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SENATE BILL 5239

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Eide, Benton, King, Hobbs, Mullet, and Shin; by request of Freight Mobility Strategic Investment Board

Read first time 01/24/13. Referred to Committee on Transportation.

1 AN ACT Relating to project selection by the freight mobility  
2 strategic investment board; and amending RCW 47.06A.020 and 46.68.300.

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

4 **Sec. 1.** RCW 47.06A.020 and 2005 c 319 s 125 are each amended to  
5 read as follows:

6 (1) The board shall:

7 (a) Adopt rules and procedures necessary to implement the freight  
8 mobility strategic investment program;

9 (b) Solicit from public entities proposed projects that meet  
10 eligibility criteria established in accordance with subsection (4) of  
11 this section; and

12 (c) Review and evaluate project applications based on criteria  
13 established under this section, and prioritize and select projects  
14 comprising a portfolio to be funded in part with grants from state  
15 funds appropriated for the freight mobility strategic investment  
16 program. In determining the appropriate level of state funding for a  
17 project, the board shall ensure that state funds are allocated to  
18 leverage the greatest amount of partnership funding possible. (~~After~~  
19 ~~selecting projects comprising the portfolio, the board shall submit~~

1 ~~them as part of its budget request to the office of financial~~  
2 ~~management and the legislature.))~~ The board shall ensure that projects  
3 ~~((submitted as part of))~~ included in the portfolio are not more  
4 appropriately funded with other federal, state, or local government  
5 funding mechanisms or programs. The board shall reject those projects  
6 that appear to improve overall general mobility with limited  
7 enhancement for freight mobility.

8 The board shall provide periodic progress reports on its activities  
9 to the office of financial management and the senate and house  
10 transportation committees.

11 (2) The board may:

12 (a) Accept from any state or federal agency, loans or grants for  
13 the financing of any transportation project and enter into agreements  
14 with any such agency concerning the loans or grants;

15 (b) Provide technical assistance to project applicants;

16 (c) Accept any gifts, grants, or loans of funds, property, or  
17 financial, or other aid in any form from any other source on any terms  
18 and conditions which are not in conflict with this chapter;

19 (d) Adopt rules under chapter 34.05 RCW as necessary to carry out  
20 the purposes of this chapter; and

21 (e) Do all things necessary or convenient to carry out the powers  
22 expressly granted or implied under this chapter.

23 (3) The board shall designate strategic freight corridors within  
24 the state. The board shall update the list of designated strategic  
25 corridors not less than every two years, and shall establish a method  
26 of collecting and verifying data, including information on city and  
27 county-owned roadways.

28 (4) The board shall utilize threshold project eligibility criteria  
29 that, at a minimum, includes the following:

30 (a) The project must be on a strategic freight corridor;

31 (b) The project must meet one of the following conditions:

32 (i) It is primarily aimed at reducing identified barriers to  
33 freight movement with only incidental benefits to general or personal  
34 mobility; or

35 (ii) It is primarily aimed at increasing capacity for the movement  
36 of freight with only incidental benefits to general or personal  
37 mobility; or

1 (iii) It is primarily aimed at mitigating the impact on communities  
2 of increasing freight movement, including roadway/railway conflicts;  
3 and

4 (c) The project must have a total public benefit/total public cost  
5 ratio of equal to or greater than one.

6 (5) From June 11, 1998, through the biennium ending June 30, 2001,  
7 the board shall use the multicriteria analysis and scoring framework  
8 for evaluating and ranking eligible freight mobility and freight  
9 mitigation projects developed by the freight mobility project  
10 prioritization committee and contained in the January 16, 1998, report  
11 entitled "Project Eligibility, Priority and Selection Process for a  
12 Strategic Freight Investment Program." The prioritization process  
13 shall measure the degree to which projects address important program  
14 objectives and shall generate a project score that reflects a project's  
15 priority compared to other projects. The board shall assign scoring  
16 points to each criterion that indicate the relative importance of the  
17 criterion in the overall determination of project priority. After June  
18 30, 2001, the board may supplement and refine the initial project  
19 priority criteria and scoring framework developed by the freight  
20 mobility project prioritization committee as expertise and experience  
21 is gained in administering the freight mobility program.

22 (6) It is the intent of the legislature that each freight mobility  
23 project contained in the project portfolio submitted by the board  
24 utilize the greatest amount of nonstate funding possible. The board  
25 shall adopt rules that give preference to projects that contain the  
26 greatest levels of financial participation from nonprogram fund  
27 sources. The board shall consider twenty percent as the minimum  
28 partnership contribution, but shall also ensure that there are  
29 provisions allowing exceptions for projects that are located in areas  
30 where minimal local funding capacity exists or where the magnitude of  
31 the project makes the adopted partnership contribution financially  
32 unfeasible.

33 (7) The board shall develop and recommend policies that address  
34 operational improvements that primarily benefit and enhance freight  
35 movement, including, but not limited to, policies that reduce  
36 congestion in truck lanes at border crossings and weigh stations and  
37 provide for access to ports during nonpeak hours.

1           **Sec. 2.** RCW 46.68.300 and 2005 c 314 s 105 are each amended to  
2 read as follows:

3           The freight mobility investment account is hereby created in the  
4 state treasury. Money in the account may be spent only after  
5 appropriation. Expenditures from the account may be used only for  
6 freight mobility projects (~~(identified in the omnibus transportation~~  
7 ~~appropriations act, including)) that have been approved by the freight  
8 mobility strategic investment board in RCW 47.06A.020 and may include  
9 any principal and interest on bonds authorized for the projects or  
10 improvements.~~

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