as a state highway, or branch thereof;

15 (10) "Crosswalk." The portion of the roadway between the
16 intersection area and a prolongation or connection of the farthest
17 sidewalk line or in the event there are no sidewalks then between the
18 intersection area and a line ten feet therefrom, except as modified by
19 a marked crosswalk;

20 (11) "Highway." Every way, lane, road, street, boulevard, and
21 every way or place in the state of Washington open as a matter of right
22 to public vehicular travel both inside and outside the limits of
23 incorporated cities and towns;

24 (12) "Intersection area." (a) The area embraced within the
25 prolongation or connection of the lateral curb lines, or, if none, then
26 the lateral boundary lines of the roadways of two or more highways
27 which join one another at, or approximately at, right angles, or the
28 area within which vehicles traveling upon different highways joining at
29 any other angle may come in conflict;

30 (b) Where a highway includes two roadways thirty feet or more
31 apart, then every crossing of each roadway of such divided highway by
32 an intersecting highway shall be regarded as a separate intersection.
33 In the event such intersecting highway also includes two roadways
34 thirty feet or more apart, then every crossing of two roadways of such
35 highways shall be regarded as a separate intersection;

36 (c) The junction of an alley with a street or highway shall not
37 constitute an intersection;

1 (13) "Intersection control area." The intersection area as herein
2 defined, together with such modification of the adjacent roadway area
3 as results from the arc or curb corners and together with any marked or
4 unmarked crosswalks adjacent to the intersection;

5 (14) "Laned highway." A highway the roadway of which is divided
6 into clearly marked lanes for vehicular traffic;

7 (15) "Local authorities." Every county, municipal, or other local
8 public board or body having authority to adopt local police regulations
9 under the Constitution and laws of this state;

10 (16) "Marked crosswalk." Any portion of a roadway distinctly
11 indicated for pedestrian crossing by lines or other markings on the
12 surface thereof;

13 (17) "Metal tire." Every tire, the bearing surface of which in
14 contact with the highway is wholly or partly of metal or other hard,
15 nonresilient material;

16 (18) "Motor truck." Any motor vehicle, as herein defined, designed
17 or used for the transportation of commodities, merchandise, produce,
18 freight, or animals;

19 (19) "Motor vehicle." Every vehicle, as herein defined, which is
20 in itself a self-propelled unit;

21 (20) "Multiple lane highway." Any highway the roadway of which is
22 of sufficient width to reasonably accommodate two or more separate
23 lanes of vehicular traffic in the same direction, each lane of which
24 shall be not less than the maximum legal vehicle width, and whether or
25 not such lanes are marked;

26 (21) "Operator." Every person who drives or is in actual physical
27 control of a vehicle as herein defined;

28 (22) "Peace officer." Any officer authorized by law to execute
29 criminal process or to make arrests for the violation of the statutes
30 generally or of any particular statute or statutes relative to the
31 highways of this state;

32 (23) "Pedestrian." Any person afoot or who is using a wheelchair,
33 power wheelchair as defined in RCW 46.04.415, or a means of conveyance
34 propelled by human power other than a bicycle;

35 (24) "Person." Every natural person, firm, copartnership,
36 corporation, association, or organization;

37 (25) "Personal wireless service." Any federally licensed personal
38 wireless service;

1 (26) "Personal wireless service facilities." Unstaffed facilities
2 that are used for the transmission or reception, or both, of personal
3 wireless services including, but not necessarily limited to, antenna
4 arrays, transmission cables, equipment shelters, and support
5 structures;

6 (27) "Pneumatic tires." Every tire of rubber or other resilient
7 material designed to be inflated with compressed air to support the
8 load thereon;

9 (28) "Private road or driveway." Every way or place in private
10 ownership and used for travel of vehicles by the owner or those having
11 express or implied permission from the owner, but not by other persons;

12 (29) "Railroad." A carrier of persons or property upon vehicles,
13 other than streetcars, operated upon stationary rails, the route of
14 which is principally outside incorporated cities and towns;

15 (30) "Railroad sign or signal." Any sign, signal, or device
16 erected by authority of a public body or official or by a railroad and
17 intended to give notice of the presence of railroad tracks or the
18 approach of a railroad train;

19 (31) "Residence district." The territory contiguous to and
20 including the highway, as herein defined, not comprising a business
21 district, as herein defined, when the property on such highway for a
22 continuous distance of three hundred feet or more on either side
23 thereof is in the main improved with residences or residences and
24 buildings in use for business;

25 (32) "Roadway." The paved, improved, or proper driving portion of
26 a highway designed, or ordinarily used for vehicular travel;

27 (33) "Safety zone." The area or space officially set apart within
28 a roadway for the exclusive use of pedestrians and which is protected
29 or is marked or indicated by painted marks, signs, buttons, standards,
30 or otherwise so as to be plainly discernible;

31 (34) "Sidewalk." That property between the curb lines or the
32 lateral lines of a roadway, as herein defined, and the adjacent
33 property, set aside and intended for the use of pedestrians or such
34 portion of private property parallel and in proximity to a highway and
35 dedicated to use by pedestrians;

36 (35) "Solid tire." Every tire of rubber or other resilient
37 material which does not depend upon inflation with compressed air for
38 the support of the load thereon;

1 (36) "State highway." Every highway as herein defined, or part
2 thereof, which has been designated as a state highway, or branch
3 thereof, by legislative enactment;

4 (37) "Streetcar." A vehicle other than a train, as herein defined,
5 for the transporting of persons or property and operated upon
6 stationary rails principally within incorporated cities and towns;

7 (38) "Traffic." Pedestrians, ridden or herded animals, vehicles,
8 streetcars, and other conveyances either singly or together while using
9 any highways for purposes of travel;

10 (39) "Traffic control signal." Any traffic device, as herein
11 defined, whether manually, electrically, or mechanically operated, by
12 which traffic alternately is directed to stop or proceed or otherwise
13 controlled;

14 (40) "Traffic devices." All signs, signals, markings, and devices
15 not inconsistent with this title placed or erected by authority of a
16 public body or official having jurisdiction, for the purpose of
17 regulating, warning, or guiding traffic;

18 (41) "Train." A vehicle propelled by steam, electricity, or other
19 motive power with or without cars coupled thereto, operated upon
20 stationary rails, except street cars;

21 (42) "Vehicle." Every device capable of being moved upon a highway
22 and in, upon, or by which any person or property is or may be
23 transported or drawn upon a highway, excepting power wheelchairs, as
24 defined in RCW 46.04.415, or devices moved by human or animal power or
25 used exclusively upon stationary rails or tracks;

26 (43) During the 2013-2015 fiscal biennium, "structurally deficient"
27 means a state bridge that is classified as in poor condition under the
28 state bridge condition rating system and is reported by the state to
29 the national bridge inventory as having a deck, superstructure, or
30 substructure rating of four or below. Structurally deficient bridges
31 are characterized by deteriorated conditions of significant bridge
32 elements and potentially reduced load carrying capacity. Bridges
33 deemed structurally deficient typically require significant maintenance
34 and repair to remain in service, and require major rehabilitation or
35 replacement to address the underlying deficiency.

36 Words and phrases used herein in the past, present, or future tense
37 shall include the past, present, and future tenses; words and phrases
38 used herein in the masculine, feminine, or neuter gender shall include

1 the masculine, feminine, and neuter genders; and words and phrases used
2 herein in the singular or plural shall include the singular and plural;
3 unless the context thereof shall indicate to the contrary.

4 **Sec. 712.** RCW 47.28.170 and 2006 c 334 s 23 are each amended to
5 read as follows:

6 (1) Whenever the department finds that as a consequence of
7 accident, natural disaster, or other emergency, an existing state
8 highway is in jeopardy or is rendered impassible in one or both
9 directions and the department further finds that prompt reconstruction,
10 repair, or other work is needed to preserve or restore the highway for
11 public travel, or when, during the 2013-2015 fiscal biennium, the
12 department is preparing to conduct the repair or replacement of a state
13 bridge deemed structurally deficient, as defined in RCW 47.04.010, by
14 the department, the department may obtain at least three written bids
15 for the work without publishing a call for bids, and the secretary of
16 transportation may award a contract forthwith to the lowest responsible
17 bidder.

18 The department shall notify any association or organization of
19 contractors filing a request to regularly receive notification.
20 Notification to an association or organization of contractors shall
21 include: (a) The location of the work to be done; (b) the general
22 anticipated nature of the work to be done; and (c) the date determined
23 by the department as reasonable in view of the nature of the work and
24 emergent nature of the problem after which the department will not
25 receive bids.

26 (2) Whenever the department finds it necessary to protect a highway
27 facility from imminent damage or to perform emergency work to reopen a
28 highway facility, the department may contract for such work on a
29 negotiated basis not to exceed force account rates for a period not to
30 exceed thirty working days.

31 (3) The secretary shall review any contract exceeding seven hundred
32 thousand dollars awarded under subsection (1) or (2) of this section
33 with the office of financial management within thirty days of the
34 contract award.

35 (4) Any person, firm, or corporation awarded a contract for work
36 must be prequalified pursuant to RCW 47.28.070 and may be required to
37 furnish a bid deposit or performance bond.

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