

SSB 5165 - H AMD 488

By Representative Fey

ADOPTED AS AMENDED 04/02/2021

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

3 **"2021-2023 FISCAL BIENNIUM**

4 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
5 is hereby adopted and, subject to the provisions set forth, the
6 several amounts specified, or as much thereof as may be necessary to
7 accomplish the purposes designated, are hereby appropriated from the
8 several accounts and funds named to the designated state agencies and
9 offices for employee compensation and other expenses, for capital
10 projects, and for other specified purposes, including the payment of
11 any final judgments arising out of such activities, for the period
12 ending June 30, 2023.

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

15 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending
16 June 30, 2022.

17 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending
18 June 30, 2023.

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

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

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

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

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

3 **GENERAL GOVERNMENT AGENCIES—OPERATING**

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

6 Motor Vehicle Account—State Appropriation \$546,000

7 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
8 **COMMISSION**

9 Grade Crossing Protective Account—State Appropriation . . . \$504,000

10 Pilotage Account—State Appropriation. \$150,000

11 Multimodal Transportation Account—State Appropriation. . . \$1,832,000

12 TOTAL APPROPRIATION. \$2,486,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: \$1,832,000 of the multimodal
15 transportation account—state appropriation is provided solely for the
16 implementation of chapter . . . (Engrossed Substitute House Bill No.
17 1418), Laws of 2021 (enhancing rail safety governance). If
18 chapter . . . (Engrossed Substitute House Bill No. 1418), Laws of
19 2021 is not enacted by June 30, 2021, the multimodal transportation
20 account—state appropriation of \$1,832,000 provided in this section
21 lapses.

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

23 Motor Vehicle Account—State Appropriation \$1,441,000

24 Puget Sound Ferry Operations Account—State Appropriation . . \$126,000

25 TOTAL APPROPRIATION. \$1,567,000

26 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
27 **COMMISSION**

28 Motor Vehicle Account—State Appropriation \$1,186,000

29 The appropriation in this section is subject to the following
30 conditions and limitations: The entire appropriation in this section
31 is provided solely for road maintenance purposes.

32 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

1 Motor Vehicle Account—State Appropriation \$1,358,000

2 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
3 **ACCOUNTABILITY PROGRAM COMMITTEE**

4 Motor Vehicle Account—State Appropriation \$668,000

5 NEW SECTION. **Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S**
6 **BUSINESS ENTERPRISES**

7 Motor Vehicle Account—State Appropriation \$2,000,000

8 The appropriation in this section is subject to the following
9 conditions and limitations: The entire appropriation in this section
10 is provided solely for increasing the number of certified women and
11 minority-owned contractors outside of the Puget Sound area in the
12 transportation sector and supporting these contractors to
13 successfully compete and earn more transportation contracting
14 opportunities. This shall be done through various programs including
15 but not limited to: (1) Outreach to women and minority business
16 communities and individuals; (2) technical assistance as needed in
17 areas such as financing, accounting, contracting, procurement, and
18 resolution of disputes and grievances; (3) language access programs
19 for those with limited English proficiency; and (4) other programs
20 that aim to increase the number of women and minority contractors
21 that are successful in obtaining contracts in the transportation
22 sector either directly with state agencies such as the department,
23 with local jurisdictions, or as subcontractors for prime contractors.

24 NEW SECTION. **Sec. 108. FOR THE WASHINGTON STATE INSTITUTE FOR**
25 **PUBLIC POLICY**

26 Motor Vehicle Account—State Appropriation \$150,000

27 The appropriation in this section is subject to the following
28 conditions and limitations: The total appropriation in this section
29 is provided solely for the Washington state institute for public
30 policy to conduct a cost-benefit analysis for an exclusive or partial
31 American steel requirement for future transportation contracts and
32 subcontracts authorized in the transportation budget. This cost-
33 benefit analysis must, to the extent feasible, (1) compare existing
34 types and uses of steel to made in America steel alternatives
35 including evaluation of quality, (2) examine benefits to Washington
36 workers and the Washington economy, (3) examine lifecycle and

1 embodied carbon greenhouse gas emissions, (4) identify requirements
2 for purchasing American steel that minimize costs and maximize
3 benefits, and (5) evaluate American steel requirements or preferences
4 in other states. The Washington state institute for public policy may
5 solicit input for the analysis from representatives of interested
6 parties to include, but not be limited to, the construction and
7 manufacturing sectors, organized labor in the construction and
8 manufacturing sectors, cities, counties, American steel manufacturing
9 companies, environmental advocacy organizations, and appropriate
10 state agencies. A final report is due to the legislature by December
11 1, 2021.

12 NEW SECTION. **Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

13 Pilotage Account—State Appropriation \$5,776,000

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

16 (1) \$2,926,000 of the pilotage account—state appropriation is
17 provided solely for self-insurance liability premium expenditures;
18 however, this appropriation is contingent upon the board:

19 (a) Annually depositing the first one hundred fifty thousand
20 dollars collected through Puget Sound pilotage district pilotage
21 tariffs into the pilotage account; and

22 (b) Assessing a self-insurance premium surcharge of sixteen
23 dollars per pilotage assignment on vessels requiring pilotage in the
24 Puget Sound pilotage district.

25 (2) The board of pilotage commissioners shall file the annual
26 report to the governor and chairs of the transportation committees
27 required under RCW 88.16.035(1)(f) by September 1, 2019, and annually
28 thereafter. The report must include the continuation of policies and
29 procedures necessary to increase the diversity of pilots, trainees,
30 and applicants, including a diversity action plan. The diversity
31 action plan must articulate a comprehensive vision of the board's
32 diversity goals and the steps it will take to reach those goals.

33 NEW SECTION. **Sec. 110. FOR THE HOUSE OF REPRESENTATIVES**

34 Motor Vehicle Account—State Appropriation \$3,210,000

35 NEW SECTION. **Sec. 111. FOR THE SENATE**

36 Motor Vehicle Account—State Appropriation \$3,085,000

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

3 (1) The Washington traffic safety commission may oversee a
4 demonstration project in one county, coordinating with a public
5 transportation benefit area (PTBA) and the department of
6 transportation, to test the feasibility and accuracy of the use of
7 automated enforcement technology for high occupancy vehicle (HOV)
8 lane passenger compliance. All costs associated with the
9 demonstration project must be borne by the participating public
10 transportation benefit area. Any photograph, microphotograph, or
11 electronic images of a driver or passengers are for the exclusive use
12 of the PTBA in the determination of whether an HOV passenger
13 violation has occurred to test the feasibility and accuracy of
14 automated enforcement under this subsection and are not open to the
15 public and may not be used in a court in a pending action or
16 proceeding. All photographs, microphotographs, and electronic images
17 must be destroyed after determining a passenger count and no later
18 than the completion of the demonstration project. No warnings or
19 notices of infraction may be issued under the demonstration project.

20 For purposes of the demonstration project, an automated
21 enforcement technology device may record an image of a driver and
22 passenger of a motor vehicle. The county and PTBA must erect signs
23 marking the locations where the automated enforcement for HOV
24 passenger requirements is occurring.

25 The PTBA, in consultation with the Washington traffic safety
26 commission, must provide a report to the transportation committees of
27 the legislature with the number of violations detected during the
28 demonstration project, whether the technology used was accurate and
29 any recommendations for future use of automated enforcement
30 technology for HOV lane enforcement by June 30, 2022.

31 (2) The Washington traffic safety commission shall coordinate
32 with each city that implements a pilot program as authorized in RCW
33 46.63.170, chapter 224, Laws of 2020 to provide the transportation
34 committees of the legislature with the following information by June
35 30, 2023:

36 (a) The number of warnings and infractions issued to first-time
37 violators under the pilot program;

1 (b) The number of warnings and infractions issued to the
2 registered owners of vehicles that are not registered with an address
3 located in the city conducting the pilot program; and

4 (c) The frequency with which warnings and infractions are issued
5 on weekdays versus weekend days.

6 (3) The Washington traffic safety commission may oversee a pilot
7 program in up to three cities implementing the use of automated
8 vehicle noise enforcement cameras in zones that have been designated
9 by ordinance as "Stay Out of Areas of Racing."

10 (a) Any programs authorized by the commission must be authorized
11 by December 31, 2022.

12 (b) If a city has established an authorized automated vehicle
13 noise enforcement camera pilot program under this section, the
14 compensation paid to the manufacturer or vendor of the equipment used
15 must be based upon the value of the equipment and services provided
16 or rendered in support of the system.

17 (c) Any city administering a pilot program overseen by the
18 traffic safety commission shall use the following guidelines to
19 administer the program:

20 (i) Automated vehicle noise enforcement camera may record
21 photographs or audio of the vehicle and vehicle license plate only
22 while a violation is occurring. The picture must not reveal the face
23 of the driver or of passengers in the vehicle;

24 (ii) The law enforcement agency of the city or county government
25 shall install two signs facing opposite directions within two hundred
26 feet, or otherwise consistent with the uniform manual on traffic
27 control devices, where the automated vehicle noise enforcement camera
28 is used that state "Street Racing Noise Pilot Program in Progress";

29 (iii) Cities testing the use of automated vehicle noise
30 enforcement cameras must post information on the city website and
31 notify local media outlets indicating the zones in which the
32 automated vehicle noise enforcement cameras will be used;

33 (iv) A city may only issue a warning notice with no penalty for a
34 violation detected by automated vehicle noise enforcement cameras in
35 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
36 the registered owner of a vehicle within fourteen days of the
37 detected violation;

38 (v) A violation detected through the use of automated vehicle
39 noise enforcement cameras is not part of the registered owner's
40 driving record under RCW 46.52.101 and 46.52.120;

1 (vi) Notwithstanding any other provision of law, all photographs,
2 videos, microphotographs, audio recordings, or electronic images
3 prepared under this section are for the exclusive use of law
4 enforcement in the discharge of duties under this section and are not
5 open to the public and may not be used in a court in a pending action
6 or proceeding. No photograph, microphotograph, audio recording, or
7 electronic image may be used for any purpose other than the issuance
8 of warnings for violations under this section or retained longer than
9 necessary to issue a warning notice as required under this subsection
10 (3); and

11 (vii) By June 30, 2023, the participating cities shall provide a
12 report to the commission and appropriate committees of the
13 legislature regarding the use, public acceptance, outcomes, warnings
14 issued, data retention and use, and other relevant issues regarding
15 automated vehicle noise enforcement cameras demonstrated by the pilot
16 projects.

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

18 Rural Arterial Trust Account—State Appropriation	\$1,134,000
19 Motor Vehicle Account—State Appropriation	\$7,743,000
20 County Arterial Preservation Account—State	
21 Appropriation	\$1,669,000
22 TOTAL APPROPRIATION.	\$10,546,000

23 The appropriations in this section are subject to the following
24 conditions and limitations: \$5,000,000 of the motor vehicle account—
25 state appropriation is provided solely for deposit into the county
26 road administration board emergency loan account—state account.

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

28 Transportation Improvement Account—State	
29 Appropriation	\$4,495,000

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

31 Motor Vehicle Account—State Appropriation	\$2,660,000
32 Multimodal Transportation Account—State Appropriation.	\$770,000
33 TOTAL APPROPRIATION.	\$3,430,000

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

1 (1) \$220,000 of the multimodal transportation account—state
2 appropriation is provided solely for overseeing a consultant study to
3 provide recommendations related to the Washington state department of
4 transportation's role in broadband service expansion efforts as
5 directed in chapter . . . (Engrossed Substitute House Bill No. 1457),
6 Laws of 2021 (broadband and highway rights-of-way). If chapter . . .
7 (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband
8 and highway rights-of-way) is not enacted by June 30, 2021, the
9 amount provided in this subsection lapses.

10 (2) \$250,000 of the motor vehicle account—state appropriation is
11 provided solely for the joint transportation committee to convene a
12 study on the impacts of current and historical city transportation
13 investments on designated populations, including communities of
14 color, low-income households, vulnerable populations, and displaced
15 communities. The study must identify and measure the true costs of
16 underinvestment of accessible transportation for designated
17 populations, including the secondary impacts to public health,
18 economic opportunity, educational access, and environmental risk
19 factors. The assessment must include specific approaches to
20 addressing existing inequities within cities, as well as
21 recommendations to develop best practices to improve, diversify, and
22 expand city transportation investments. A report must be provided to
23 the office of financial management and the transportation committees
24 of the legislature by December 20, 2022.

25 (3) \$400,000 of the motor vehicle account—state appropriation is
26 provided for the development of a workforce plan for the Washington
27 state ferries which addresses recruitment, retention, diversity,
28 training needs, leadership development, succession planning and other
29 elements needed to ensure sufficient and cost-effective crewing and
30 staffing of the ferry system. In developing the scope of work for the
31 plan and throughout plan development, the joint transportation
32 committee must solicit input from representatives of the Washington
33 state ferries division and the human resources division of the
34 Washington state department of transportation. Represented employee
35 groups must also be consulted as part of plan development. The plan
36 must include a roadmap for Washington state ferries to
37 comprehensively address persistent staffing challenges and
38 strategically position itself for its future workforce needs. The
39 joint transportation committee must issue an interim report

1 identifying short-term strategies to reduce reliance on overtime for
2 staffing day-to-day ferry service. The interim report is due to the
3 transportation committees of the legislature by January 1, 2022. The
4 final report is due to the transportation committees of the
5 legislature by December 20, 2022.

6 (4) \$250,000 of the motor vehicle account—state appropriation is
7 provided for the joint transportation committee to examine best
8 practices from other states for insuring highway facilities. The
9 joint transportation committee shall report to the legislature on
10 findings and include recommendations for best practices for
11 Washington state by December 15, 2021.

12 (5) \$150,000 of the multimodal transportation account—state
13 appropriation is for the joint transportation committee to update the
14 Washington State Short Line Rail Inventory and Needs Assessment,
15 prepared in 2015, and to facilitate a stakeholder process to assess
16 the effectiveness of state support for short line rail infrastructure
17 based on current and future short line rail infrastructure needs.
18 This assessment must include consideration of current state grant and
19 loan programs, including state investment in nonstate owned short
20 lines, the state's role and investments in the Palouse River and
21 Coulee City (PCC) rail system, and any other ongoing state activities
22 related to short line rail infrastructure. The joint transportation
23 committee must solicit input from all regions of the state from
24 representatives of: Short line rail infrastructure owners, short line
25 rail operators, short line rail customers from representative
26 industries, ports served by short line rail infrastructure, the
27 Washington state department of transportation, the utilities and
28 transportation commission, and other relevant stakeholders as
29 identified by the joint transportation committee. A report with
30 recommendations to enhance the state's support for short line rail
31 infrastructure is due to the transportation committees of the
32 legislature by January 1, 2022.

33 (6) (a) \$200,000 of the motor vehicle account—state appropriation
34 is for the joint transportation committee to develop a truck parking
35 action plan with recommendations for immediate next steps for near-
36 term and lasting change in the availability of truck parking for
37 short-haul and long-distance commercial vehicle drivers who require
38 reasonable accommodations for parking commercial motor vehicles,

1 obtaining adequate services, and complying with federal rest
2 requirements. For each opportunity identified, the action plan must:

3 (i) Assess the magnitude of potential impact;
4 (ii) Assess the potential difficulty level of implementation; and
5 (iii) Explain barriers to success and specific steps required to
6 overcome them.

7 (b) The action plan must focus on approaches that would be most
8 impactful and feasible and may include, but not be limited to:

9 (i) Specific cooperative private sector and government actions;
10 (ii) Legal and regulatory frameworks at the state level to drive
11 private and/or public-sector action;

12 (iii) Incentive-based government programs to spur private sector
13 innovation and investment; and

14 (iv) Direct government action at the state, regional, and/or
15 local level.

16 (c) The action plan must identify specific, promising projects
17 and approaches, and provide a clear roadmap to what is needed to
18 drive real, substantial improvements in truck parking.

19 (d) Outreach for action plan input, including on the feasibility
20 of each opportunity evaluated, must include outreach to
21 representatives of: The trucking industry; truck labor organizations;
22 the shipping industry; truck stop owners; commercial freight delivery
23 recipients, including warehouse and retail recipients; the
24 association of Washington cities; the Washington state association of
25 counties; the Washington state department of transportation; the
26 Washington state patrol; and an academic or research institution that
27 can provide input on technical components of the plan.

28 (e) A concise action plan with specific recommended next steps is
29 due to the transportation committees of the legislature by January 1,
30 2022.

31 (7) \$400,000 of the multimodal transportation account—state
32 appropriation is for the joint transportation committee to evaluate
33 options for providing connectivity in the Pacific Northwest region
34 from Portland, Oregon to Vancouver, British Columbia in light of new
35 trends impacting the transportation system to determine how updated
36 forecasts of future highway volumes and changes to future
37 transportation mobility needs impact earlier assessments of options
38 for facilitating mobility in the region, including ultra high speed
39 rail. The assessment must consider and update relevant information
40 provided in past Washington state department of transportation long

1 range plans for the Cascades corridor. A comparative assessment of
2 the potential benefits and costs of each option evaluated must be
3 included. A report is due to the legislature by December 1, 2022.

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

5	Motor Vehicle Account—State Appropriation	\$2,332,000
6	Interstate 405 and state Route Number 167 Express Toll Lanes	
7	Account—State Appropriation.	\$127,000
8	State Route Number 520 Corridor Account—State	
9	Appropriation.	\$276,000
10	Tacoma Narrows Toll Bridge Account—State	
11	Appropriation.	\$180,000
12	Alaskan Way Viaduct Replacement Project	
13	Account—State Appropriation.	\$172,000
14	TOTAL APPROPRIATION.	\$3,087,000

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

17 (1) \$127,000 of the Interstate 405 and state route number 167
18 express toll lanes account—state appropriation, \$276,000 of the state
19 route number 520 corridor account—state appropriation, \$180,000 of
20 the Tacoma Narrows toll bridge account—state appropriation, and
21 \$172,000 of the Alaskan Way viaduct replacement project account—state
22 appropriation are provided solely for the transportation commission's
23 proportional share of time spent supporting tolling operations for
24 the respective tolling facilities.

25 (2) The commission shall identify and measure how a road usage
26 charge could be adjusted so that vehicles of comparable efficiency
27 pay the same rate regardless of their means of propulsion and examine
28 options for indexing to stabilize revenue as vehicle fleets become
29 more efficient over time.

30 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
31 **INVESTMENT BOARD**

32	Freight Mobility Investment Account—State	
33	Appropriation	\$831,000

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

35	State Patrol Highway Account—State Appropriation	\$523,697,000
36	State Patrol Highway Account—Federal Appropriation	\$16,157,000

1	State Patrol Highway Account—Private/Local	
2	Appropriation	\$4,261,000
3	Highway Safety Account—State Appropriation	\$1,224,000
4	Ignition Interlock Device Revolving Account—State	
5	Appropriation	\$5,053,000
6	Multimodal Transportation Account—State	
7	Appropriation	\$288,000
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation.	\$1,348,000
10	State Route Number 520 Corridor Account—State	
11	Appropriation.	\$433,000
12	Tacoma Narrows Toll Bridge Account—State Appropriation. . . .	\$77,000
13	TOTAL APPROPRIATION.	\$552,538,000

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

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

25 (2) \$510,000 of the ignition interlock device revolving account—
26 state appropriation is provided solely for the ignition interlock
27 program at the Washington state patrol to provide funding for two
28 staff to work and provide support for the program in working with
29 manufacturers, service centers, technicians, and participants in the
30 program.

31 (3) \$16,099,000 of the state patrol highway account—state
32 appropriation is provided solely for the land mobile radio system
33 replacement, upgrade, and other related activities. Beginning January
34 1, 2022, the Washington state patrol must report semiannually to the
35 office of the state chief information officer on the progress related
36 to the projects and activities associated with the land mobile radio
37 system, including the governance structure, outcomes achieved in the
38 prior six-month time period, and how the activities are being managed
39 holistically as recommended by the office of the chief information

1 officer. At the time of submittal to the office of the state chief
2 information officer, this report shall be transmitted to the office
3 of financial management and the house and senate transportation
4 committees.

5 (4) \$493,000 of the state patrol highway account—state
6 appropriation is provided solely for aerial criminal investigation
7 tools, including software licensing and maintenance, and annual
8 certification, and is subject to the conditions, limitations, and
9 review requirements of section 701 of this act.

10 (5) \$786,000 of the state patrol highway account—state
11 appropriation is provided solely for one-time costs associated with
12 establishing the second toxicology laboratory and addressing the
13 backlog of toxicology cases from impaired driving and death
14 investigations.

15 (6) \$580,000 of the state patrol highway account—state
16 appropriation is provided solely for the operation of and
17 administrative support to the license investigation unit to enforce
18 vehicle registration laws in southwestern Washington. The Washington
19 state patrol, in consultation with the department of revenue, shall
20 maintain a running estimate of the additional vehicle registration
21 fees, sales and use taxes, and local vehicle fees remitted to the
22 state pursuant to activity conducted by the license investigation
23 unit. Beginning October 1, 2021, and quarterly thereafter, the
24 Washington state patrol shall submit a report detailing the
25 additional revenue amounts generated since January 1, 2021, to the
26 director of the office of financial management and the transportation
27 committees of the legislature. At the end of the calendar quarter in
28 which it is estimated that more than \$625,000 in state sales and use
29 taxes have been remitted to the state since January 1, 2021, the
30 Washington state patrol shall notify the state treasurer and the
31 state treasurer shall transfer funds pursuant to section 406(18) of
32 this act.

33 (7) The Washington state patrol and the office of financial
34 management must be consulted by the department of transportation
35 during the design phase of any improvement or preservation project
36 that could impact Washington state patrol weigh station operations.
37 During the design phase of any such project, the department of
38 transportation must estimate the cost of designing around the

1 affected weigh station's current operations, as well as the cost of
2 moving the affected weigh station.

3 (8) \$4,180,000 of the state patrol highway account—state
4 appropriation is provided solely for an additional arming and trooper
5 basic training class. The cadet class is expected to graduate in June
6 2023.

7 (9) By December 1st of each year during the 2021-2023 biennium,
8 the Washington state patrol must report to the house and senate
9 transportation committees on the status of recruitment and retention
10 activities as follows:

11 (a) A summary of recruitment and retention strategies;

12 (b) The number of transportation funded staff vacancies by major
13 category;

14 (c) The number of applicants for each of the positions by these
15 categories;

16 (d) The composition of workforce; and

17 (e) Other relevant outcome measures with comparative information
18 with recent comparable months in prior years.

19 (10) \$1,348,000 of the Interstate 405 and state route number 167
20 express toll lanes account—state appropriation, \$433,000 of the state
21 route number 520 corridor account—state appropriation, and \$77,000 of
22 the Tacoma Narrows toll bridge account—state appropriation are
23 provided solely for the Washington state patrol's proportional share
24 of time spent supporting tolling operations and enforcement for the
25 respective tolling facilities.

26 (11) \$289,000 of the state patrol highway account—state
27 appropriation is provided solely for the replacement of 911
28 workstations.

29 (12) \$35,000 of the state patrol highway account—state
30 appropriation is provided solely for the replacement of bomb response
31 equipment.

32 (13) \$713,000 of the state patrol highway account—state
33 appropriation is provided solely for information technology
34 infrastructure maintenance.

35 (14) The Washington state patrol must provide a report to the
36 office of financial management and the house and senate
37 transportation committees on its plan for implementing a transition
38 to cloud computing and storage with its 2023-2025 budget submittal.

1 (15) \$945,000 of the state patrol highway account—state
2 appropriation is provided solely for implementation of chapter . . .
3 (Substitute House Bill No. 1223), Laws of 2021 (custodial
4 interrogations). If chapter . . . (Substitute House Bill No. 1223),
5 Laws of 2021 (custodial interrogations) is not enacted by June 30,
6 2021, the amount provided in this subsection lapses.

7 (16) \$92,000 of the state patrol highway account—state
8 appropriation is provided solely for implementation of chapter . . .
9 (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace
10 officer tactics). If chapter . . . (Engrossed Substitute House Bill
11 No. 1054), Laws of 2021 (peace officer tactics) is not enacted by
12 June 30, 2021, the amount provided in this subsection lapses.

13 (17) \$92,000 of the state patrol highway account—state
14 appropriation is provided solely for implementation of chapter . . .
15 (Second Substitute House Bill No. 1310), Laws of 2021 (use of force
16 by officers). If chapter . . . (Second Substitute House Bill No.
17 1310), Laws of 2021 (use of force by officers) is not enacted by June
18 30, 2021, the amount provided in this subsection lapses.

19 (18)(a) The Washington state patrol is directed to terminate its
20 "Agreement for Utility Connection and Reimbursement of Water
21 Extension Expenses" with the city of Shelton, executed on June 12,
22 2017, subject to the city of Shelton's consent to terminate the
23 agreement. The legislature finds that the water connection extension
24 constructed by the Washington state patrol from the city of Shelton's
25 water facilities to the Washington state patrol academy was necessary
26 to meet the water supply needs of the academy. The legislature also
27 finds that the water connection provides an ongoing water supply that
28 is necessary to the operation of the training facility, that the
29 state is making use of the water connection for these public
30 activities, and that any future incidental use of the municipal
31 infrastructure put in place to support these activities will not
32 impede the Washington state patrol's ongoing use of the water
33 connection extension.

34 (b) \$2,220,000 of the transfer from the waste tire removal
35 account—state appropriation to the motor vehicle account—state
36 appropriation in this act, as required under RCW 70A.205.425,
37 reimburses the motor vehicle account—state appropriation for the
38 portion of the water project costs assigned by the agreement to
39 properties, other than the Washington state patrol academy, that make

1 use of the water connection while the agreement remains in effect.
 2 This reimbursement to the motor vehicle fund is intended to address
 3 any possibility that the termination of this agreement could be
 4 determined to result in the unconstitutional use of 18th amendment
 5 designated funds for nonhighway purposes under the constitution of
 6 the state of Washington; however, this transfer is not intended to
 7 indicate that the incidental use of this infrastructure by these
 8 properties necessarily requires such reimbursement under the state
 9 Constitution.

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

11	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
12	Motorcycle Safety Education Account—State	
13	Appropriation	\$4,928,000
14	Highway Safety Account—State Appropriation	\$242,488,000
15	Highway Safety Account—Federal Appropriation	\$1,294,000
16	Motor Vehicle Account—State Appropriation	\$79,421,000
17	Motor Vehicle Account—Federal Appropriation.	\$150,000
18	Ignition Interlock Device Revolving Account—State	
19	Appropriation	\$4,099,000
20	Department of Licensing Services Account—State	
21	Appropriation	\$8,189,000
22	License Plate Technology Account—State	
23	Appropriation	\$4,250,000
24	Abandoned Recreational Vehicle Account—State	
25	Appropriation.	\$3,074,000
26	Limousine Carriers Account—State Appropriation.	\$110,000
27	Electric Vehicle Account—State Appropriation.	\$417,000
28	DOL Technology Improvement & Data Management	
29	Account—State Appropriation.	\$816,000
30	Agency Financial Transaction Account—State	
31	Appropriation.	\$21,257,000
32	Limited Fish and Wildlife Account—State Appropriation.	\$916,000
33	TOTAL APPROPRIATION.	\$371,443,000

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

- 36 (1) \$12,000 of the motorcycle safety education account—state
 37 appropriation, \$2,000 of the limited fish and wildlife account—state

1 appropriation, \$728,000 of the highway safety account—state
2 appropriation, \$238,000 of the motor vehicle account—state
3 appropriation, \$10,000 of the ignition interlock device revolving
4 account—state appropriation, and \$10,000 of the department of
5 licensing services account—state appropriation are provided solely
6 for the department to redesign and improve its online services and
7 website, and are subject to the conditions, limitations, and review
8 requirements of section 701 of this act.

9 (2) \$28,636,000 of the highway safety account—state appropriation
10 is provided solely for costs necessary to accommodate increased
11 demand for enhanced drivers' licenses and enhanced identicards. The
12 department shall report on a quarterly basis on the use of these
13 funds, associated workload, and information with comparative
14 information with recent comparable months in prior years. The report
15 must include detailed statewide and by licensing service office
16 information on staffing levels, average monthly wait times, the
17 number of enhanced drivers' licenses and enhanced identicards issued/
18 renewed, and the number of primary drivers' licenses and identicards
19 issued/renewed. Within the amounts provided in this subsection, the
20 department shall implement efficiency measures to reduce the time for
21 licensing transactions and wait times including, but not limited to,
22 the installation of additional cameras at licensing service offices
23 that reduce bottlenecks and align with the "keep your customer"
24 initiative.

25 (3) (a) The department must implement cost recovery mechanisms to
26 recoup at least a portion of credit card and other financial
27 transaction costs as part of charges imposed for driver and vehicle
28 fee transactions. The department must develop a method of tracking
29 the amount of credit card and other financial cost-recovery revenues.
30 The department must notify the state treasurer of these amounts and
31 the state treasurer must deposit these revenues in the agency
32 financial transaction account on a quarterly basis. If chapter . . .
33 (House Bill No. 1115), Laws of 2021 (cost recovery of state agency
34 credit card and transaction fees) is enacted by June 30, 2021, this
35 subsection (3) (a) lapses.

36 (b) The appropriations in this section assume implementation by
37 the department of cost recovery mechanisms to recoup at least
38 \$21,257,000 during the 2021-2023 biennium in credit card and other
39 financial transaction costs as part of charges imposed for driver and

1 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
2 department must report any amounts recovered to the office of
3 financial management and appropriate committees of the legislature on
4 a quarterly basis.

5 (4) \$3,074,000 of the abandoned recreational vehicle disposal
6 account—state appropriation is provided solely for providing
7 reimbursements in accordance with the department's abandoned
8 recreational vehicle disposal reimbursement program. It is the intent
9 of the legislature that the department prioritize this funding for
10 allowable and approved reimbursements and not to build a reserve of
11 funds within the account. During the 2021-2023 fiscal biennium, the
12 department must report any amounts recovered to the office of
13 financial management and appropriate committees of the legislature on
14 a quarterly basis.

15 (5) \$1,550,000 of the highway safety account—state appropriation
16 is provided solely for the department to provide an interagency
17 transfer to the department of social and health services, children's
18 administration division for the purpose of providing driver's license
19 support to a larger population of foster youth than is already served
20 within existing resources. Support services include reimbursement of
21 driver's license issuance costs, fees for driver training education,
22 and motor vehicle liability insurance costs.

23 (6) \$500,000 of the highway safety account—state appropriation is
24 provided solely for communication and outreach activities necessary
25 to inform the public of federally acceptable identification options
26 including, but not limited to, enhanced drivers' licenses and
27 enhanced identicards. The department shall continue the outreach plan
28 that includes informational material that can be effectively
29 communicated to all communities and populations in Washington. To
30 accomplish this work, the department shall contract with an external
31 vendor with demonstrated experience and expertise in outreach and
32 marketing to underrepresented communities in a culturally responsive
33 fashion.

34 (7) \$23,000 of the highway safety account—state appropriation is
35 provided solely for the implementation of chapter . . . (Engrossed
36 Substitute House Bill No. 1078), Laws of 2021 (restoring voter
37 eligibility after felony conviction). If chapter . . . (Engrossed
38 Substitute House Bill No. 1078), Laws of 2021 (restoring voter

1 eligibility after felony conviction) is not enacted by June 30, 2021,
2 the amount provided in this subsection lapses.

3 (8) \$523,000 of the highway safety account—state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 House Bill No. 1207), Laws of 2021 (department of licensing issued
6 documents). If chapter . . . (Substitute House Bill No. 1207), Laws
7 of 2021 (department of licensing issued documents) is not enacted by
8 June 30, 2021, the amount provided in this subsection lapses.

9 (9) \$57,000 of the motor vehicle account—state appropriation is
10 provided solely for the implementation of chapter . . . (Substitute
11 House Bill No. 1322), Laws of 2021 (off-road vehicle enforcement). If
12 chapter . . . (Substitute House Bill No. 1322), Laws of 2021 (off-
13 road vehicle enforcement) is not enacted by June 30, 2021, the amount
14 provided in this subsection lapses.

15 (10)(a) \$54,000 of the motor vehicle account—state appropriation
16 is provided solely for the issuance of nonemergency medical
17 transportation vehicle decals to implement the high occupancy vehicle
18 lane access pilot program established elsewhere in this act. A for
19 hire nonemergency medical transportation vehicle is a vehicle that is
20 a "for hire vehicle" under RCW 46.04.190 that provides nonemergency
21 medical transportation, including for life-sustaining transportation
22 purposes, to meet the medical transportation needs of individuals
23 traveling to medical practices and clinics, cancer centers, dialysis
24 facilities, hospitals, and other care providers.

25 (b) As part of this pilot program, the owner of a for hire
26 nonemergency medical transportation vehicle may apply to the
27 department, county auditor or other agent, or subagent appointed by
28 the director, for a high occupancy vehicle exempt decal for a for
29 hire nonemergency medical transportation vehicle. The high occupancy
30 vehicle exempt decal allows the for hire nonemergency medical
31 transportation vehicle to use a high occupancy vehicle lane as
32 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
33 biennium.

34 (c) For the exemption in this subsection to apply to a for hire
35 nonemergency medical transportation vehicle, the decal:

36 (i) Must be displayed on the vehicle so that it is clearly
37 visible from outside the vehicle;

38 (ii) Must identify that the vehicle is exempt from the high
39 occupancy vehicle requirements; and

1 (iii) Must be visible from the rear of the vehicle.

2 (d) The owner of a for hire nonemergency medical transportation
3 vehicle or the owner's representative must apply for a high occupancy
4 vehicle exempt decal on a form provided or approved by the
5 department. The application must include:

6 (i) The name and address of the person who is the owner of the
7 vehicle;

8 (ii) A full description of the vehicle, including its make,
9 model, year, and the vehicle identification number;

10 (iii) The purpose for which the vehicle is principally used;

11 (iv) An attestation signed by the vehicle's owner or the owner's
12 representative that the vehicle's owner has a minimum of one contract
13 or service agreement to provide for hire transportation services for
14 medical purposes with one or more of the following entities: A health
15 insurance company; a hospital, clinic, dialysis center, or other
16 medical institution; a day care center, retirement home, or group
17 home; a federal, state, or local agency or jurisdiction; or a broker
18 who negotiates these services on behalf of one or more of these
19 entities; and

20 (v) Other information as required by the department upon
21 application.

22 (e) The department, county auditor or other agent, or subagent
23 appointed by the director shall collect the fee required under (f) of
24 this subsection when issuing a high occupancy vehicle exempt decal.

25 (f) The department, county auditor or other agent, or subagent,
26 is required to collect a \$5 fee when issuing a decal under this
27 subsection, in addition to any other fees and taxes required by law.

28 (g) A high occupancy vehicle exempt decal may not be renewed and
29 expires upon the termination of the pilot program established
30 elsewhere in this act. The status as an exempt vehicle continues
31 until suspended or revoked for misuse, or when the vehicle is no
32 longer used as a for hire nonemergency medical transportation
33 vehicle, or when the pilot program established elsewhere in this act
34 is terminated.

35 (h) The department may adopt rules to implement this subsection.

36 (11) The department must place personal and company data elements
37 in separate data fields to allow the department to select discrete
38 data elements when providing information or data to persons or
39 entities outside the department. Pursuant to the restrictions in
40 federal and state law, a person's photo, social security number, or

1 medical information must not be made available through public
2 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

3 (12) The department must work with any regional transit authority
4 pursuant to RCW 82.44.135 to determine cost allocations that are
5 based on actual costs and that would result in full cost recovery for
6 administration and collection of the taxes. The department must
7 report actual cost allocations to the transportation committees of
8 the legislature by January 1, 2022.

9 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

11	State Route Number 520 Corridor Account—State	
12	Appropriation	\$53,747,000
13	State Route Number 520 Civil Penalties Account—State	
14	Appropriation	\$4,150,000
15	Tacoma Narrows Toll Bridge Account—State	
16	Appropriation	\$29,809,000
17	Alaskan Way Viaduct Replacement Project Account—State	
18	Appropriation.	\$20,933,000
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation.	\$23,984,000
21	TOTAL APPROPRIATION.	\$132,623,000

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

24 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
25 appropriation and \$12,483,846 of the state route number 520 corridor
26 account—state appropriation are provided solely for the purposes of
27 addressing unforeseen operations and maintenance costs on the Tacoma
28 Narrows bridge and the state route number 520 bridge, respectively.
29 The office of financial management shall place the amounts provided
30 in this subsection, which represent a portion of the required minimum
31 fund balance under the policy of the state treasurer, in unallotted
32 status. The office may release the funds only when it determines that
33 all other funds designated for operations and maintenance purposes
34 have been exhausted.

35 (2) As long as the facility is tolled, the department must
36 provide semiannual reports to the transportation committees of the
37 legislature on the Interstate 405 express toll lane project

1 performance measures listed in RCW 47.56.880(4). These reports must
2 include:

3 (a) Information on the travel times and travel time reliability
4 (at a minimum, average and 90th percentile travel times) maintained
5 during peak and nonpeak periods in the express toll lanes and general
6 purpose lanes for both the entire corridor and commonly made trips in
7 the corridor including, but not limited to, northbound from Bellevue
8 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
9 state route number 522, Bellevue to Bothell (both NE 8th to state
10 route number 522 and NE 8th to state route number 527), and a trip
11 internal to the corridor (such as NE 85th to NE 160th) and similar
12 southbound trips;

13 (b) A month-to-month comparison of travel times and travel time
14 reliability for the entire corridor and commonly made trips in the
15 corridor as specified in (a) of this subsection since implementation
16 of the express toll lanes and, to the extent available, a comparison
17 to the travel times and travel time reliability prior to
18 implementation of the express toll lanes;

19 (c) Total express toll lane and total general purpose lane
20 traffic volumes, as well as per lane traffic volumes for each type of
21 lane (i) compared to total express toll lane and total general
22 purpose lane traffic volumes, as well as per lane traffic volumes for
23 each type of lane, on this segment of Interstate 405 prior to
24 implementation of the express toll lanes and (ii) compared to total
25 express toll lane and total general purpose lane traffic volumes, as
26 well as per lane traffic volumes for each type of lane, from month to
27 month since implementation of the express toll lanes; and

28 (d) Underlying congestion measurements, that is, speeds, that are
29 being used to generate the summary graphs provided, to be made
30 available in a digital file format.

31 (3) The department shall make detailed semiannual reports to the
32 transportation committees of the legislature and the public on the
33 department's website on the following:

34 (a) The use of consultants in the tolling program, including the
35 name of the contractor, the scope of work, the type of contract,
36 timelines, deliverables, any new task orders, and any extensions to
37 existing consultant contracts;

38 (b) The nonvendor costs of administering toll operations,
39 including the costs of staffing the division, consultants, and other
40 personal service contracts required for technical oversight and

1 management assistance, insurance, payments related to credit card
2 processing, transponder purchases and inventory management, facility
3 operations and maintenance, and other miscellaneous nonvendor costs;

4 (c) The vendor-related costs of operating tolled facilities,
5 including the costs of the customer service center, cash collections
6 on the Tacoma Narrows bridge, electronic payment processing, and toll
7 collection equipment maintenance, renewal, and replacement;

8 (d) The toll adjudication process, including a summary table for
9 each toll facility that includes:

10 (i) The number of notices of civil penalty issued;

11 (ii) The number of recipients who pay before the notice becomes a
12 penalty;

13 (iii) The number of recipients who request a hearing and the
14 number who do not respond;

15 (iv) Workload costs related to hearings;

16 (v) The cost and effectiveness of debt collection activities; and

17 (vi) Revenues generated from notices of civil penalty; and

18 (e) A summary of toll revenue by facility on all operating toll
19 facilities and express toll lane systems, and an itemized depiction
20 of the use of that revenue.

21 (4) During the 2021-2023 fiscal biennium, the department plans to
22 issue a request for proposals as the first stage of a competitive
23 procurement process that will replace the toll equipment and select a
24 new tolling operator for the Tacoma Narrows Bridge. The request for
25 proposals and subsequent competitive procurement must incorporate
26 elements that prioritize the overall goal of lowering costs per
27 transaction for the facility, such as incentives for innovative
28 approaches which result in lower transactional costs, requests for
29 efficiencies on the part of the bidder that lower operational costs,
30 and incorporation of technologies such as self-serve credit card
31 machines or other point-of-payment technologies that lower costs or
32 improve operational efficiencies.

33 (5) \$20,001,000 of the Alaskan Way viaduct replacement project
34 account—state appropriation is provided solely for the new state
35 route number 99 tunnel toll facility's expected share of collecting
36 toll revenues, operating customer services, and maintaining toll
37 collection systems. The legislature expects to see appropriate
38 reductions to the other toll facility accounts once tolling on the
39 new state route number 99 tunnel toll facility stabilizes and any
40 previously incurred costs for start-up of the new facility are

1 charged back to the Alaskan Way viaduct replacement project account.
2 The office of financial management shall closely monitor the
3 application of the cost allocation model and ensure that the new
4 state route number 99 tunnel toll facility is adequately sharing
5 costs and the other toll facility accounts are not being overspent or
6 subsidizing the new state route number 99 tunnel toll facility.

7 (6) (a) \$1,651,000 of the state route number 520 corridor account—
8 state appropriation, \$709,000 of the Tacoma Narrows toll bridge
9 account—state appropriation, \$932,000 of the Alaskan Way viaduct
10 replacement project account—state appropriation, and \$708,000 of the
11 Interstate 405 and state route number 167 express toll lanes account—
12 state appropriation are provided solely for the reappropriation of
13 unspent funds on the new tolling back office system from the
14 2019-2021 biennium, and are subject to the conditions, limitations,
15 and review provided in section 701 of this act.

16 (b) The department shall continue to work with the office of
17 financial management, office of the chief information officer, and
18 the transportation committees of the legislature on the project
19 management plan that includes a provision for independent
20 verification and validation of contract deliverables from the
21 successful bidder and a provision for quality assurance that includes
22 reporting independently to the office of the chief information
23 officer on an ongoing basis during system implementation.

24 (c) The office of financial management shall place the amounts
25 provided in this subsection in unallotted status until the department
26 submits a detailed progress report on the progress of the new tolling
27 back office system. The director of the office of financial
28 management or their designee shall consult with the chairs and
29 ranking members of the transportation committees of the legislature
30 prior to making a decision to allot these funds.

31 (7) Out of funding appropriated in this section, the department
32 shall contract with the state auditor's office for a performance
33 audit of the department's project to replace its electronic toll
34 collection system. The audit should include an evaluation of the
35 department's project planning, vendor procurement, contract
36 management and project oversight. The final report is to be issued by
37 December 31, 2022. The state auditor will transmit copies of the
38 report to the jurisdictional committees of the legislature and the
39 department.

1 (8) \$1,516,000 of the state route number 520 corridor account—
 2 state appropriation is provided solely for the increased costs of
 3 insurance for the state route number 520 floating bridge. The
 4 department shall conduct an evaluation of the short and long-term
 5 costs and benefits including risk mitigation of self-insurance as
 6 compared to the commercial insurance option for the state route
 7 number 520 floating bridge, as allowed under the terms of the state
 8 route number 520 master bond resolution. By December 15, 2021, the
 9 department shall report to the legislature on the results of this
 10 evaluation.

11 (9) As part of the department's 2023-2025 biennial budget
 12 request, the department shall update the cost allocation
 13 recommendations that assign appropriate costs to each of the toll
 14 funds for services provided by relevant Washington state department
 15 of transportation programs, the Washington state patrol, and the
 16 transportation commission. The recommendations shall be based on
 17 updated traffic and toll transaction patterns and other relevant
 18 factors.

19 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
 20 **INFORMATION TECHNOLOGY—PROGRAM C**

21	Transportation Partnership Account—State Appropriation . . .	\$1,437,000
22	Motor Vehicle Account—State Appropriation	\$102,671,000
23	Puget Sound Ferry Operations Account—State	
24	Appropriation	\$263,000
25	Multimodal Transportation Account—State	
26	Appropriation	\$2,831,000
27	Transportation 2003 Account (Nickel Account)—State	
28	Appropriation	\$1,441,000
29	TOTAL APPROPRIATION.	\$108,643,000

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

32 (1) \$8,546,000 of the motor vehicle account—state appropriation
 33 is provided solely for the department's cost related to the one
 34 Washington project, and is subject to the conditions, limitations,
 35 and review requirements of section 701 of this act.

36 (2) The capital systems replacement or modernization project is
 37 subject to the conditions, limitations, and review requirements of
 38 section 701 of this act.

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

Motor Vehicle Account—State Appropriation	\$35,771,000
State Route Number 520 Corridor Account—State Appropriation	\$34,000
TOTAL APPROPRIATION.	\$35,805,000

**NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—
 AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation	\$8,480,000
Aeronautics Account—Federal Appropriation	\$3,916,000
Aeronautics Account—Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION.	\$12,456,000

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

(1) \$2,888,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) \$505,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 1198), Laws of 2021 (aviation coordinating commission). If chapter . . . (House Bill No. 1198), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(3) \$280,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1379), Laws of 2021 (unpiloted aircraft system state coordinator). If chapter . . . (Substitute House Bill No. 1379), Laws of 2021 (unpiloted aircraft system state coordinator) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

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

Motor Vehicle Account—State Appropriation.	\$60,273,000
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	\$258,000
TOTAL APPROPRIATION.	\$61,031,000

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

3 (1) The legislature recognizes that the trail known as the Rocky
4 Reach Trail, and its extensions, serve to separate motor vehicle
5 traffic from pedestrians and bicyclists, increasing motor vehicle
6 safety on state route number 2 and the coincident section of state
7 route number 97. Consistent with chapter 47.30 RCW and pursuant to
8 RCW 47.12.080, the legislature declares that transferring portions of
9 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
10 associated buffer areas to the Washington state parks and recreation
11 commission is consistent with the public interest. The legislature
12 directs the department to transfer the property to the Washington
13 state parks and recreation commission.

14 (a) The department must be paid fair market value for any
15 portions of the transferred real property that is later abandoned,
16 vacated, or ceases to be publicly maintained for trail purposes.

17 (b) Prior to completing the transfer in this subsection (1), the
18 department must ensure that provisions are made to accommodate
19 private and public utilities and any facilities that predate the
20 department's acquisition of the property, at no cost to those
21 entities. Prior to completing the transfer, the department shall also
22 ensure that provisions, by fair market assessment, are made to
23 accommodate other private and public utilities and any facilities
24 that have been legally allowed by permit or other instrument.

25 (c) The department may sell any adjoining property that is not
26 necessary to support the Rocky Reach Trail and adjacent buffer areas
27 only after the transfer of trail-related property to the Washington
28 state parks and recreation commission is complete. Adjoining property
29 owners must be given the first opportunity to acquire such property
30 that abuts their property, and applicable boundary line or other
31 adjustments must be made to the legal descriptions for recording
32 purposes.

33 (2) With respect to Parcel 12 of the real property conveyed by
34 the state of Washington to the city of Mercer Island under that
35 certain quitclaim deed, dated April 19, 2000, recorded in King county
36 under recording no. 20000425001234, the requirement in the deed that
37 the property be used for road/street purposes only will be deemed
38 satisfied by the department of transportation so long as commuter

1 parking, as part of the vertical development of the property, is one
2 of the significant uses of the property.

3 (3) During the 2021-2023 biennium, if the department takes
4 possession of the property situated in the City of Edmonds for which
5 a purchase agreement was executed between Unocal and the department
6 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
7 confirms that the property is still no longer needed for
8 transportation purposes, the department shall provide the City of
9 Edmonds with the right of first purchase in accordance with RCW
10 47.12.063(3) for the city's intended use of the property to
11 rehabilitate near-shore habitat for salmon and related species.

12 (4) The department shall report to the transportation committees
13 of the legislature by December 1, 2021, on the status of its efforts
14 to consolidate franchises for broadband facilities across the state,
15 including plans for increasing the number of consolidated franchises
16 in the future.

17 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
18 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

19	Motor Vehicle Account—State Appropriation	\$675,000
20	Electric Vehicle Account—State Appropriation.	\$3,900,000
21	Multimodal Transportation Account—State Appropriation.	\$12,533,000
22	TOTAL APPROPRIATION.	\$17,108,000

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

25 (1) The public private partnerships program must continue to
26 explore retail partnerships at state-owned park and ride facilities,
27 as authorized in RCW 47.04.295.

28 (2) \$2,400,000 of the multimodal transportation account—state
29 appropriation is provided solely for the pilot program established
30 under RCW 47.04.355, to provide clean alternative fuel vehicle use
31 opportunities to underserved communities and low to moderate income
32 members of the workforce not readily served by transit or located in
33 transportation corridors with emissions that exceed federal or state
34 emissions standards.

35 (3) (a) (i) \$133,000 of the multimodal transportation account—state
36 appropriation is provided solely for the purpose of conducting an
37 assessment of options for the development, including potential
38 features and costs, for a publicly available mapping and forecasting

1 tool that provides locations and essential information of charging
2 and refueling infrastructure to support forecasted levels of electric
3 vehicle adoption, travel, and usage across Washington state as
4 described in chapter . . . (Engrossed Substitute House Bill No.
5 1287), Laws of 2021 (preparedness for a zero emissions transportation
6 future).

7 (ii) The assessment must include a review of existing
8 infrastructure needs assessments, mapping and forecasting tools,
9 environmental health disparity resources, and related modeling. It
10 must be performed in consultation with the department of ecology,
11 department of commerce, and office of equity, and include a
12 stakeholder process to address community, public agency, and relevant
13 public and private utility needs to determine the resources needed to
14 facilitate statewide and local transportation electrification efforts
15 to drive emission reductions consistent with RCW 70A.45.020.

16 (iii) A report summarizing the findings of the assessment and the
17 options recommended by the department for the tool's development is
18 due to the transportation committees of the legislature by December
19 31, 2021.

20 (b) \$10,000,000 of the multimodal transportation account—state
21 appropriation is provided solely for a clean alternative fuel vehicle
22 infrastructure grant program for clean alternative fuel vehicle
23 charging and refueling infrastructure that will provide public
24 benefits for the state's network of charging infrastructure to
25 facilitate state zero emission vehicle requirements under RCW
26 70A.30.010 and greenhouse gas emission reduction goals under RCW
27 70A.45.020. The department must develop a strategy for grant award
28 selection based on maximizing public benefits by: Facilitating
29 residents' and businesses' ability to purchase and lease clean
30 alternative fuel vehicles through increased access to public electric
31 vehicle charging and refueling, facilitating a decline in vehicle
32 emissions that would otherwise contribute to pollution and greenhouse
33 gas emissions, and increasing equity of access to clean alternative
34 fuel vehicles. The department shall use proposed grant matching funds
35 as a criterion for selecting grant award recipients. When the
36 publicly available mapping and forecasting tool in (a) of this
37 subsection has been developed and is available to be used for this
38 purpose, strategy development for grant award selection must include
39 analysis of the information provided by the tool.

1 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **HIGHWAY MAINTENANCE—PROGRAM M**

3	Motor Vehicle Account—State Appropriation	\$505,498,000
4	Motor Vehicle Account—Federal Appropriation	\$7,000,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation	\$4,222,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation	\$1,529,000
9	Alaskan Way Viaduct Replacement Project	
10	Account—State Appropriation	\$8,443,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$2,573,000
13	TOTAL APPROPRIATION.	\$529,265,000

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

16 (1) \$7,529,000 of the motor vehicle account—state appropriation
17 is provided solely for utility fees assessed by local governments as
18 authorized under RCW 90.03.525 for the mitigation of stormwater
19 runoff from state highways. Plan and reporting requirements as
20 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
21 shall be consistent with the January 2012 findings of the Joint
22 Transportation Committee Report for Effective Cost Recovery Structure
23 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

24 (2) \$5,000,000 of the motor vehicle account—state appropriation
25 is provided solely for a contingency pool for snow and ice removal.
26 The department must notify the office of financial management and the
27 transportation committees of the legislature when they have spent the
28 base budget for snow and ice removal and will begin using the
29 contingency pool funding.

30 (3) \$1,025,000 of the motor vehicle account—state appropriation
31 is provided solely for the department to implement safety
32 improvements and debris clean up on department-owned rights-of-way in
33 the city of Seattle at levels above that being implemented as of
34 January 1, 2019. The department must contract out or hire a crew
35 dedicated solely to collecting and disposing of garbage, clearing
36 debris or hazardous material, and implementing safety improvements
37 where hazards exist to the traveling public, department employees, or
38 people encamped upon department-owned rights-of-way. The department
39 may request assistance from the Washington state patrol as necessary

1 in order for both agencies to provide enhanced safety-related
2 activities regarding the emergency hazards along state highway
3 rights-of-way in the Seattle area.

4 (4) \$1,015,000 of the motor vehicle account—state appropriation
5 is provided solely for a partnership program between the department
6 and the city of Tacoma. The program shall address the safety and
7 public health problems created by homeless encampments on the
8 department's property along state highways within the city limits.
9 \$570,000 is for dedicated department maintenance staff and associated
10 clean-up costs. The department and the city of Tacoma shall enter
11 into a reimbursable agreement to cover up to \$445,000 of the city's
12 expenses for clean-up crews and landfill costs.

13 (5) The department must continue a pilot program for the
14 2021-2023 fiscal biennium at the four highest demand safety rest
15 areas to create and maintain an online calendar for volunteer groups
16 to check availability of weekends for the free coffee program. The
17 calendar must be updated at least weekly and show dates and times
18 that are, or are not, available to participate in the free coffee
19 program. The department must submit a report to the legislature on
20 the ongoing pilot by December 1, 2022, outlining the costs and
21 benefits of the online calendar pilot, and including surveys from the
22 volunteer groups and agency staff to determine its effectiveness.

23 (6) \$686,000 of the motor vehicle account—state appropriation is
24 provided solely for reimbursing the Oregon department of
25 transportation (ODOT) for the department's share of increased
26 maintenance costs of six highway bridges over the Columbia River that
27 are maintained by ODOT.

28 (7) \$4,145,000 of the motor vehicle account—state appropriation
29 is provided solely for increased costs of highway maintenance
30 materials.

31 (8) \$5,816,000 of the motor vehicle account—state appropriation
32 is provided solely for a contingency pool for repairing damages to
33 highways caused by known and unknown third parties. The department
34 must notify the office of financial management and the transportation
35 committees of the legislature when they have spent the base budget
36 for third-party damage repair and will begin using the contingency
37 pool funding.

38 (9) \$5,000,000 of the motor vehicle account—state appropriation
39 is provided solely for the department to address the risks to safety

1 and public health associated with homeless encampments on department
 2 owned rights-of-way. The department must coordinate and work with
 3 local government officials and social service organizations to
 4 provide services and direct people to housing alternatives that are
 5 not in highway rights-of-way to help prevent future encampments from
 6 forming on highway rights of way. The department may hire crews
 7 specializing in collecting and disposing of garbage, clearing debris
 8 or hazardous material, and implementing safety improvements where
 9 hazards exist. The department may request assistance from the
 10 Washington state patrol as necessary to provide enhanced safety-
 11 related activities along state highway rights-of-way.

12 (10) \$623,000 of the motor vehicle account—state appropriation is
 13 provided solely for the implementation of chapter . . . (Substitute
 14 House Bill No. 1355), Laws of 2021 (noxious weeds). If chapter . . .
 15 (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds) is not
 16 enacted by June 30, 2021, the amount provided in this subsection
 17 lapses.

18 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**
 19 **TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

20	Motor Vehicle Account—State Appropriation	\$76,142,000
21	Motor Vehicle Account—Federal Appropriation	\$2,050,000
22	Motor Vehicle Account—Private/Local Appropriation	\$250,000
23	State Route Number 520 Corridor Account—State	
24	Appropriation.	\$224,000
25	Tacoma Narrows Toll Bridge Account—State Appropriation. . . .	\$40,000
26	Alaskan Way Viaduct Replacement Project Account—	
27	State Appropriation.	\$1,112,000
28	Interstate 405 and State Route Number 167 Express	
29	Toll Lanes Account—State Appropriation.	\$20,000
30	TOTAL APPROPRIATION.	\$79,838,000

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

33 (1) \$6,000,000 of the motor vehicle account—state appropriation
 34 is provided solely for low-cost enhancements. The department shall
 35 give priority to low-cost enhancement projects that improve safety or
 36 provide congestion relief. By December 15th of each odd-numbered
 37 year, the department shall provide a report to the legislature

1 listing all low-cost enhancement projects completed in the prior
2 fiscal biennium.

3 (2) (a) During the 2021-2023 fiscal biennium, the department shall
4 continue a pilot program that expands private transportation
5 providers' access to high occupancy vehicle lanes. Under the pilot
6 program, when the department reserves a portion of a highway based on
7 the number of passengers in a vehicle, the following vehicles must be
8 authorized to use the reserved portion of the highway if the vehicle
9 has the capacity to carry eight or more passengers, regardless of the
10 number of passengers in the vehicle: (i) Auto transportation company
11 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
12 carrier vehicles regulated under chapter 81.70 RCW, except marked or
13 unmarked stretch limousines and stretch sport utility vehicles as
14 defined under department of licensing rules; (iii) private nonprofit
15 transportation provider vehicles regulated under chapter 81.66 RCW;
16 and (iv) private employer transportation service vehicles. For
17 purposes of this subsection, "private employer transportation
18 service" means regularly scheduled, fixed-route transportation
19 service that is offered by an employer for the benefit of its
20 employees. Nothing in this subsection is intended to authorize the
21 conversion of public infrastructure to private, for-profit purposes
22 or to otherwise create an entitlement or other claim by private users
23 to public infrastructure.

24 (b) The department shall expand the high occupancy vehicle lane
25 access pilot program to vehicles that deliver or collect blood,
26 tissue, or blood components for a blood-collecting or distributing
27 establishment regulated under chapter 70.335 RCW. Under the pilot
28 program, when the department reserves a portion of a highway based on
29 the number of passengers in a vehicle, blood-collecting or
30 distributing establishment vehicles that are clearly and identifiably
31 marked as such on all sides of the vehicle are considered emergency
32 vehicles and must be authorized to use the reserved portion of the
33 highway.

34 (c) The department shall expand the high occupancy vehicle lane
35 access pilot program to organ transport vehicles transporting a time
36 urgent organ for an organ procurement organization as defined in RCW
37 68.64.010. Under the pilot program, when the department reserves a
38 portion of a highway based on the number of passengers in a vehicle,
39 organ transport vehicles that are clearly and identifiably marked as

1 such on all sides of the vehicle are considered emergency vehicles
2 and must be authorized to use the reserved portion of the highway.

3 (d) The department shall expand the high occupancy vehicle lane
4 access pilot program to private, for hire vehicles regulated under
5 chapter 81.72 RCW that have been specially manufactured, designed, or
6 modified for the transportation of a person who has a mobility
7 disability and uses a wheelchair or other assistive device. Under the
8 pilot program, when the department reserves a portion of a highway
9 based on the number of passengers in a vehicle, wheelchair-accessible
10 taxicabs that are clearly and identifiably marked as such on all
11 sides of the vehicle are considered public transportation vehicles
12 and must be authorized to use the reserved portion of the highway.

13 (e) The department shall expand the high occupancy vehicle lane
14 access pilot program to for hire nonemergency medical transportation
15 vehicles, when in use for medical purposes, as described elsewhere in
16 this act. Under the pilot program, when the department reserves a
17 portion of a highway based on the number of passengers in a vehicle,
18 nonemergency medical transportation vehicles that meet the
19 requirements identified elsewhere in this act must be authorized to
20 use the reserved portion of the highway.

21 (f) Nothing in this subsection (2) is intended to exempt these
22 vehicles from paying tolls when they do not meet the occupancy
23 requirements established by the department for express toll lanes.

24 (3) When regional transit authority construction activities are
25 visible from a state highway, the department shall allow the regional
26 transit authority to place safe and appropriate signage informing the
27 public of the purpose of the construction activity.

28 (4) The department must make signage for low-height bridges a
29 high priority.

30 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
31 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

32	Motor Vehicle Account—State Appropriation	\$43,973,000
33	Motor Vehicle Account—Federal Appropriation	\$780,000
34	Motor Vehicle Account—Private/Local Appropriation	\$500,000
35	Multimodal Transportation Account—State	
36	Appropriation	\$1,129,000
37	State Route Number 520 Corridor Account—State	
38	Appropriation.	\$185,000

1	Appropriation	\$2,809,000
2	Multimodal Transportation Account—Private/Local	
3	Appropriation	\$100,000
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	\$2,879,000
6	TOTAL APPROPRIATION.	\$69,904,000

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

9 (1) \$2,879,000 of the Interstate 405 and state route number 167
10 express toll lanes account—state appropriation is provided solely for
11 completion of updating the state route number 167 master plan.

12 (2) \$406,000 of the state route number 520 corridor account—state
13 appropriation is provided solely for the department to contract with
14 the University of Washington department of mechanical engineering, to
15 study measures to reduce noise impacts from the state route number
16 520 bridge expansion joints. The field testing shall be scheduled
17 during existing construction, maintenance, or other scheduled
18 closures to minimize impacts. The testing must also ensure safety of
19 the traveling public. The study shall examine testing methodologies
20 and project timelines and costs. A final report must be submitted to
21 the transportation committees of the legislature and the governor by
22 March 1, 2022.

23 (3) \$5,900,000 of the motor vehicle account—federal appropriation
24 and \$400,000 of the motor vehicle account—private/local appropriation
25 are provided solely for delivery of the department's state planning
26 and research work program and pooled fund research projects, provided
27 that the department may not expend any amounts provided in this
28 section on a long-range plan or corridor scenario analysis for I-5
29 from Tumwater to Marysville. This is not intended to reference or
30 impact: The existing I-5 corridor from Mounts road to Tumwater design
31 and operations alternatives analysis; design studies related to HOV
32 lanes or operations; or where it is necessary to continue design and
33 operations analysis related to projects already under development.

34 (4) \$4,080,000 of the motor vehicle account—federal appropriation
35 is provided solely for the Forward Drive road usage charge research
36 project overseen by the transportation commission using a portion of
37 the amount of the federal grant award. The purpose of the Forward
38 Drive road usage charge research project is to advance research in
39 key policy areas related to road usage charge including assessing

1 impacts of future mobility shifts on road usage charge revenues,
2 conducting an equity analysis, updating and assessing emerging
3 mileage reporting methods, determining opportunities to reduce cost
4 of collection, conducting small-scale pilot tests, and identifying a
5 long-term, detailed phase-in plan.

6 (5) \$500,000 of the multimodal transportation account—state
7 appropriation is provided for the department to partner with the
8 department of commerce in developing vehicle miles traveled targets
9 for the counties in Washington state with (a) a population density of
10 at least 100 people per square mile and a population of at least
11 200,000; or (b) a population density of at least 75 people per square
12 mile and an annual growth rate of at least 1.75 percent as determined
13 by the office of financial management. Given land use patterns are
14 key factors in travel demand and should be taken into consideration
15 when developing the targets, the department and the department of
16 commerce shall partner with local jurisdictions, regional
17 transportation planning organizations and other stakeholders to
18 inventory existing laws and rules that promote transportation and
19 land use, identify gaps and make recommendations for changes in laws,
20 rules and agency guidance, and establish a framework for considering
21 underserved and rural communities in the evaluation. The department
22 and the department of commerce shall provide an initial technical
23 report by December 31, 2021, an interim report by June 22, 2022, and
24 a final report to the governor and legislature by June 30, 2023, that
25 includes a process for establishing vehicle miles traveled reduction
26 targets, a recommended suite of options for local jurisdictions to
27 achieve the targets, and funding requirements for state and local
28 jurisdictions.

29 (6) \$500,0000 of the multimodal transportation account—state
30 appropriation is provided solely for implementation of a state route
31 number 161 corridor study to be conducted in consultation with Pierce
32 Transit, Sound Transit, and other regional entities. The department
33 must study practical solutions to address high vehicle volumes and
34 delays in the corridor. The study should develop short-, mid-, and
35 long-term strategies and identify potential improvements for the
36 corridor or improvements to nearby roads that could help address the
37 traffic congestion on state route number 161.

38 (7) \$800,000 of the motor vehicle account—state appropriation is
39 provided solely for WSDOT to do a corridor study of SR 302 (Victor

1 Area) to recommend safety and infrastructure improvements to address
2 current damage and prevent future roadway collapse and landslides
3 that have caused road closures.

4 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**
5 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

6	Motor Vehicle Account—State Appropriation	\$77,093,000
7	Multimodal Transportation Account—State	
8	Appropriation	\$3,045,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$6,000
11	State Route Number 520 Corridor Account—State	
12	Appropriation.	\$4,000
13	Tacoma Narrows Toll Bridge Account—State	
14	Appropriation.	\$2,000
15	Aeronautics Account—State Appropriation.	\$1,000
16	Transportation Partnership Account—State Appropriation.	\$23,000
17	Puget Sound Ferry Operations Account—State Appropriation.	\$220,000
18	Connecting Washington Account—State Appropriation.	\$184,000
19	TOTAL APPROPRIATION.	\$80,578,000

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

22 (1) Consistent with existing protocol and practices, for any
23 negotiated settlement of a claim against the state for the department
24 that exceeds \$5,000,000, the department, in conjunction with the
25 attorney general and the department of enterprise services, shall
26 notify the director of the office of financial management and the
27 transportation committees of the legislature.

28 (2) Beginning October 1, 2021, and quarterly thereafter, the
29 department, in conjunction with the attorney general and the
30 department of enterprise services, shall provide a report with
31 judgments and settlements dealing with the Washington state ferry
32 system to the director of the office of financial management and the
33 transportation committees of the legislature. The report must include
34 information on: (a) The number of claims and settlements by type; (b)
35 the average claim and settlement by type; (c) defense costs
36 associated with those claims and settlements; and (d) information on
37 the impacts of moving legal costs associated with the Washington
38 state ferry system into the statewide self-insurance pool.

1 (3) Beginning October 1, 2021, and quarterly thereafter, the
2 department, in conjunction with the attorney general and the
3 department of enterprise services, shall provide a report with
4 judgments and settlements dealing with the nonferry operations of the
5 department to the director of the office of financial management and
6 the transportation committees of the legislature. The report must
7 include information on: (a) The number of claims and settlements by
8 type; (b) the average claim and settlement by type; and (c) defense
9 costs associated with those claims and settlements.

10 (4) When the department identifies significant legal issues that
11 have potential transportation budget implications, the department
12 must initiate a briefing for appropriate legislative members or staff
13 through the office of the attorney general and its legislative
14 briefing protocol.

15 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **PUBLIC TRANSPORTATION—PROGRAM V**

17	State Vehicle Parking Account—State Appropriation	\$784,000
18	Regional Mobility Grant Program Account—State	
19	Appropriation	\$104,478,000
20	Rural Mobility Grant Program Account—State	
21	Appropriation	\$33,168,000
22	Multimodal Transportation Account—State	
23	Appropriation	\$146,827,000
24	Multimodal Transportation Account—Federal	
25	Appropriation	\$3,574,000
26	Multimodal Transportation Account—Local	
27	Appropriation	\$100,000
28	TOTAL APPROPRIATION.	\$288,931,000

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

31 (1) \$72,698,000 of the multimodal transportation account—state
32 appropriation is provided solely for a grant program for special
33 needs transportation provided by transit agencies and nonprofit
34 providers of transportation. Of this amount:

35 (a) \$16,526,000 of the multimodal transportation account—state
36 appropriation is provided solely for grants to nonprofit providers of
37 special needs transportation. Grants for nonprofit providers must be
38 based on need, including the availability of other providers of

1 service in the area, efforts to coordinate trips among providers and
2 riders, and the cost effectiveness of trips provided. Fuel type may
3 not be a factor in the grant selection process.

4 (b) \$56,172,000 of the multimodal transportation account—state
5 appropriation is provided solely for grants to transit agencies to
6 transport persons with special transportation needs. To receive a
7 grant, the transit agency must, to the greatest extent practicable,
8 have a maintenance of effort for special needs transportation that is
9 no less than the previous year's maintenance of effort for special
10 needs transportation. Grants for transit agencies must be prorated
11 based on the amount expended for demand response service and route
12 deviated service in calendar year 2019 as reported in the "Summary of
13 Public Transportation - 2019" published by the department of
14 transportation. No transit agency may receive more than thirty
15 percent of these distributions. Fuel type may not be a factor in the
16 grant selection process.

17 (2) \$33,168,000 of the rural mobility grant program account—state
18 appropriation is provided solely for grants to aid small cities in
19 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
20 factor in the grant selection process.

21 (3) \$2,000,000 of the multimodal transportation account—state
22 appropriation is provided solely for a vanpool grant program for: (i)
23 Public transit agencies to add vanpools or replace vans; and (ii)
24 incentives for employers to increase employee vanpool use. The grant
25 program for public transit agencies will cover capital costs only;
26 operating costs for public transit agencies are not eligible for
27 funding under this grant program. Additional employees may not be
28 hired from the funds provided in this section for the vanpool grant
29 program, and supplanting of transit funds currently funding vanpools
30 is not allowed. The department shall encourage grant applicants and
31 recipients to leverage funds other than state funds. Fuel type may
32 not be a factor in the grant selection process.

33 (4) \$26,800,000 of the regional mobility grant program account—
34 state appropriation is reappropriated and provided solely for the
35 regional mobility grant projects identified in LEAP Transportation
36 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
37 Public Transportation Program (V), except for the King County Metro
38 Eastlake Off-Street Layover Facility project, for which \$4,524,000 is

1 reappropriated, and the King County Metro Transit Speed & Reliability
2 Hot Spot Imp Program project, for which \$950,000 is reappropriated.

3 (5) (a) \$77,679,000 of the regional mobility grant program account
4 —state appropriation is provided solely for the regional mobility
5 grant projects identified in LEAP Transportation Document 2021-2 ALL
6 PROJECTS as developed March 22, 2021, Program - Public Transportation
7 Program (V). The department shall review all projects receiving grant
8 awards under this program at least semiannually to determine whether
9 the projects are making satisfactory progress. Any project that has
10 been awarded funds, but does not report activity on the project
11 within one year of the grant award, must be reviewed by the
12 department to determine whether the grant should be terminated. The
13 department shall promptly close out grants when projects have been
14 completed, and any remaining funds must be used only to fund projects
15 identified in the LEAP transportation document referenced in this
16 subsection. The department shall provide annual status reports on
17 December 15, 2021, and December 15, 2022, to the office of financial
18 management and the transportation committees of the legislature
19 regarding the projects receiving the grants. It is the intent of the
20 legislature to appropriate funds through the regional mobility grant
21 program only for projects that will be completed on schedule. A
22 grantee may not receive more than twenty-five percent of the amount
23 appropriated in this subsection. Additionally, when allocating
24 funding for the 2023-2025 biennium, no more than thirty percent of
25 the total grant program may directly benefit or support one grantee.
26 The department shall not approve any increases or changes to the
27 scope of a project for the purpose of a grantee expending remaining
28 funds on an awarded grant. Fuel type may not be a factor in the grant
29 selection process.

30 (b) In order to be eligible to receive a grant under (a) of this
31 subsection during the 2021-2023 fiscal biennium, a transit agency
32 must establish a process for private transportation providers to
33 apply for the use of park and ride facilities. For purposes of this
34 subsection, (i) "private transportation provider" means: An auto
35 transportation company regulated under chapter 81.68 RCW; a passenger
36 charter carrier regulated under chapter 81.70 RCW, except marked or
37 unmarked stretch limousines and stretch sport utility vehicles as
38 defined under department of licensing rules; a private nonprofit
39 transportation provider regulated under chapter 81.66 RCW; or a
40 private employer transportation service provider; and (ii) "private

1 employer transportation service" means regularly scheduled, fixed-
2 route transportation service that is offered by an employer for the
3 benefit of its employees.

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

7 (7) \$6,500,000 of the multimodal transportation account—state
8 appropriation and \$784,000 of the state vehicle parking account—state
9 appropriation are provided solely for CTR grants and activities. Fuel
10 type may not be a factor in the grant selection process. Of this
11 amount:

12 (a) \$30,000 of the state vehicle parking account—state
13 appropriation is provided solely for the STAR pass program for state
14 employees residing in Mason and Grays Harbor Counties. Use of the
15 pass is for public transportation between Mason County and Thurston
16 County, and Grays Harbor and Thurston County. The pass may also be
17 used within Grays Harbor County. The STAR pass commute trip reduction
18 program is open to any state employee who expresses intent to commute
19 to his or her assigned state worksite using a public transit system
20 currently participating in the STAR pass program.

21 (b) \$800,000 of the multimodal transportation account—state
22 appropriation is provided solely for a first mile/last mile
23 connections grant program. Eligible grant recipients include cities,
24 businesses, nonprofits, and transportation network companies with
25 first mile/last mile solution proposals. Transit agencies are not
26 eligible. The commute trip reduction board shall develop grant
27 parameters, evaluation criteria, and evaluate grant proposals. The
28 commute trip reduction board shall provide the transportation
29 committees of the legislature a report on the effectiveness of this
30 grant program and best practices for continuing the program.

31 (8) Except as provided otherwise in this subsection, \$28,263,000
32 of the multimodal transportation account—state appropriation is
33 provided solely for connecting Washington transit projects identified
34 in LEAP Transportation Document 2021-2 ALL PROJECTS as developed
35 March 22, 2021. It is the intent of the legislature that entities
36 identified to receive funding in the LEAP document referenced in this
37 subsection receive the amounts specified in the time frame specified
38 in that LEAP document. If an entity has already completed a project
39 in the LEAP document referenced in this subsection before the time

1 frame identified, the entity may substitute another transit project
2 or projects that cost a similar or lesser amount.

3 (9) The department shall not require more than a ten percent
4 match from nonprofit transportation providers for state grants.

5 (10) \$375,000 of the multimodal transportation account—state
6 appropriation is provided solely for Intercity Transit for the Dash
7 shuttle program.

8 (11) \$31,993,000 of the multimodal transportation account—state
9 appropriation is provided solely for the green transportation capital
10 grant program established in chapter 287, Laws of 2019 (advancing
11 green transportation adoption).

12 (12) \$555,000 of the multimodal transportation account—state
13 appropriation is provided solely for an interagency transfer to the
14 Washington State University extension energy program to establish and
15 administer a technical assistance and education program for public
16 agencies on the use of alternative fuel vehicles. The Washington
17 State University extension energy program shall prepare a report
18 regarding the utilization of the program and provide this report to
19 the transportation committees of the legislature by November 15,
20 2021.

21 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **MARINE—PROGRAM X**

23	Puget Sound Ferry Operations Account—State	
24	Appropriation	\$421,103,000
25	Puget Sound Ferry Operations Account—Federal	
26	Appropriation	\$124,000,000
27	Puget Sound Ferry Operations Account—Private/Local	
28	Appropriation	\$121,000
29	TOTAL APPROPRIATION.	\$545,224,000

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

32 (1) The office of financial management budget instructions
33 require agencies to recast enacted budgets into activities. The
34 Washington state ferries shall include a greater level of detail in
35 its 2021-2023 supplemental and 2023-2025 omnibus transportation
36 appropriations act requests, as determined jointly by the office of
37 financial management, the Washington state ferries, and the
38 transportation committees of the legislature. This level of detail

1 must include the administrative functions in the operating as well as
2 capital programs. The data in the tables in the report must be
3 supplied in a digital file format.

4 (2) For the 2021-2023 fiscal biennium, the department may enter
5 into a distributor controlled fuel hedging program and other methods
6 of hedging approved by the fuel hedging committee, which must include
7 a representative of the department of enterprise services.

8 (3) \$70,794,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for auto ferry vessel operating fuel
10 in the 2021-2023 fiscal biennium, which reflect cost savings from a
11 reduced biodiesel fuel requirement and, therefore, is contingent upon
12 the enactment of section 703 of this act. The amount provided in this
13 subsection represents the fuel budget for the purposes of calculating
14 any ferry fare fuel surcharge. The department shall review future use
15 of alternative fuels and dual fuel configurations, including
16 hydrogen.

17 (4) \$500,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for operating costs related to
19 moving vessels for emergency capital repairs. Funds may only be spent
20 after approval by the office of financial management.

21 (5) \$336,000 of the Puget Sound ferry operations account—state
22 appropriation is provided solely for evacuation slide training.

23 (6) \$336,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely for fall restraint labor and
25 industries inspections.

26 (7) \$2,400,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for overtime expenses incurred by
28 engine and deck crew members.

29 (8) \$735,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for familiarization for new
31 assignments of engine crew and terminal staff.

32 (9) \$160,000 of the Puget Sound ferry operations account—state
33 appropriation is provided solely for electronic navigation training.

34 (10) \$200,000 of the Puget Sound ferry operations account—state
35 appropriation is provided solely for a cost benefit study of a second
36 shift at the Eagle Harbor maintenance facility.

37 (11) \$688,000 of the Puget Sound ferry operations account—state
38 appropriation is provided solely for new employee training.

1 (12) \$1,978,000 of the Puget Sound ferry operations account—state
2 appropriation is provided solely for restoration of service to
3 reflect increased ridership, availability of crewing, and available
4 revenues. Expenditures may be made to resume service to Sidney
5 British Columbia, including any service to the San Juans; to provide
6 Saturday service on the Fauntleroy-Vashon-Southworth route; and to
7 resume late night service on other routes in the system.

8 (13) The department must request reimbursement from the federal
9 transit administration for the maximum amount of ferry operating
10 expenses eligible for reimbursement under federal law.

11 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**
12 **RAIL—PROGRAM Y—OPERATING**

13	Multimodal Transportation Account—State	
14	Appropriation	\$80,307,000
15	Multimodal Transportation Account—Private/Local	
16	Appropriation	\$46,000
17	Multimodal Transportation Account—Federal	
18	Appropriation	\$500,000
19	TOTAL APPROPRIATION.	\$80,853,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: The department is directed to continue to
22 pursue efforts to reduce costs, increase ridership, and review Amtrak
23 Cascades fares and fare schedules. Within thirty days of each annual
24 cost/revenue reconciliation under the Amtrak service contract, the
25 department shall report annual credits to the office of financial
26 management and the legislative transportation committees. Annual
27 credits from Amtrak to the department including, but not limited to,
28 credits due to higher ridership, reduced level of service, and fare
29 or fare schedule adjustments, must be used to offset corresponding
30 amounts of the multimodal transportation account—state appropriation,
31 which must be placed in reserve.

32 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**
33 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

34	Motor Vehicle Account—State Appropriation	\$12,465,000
35	Motor Vehicle Account—Federal Appropriation	\$2,567,000
36	Multiuse Roadway Safety Account—State Appropriation	\$900,000
37	TOTAL APPROPRIATION.	\$15,932,000

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

3 (1) \$1,448,000 of the motor vehicle account—state appropriation
4 from amounts set aside out of statewide fuel taxes distributed to
5 counties according to RCW 46.68.120(3) and \$350,000 of the motor
6 vehicle account—state appropriation are provided solely for the
7 department to contract with the Washington state association of
8 counties to:

9 (a) In coordination with stakeholders, identify county-owned fish
10 passage barriers, and assess which barriers share the same stream
11 system as state-owned fish passage barriers.

12 (b) Streamline and update the county road administration board's
13 data dashboard, county reporting systems, and program management
14 software to provide a more detailed, more transparent, and user-
15 friendly platform for data management, reporting, and research by the
16 public and other interested parties.

17 (c) A study of the use of county road right-of-way as a potential
18 source of revenue for county road operating and maintenance needs
19 with recommendations on their feasibility statewide.

20 (2) The entire multiuse roadway safety account—state
21 appropriation is provided solely for grants under RCW 46.09.540,
22 subject to the following limitations:

23 (a) Twenty-five percent of the amounts provided are reserved for
24 counties that each have a population of fifteen thousand persons or
25 less;

26 (b)(i) Seventy-five percent of the amounts provided are reserved
27 for counties that each have a population exceeding fifteen thousand
28 persons; and

29 (ii) No county that receives a grant or grants under (b) of this
30 subsection may receive more than sixty thousand dollars in total
31 grants.

32 (3)(a) By October 1, 2021, the department must report to the
33 office of financial management and the transportation committees with
34 recommendations regarding:

35 (i) Modifications to the agreement with Wahkiakum county
36 regarding future state reimbursement for the Wahkiakum ferry
37 operating and maintenance deficit; and

1 (ii) Cost-sharing models for operating and maintenance costs,
2 which recognize the benefit of the ferry route to both Washington and
3 Oregon.

4 (b) The reimbursement recommendations must reflect a mutual
5 agreement with Wahkiakum county, which considers future county ferry
6 operating loss projections. The report may address the importance of
7 the ferry route to the state highway system and whether there is a
8 need for an increased role for the state department of transportation
9 in the finance or operation of the ferry route.

10 **TRANSPORTATION AGENCIES—CAPITAL**

11 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
12 **INVESTMENT BOARD**

13 Freight Mobility Investment Account—State
14 Appropriation \$16,577,000
15 Freight Mobility Multimodal Account—State
16 Appropriation \$15,195,000
17 TOTAL APPROPRIATION. \$31,772,000

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

20 (1) Except as otherwise provided in this section, the entire
21 appropriations in this section are provided solely for the projects
22 by amount, as listed in the LEAP Transportation Document 2021-2 ALL
23 PROJECTS as developed March 22, 2021, Program - FMSIB.

24 (2) Until directed by the legislature, the board may not initiate
25 a new call for projects.

26 (3)(a) For the 2021-2023 project appropriations, unless otherwise
27 provided in this act, the director of the office of financial
28 management may authorize a transfer of appropriation authority
29 between projects as listed in the LEAP transportation document 2021-2
30 ALL PROJECTS as developed March 22, 2021, Program - FMSIB project
31 list in order for the board to manage project spending and support
32 the efficient and timely delivery of all projects in the program. The
33 office of financial management may authorize a transfer of
34 appropriation authority between projects under the following
35 conditions and limitations:

1 (i) 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
3 in the scope of a project;

4 (ii) Each transfer between projects may only occur if the
5 director of the office of financial management finds that any
6 resulting change will not hinder the completion of the projects on
7 the FMSIB LEAP list;

8 (iii) Transfers between projects may be made by the board without
9 the formal written approval provided under this subsection (3)(a),
10 provided that the transfer amount does not exceed \$250,000 or 10
11 percent of the total project, whichever is less. These transfers must
12 be reported to the director of the office of financial management and
13 the chairs of the house of representatives and senate transportation
14 committees; and

15 (iv) Transfers may only be made in fiscal year 2023.

16 (b) At the time the board submits a request to transfer funds
17 under this section, a copy of the request must be submitted to the
18 chairs and ranking members of the transportation committees of the
19 legislature.

20 (c) Before approval, the office of financial management shall
21 work with legislative staff of the house of representatives and
22 senate transportation committees to review the requested transfers in
23 a timely manner and consider any concerns raised by the chairs and
24 ranking members of the transportation committees.

25 (d) No fewer than 10 days after the receipt of a project transfer
26 request, the director of the office of financial management must
27 provide written notification to the board of any decision regarding
28 project transfers, with copies submitted to the transportation
29 committees of the legislature.

30 NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL**

31 State Patrol Highway Account—State Appropriation \$4,196,000

32 (1) \$695,000 of the state patrol highway account—state
33 appropriation is provided solely for roof replacement.

34 (2) \$3,501,000 of the state patrol highway account—state
35 appropriation is provided solely for the following projects:

36 (a) \$250,000 for emergency repairs;

37 (b) \$350,000 for fuel tank decommissioning;

38 (c) \$750,000 for generator and electrical replacement;

- 1 (d) \$195,000 for the exterior envelope of the Yakima office;
- 2 (e) \$466,000 for the snow cat shelter;
- 3 (f) \$325,000 for the weatherization of the Bow Hill inspection
- 4 station;
- 5 (g) \$325,000 for the weatherization of the Sea-Tac north
- 6 inspection station;
- 7 (h) \$200,000 for roof replacements originally authorized in the
- 8 2019-2021 biennium; and
- 9 (i) \$640,000 for the Marysville water and fire suppression
- 10 project originally authorized in the 2019-2021 biennium.

11 The Washington state patrol may transfer funds between projects
 12 specified in this subsection to address cash flow requirements. If a
 13 project specified in this subsection is completed for less than the
 14 amount provided, the remainder may be transferred to another project
 15 specified in this subsection not to exceed the total appropriation
 16 provided in this subsection.

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

18 Rural Arterial Trust Account—State Appropriation	\$55,028,000
19 Motor Vehicle Account—State Appropriation	\$1,456,000
20 County Arterial Preservation Account—State	
21 Appropriation	\$37,379,000
22 TOTAL APPROPRIATION.	\$93,863,000

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

24 Small City Pavement and Sidewalk Account—State	
25 Appropriation	\$4,100,000
26 Transportation Improvement Account—State	
27 Appropriation	\$201,000,000
28 Complete Streets Grant Program Account—State	
29 Appropriation	\$14,670,000
30 TOTAL APPROPRIATION.	\$219,770,000

31 The appropriations in this section are subject to the following
 32 conditions and limitations: \$7,500,000 of the transportation
 33 improvement account—state appropriation is provided solely for the
 34 Relight Washington Program. Of this amount, \$5,000,000 is for cities
 35 with an assessed value of over \$2,000,000,000 that can demonstrate a
 36 sustainable return on investment when converting to energy efficient
 37 LED streetlights.

1 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
 2 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
 3 **CAPITAL**

4	Motor Vehicle Account—State Appropriation	\$10,852,000
5	Connecting Washington Account—State Appropriation	\$2,000,000
6	TOTAL APPROPRIATION.	\$12,852,000

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

9 (1) \$2,000,000 of the connecting Washington account—state
 10 appropriation is provided solely for a new Olympic region maintenance
 11 and administration facility to be located on the department-owned
 12 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
 13 Washington.

14 (2) (a) \$4,325,000 of the motor vehicle account—state
 15 appropriation is provided solely for payments of a financing contract
 16 for the department facility located at 15700 Dayton Ave N in
 17 Shoreline.

18 (b) Payments from the department of ecology pursuant to the
 19 agreement with the department to pay a share of the financing
 20 contract in (a) of this subsection must be deposited into the motor
 21 vehicle account.

22 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
 23 **IMPROVEMENTS—PROGRAM I**

24	Transportation Partnership Account—State	
25	Appropriation	\$128,053,000
26	Motor Vehicle Account—State Appropriation	\$91,517,000
27	Motor Vehicle Account—Federal Appropriation	\$269,338,000
28	Motor Vehicle Account—Private/Local Appropriation.	\$57,092,000
29	State Route Number 520 Corridor Account—State	
30	Appropriation.	\$15,940,000
31	Connecting Washington Account—State	
32	Appropriation	\$2,658,654,000
33	Special Category C Account—State Appropriation	\$105,363,000
34	Multimodal Transportation Account—State	
35	Appropriation	\$3,284,000
36	Transportation 2003 Account (Nickel Account)—State	
37	Appropriation	\$149,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation.	\$30,308,000
3	Coronavirus State Fiscal Recovery Fund—Federal	
4	Appropriation	\$340,000,000
5	TOTAL APPROPRIATION.	\$3,699,698,000

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

8 (1) Except as provided otherwise in this section, the entire
9 connecting Washington account—state appropriation and the entire
10 transportation partnership account—state appropriation are provided
11 solely for the projects and activities as listed by fund, project,
12 and amount in LEAP Transportation Document 2021-1 as developed March
13 22, 2021, Program - Highway Improvements Program (I). However,
14 limited transfers of specific line-item project appropriations may
15 occur between projects for those amounts listed subject to the
16 conditions and limitations in section 601 of this act.

17 (2) Except as provided otherwise in this section, the entire
18 motor vehicle account—state appropriation and motor vehicle account—
19 federal appropriation are provided solely for the projects and
20 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
21 as developed March 22, 2021, Program - Highway Improvements Program
22 (I). Any federal funds gained through efficiencies, adjustments to
23 the federal funds forecast, additional congressional action not
24 related to a specific project or purpose, or the federal funds
25 redistribution process must then be applied to highway and bridge
26 preservation activities or fish passage barrier corrections
27 (OBI4001).

28 (3) Within the motor vehicle account—state appropriation and
29 motor vehicle account—federal appropriation, the department may
30 transfer funds between programs I and P, except for funds that are
31 otherwise restricted in this act. Ten days prior to any transfer, the
32 department must submit its request to the office of financial
33 management and the transportation committees of the legislature and
34 consider any concerns raised. The department shall submit a report on
35 fiscal year funds transferred in the prior fiscal year using this
36 subsection as part of the department's annual budget submittal.

37 (4) The connecting Washington account—state appropriation
38 includes up to \$2,375,216,000 in proceeds from the sale of bonds
39 authorized in RCW 47.10.889.

1 (5) The special category C account—state appropriation includes
2 up to \$87,659,000 in proceeds from the sale of bonds authorized in
3 RCW 47.10.812.

4 (6) The transportation partnership account—state appropriation
5 includes up to \$47,226,000 in proceeds from the sale of bonds
6 authorized in RCW 47.10.873.

7 (7) \$69,450,000 of the transportation partnership account—state
8 appropriation, \$2,258,000 of the motor vehicle account—private/local
9 appropriation, and \$984,000 of the multimodal transportation account—
10 state appropriation are provided solely for the SR 99/Alaskan Way
11 Viaduct Replacement project (809936Z). It is the intent of the
12 legislature that any legal damages paid to the state as a result of a
13 lawsuit related to contractual provisions for construction and
14 delivery of the Alaskan Way viaduct replacement project be used to
15 repay project cost increases paid from the transportation partnership
16 account—state funds.

17 (8) \$193,699,000 of the connecting Washington account—state
18 appropriation is provided solely for the US 395 North Spokane
19 Corridor project (M00800R).

20 (9) \$14,827,000 of the Interstate 405 and state route number 167
21 express toll lanes account—state appropriation is provided solely for
22 the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for
23 activities related to adding capacity on Interstate 405 between state
24 route number 522 and Interstate 5, with the goals of increasing
25 vehicle throughput and aligning project completion with the
26 implementation of bus rapid transit in the vicinity of the project.

27 (10) (a) \$492,349,000 of the connecting Washington account—state
28 appropriation and \$355,000 of the motor vehicle account—private/local
29 appropriation are provided solely for the SR 520 Seattle Corridor
30 Improvements - West End project (M00400R).

31 (b) Upon completion of the Montlake Phase of the West End project
32 (current anticipated contract completion of 2023), WSDOT shall sell
33 that portion of the property not used for permanent transportation
34 improvements and initiate a process to convey that surplus property
35 to a subsequent owner.

36 (11) \$359,522,000 of the connecting Washington account—state
37 appropriation, \$105,523,000 of the motor vehicle account—federal
38 appropriation, \$15,369,000 of the motor vehicle account—private/local
39 appropriation, \$2,300,000 of the multimodal transportation account—

1 state appropriation, and \$2,500,000 of the motor vehicle account—
2 state appropriation are provided solely for the SR 167/SR 509 Puget
3 Sound Gateway project (M00600R).

4 (a) Any savings on the project must stay on the Puget Sound
5 Gateway corridor until the project is complete.

6 (b) In making budget allocations to the Puget Sound Gateway
7 project, the department shall implement the project's construction as
8 a single corridor investment. The department shall develop a
9 coordinated corridor construction and implementation plan for state
10 route number 167 and state route number 509 in collaboration with
11 affected stakeholders. Specific funding allocations must be based on
12 where and when specific project segments are ready for construction
13 to move forward and investments can be best optimized for timely
14 project completion. Emphasis must be placed on avoiding gaps in fund
15 expenditures for either project.

16 (c) It is the legislature's intent that the department shall
17 construct a full single-point urban interchange at the junction of
18 state route number 161 (Meridian avenue) and state route number 167
19 and a full single-point urban interchange at the junction of state
20 route number 509 and 188th Street. If the department receives
21 additional funds from an outside source for this project after the
22 base project is fully funded, the funds must first be applied toward
23 the completion of these two full single-point urban interchanges.

24 (d) Of the amounts provided in this subsection, \$2,300,000 of the
25 multimodal transportation account—state appropriation is provided
26 solely for the design phase of the Puyallup to Tacoma multiuse trail
27 along the SR 167 right-of-way acquired for the project to connect a
28 network of new and existing trails from Mount Rainier to Point
29 Defiance Park.

30 (12) The department shall itemize all future requests for the
31 construction of buildings on a project list and submit them through
32 the transportation executive information system as part of the
33 department's annual budget submittal. It is the intent of the
34 legislature that new facility construction must be transparent and
35 not appropriated within larger highway construction projects.

36 (13) Any advisory group that the department convenes during the
37 2021-2023 fiscal biennium must consider the interests of the entire
38 state of Washington.

39 (14) The legislature continues to prioritize the replacement of
40 the state's aging infrastructure and recognizes the importance of

1 reusing and recycling construction aggregate and recycled concrete
2 materials in our transportation system. To accomplish Washington
3 state's sustainability goals in transportation and in accordance with
4 RCW 70.95.805, the legislature reaffirms its determination that
5 recycled concrete aggregate and other transportation building
6 materials are natural resource construction materials that are too
7 valuable to be wasted and landfilled, and are a commodity as defined
8 in WAC 173-350-100.

9 Further, the legislature determines construction aggregate and
10 recycled concrete materials substantially meet widely recognized
11 international, national, and local standards and specifications
12 referenced in American society for testing and materials, American
13 concrete institute, Washington state department of transportation,
14 Seattle department of transportation, American public works
15 association, federal aviation administration, and federal highway
16 administration specifications, and are described as necessary and
17 desirable products for recycling and reuse by state and federal
18 agencies.

19 As these recyclable materials have well established markets, are
20 substantially a primary or secondary product of necessary
21 construction processes and production, and are managed as an item of
22 commercial value, construction aggregate and recycled concrete
23 materials are exempt from chapter 173-350 WAC.

24 (15) (a) \$26,928,000 of the motor vehicle account—state
25 appropriation and \$1,671,000 of the motor vehicle account—private/
26 local appropriation are provided solely for supporting a project
27 office and the continued work towards replacement of the Interstate 5
28 bridge across the Columbia river (G2000088).

29 (b) The work of this project office includes, but is not limited
30 to, the reevaluation of the purpose and need identified for the
31 project previously known as the Columbia river crossing, the
32 reevaluation of permits and development of a finance plan, the
33 reengagement of key stakeholders and the public, and the reevaluation
34 of scope, schedule, and budget for a reinvigorated bistate effort for
35 replacement of the Interstate 5 Columbia river bridge. When
36 reevaluating the finance plan for the project, the department shall
37 assume that some costs of the new facility may be covered by tolls.
38 The project office must also study the possible different governance
39 structures for a bridge authority that would provide for the joint
40 administration of the bridges over the Columbia river between Oregon

1 and Washington. As part of this study, the project office must
2 examine the feasibility and necessity of an interstate compact in
3 conjunction with the national center for interstate compacts.

4 (c) During the 2021-2023 biennium the department shall have as a
5 goal to:

6 (i) Conduct all work necessary to prepare and publish a draft
7 SEIS;

8 (ii) Coordinate with regulatory agencies to begin the process of
9 obtaining environmental approvals and permits;

10 (iii) Identify a locally preferred alternative; and

11 (iv) Begin preparing a final SEIS.

12 The department shall aim to provide progress reports on these
13 activities to the governor and the transportation committees of the
14 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

15 (16) \$1,000,000 of the connecting Washington account—state
16 appropriation is provided solely for the North Lewis County
17 transportation study. The study shall examine new, alternate routes
18 for vehicular and truck traffic at the Harrison interchange (Exit 82)
19 in North Centralia and shall allow for a site and configuration to be
20 selected and feasibility to be conducted for final design, permitting
21 and construction of the I-5/North Lewis county Interchange project
22 (L2000204).

23 (17) (a) \$332,500,000 of the connecting Washington account—state
24 appropriation, \$52,036,000 of the motor vehicle account—federal
25 appropriation, and \$1,849,000 of the motor vehicle account—state
26 appropriation are provided solely for the Fish Passage Barrier
27 Removal project (0BI4001) with the intent of fully complying with the
28 federal *U.S. v. Washington* court injunction by 2030.

29 (b) The department shall coordinate with the Brian Abbott fish
30 passage barrier removal board to use a watershed approach to maximize
31 habitat gain by replacing both state and local culverts. The
32 department shall deliver high habitat value fish passage barrier
33 corrections that it has identified, guided by the following factors:
34 Opportunity to bundle projects, ability to leverage investments by
35 others, presence of other barriers, project readiness, other
36 transportation projects in the area, and transportation impacts.

37 (c) The department must keep track of, for each barrier removed:

38 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
39 amount spent to comply with the injunction.

1 (18) \$340,000,000 of the Coronavirus State Fiscal Recovery
2 Account—federal appropriation is provided solely for water
3 infrastructure projects that remove fish passage barriers that are
4 impeding state streams, rivers, and other waterways (OBI4001), as
5 permitted under the federal American rescue plan act of 2021. Once
6 available, these amounts must be applied prior to other amounts
7 provided for this purpose (OBI4001). These water infrastructure
8 projects are intended to meet compliance requirements with the
9 federal *U.S. v. Washington* court injunction by 2030.

10 (19)(a) The Washington state department of transportation is
11 directed to pursue compliance with the *U.S. v. Washington* permanent
12 injunction by delivering culvert corrections within the injunction
13 area guided by the principle of providing the greatest fisheries
14 habitat gain at the earliest time and considering the following
15 factors: Opportunity to bundle projects, tribal priorities, ability
16 to leverage investments by others, presence of other barriers,
17 project readiness, culvert condition, other transportation projects
18 in the area, and transportation impacts.

19 (b) The department and Brian Abbott fish barrier removal board
20 must provide updates on the implementation of the statewide culvert
21 remediation plan to the legislature by November 1, 2021, and June 1,
22 2022.

23 (20) \$14,669,000 of the connecting Washington account—state
24 appropriation and \$3,037,000 of the motor vehicle account—private/
25 local appropriation are provided solely for the I-90/Barker to
26 Harvard - Improve Interchanges & Local Roads project (L2000122). The
27 connecting Washington account appropriation for the improvements that
28 fall within the city of Liberty Lake may only be expended if the city
29 of Liberty Lake agrees to cover any project costs within the city of
30 Liberty Lake above the \$20,900,000 of state appropriation provided
31 for the total project in LEAP Transportation Document 2021-1 as
32 developed March 22, 2021, Program - Highway Improvements (I).

33 (21) \$15,189,000 of the motor vehicle account—federal
34 appropriation, \$259,000 of the motor vehicle account—state
35 appropriation, and \$15,481,000 of the Interstate 405 and state route
36 number 167 express toll lanes account—state appropriation are
37 provided solely for the SR 167/SR 410 to SR 18 - Congestion
38 Management project (316706C).

1 (22) \$18,914,000 of the Special Category C account—state
2 appropriation is provided solely for the SR 18 Widening - Issaquah/
3 Hobart Rd to Raging River project (L1000199) for improving and
4 widening state route number 18 to four lanes from Issaquah-Hobart
5 Road to Raging River.

6 (23) \$1,090,000 of the motor vehicle account—state appropriation
7 is provided solely for the US 101/East Sequim Corridor Improvements
8 project (L2000343).

9 (24) \$12,139,000 of the motor vehicle account—state appropriation
10 and \$9,104,000 of the connecting Washington account—state
11 appropriation are provided solely for the SR 522/Paradise Lk Rd
12 Interchange & Widening on SR 522 (Design/Engineering) project
13 (NPARADI).

14 (25) \$1,378,000 of the motor vehicle account—federal
15 appropriation is provided solely for the US 101/Morse Creek Safety
16 Barrier project (L1000247).

17 (26) \$915,000 of the motor vehicle account—state appropriation is
18 provided solely for the SR 162/410 Interchange Design and Right of
19 Way project (L1000276).

20 (27) (a) \$6,581,000 of the connecting Washington account—state
21 appropriation is provided solely for the US Hwy 2 Safety project
22 (N00200R).

23 (b) Of the amounts provided in this subsection, \$2,000,000 of the
24 connecting Washington account—state appropriation is for the
25 department to conduct a Highway 2 Safety-Capacity study.

26 (28) The department may advance the I-405/SR 522 to I-5 Capacity
27 Improvements (L2000234) project and construct the project earlier
28 than is scheduled in the LEAP list if funding is identified by
29 September 1, 2021. The department shall explore alternatives to toll
30 revenue funding including but not limited to federal loan and grant
31 programs. The department shall explore phasing and modifying the
32 project to align as best as possible with the anticipated deployment
33 of bus rapid transit on the corridor in 2023-25. The department shall
34 report back to the transportation committees of the legislature on
35 this work prior to September 2021.

36 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **PRESERVATION—PROGRAM P**

38 Recreational Vehicle Account—State Appropriation \$1,520,000

1	Transportation Partnership Account—State	
2	Appropriation	\$16,394,000
3	Motor Vehicle Account—State Appropriation	\$85,444,000
4	Motor Vehicle Account—Federal Appropriation	\$465,871,000
5	Motor Vehicle Account—Private/Local	
6	Appropriation	\$10,792,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation	\$1,891,000
9	Connecting Washington Account—State Appropriation	\$182,780,000
10	Tacoma Narrows Toll Bridge Account—State	
11	Appropriation	\$9,730,000
12	Alaskan Way Viaduct Replacement Project Account—State	
13	Appropriation.	\$314,000
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation.	\$26,039,000
16	Transportation 2003 Account (Nickel Account)—State	
17	Appropriation	\$49,105,000
18	TOTAL APPROPRIATION.	\$849,880,000

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

21 (1) Except as provided otherwise in this section, the entire
22 connecting Washington account—state appropriation and the entire
23 transportation partnership account—state appropriation are provided
24 solely for the projects and activities as listed by fund, project,
25 and amount in LEAP Transportation Document 2021-1 as developed March
26 22, 2021, Program - Highway Preservation Program (P). However,
27 limited transfers of specific line-item project appropriations may
28 occur between projects for those amounts listed subject to the
29 conditions and limitations in section 601 of this act. The department
30 may not convene a Washington freight advisory committee. When
31 submitting its 2021-2023 supplemental and 2023-2025 biennial budget
32 requests, the department shall provide a prioritized freight project
33 list for the national highway freight program funds that first
34 addresses shortfalls in funding for connecting Washington act
35 projects. The freight project list must describe how the estimated
36 funding allocation for the national highway freight program for
37 federal fiscal years 2022-2025 could be invested and matched.

38 (2) Except as provided otherwise in this section, the entire
39 motor vehicle account—state appropriation and motor vehicle account—

1 federal appropriation are provided solely for the projects and
2 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
3 as developed March 22, 2021, Program - Highway Preservation Program
4 (P). Any federal funds gained through efficiencies, adjustments to
5 the federal funds forecast, additional congressional action not
6 related to a specific project or purpose, or the federal funds
7 redistribution process must then be applied to highway and bridge
8 preservation activities or fish passage barrier corrections
9 (OBI4001).

10 (3) Within the motor vehicle account—state appropriation and
11 motor vehicle account—federal appropriation, the department may
12 transfer funds between programs I and P, except for funds that are
13 otherwise restricted in this act. Ten days prior to any transfer, the
14 department must submit its request to the office of financial
15 management and the transportation committees of the legislature and
16 consider any concerns raised. The department shall submit a report on
17 fiscal year funds transferred in the prior fiscal year using this
18 subsection as part of the department's annual budget submittal.

19 (4) \$5,166,000 of the connecting Washington account—state
20 appropriation is provided solely for the land mobile radio upgrade
21 (G2000055) and is subject to the conditions, limitations, and review
22 provided in section 701 of this act. The land mobile radio project is
23 subject to technical oversight by the office of the chief information
24 officer. The department, in collaboration with the office of the
25 chief information officer, shall identify where existing or proposed
26 mobile radio technology investments should be consolidated, identify
27 when existing or proposed mobile radio technology investments can be
28 reused or leveraged to meet multiagency needs, increase mobile radio
29 interoperability between agencies, and identify how redundant
30 investments can be reduced over time. The department shall also
31 provide quarterly reports to the technology services board on project
32 progress.

33 (5) \$5,000,000 of the motor vehicle account—state appropriation
34 is provided solely for extraordinary costs incurred from litigation
35 awards, settlements, or dispute mitigation activities not eligible
36 for funding from the self-insurance fund. The amount provided in this
37 subsection must be held in unallotted status until the department
38 submits a request to the office of financial management that includes
39 documentation detailing litigation-related expenses. The office of

1 financial management may release the funds only when it determines
2 that all other funds designated for litigation awards, settlements,
3 and dispute mitigation activities have been exhausted. No funds
4 provided in this subsection may be expended on any legal fees related
5 to the SR 99/Alaskan Way viaduct replacement project (809936Z).

6 (6) The appropriation in this section includes funding for
7 starting planning, engineering, and construction of the Elwha River
8 bridge replacement. To the greatest extent practicable, the
9 department shall maintain public access on the existing route.

10 (7) The department must consult with the Washington state patrol
11 and the office of financial management during the design phase of any
12 improvement or preservation project that could impact Washington
13 state patrol weigh station operations. During the design phase of any
14 such project, the department must estimate the cost of designing
15 around the affected weigh station's current operations, as well as
16 the cost of moving the affected weigh station.

17 (8) Within the connecting Washington account—state appropriation,
18 the department may transfer funds from Highway System Preservation
19 (L1100071) to other preservation projects listed in the LEAP
20 transportation document identified in subsection (1) of this section,
21 if it is determined necessary for completion of these high priority
22 preservation projects. The department's next budget submittal after
23 using this subsection must appropriately reflect the transfer.

24 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

26	Motor Vehicle Account—State Appropriation	\$8,273,000
27	Motor Vehicle Account—Federal Appropriation	\$5,289,000
28	Motor Vehicle Account—Private/Local Appropriation	\$500,000
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	\$900,000
31	TOTAL APPROPRIATION.	\$14,962,000

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

34 (1) \$579,000 of the motor vehicle account—state appropriation is
35 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

36 (2) \$1,000,000 of the motor vehicle account—state appropriation
37 is provided solely for the Challenge Seattle project (000009Q). The

1 department shall provide a progress report on this project to the
2 transportation committees of the legislature by January 15, 2022.

3 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

5	Puget Sound Capital Construction Account—State	
6	Appropriation	\$128,759,000
7	Puget Sound Capital Construction Account—Federal	
8	Appropriation	\$139,188,000
9	Puget Sound Capital Construction Account—Private/Local	
10	Appropriation	\$312,000
11	Transportation Partnership Account—State	
12	Appropriation	\$8,410,000
13	Connecting Washington Account—State Appropriation	\$75,640,000
14	Capital Vessel Replacement Account—State	
15	Appropriation.	\$152,453,000
16	TOTAL APPROPRIATION.	\$504,762,000

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

19 (1) Except as provided otherwise in this section, the entire
20 appropriations in this section are provided solely for the projects
21 and activities as listed in LEAP Transportation Document 2021-2 ALL
22 PROJECTS as developed March 22, 2021, Program - Washington State
23 Ferries Capital Program (W).

24 (2) No additional funding may be allocated or expended for
25 terminal electrification purposes.

26 (3) \$28,097,000 of the Puget Sound capital construction account—
27 federal appropriation, \$71,293,000 of the connecting Washington
28 account—state appropriation, and \$809,000 of the Puget Sound capital
29 construction account—state appropriation are provided solely for the
30 Seattle Terminal Replacement project (900010L).

31 (4) \$5,000,000 of the Puget Sound capital construction account—
32 state appropriation is provided solely for emergency capital repair
33 costs (999910K). Funds may only be spent after approval by the office
34 of financial management.

35 (5) \$1,277,000 of the Puget Sound capital construction account—
36 state appropriation is provided solely for the ORCA card next
37 generation project (L2000300). The ferry system shall work with

1 Washington technology solutions and the tolling division on the
2 development of a new, interoperable ticketing system.

3 (6) \$4,200,000 of the connecting Washington account—state
4 appropriation and \$2,200,000 of the Puget Sound operating account—
5 federal appropriation are provided solely for ferry vessel and
6 terminal preservation (L2000110). The funds provided in this
7 subsection must be used for unplanned preservation needs before
8 shifting funding from other preservation projects.

9 (7) \$24,750,000 of the Puget Sound capital construction account—
10 state appropriation is provided solely for the conversion of up to
11 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).
12 The department shall seek additional funds for the purposes of this
13 subsection. The department may spend from the Puget Sound capital
14 construction account—state appropriation in this section only as much
15 as the department receives in Volkswagen settlement funds for the
16 purposes of this subsection.

17 (8) \$152,453,000 of the capital vessel replacement account—state
18 appropriation is provided solely for the acquisition of a 144-car
19 hybrid-electric vessel. The commencement of construction of new
20 vessels for the ferry system is important not only for safety
21 reasons, but also to keep skilled marine construction jobs in the
22 Puget Sound region and to sustain the capacity of the region to meet
23 the ongoing construction and preservation needs of the ferry system
24 fleet of vessels. The legislature has determined that the current
25 vessel procurement process must move forward with all due speed,
26 balancing the interests of both the taxpayers and shipyards. To
27 accomplish construction of vessels in accordance with RCW 47.60.810,
28 the prevailing shipbuilder, for vessels initially funded after July
29 1, 2020, is encouraged to follow the historical practice of
30 subcontracting the construction of ferry superstructures to a
31 separate nonaffiliated contractor located within the Puget Sound
32 region, that is qualified in accordance with RCW 47.60.690.

33 (9) The capital vessel replacement account—state appropriation
34 includes up to \$152,453,000 in proceeds from the sale of bonds
35 authorized in RCW 47.10.873.

36 (10) For the 2021-2023 biennium, the marine division shall
37 provide to the office of financial management and the legislative
38 transportation committees the following reports on ferry capital
39 projects:

1 (a) On a semiannual basis the report must include a status update
2 on projects with funding provided in (a)(i) through (iii) of this
3 subsection including, but not limited to, the following:

- 4 (i) Anticipated cost increases and cost savings;
- 5 (ii) Anticipated cash flow and schedule changes; and
- 6 (iii) Explanations for the changes.

7 (b) On an annual basis the report must include a status update on
8 vessel and terminal preservation and improvement plans including, but
9 not limited to, the following:

- 10 (i) What work has been done;
- 11 (ii) How have schedules shifted; and
- 12 (iii) Associated changes in funding among projects, accompanied
13 by explanations for the changes.

14 (c) On an annual basis the report must include an update on the
15 implementation of the maintenance management system with
16 recommendations for using the system to improve the efficiency of
17 project reporting under this subsection.

18 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**
19 **RAIL—PROGRAM Y—CAPITAL**

20	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
21	Transportation Infrastructure Account—State	
22	Appropriation	\$5,456,000
23	Multimodal Transportation Account—State	
24	Appropriation	\$79,754,000
25	Multimodal Transportation Account—Federal	
26	Appropriation	\$41,219,000
27	TOTAL APPROPRIATION.	\$126,979,000

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

30 (1) Except as provided otherwise in this section, the entire
31 appropriations in this section are provided solely for the projects
32 and activities as listed by project and amount in LEAP Transportation
33 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
34 Rail Program (Y).

35 (2) \$5,089,000 of the transportation infrastructure account—state
36 appropriation is provided solely for new low-interest loans approved
37 by the department through the freight rail investment bank (FRIB)
38 program. The department shall issue FRIB program loans with a

1 repayment period of no more than ten years, and charge only so much
2 interest as is necessary to recoup the department's costs to
3 administer the loans. The department shall report annually to the
4 transportation committees of the legislature and the office of
5 financial management on all FRIB loans issued.

6 (3) \$7,040,000 of the multimodal transportation account—state
7 appropriation is provided solely for new statewide emergent freight
8 rail assistance projects identified in the LEAP transportation
9 document referenced in subsection (1) of this section.

10 (4) \$367,000 of the transportation infrastructure account—state
11 appropriation and \$1,100,000 of the multimodal transportation account
12 —state appropriation are provided solely to reimburse Highline Grain,
13 LLC for approved work completed on Palouse River and Coulee City
14 (PCC) railroad track in Spokane county between the BNSF Railway
15 Interchange at Cheney and Geiger Junction and must be administered in
16 a manner consistent with freight rail assistance program projects.
17 The value of the public benefit of this project is expected to meet
18 or exceed the cost of this project in: Shipper savings on
19 transportation costs; jobs saved in rail-dependent industries; and/or
20 reduced future costs to repair wear and tear on state and local
21 highways due to fewer annual truck trips (reduced vehicle miles
22 traveled). The amounts provided in this subsection are not a
23 commitment for future legislatures, but it is the legislature's
24 intent that future legislatures will work to approve biennial
25 appropriations until the full \$7,337,000 cost of this project is
26 reimbursed.

27 (5)(a) \$550,000 of the essential rail assistance account—state
28 appropriation is provided solely for the purpose of the
29 rehabilitation and maintenance of the Palouse river and Coulee City
30 railroad line (F01111B).

31 (b) Expenditures from the essential rail assistance account—state
32 in this subsection may not exceed the combined total of:

33 (i) Revenues and transfers deposited into the essential rail
34 assistance account from leases and sale of property relating to the
35 Palouse river and Coulee City railroad;

36 (ii) Revenues from trackage rights agreement fees paid by
37 shippers; and

38 (iii) Revenues and transfers transferred from the miscellaneous
39 program account to the essential rail assistance account, pursuant to

1 RCW 47.76.360, for the purpose of sustaining the grain train program
2 by maintaining the Palouse river and Coulee City railroad.

3 (6) The department shall issue a call for projects for the
4 freight rail assistance program, and shall evaluate the applications
5 in a manner consistent with past practices as specified in section
6 309, chapter 367, Laws of 2011. By November 15, 2022, the department
7 shall submit a prioritized list of recommended projects to the office
8 of financial management and the transportation committees of the
9 legislature.

10 (7) \$12,077,000 of the multimodal transportation account—state
11 appropriation is provided solely as expenditure authority for any
12 insurance proceeds received by the state for Passenger Rail Equipment
13 Replacement (project 700010C.) The department must use this
14 expenditure authority only to purchase replacement equipment that has
15 been competitively procured and for service recovery needs and
16 corrective actions related to the December 2017 derailment.

17 (8) It is the intent of the legislature to encourage the
18 department to pursue federal grant opportunities leveraging up to
19 \$6,696,000 in connecting Washington programmed funds to be used as a
20 state match to improve the state-owned Palouse river and Coulee City
21 system. The amount listed in this subsection is not a commitment for
22 future legislatures, but is the legislature's intent that future
23 legislatures will work to approve biennial appropriations up to a
24 state match share not to exceed \$6,696,000 of a grant award.

25 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—**
26 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

27	Highway Infrastructure Account—State Appropriation	\$793,000
28	Highway Infrastructure Account—Federal Appropriation	\$1,600,000
29	Transportation Partnership Account—State	
30	Appropriation	\$750,000
31	Motor Vehicle Account—State Appropriation	\$17,564,000
32	Motor Vehicle Account—Federal Appropriation	\$43,698,000
33	Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
34	Connecting Washington Account—State Appropriation	\$116,792,000
35	Multimodal Transportation Account—State	
36	Appropriation	\$88,145,000
37	TOTAL APPROPRIATION.	\$275,942,000

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

3 (1) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects
5 and activities as listed by project and amount in LEAP Transportation
6 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
7 Local Programs Program (Z).

8 (2) The amounts identified in the LEAP transportation document
9 referenced under subsection (1) of this section for pedestrian
10 safety/safe routes to school are as follows:

11 (a) \$36,760,000 of the multimodal transportation account—state
12 appropriation is provided solely for newly selected pedestrian and
13 bicycle safety program projects. \$9,233,000 of the multimodal
14 transportation account—state appropriation is reappropriated for
15 pedestrian and bicycle safety program projects selected in the
16 previous biennia (L2000188).

17 (b) \$11,400,000 of the motor vehicle account—federal
18 appropriation and \$26,900,000 of the multimodal transportation
19 account—state appropriation are provided solely for newly selected
20 safe routes to school projects. \$7,944,000 of the motor vehicle
21 account—federal appropriation and \$4,647,000 of the multimodal
22 transportation account—state appropriation are reappropriated for
23 safe routes to school projects selected in the previous biennia
24 (L2000189). The department may consider the special situations facing
25 high-need areas, as defined by schools or project areas in which the
26 percentage of the children eligible to receive free and reduced-price
27 meals under the national school lunch program is equal to, or greater
28 than, the state average as determined by the department, when
29 evaluating project proposals against established funding criteria
30 while ensuring continued compliance with federal eligibility
31 requirements.

32 (3) The department shall submit a report to the transportation
33 committees of the legislature by December 1, 2021, and December 1,
34 2022, on the status of projects funded as part of the pedestrian
35 safety/safe routes to school grant program. The report must include,
36 but is not limited to, a list of projects selected and a brief
37 description of each project's status. In its December 1, 2021, report
38 the department must also include recommended changes to the
39 pedestrian safety/safe routes to school grant program application and

1 selection processes to increase utilization by a greater diversity of
2 jurisdictions.

3 (4) \$6,561,000 of the multimodal transportation account—state
4 appropriation is provided solely for bicycle and pedestrian projects
5 listed in the LEAP transportation document referenced in subsection
6 (1) of this section.

7 (5) \$10,097,000 of the connecting Washington account—state
8 appropriation is provided solely for the Covington Connector
9 (L2000104).

10 (6) (a) \$12,500,000 of the motor vehicle account—federal
11 appropriation is provided solely for national highway freight network
12 projects identified on the project list submitted in accordance with
13 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

14 (b) \$11,679,000 of the motor vehicle account—federal
15 appropriation is for acceleration of local preservation projects that
16 ensure the reliable movement of freight on the national highway
17 freight system (G2000100). The department will identify projects
18 through its current national highway system asset management call for
19 projects with applications due in February 2021. The department shall
20 give priority to those projects that can be obligated by September
21 30, 2021.

22 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
23 **CAPITAL PROGRAM**

24 (1) As part of its annual budget submittal, the department of
25 transportation shall provide an update to the report provided to the
26 legislature in the prior fiscal year that: (a) Compares the original
27 project cost estimates approved in the 2003, 2005, and 2015 revenue
28 package project lists to the completed cost of the project, or the
29 most recent legislatively approved budget and total project costs for
30 projects not yet completed; (b) identifies highway projects that may
31 be reduced in scope and still achieve a functional benefit; (c)
32 identifies highway projects that have experienced scope increases and
33 that can be reduced in scope; (d) identifies highway projects that
34 have lost significant local or regional contributions that were
35 essential to completing the project; (e) identifies risk reserves and
36 contingency amounts allocated to projects; and (f) lists the nickel,
37 TPA, and connecting Washington projects charging to the
38 Nickel/TPA/CWA Environmental Mitigation Reserve (OBI4ENV) and the

1 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project
2 (0BI100B), and the amount each project is charging.

3 (2) As part of its annual budget submittal, the department of
4 transportation shall provide: (a) An annual report on the number of
5 toll credits the department has accumulated and how the department
6 has used the toll credits, and (b) a status report on the projects
7 funded using federal national highway freight program funds.

8 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
9 **CAPITAL PROGRAM**

10 On a quarterly basis, the department of transportation shall
11 provide to the office of financial management and the legislative
12 transportation committees a report for all capital projects, except
13 for ferry projects subject to the reporting requirements established
14 elsewhere in this act, that must include: (1) A TEIS version
15 containing actual capital expenditures for all projects consistent
16 with the structure of the most recently enacted budget; (2)
17 anticipated cost savings, cost increases, reappropriations, and
18 schedule adjustments for all projects consistent with the structure
19 of the most recently enacted budget; (3) the award amount, the
20 engineer's estimate, and the number of bidders for all active
21 projects consistent with the structure of the most recently enacted
22 budget; (4) risk reserves and contingency amounts for all projects
23 consistent with the structure of the most recently enacted budget.

24 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
25 **PROJECT EXPENDITURES**

26 To the greatest extent practicable, the department of
27 transportation shall expend federal funds received for capital
28 project expenditures before state funds.

29 NEW SECTION. **Sec. 315. NOTIFICATION REQUIREMENTS FOR PAUSES AND**
30 **CANCELLATIONS**

31 (1) The department shall notify the transportation committees of
32 the legislature when it intends to pause for a significant length of
33 time or not proceed with operating items or capital projects included
34 as budget provisos or on project lists. When feasible, this
35 notification shall be provided prior to the pause or cancellation and
36 at least seven days in advance of any public announcement related to
37 such a pause or cancellation.

1 (2) At the time of notification, the department shall provide an
2 explanation for the reason or reasons for the pause or cancellation
3 for each operating budget item and capital project. The explanation
4 shall include specific reasons for each pause or cancellation, in
5 addition to a statement of the broad rationale for the pause or
6 cancellation.

7 (3) When feasible, the department shall make best efforts to keep
8 the transportation committees of the legislature informed of an
9 evaluation process underway for selecting operating budget items and
10 capital projects to be paused or cancelled, providing updates as its
11 selection efforts proceed.

12 (4) When exigent circumstances prevent prior notice of a pause or
13 cancellation from being provided to the transportation committees of
14 the legislature, the department shall provide the information
15 required under this section to the transportation committees of the
16 legislature as soon as is practicable.

17 **TRANSFERS AND DISTRIBUTIONS**

18 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT**
19 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
20 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
21 **TRANSPORTATION FUND REVENUE**

22	Transportation Partnership Account—State Appropriation. . .	\$743,000
23	Connecting Washington Account—State Appropriation. . . .	\$10,548,000
24	Special Category C Account—State Appropriation.	\$438,000
25	Highway Bond Retirement Account—State	
26	Appropriation.	\$1,462,779,000
27	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
28	Transportation Improvement Board Bond Retirement	
29	Account—State Appropriation.	\$11,770,000
30	Nondebt-Limit Reimbursable Bond Retirement	
31	Account—State Appropriation.	\$29,323,000
32	Toll Facility Bond Retirement Account—State	
33	Appropriation.	\$76,376,000
34	TOTAL APPROPRIATION.	\$1,609,127,000

1 Replacement Account—State. \$152,453,000

2 (b) The amount transferred in this subsection represents proceeds

3 from the sale of bonds authorized in RCW 47.10.873.

4 (3) (a) Transportation Partnership Account—State

5 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account

6 —State. \$46,000,000

7 (b) It is the intent of the legislature that this transfer is

8 temporary, for the purpose of minimizing the impact of toll

9 increases, and an equivalent reimbursing transfer is to occur after

10 the debt service and deferred sales tax on the Tacoma Narrows bridge

11 construction costs are fully repaid in accordance with chapter 195,

12 Laws of 2018.

13 (4) Motor Vehicle Account—State Appropriation:

14 For transfer to the Alaskan Way Viaduct Replacement

15 Project Account—State. \$6,269,000

16 (5) Motor Vehicle Account—State Appropriation:

17 For transfer to the County Arterial Preservation

18 Account—State. \$7,666,000

19 (6) Motor Vehicle Account—State Appropriation:

20 For transfer to the Freight Mobility Investment

21 Account—State. \$5,511,000

22 (7) Motor Vehicle Account—State Appropriation:

23 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

24 (8) Motor Vehicle Account—State Appropriation:

25 For transfer to the Transportation Improvement

26 Account—State. \$18,688,000

27 (9) Motor Vehicle Account—State Appropriation:

28 For transfer to the Transportation 2003 Account

29 (Nickel Account)—State. \$20,000,000

30 (10) Motor Vehicle Account—State Appropriation:

31 For transfer to the County Road Administration Board

32 Emergency Loan Account—State. \$5,000,000

33 (11) Rural Mobility Grant Program Account—State

34 Appropriation: For transfer to the Multimodal

35 Transportation Account—State. \$3,000,000

36 (12) State Route Number 520 Civil Penalties

37 Account—State Appropriation: For transfer to the

38 State Route Number 520 Corridor Account—State. \$1,532,000

39 (13) Capital Vessel Replacement Account—State

1 Appropriation: For transfer to the Connecting
2 Washington Account—State. \$35,000,000
3 (14) Multimodal Transportation Account—State
4 Appropriation: For transfer to the Aeronautics
5 Account—State. \$550,000
6 (15) Capital Vessel Replacement Account—State
7 Appropriation: For transfer to the Transportation
8 Partnership Account—State. \$9,138,000
9 (16) Multimodal Transportation Account—State
10 Appropriation: For transfer to the Complete Streets
11 Grant Program Account—State. \$14,670,000
12 (17) Multimodal Transportation Account—State
13 Appropriation: For transfer to the Freight Mobility
14 Multimodal Account—State. \$4,011,000
15 (18) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Pilotage
17 Account—State. \$1,500,000
18 (19) Multimodal Transportation Account—State
19 Appropriation: For transfer to the Puget Sound
20 Capital Construction Account—State. \$50,000,000
21 (20) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Regional Mobility
23 Grant Program Account—State. \$27,679,000
24 (21) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Rural Mobility
26 Grant Program Account—State. \$15,223,000
27 (22) (a) Alaskan Way Viaduct Replacement Project
28 Account—State Appropriation: For transfer to the
29 Transportation Partnership Account—State. \$28,660,000
30 (b) The amount transferred in this subsection represents
31 repayment of debt service incurred for the construction of the SR 99/
32 Alaskan Way Viaduct Replacement project (809936Z).
33 (23) Tacoma Narrows Toll Bridge Account—State
34 Appropriation: For transfer to the Motor Vehicle
35 Account—State. \$950,000
36 (24) Puget Sound Ferry Operations Account—State
37 Appropriation: For transfer to the Puget Sound
38 Capital Construction Account—State. \$35,000,000

1 (25) Connecting Washington Account—State
2 Appropriation: For transfer to the Motor Vehicle
3 Account—State. \$100,000,000

4 (26) (a) General Fund Account—State
5 Appropriation: For transfer to the State Patrol
6 Highway Account—State. \$625,000

7 (b) The state treasurer shall transfer the funds only after
8 receiving notification from the Washington state patrol under section
9 207(6) of this act.

10 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER—STATE REVENUES**
11 **FOR DISTRIBUTION**

12 Multimodal Transportation Account—State
13 Appropriation: For distribution to cities and
14 counties. \$26,786,000
15 Motor Vehicle Account—State Appropriation: For
16 distribution to cities and counties. \$23,438,000
17 TOTAL APPROPRIATION. \$50,224,000

18 NEW SECTION. **Sec. 409. FOR THE STATE TREASURER—BOND RETIREMENT**
19 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
20 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

21 Toll Facility Bond Retirement Account—Federal
22 Appropriation \$199,129,000
23 Toll Facility Bond Retirement Account—State
24 Appropriation \$25,372,000
25 TOTAL APPROPRIATION. \$224,501,000

26 NEW SECTION. **Sec. 410. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
27 **AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS**

28 Coronavirus State Fiscal Recovery Fund—Federal
29 Appropriation \$144,134,000

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

32 (1) The appropriation is provided solely for expenditure into
33 accounts in the amounts specified in subsection (2) of this section.
34 These amounts reflect projected revenue losses to state
35 transportation accounts in state fiscal year 2021 relative to
36 revenues collected in state fiscal year 2019 and shall be used to

1 maintain government services pursuant to the federal American rescue
2 plan act of 2021.

3 (2) The appropriation must be distributed to the following
4 accounts in the amounts designated:

5	Aeronautics Account—State.	\$448,000
6	Puget Sound Capital Construction Account—State.	\$2,101,000
7	Transportation Partnership Account—State.	\$23,016,000
8	Puget Sound Ferry Operations Account—State.	\$55,224,000
9	Connecting Washington Account—State.	\$45,828,000
10	Special Category C Account—State.	\$2,380,000
11	Transportation 2003 Account (Nickel Account)—State .	\$15,137,000

12 **COMPENSATION**

13 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
14 **IMPAIRED**

15 Nothing in this act prohibits the expenditure of any funds by an
16 agency or institution of the state for benefits guaranteed by any
17 collective bargaining agreement in effect on the effective date of
18 this section.

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

20 Sections 503 through 520 of this act represent the results of the
21 2021-2023 collective bargaining process required under chapters
22 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining
23 agreements contained in sections 503 through 520 of this act are
24 described in general terms. Only major economic terms are included in
25 the descriptions. These descriptions do not contain the complete
26 contents of the agreements. The collective bargaining agreements
27 contained in sections 503 through 520 of this act may also be funded
28 by expenditures from nonappropriated accounts. If positions are
29 funded with lidded grants or dedicated fund sources with insufficient
30 revenue, additional funding from other sources is not provided.

31 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
32 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

33 An agreement has been reached between the governor and the office
34 and professional employees international union local eight (OPEIU)
35 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.

1 Funding is provided to fund the agreement, which does not include
2 wage increases but does include furloughs. The agreement provides
3 that positions designated by the employer as not requiring backfill
4 take 24 furlough days during the biennium. In addition, the following
5 positions are not subject to the furlough requirement: Bid
6 administrator, dispatch, dispatch coordinator, and relief positions.

7 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
8 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

9 An agreement has been reached between the governor and the ferry
10 agents, supervisors, and project administrators association pursuant
11 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
12 provided to fund the agreement, which does not include wage increases
13 but does include furloughs. The agreement provides that positions
14 designated by the employer as not requiring backfill take 24 furlough
15 days during the biennium.

16 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
17 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

18 An agreement has been reached between the governor and the
19 service employees international union local 6 pursuant to chapter
20 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
21 fund the agreement, which does not include wage increases but does
22 include furloughs. The agreement provides that positions designated
23 by the employer as not requiring backfill take 24 furlough days
24 during the biennium.

25 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

27 An agreement has been reached between the governor and the
28 Pacific Northwest regional council of carpenters pursuant to chapter
29 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
30 fund the agreement, which does not include wage increases but does
31 include furloughs. The agreement provides that positions designated
32 by the employer as not requiring backfill take 24 furlough days
33 during the biennium.

34 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
35 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

1 An agreement has been reached between the governor and the Puget
2 Sound metal trades council through an interest arbitration award
3 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. The
4 arbitration award imposed and funding is provided to implement a 1.9%
5 general wage decrease from July 1, 2021, through June 30, 2022, and
6 exempted these employees from the furlough requirement.

7 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
8 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

9 An agreement has been reached between the governor and the marine
10 engineers' beneficial association unlicensed engine room employees
11 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
12 Funding is provided to fund the agreement, which does not include
13 either wage increases or the furlough requirement.

14 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
15 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

16 An agreement has been reached between the governor and the marine
17 engineers' beneficial association licensed engineer officers pursuant
18 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
19 provided to fund the agreement, which does not include either wage
20 increases or the furlough requirement.

21 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
22 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS**

23 An agreement has been reached between the governor and the marine
24 engineers' beneficial association port engineers pursuant to chapter
25 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
26 fund the agreement, which does not include wage increases but does
27 include furloughs. The agreement provides that positions designated
28 by the employer as not requiring backfill take 24 furlough days
29 during the biennium.

30 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
31 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

32 An agreement has been reached between the governor and the
33 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
34 the 2021-2023 fiscal biennium. Funding is provided to fund the

1 agreement, which includes a two percent wage increase for second
2 mates and does not include the furlough requirement.

3 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
4 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

5 An agreement has been reached between the governor and the
6 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
7 for the 2021-2023 fiscal biennium. Funding is provided to fund the
8 agreement, which does not include either wage increases or the
9 furlough requirement.

10 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
11 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**
12 **SUPERVISORS**

13 An agreement has been reached between the governor and the
14 masters, mates, and pilots - watch center supervisors pursuant to
15 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
16 provided to fund the agreement, which does not include wage increases
17 but does include furloughs only for the following positions: Fleet
18 facility security officers and workforce development leads.

19 NEW SECTION. **Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE**
20 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

21 An agreement has been reached between the governor and the
22 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
23 through an interest arbitration award for the 2021-2023 fiscal
24 biennium. Funding is provided to fund the agreement, which does not
25 include wage increases, but does include 24 furlough days for
26 employees in positions that do not require the position to be
27 backfilled.

28 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT—WFSE**

29 An agreement has been reached between the governor and the
30 Washington federation of state employees under the provisions of
31 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
32 provided to fund the agreement, which does not include wage
33 increases, but does include 24 furlough days for employees in
34 position that do not require the position to be backfilled.

1 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**
2 **LOCAL 17**

3 An agreement has been reached between the governor and the
4 professional and technical employees local 17 under the provisions of
5 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
6 provided to fund the agreement, which does not include wage
7 increases, but does include 24 furlough days for employees in
8 position that do not require the position to be backfilled.

9 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WPEA**

10 An agreement has not been reached between the governor and the
11 Washington public employees association under the provisions of
12 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW
13 41.80.010(6), funding is provided for fiscal year 2022 to fund the
14 terms of the 2019-2021 agreement and for fiscal year 2023 to fund the
15 terms according to law.

16 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
17 **COALITION OF UNIONS**

18 An agreement has been reached for the 2019-2021 biennium between
19 the governor and the coalition of unions under the provisions of
20 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
21 provided to fund the agreement, which includes 24 furlough days for
22 employees in position that do not require the position to be
23 backfilled. The agreement includes and funding is provided for a 2.5
24 percent wage increase for fiscal year 2022 and a 2.5 percent wage
25 increase for fiscal year 2023 for the department of corrections
26 marine vessel operators.

27 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
28 **TROOPERS ASSOCIATION**

29 An agreement has been reached between the governor and the
30 Washington state patrol troopers association under the provisions of
31 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
32 provided to fund the agreement, which does not include general wages
33 increases but does provide the ability to request to reopen the
34 compensation article for the purpose of bargaining base rate of pay
35 for fiscal year 2023.

1 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
2 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

3 An agreement has been reached between the governor and the
4 Washington state patrol lieutenants and captains association under
5 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
6 biennium. Funding is provided to fund the agreement, which does not
7 include general wages increases but does provide the ability to
8 request to reopen the compensation article for the purpose of
9 bargaining base rate of pay for fiscal year 2023.

10 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
11 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

12 An agreement was reached for the 2021-2023 biennium between the
13 governor and the health care coalition under the provisions of
14 chapter 41.80 RCW. Appropriations in this act for state agencies,
15 including institutions of higher education, are sufficient to
16 implement the provisions of the 2021-2023 collective bargaining
17 agreement, which maintains the provisions of the 2019-2021 agreement,
18 and are subject to the following conditions and limitations:

19 The monthly employer funding rate for insurance benefit premiums,
20 public employees' benefits board administration, and the uniform
21 medical plan, shall not exceed \$988 per eligible employee for fiscal
22 year 2022. For fiscal year 2023, the monthly employer funding rate
23 shall not exceed \$1018 per eligible employee.

24 The board shall collect a \$25 per month surcharge payment from
25 members who use tobacco products and a surcharge payment of not less
26 than \$50 per month from members who cover a spouse or domestic
27 partner where the spouse or domestic partner has chosen not to enroll
28 in another employer-based group health insurance that has benefits
29 and premiums with an actuarial value of not less than 95 percent of
30 the actuarial value of the public employees' benefits board plan with
31 the largest enrollment. The surcharge payments shall be collected in
32 addition to the member premium payment if directed by the
33 legislature.

34 NEW SECTION. **Sec. 522. COMPENSATION—REPRESENTED EMPLOYEES**
35 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

36 Appropriations for state agencies in this act are sufficient for
37 represented employees outside the coalition for health benefits, and

1 are subject to the following conditions and limitations: The monthly
2 employer funding rate for insurance benefit premiums, public
3 employees' benefits board administration, and the uniform medical
4 plan, may not exceed \$988 per eligible employee for fiscal year 2022.
5 For fiscal year 2023, the monthly employer funding rate may not
6 exceed \$1018 per eligible employee.

7 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
8 **INSURANCE BENEFITS**

9 Appropriations for state agencies in this act are sufficient for
10 nonrepresented state employee health benefits for state agencies,
11 including institutions of higher education, and are subject to the
12 following conditions and limitations: The employer monthly funding
13 rate for insurance benefit premiums, public employees' benefits board
14 administration, and the uniform medical plan, shall not exceed \$988
15 per eligible employee for fiscal year 2022. For fiscal year 2023, the
16 monthly employer funding rate shall not exceed \$1018 per eligible
17 employee.

18 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**
19 **RATES**

20 The appropriations in this act for school districts and state
21 agencies, including institutions of higher education, are subject to
22 the following conditions and limitations: Appropriations are adjusted
23 to reflect changes to agency appropriations to reflect pension
24 contribution rates adopted by the pension funding council and the law
25 enforcement officers' and firefighters' retirement system plan 2
26 board.

27 NEW SECTION. **Sec. 525. JUNETEENTH HOLIDAY**

28 Funding is provided within the amounts appropriated for the cost
29 to agencies of additional staff necessary to provide coverage in
30 positions that require continual presence, as a result of
31 implementing chapter . . . (House Bill No. 1016), Laws of 2021
32 (making Juneteenth a legal holiday). If chapter . . . (House Bill No.
33 1016), Laws of 2021 is not enacted by June 30, 2021, this section
34 does not take effect.

1 NEW SECTION. **Sec. 526. COLLECTIVE BARGAINING AGREEMENTS—**

2 **ELIMINATING FURLOUGH DAYS**

3 Appropriations in this act provide sufficient funding to
4 eliminate the furlough days required in the following collective
5 bargaining agreements for the 2021-2023 biennium:

- 6 (1) Office and professional employees international union local
7 8;
- 8 (2) Ferry agents, supervisors, and project administrators
9 association;
- 10 (3) Service employees international union local 6;
- 11 (4) Pacific Northwest regional council of carpenters;
- 12 (5) Marine engineers' beneficial association port engineers;
- 13 (6) Masters, mates, and pilots - watch center supervisors;
- 14 (7) Inlandboatmen's union of the Pacific;
- 15 (8) Washington public employees association general government;
- 16 (9) Washington federation of state employees;
- 17 (10) Professional and technical employees local 17; and
- 18 (11) The coalition of unions.

19 Expenditure of the amounts provided for this purpose is
20 contingent upon execution of an appropriate memorandum of
21 understanding between the governor or the governor's designee and the
22 exclusive bargaining representative, consistent with the terms of
23 this section.

24 NEW SECTION. **Sec. 527. COLLECTIVE BARGAINING AGREEMENTS—**

25 **ELIMINATING GENERAL WAGE DECREASE**

26 Appropriations in this act provide sufficient funding solely for
27 the purpose of eliminating the 1.9 percent wage reduction from July
28 1, 2021, to June 30, 2022, provided in the arbitration award for the
29 Puget Sound metal trades council. Expenditure of the amounts provided
30 for this purpose is contingent upon execution of an appropriate
31 modification of the agreement between the governor or the governor's
32 designee and the exclusive bargaining representative, consistent with
33 the terms of this section.

34 NEW SECTION. **Sec. 528. FORGONE GENERAL WAGE INCREASES**

35 Appropriations in this act for state agencies, including
36 institutions of higher education, are sufficient to provide a three
37 percent or two percent general wage increase, effective July 1, 2021,
38 for employees that were scheduled to receive a general wage increase

1 of either of those amounts on July 1, 2020, that was forgone due to
2 COVID-19 emergency.

3 **IMPLEMENTING PROVISIONS**

4 NEW SECTION. **Sec. 601. FUND TRANSFERS**

5 (1) The 2005 transportation partnership projects or improvements
6 and 2015 connecting Washington projects or improvements are listed in
7 the LEAP Transportation Document 2021-1 as developed March 22, 2021,
8 which consists of a list of specific projects by fund source and
9 amount over a sixteen-year period. Current fiscal biennium funding
10 for each project is a line-item appropriation, while the outer year
11 funding allocations represent a sixteen-year plan. The department of
12 transportation is expected to use the flexibility provided in this
13 section to assist in the delivery and completion of all
14 transportation partnership account and connecting Washington account
15 projects on the LEAP transportation document referenced in this
16 subsection. For the 2019-2021 project appropriations, unless
17 otherwise provided in this act, the director of the office of
18 financial management may provide written authorization for a transfer
19 of appropriation authority between projects funded with
20 transportation partnership account appropriations or connecting
21 Washington account appropriations to manage project spending and
22 efficiently deliver all projects in the respective program under the
23 following conditions and limitations:

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

26 (b) Transfers from a project may not be made as a result of the
27 reduction of the scope of a project or be made to support increases
28 in the scope of a project;

29 (c) Transfers from a project may be made if the funds
30 appropriated to the project are in excess of the amount needed in the
31 current fiscal biennium;

32 (d) Transfers may not occur for projects not identified on the
33 applicable project list;

34 (e) Transfers to a project may not occur if that project is a
35 programmatic funding item described in broad general terms on the
36 applicable project list without referencing a specific state route
37 number;

1 (f) Transfers may not be made while the legislature is in
2 session;

3 (g) Transfers to a project may not be made with funds designated
4 as attributable to practical design savings as described in RCW
5 47.01.480;

6 (h) Each transfer between projects may only occur if the director
7 of the office of financial management finds that any resulting change
8 will not hinder the completion of the projects as approved by the
9 legislature;

10 (i) Transfers between projects may be made by the department of
11 transportation without the formal written approval provided under
12 this subsection (1), provided that the transfer amount to a single
13 project does not exceed two hundred fifty thousand dollars or ten
14 percent of the total project per biennium, whichever is less. These
15 transfers must be reported quarterly to the director of the office of
16 financial management and the chairs of the house of representatives
17 and senate transportation committees;

18 (j) Transfers may only be made in fiscal year 2023;

19 (k) The total amount of transfers to projects in fiscal year 2023
20 may not exceed \$50,000,000; and

21 (1) The total amount transferred to a single project may not
22 exceed \$20,000,000.

23 (2) The department of transportation must submit quarterly all
24 transfers authorized under this section in the transportation
25 executive information system. The office of financial management must
26 maintain a legislative baseline project list identified in the LEAP
27 transportation documents referenced in this act, and update that
28 project list with all authorized transfers under this section,
29 including any effects to the total project budgets and schedules
30 beyond the current biennium.

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

35 (4) Before approval, the office of financial management shall
36 work with legislative staff of the house of representatives and
37 senate transportation committees to review the requested transfers in
38 a timely manner and address any concerns raised by the chairs and
39 ranking members of the transportation committees.

1 (5) No fewer than ten days after the receipt of a project
2 transfer request, the director of the office of financial management
3 must provide written notification to the department of any decision
4 regarding project transfers, with copies submitted to the
5 transportation committees of the legislature.

6 (6) The department must submit annually as part of its budget
7 submittal a report detailing all transfers made pursuant to this
8 section, including any effects to the total project budgets and
9 schedules beyond the current biennium.

10 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

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

26 NEW SECTION. **Sec. 603. BELATED CLAIMS**

27 The agencies and institutions of the state may expend moneys
28 appropriated in this act, upon approval of the office of financial
29 management, for the payment of supplies and services furnished to the
30 agency or institution in prior fiscal biennia.

31 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

32 (1) As part of its 2020 supplemental budget submittal, the
33 department of transportation shall provide a report to the
34 legislature and the office of financial management that:

35 (a) Identifies, by capital project, the amount of state funding
36 that has been reappropriated from the 2017-2019 fiscal biennium into
37 the 2019-2021 fiscal biennium; and

1 (b) Identifies, for each project, the amount of cost savings or
2 increases in funding that have been identified as compared to the
3 2017 enacted omnibus transportation appropriations act.

4 (2) As part of the agency request for capital programs, the
5 department shall load reappropriations separately from funds that
6 were assumed to be required for the 2019-2021 fiscal biennium into
7 budgeting systems.

8 NEW SECTION. **Sec. 605. WEB SITE REPORTING REQUIREMENTS**

9 (1) The department of transportation shall post on its web site
10 every report that is due from the department to the legislature
11 during the 2019-2021 fiscal biennium on one web page. The department
12 must post both completed reports and planned reports on a single web
13 page.

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

17 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
18 **ELEMENTS REPORTING**

19 (1) By November 15th of each year, the department of
20 transportation must report on amounts expended to benefit transit,
21 bicycle, or pedestrian elements within all connecting Washington
22 projects in programs I, P, and Z identified in LEAP Transportation
23 Document 2021-2 ALL PROJECTS as developed March 22, 2021. The report
24 must address each modal category separately and identify if
25 eighteenth amendment protected funds have been used and, if not, the
26 source of funding.

27 (2) To facilitate the report in subsection (1) of this section,
28 the department of transportation must require that all bids on
29 connecting Washington projects include an estimate on the cost to
30 implement any transit, bicycle, or pedestrian project elements.

31 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

32 (1) During the 2019-2021 fiscal biennium, while the legislature
33 is not in session, the director of the office of financial management
34 may approve project scope change requests to connecting Washington
35 projects in the highway improvements program, provided that the
36 requests meet the criteria outlined in RCW 47.01.480 and are subject
37 to the limitations in this section.

1 (2) At the time the department of transportation submits a
2 request for a project scope change under this section, a copy of the
3 request must be submitted to the transportation committees of the
4 legislature.

5 (3) Before approval, the office of financial management shall
6 work with legislative staff of the house of representatives and
7 senate transportation committees to review the requested project
8 scope changes.

9 (4) No fewer than ten days after the receipt of a scope change
10 request, the director of the office of financial management must
11 provide written notification to the department of any decision
12 regarding project scope changes, with copies submitted to the
13 transportation committees of the legislature.

14 (5) As part of its annual budget submittal, the department of
15 transportation must report on all approved scope change requests from
16 the prior year, including a comparison of the scope before and after
17 the requested change.

18 NEW SECTION. **Sec. 608. TOLL CREDITS**

19 The department of transportation may provide up to three million
20 dollars in toll credits to Kitsap transit for its role in passenger-
21 only ferry service and ferry corridor-related projects. The number of
22 toll credits provided must be equal to, but no more than, the number
23 sufficient to meet federal match requirements for grant funding for
24 passenger-only ferry service, but must not exceed the amount
25 authorized in this section.

26 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

27 NEW SECTION. **Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

28 (1) Agencies must apply to the office of financial management and
29 the office of the state chief information officer for approval before
30 beginning a project or proceeding with each discrete stage of a
31 project subject to this section. At each stage, the office of the
32 state chief information officer must certify that the project has an
33 approved technology budget and investment plan, complies with state
34 information technology and security requirements, and other policies
35 defined by the office of the state chief information officer. The
36 office of financial management must notify the fiscal committees of
37 the legislature of the receipt of each application and may not

1 approve a funding request for ten business days from the date of
2 notification.

3 (2) (a) Each project must have a technology budget. The technology
4 budget must have the detail by fiscal month for the 2021-2023 fiscal
5 biennium. The technology budget must use a method similar to the
6 state capital budget, identifying project costs, each fund source,
7 and anticipated deliverables through each stage of the entire project
8 investment and across fiscal periods and biennia from project onset
9 through implementation and close out, as well as at least five years
10 of maintenance and operations costs.

11 (b) As part of the development of a technology budget and at each
12 request for funding, the agency shall submit an updated technology
13 budget, if changes occurred, to include detailed financial
14 information to the office of financial management and the office of
15 the chief information officer. The technology budget must describe
16 the total cost of the project by fiscal month to include and
17 identify:

18 (i) Fund sources;

19 (ii) Full-time equivalent staffing level to include job
20 classification assumptions;

21 (iii) Discrete financial budget codes to include at least the
22 appropriation index and program index;

23 (iv) Object and subobject codes of expenditures;

24 (v) Anticipated deliverables;

25 (vi) Historical budget and expenditure detail by fiscal year; and

26 (vii) Maintenance and operations costs by fiscal year for at
27 least five years as a separate worksheet

28 (c) If a project technology budget changes and a revised
29 technology budget is completed, a comparison of the revised
30 technology budget to the last approved technology budget must be
31 posted to the dashboard, to include a narrative rationale on what
32 changed, why, and how that impacts the project in scope, budget, and
33 schedule.

34 (3) (a) Each project must have an investment plan that includes:

35 (i) An organizational chart of the project management team that
36 identifies team members and their roles and responsibilities;

37 (ii) The office of the chief information officer staff assigned
38 to the project;

1 (iii) An implementation schedule covering activities, critical
2 milestones, and deliverables at each stage of the project for the
3 life of the project at each agency affected by the project;

4 (iv) Performance measures used to determine that the project is
5 on time, within budget, and meeting expectations for quality of work
6 product;

7 (v) Ongoing maintenance and operations cost of the project post
8 implementation and close out delineated by agency staffing,
9 contracted staffing, and service level agreements; and

10 (vi) Financial budget coding to include at least discrete
11 financial coding for the project.

12 (4) Projects with estimated costs greater than one hundred
13 million dollars from initiation to completion and implementation may
14 be divided into discrete subprojects as determined by the office of
15 the chief information officer. Each subproject must have a technology
16 budget and investment plan as provided in this section.

17 (5) (a) The office of the state chief information officer shall
18 maintain an information technology project dashboard that provides
19 updated information each fiscal month on projects subject to this
20 section. This includes, at least:

21 (i) Project changes each fiscal month;

22 (ii) Noting if the project has a completed market requirements
23 document, and when it was completed;

24 (iii) Financial status of information technology projects under
25 oversight;

26 (iv) Coordination with agencies;

27 (v) Monthly quality assurance reports, if applicable;

28 (vi) Monthly office of the chief information officer status
29 reports;

30 (vii) Historical project budget and expenditures through fiscal
31 year 2021;

32 (viii) Budget and expenditures each fiscal month;

33 (ix) Estimated annual maintenance and operations costs by fiscal
34 year; and

35 (x) Posting monthly project status assessments on scope,
36 schedule, budget, and overall by the:

37 (A) Office of the chief information officer;

38 (B) Agency project team; and

39 (C) Quality assurance vendor, if applicable to the project.

1 (b) The dashboard must retain a roll up of the entire project
2 cost, including all subprojects, that can display subproject detail.
3 This includes coalition projects that are active.

4 (6) If the project affects more than one agency:

5 (a) A separate technology budget and investment plan must be
6 prepared for each agency; and

7 (b) The dashboard must contain a statewide project technology
8 budget roll up that includes each affected agency at the subproject
9 level.

10 (7) For any project that exceeds two million dollars in total
11 funds to complete, requires more than one biennium to complete, or is
12 financed through financial contracts, bonds, or other indebtedness:

13 (a) Quality assurance for the project must report independently
14 to the office of the chief information officer;

15 (b) The office of the chief information officer must review, and,
16 if necessary, revise the proposed project to ensure it is flexible
17 and adaptable to advances in technology;

18 (c) The technology budget must specifically identify the uses of
19 any financing proceeds. No more than thirty percent of the financing
20 proceeds may be used for payroll-related costs for state employees
21 assigned to project management, installation, testing, or training;

22 (d) The agency must consult with the office of the state
23 treasurer during the competitive procurement process to evaluate
24 early in the process whether products and services to be solicited
25 and the responsive bids from a solicitation may be financed; and

26 (e) The agency must consult with the contracting division of the
27 department of enterprise services for a review of all contracts and
28 agreements related to the project's information technology
29 procurements.

30 (8) The office of the chief information officer must evaluate the
31 project at each stage and certify whether the project is planned,
32 managed, and meeting deliverable targets as defined in the project's
33 approved technology budget and investment plan.

34 (9) The office of the chief information officer may suspend or
35 terminate a project at any time if it determines that the project is
36 not meeting or not expected to meet anticipated performance and
37 technology outcomes. Once suspension or termination occurs, the
38 agency shall unallot any unused funding and shall not make any
39 expenditure for the project without the approval of the office of
40 financial management. The office of the chief information officer

1 must report on July 1st and December 1st each calendar year any
2 suspension or termination of a project in the previous six-month
3 period to the legislative fiscal committees.

4 (10) The office of the chief information officer, in consultation
5 with the office of financial management, may identify additional
6 projects to be subject to this section, including projects that are
7 not separately identified within an agency budget. The office of the
8 chief information officer must report on July 1st and December 1st
9 each calendar year any additional projects to be subjected to this
10 section that were identified in the previous six-month period to the
11 legislative fiscal committees.

12 (11) The following transportation projects are subject to the
13 conditions, limitations, and review provided in this section:

14 (a) For the Washington state patrol: Aerial criminal
15 investigation tools;

16 (b) For the department of licensing: Website accessibility and
17 usability; and

18 (c) For the department of transportation: Maintenance management
19 system, land mobile radio system replacement, new CSC system and
20 operator, PROPEL - WSDOT support of one Washington, and capital
21 systems replacement.

22 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
23 **THROUGH FINANCIAL CONTRACTS**

24 The department of transportation is authorized, subject to the
25 conditions in section 305(2) of this act, to enter into a financing
26 contract pursuant to chapter 39.94 RCW through the state treasurer's
27 lease-purchase program for the purposes indicated. The department may
28 use any funds, appropriated or nonappropriated, in not more than the
29 principal amounts indicated, plus financing expenses and required
30 reserves, if any. Expenditures made by the department of
31 transportation for the indicated purposes before the issue date of
32 the authorized financing contract and any certificates of
33 participation therein may be reimbursed from proceeds of the
34 financing contract and any certificates of participation therein to
35 the extent provided in the agency's financing plan approved by the
36 state finance committee.

37 **Sec. 703.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to
38 read as follows:

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

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

14 (3) All state agencies using biodiesel fuel shall, beginning on
15 July 1, 2016, file annual reports with the department of enterprise
16 services documenting the use of the fuel and a description of how any
17 problems encountered were resolved.

18 (4) By December 1, 2009, the department of enterprise services
19 shall:

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

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

25 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal
26 biennia, the Washington state ferries is required to use a minimum of
27 (~~five~~) 10 percent biodiesel as compared to total volume of all
28 diesel purchases made by the Washington state ferries for the
29 operation of the Washington state ferries diesel-powered vessels, as
30 long as the price of a (~~B5-or~~) B10 biodiesel blend does not exceed
31 the price of conventional diesel fuel by five percent or more.

32 **Sec. 704.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to
33 read as follows:

34 (1) The ignition interlock device revolving account program is
35 created within the department to assist in covering the monetary
36 costs of installing, removing, and leasing an ignition interlock
37 device, and applicable licensing, for indigent persons who are
38 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
39 ignition interlock device in all vehicles owned or operated by the

1 person. For purposes of this subsection, "indigent" has the same
2 meaning as in RCW 10.101.010, as determined by the department. During
3 the ((2019-2021)) 2019-2021 and 2021-2023 fiscal ((biennium))
4 biennia, the ignition interlock device revolving account program also
5 includes ignition interlock enforcement work conducted by the
6 Washington state patrol.

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

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

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

17 (a) Review the number of ignition interlock devices that are
18 required to be installed in the targeted county and the number of
19 ignition interlock devices actually installed;

20 (b) Work to identify those persons who are not complying with
21 ignition interlock requirements or are repeatedly violating ignition
22 interlock requirements; and

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

24 (5) As part of monitoring compliance, the Washington traffic
25 safety commission shall also track recidivism for violations of RCW
26 46.61.502 and 46.61.504 by persons required to have an ignition
27 interlock driver's license under RCW 46.20.385 and 46.20.720.

28 **Sec. 705.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to
29 read as follows:

30 (1)(a) Subject to the availability of amounts appropriated for
31 this specific purpose through the 2023-2025 biennium, the
32 department's public transportation division shall establish a green
33 transportation capital grant program. The purpose of the grant
34 program is to aid any transit authority in funding cost-effective
35 capital projects to reduce the carbon intensity of the Washington
36 transportation system, examples of which include: Electrification of
37 vehicle fleets, including battery and fuel cell electric vehicles;
38 modification or replacement of capital facilities in order to
39 facilitate fleet electrification and/or hydrogen refueling; necessary

1 upgrades to electrical transmission and distribution systems; and
2 construction of charging and fueling stations. The department's
3 public transportation division shall identify projects and shall
4 submit a prioritized list of all projects requesting funding to the
5 legislature by December 1st of each even-numbered year.

6 (b) The department's public transportation division shall select
7 projects based on a competitive process that considers the following
8 criteria:

9 (i) The cost-effectiveness of the reductions in carbon emissions
10 provided by the project; and

11 (ii) The benefit provided to transitioning the entire state to a
12 transportation system with lower carbon intensity.

13 (2) The department's public transportation division must
14 establish an advisory committee to assist in identifying projects
15 under subsection (1) of this section. The advisory committee must
16 include representatives from the department of ecology, the
17 department of commerce, the utilities and transportation commission,
18 and at least one transit authority.

19 (3) In order to receive green transportation capital grant
20 program funding for a project, a transit authority must provide
21 matching funding for that project that is at least equal to twenty
22 percent of the total cost of the project.

23 (4) The department's public transportation division must report
24 annually to the transportation committees of the legislature on the
25 status of any grant projects funded by the program created under this
26 section.

27 (5) For purposes of this section, "transit authority" means a
28 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
29 county public transportation authority under chapter 36.57 RCW, a
30 metropolitan municipal corporation transit system under chapter 36.56
31 RCW, a public transportation benefit area under chapter 36.57A RCW,
32 an unincorporated transportation benefit area under RCW 36.57.100, a
33 regional transit authority under chapter 81.112 RCW, or any special
34 purpose district formed to operate a public transportation system.

35 (6) During the 2021-2023 fiscal biennium, the department may
36 provide green transportation capital grant program funding for zero
37 emissions capital transition planning projects.

38 **Sec. 706.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to
39 read as follows:

1 The department of licensing technology improvement and data
2 management account is created in the highway safety fund. All
3 receipts from fees collected under RCW 46.12.630(5) must be deposited
4 into the account. Expenditures from the account may be used only for
5 investments in technology and data management at the department.
6 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account
7 may also be used for responding to public records requests. Moneys in
8 the account may be spent only after appropriation.

9 **Sec. 707.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to
10 read as follows:

11 The license plate technology account is created in the state
12 treasury. All receipts collected under RCW 46.17.015 must be
13 deposited into this account. Expenditures from this account must
14 support current and future license plate technology and systems
15 integration upgrades for both the department and correctional
16 industries. Moneys in the account may be spent only after
17 appropriation. Additionally, the moneys in this account may be used
18 to reimburse the motor vehicle (~~account—[fund]~~) fund for any
19 appropriation made to implement the digital license plate system.
20 During the 2011-2013 and 2013-2015 fiscal biennia, the legislature
21 may transfer from the license plate technology account to the highway
22 safety (~~account—[fund]~~) fund such amounts as reflect the excess
23 fund balance of the license plate technology account. During the
24 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account may also be
25 used for the maintenance of recently modernized information
26 technology systems for vehicle registrations.

27 **Sec. 708.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to
28 read as follows:

29 The freight mobility investment account is hereby created in the
30 state treasury. Money in the account may be spent only after
31 appropriation. Expenditures from the account may be used only for
32 freight mobility projects that have been approved by the freight
33 mobility strategic investment board in RCW 47.06A.020 and may include
34 any principal and interest on bonds authorized for the projects or
35 improvements. During the (~~2019-2021~~) 2021-2023 fiscal biennium, the
36 expenditures from the account may also be used for the administrative
37 expenses of the freight mobility strategic investment board.

1 NEW SECTION. **Sec. 709.** (1) The agency financial transaction
2 account is created in the state treasury. Designated receipts from
3 cost-recovery charges for credit card and other financial transaction
4 fees pursuant to this act must be deposited into the account. Moneys
5 in the account may be spent only after appropriation. Expenditures
6 from the account may be used only for paying credit card and
7 financial transaction fees, and other related costs incurred by state
8 agencies.

9 (2) This section expires June 30, 2023.

10 **Sec. 710.** RCW 47.12.370 and 2003 c 187 s 1 are each amended to
11 read as follows:

12 (1) The department may enter into exchange agreements with local,
13 state, or federal agencies, tribal governments, or private nonprofit
14 nature conservancy corporations as defined in RCW 64.04.130, to
15 convey properties under the jurisdiction of the department that serve
16 as environmental mitigation sites, as full or part consideration for
17 the grantee assuming all future maintenance and operation obligations
18 and costs required to maintain and operate the environmental
19 mitigation site in perpetuity.

20 (2) (~~(Tribal)~~) (a) Except as provided in (b) of this subsection,
21 tribal governments shall only be eligible to participate in an
22 exchange agreement if they:

23 (~~(a)~~) (i) Provide the department with a valid waiver of their
24 tribal sovereign immunity from suit. The waiver must allow the
25 department to enforce the terms of the exchange agreement or
26 quitclaim deed in state court; and

27 (~~(b)~~) (ii) Agree that the property shall not be placed into
28 trust status.

29 (b) During the 2021-2023 fiscal biennium, the restrictions in (a)
30 of this subsection do not apply to any exchange agreement with a
31 tribal government for the acquisition of real property required by
32 the department for the SR 167/SR 509 Puget Sound Gateway project.

33 (3) The conveyances must be by quitclaim deed, or other form of
34 conveyance, executed by the secretary of transportation, and must
35 expressly restrict the use of the property to a mitigation site
36 consistent with preservation of the functions and values of the site,
37 and must provide for the automatic reversion to the department if the
38 property is not used as a mitigation site or is not maintained in a

1 manner that complies with applicable permits, laws, and regulations
2 pertaining to the maintenance and operation of the mitigation site.

3 **Sec. 711.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to
4 read as follows:

5 (1) The Puget Sound ferry operations account is created in the
6 motor vehicle fund.

7 (2) The following funds must be deposited into the account:

8 (a) All moneys directed by law;

9 (b) All revenues generated from ferry fares; and

10 (c) All revenues generated from commercial advertising,
11 concessions, parking, and leases as allowed under RCW 47.60.140.

12 (3) Moneys in the account may be spent only after appropriation.

13 (4) Expenditures from the account may be used only for the
14 maintenance, administration, and operation of the Washington state
15 ferry system.

16 (5) During the 2015-2017 fiscal biennium, the legislature may
17 transfer from the Puget Sound ferry operations account to the
18 connecting Washington account such amounts as reflect the excess fund
19 balance of the Puget Sound ferry operations account.

20 (6) During the 2017-2019 fiscal biennium, the legislature may
21 direct the state treasurer to make transfers of moneys in the Puget
22 Sound ferry operations account to the connecting Washington account.

23 (7) During the 2021-23 fiscal biennium, the legislature may
24 transfer from the Puget Sound ferry operations account to the Puget
25 Sound capital construction account such amounts as reflect the excess
26 fund balance of the Puget Sound ferry operations account.

27 **Sec. 712.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to
28 read as follows:

29 (1) The commission shall adopt fares and pricing policies by
30 rule, under chapter 34.05 RCW, according to the following schedule:

31 (a) Each year the department shall provide the commission a
32 report of its review of fares and pricing policies, with
33 recommendations for the revision of fares and pricing policies for
34 the ensuing year;

35 (b) By September 1st of each year, beginning in 2008, the
36 commission shall adopt by rule fares and pricing policies for the
37 ensuing year.

1 (2) The commission may adopt by rule fares that are effective for
2 more or less than one year for the purposes of transitioning to the
3 fare schedule in subsection (1) of this section.

4 (3) The commission may increase ferry fares included in the
5 schedule of charges adopted under this section by a percentage that
6 exceeds the fiscal growth factor.

7 (4) The chief executive officer of the ferry system may authorize
8 the use of promotional, discounted, and special event fares to the
9 general public and commercial enterprises for the purpose of
10 maximizing capacity use and the revenues collected by the ferry
11 system. The department shall report to the commission a summary of
12 the promotional, discounted, and special event fares offered during
13 each fiscal year and the financial results from these activities.

14 (5) ((Fare)) Except for the 2021-2023 fiscal biennium, fare
15 revenues and other revenues deposited in the Puget Sound ferry
16 operations account created in RCW 47.60.530 may not be used to
17 support the Puget Sound capital construction account created in RCW
18 47.60.505, unless the support for capital is separately identified in
19 the fare.

20 (6) The commission may not raise fares until the fare rules
21 contain pricing policies developed under RCW 47.60.290, or September
22 1, 2009, whichever is later.

23 (7) The commission shall impose a vessel replacement surcharge of
24 twenty-five cents on every one-way and round-trip ferry fare sold,
25 including multiride and monthly pass fares. This surcharge must be
26 clearly indicated to ferry passengers and drivers and, if possible,
27 on the fare media itself.

28 (8) Except as provided in subsection (10) of this section,
29 beginning May 1, 2020, the commission shall impose an additional
30 vessel replacement surcharge in an amount sufficient to fund twenty-
31 five year debt service on one 144-auto hybrid vessel taking into
32 account funds provided in chapter 417, Laws of 2019 or chapter . . .
33 (SSB 5419), Laws of 2019. The department of transportation shall
34 provide to the commission vessel and debt service cost estimates.
35 Information on vessels constructed or purchased with revenue from the
36 surcharges must be publicly posted including, but not limited to, the
37 commission web site.

38 (9) The vessel replacement surcharges imposed in this section may
39 only be used for the construction or purchase of ferry vessels and to

1 pay the principal and interest on bonds authorized for the
2 construction or purchase of new ferry vessels.

3 (10) The commission shall not impose the additional vessel
4 replacement surcharge in subsection (8) of this section if doing so
5 would increase fares by more than ten percent.

6 **Sec. 713.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each
7 amended to read as follows:

8 (1) If an agency for good cause finds:

9 (a) That immediate adoption, amendment, or repeal of a rule is
10 necessary for the preservation of the public health, safety, or
11 general welfare, and that observing the time requirements of notice
12 and opportunity to comment upon adoption of a permanent rule would be
13 contrary to the public interest;

14 (b) That state or federal law or federal rule or a federal
15 deadline for state receipt of federal funds requires immediate
16 adoption of a rule; or

17 (c) In order to implement the requirements or reductions in
18 appropriations enacted in any budget for fiscal year 2009, 2010,
19 2011, 2012, or 2013, or in an omnibus transportation appropriations
20 act for the 2021-2023 biennium related to setting toll rates, which
21 necessitates the need for the immediate adoption, amendment, or
22 repeal of a rule, and that observing the time requirements of notice
23 and opportunity to comment upon adoption of a permanent rule would be
24 contrary to the fiscal needs or requirements of the agency,
25 the agency may dispense with those requirements and adopt, amend, or
26 repeal the rule on an emergency basis. The agency's finding and a
27 concise statement of the reasons for its finding shall be
28 incorporated in the order for adoption of the emergency rule or
29 amendment filed with the office of the code reviser under RCW
30 34.05.380 and with the rules review committee.

31 (2) An emergency rule adopted under this section takes effect
32 upon filing with the code reviser, unless a later date is specified
33 in the order of adoption, and may not remain in effect for longer
34 than one hundred twenty days after filing. Identical or substantially
35 similar emergency rules may not be adopted in sequence unless
36 conditions have changed or the agency has filed notice of its intent
37 to adopt the rule as a permanent rule, and is actively undertaking
38 the appropriate procedures to adopt the rule as a permanent rule.
39 This section does not relieve any agency from compliance with any law

1 requiring that its permanent rules be approved by designated persons
2 or bodies before they become effective.

3 (3) Within seven days after the rule is adopted, any person may
4 petition the governor requesting the immediate repeal of a rule
5 adopted on an emergency basis by any department listed in RCW
6 43.17.010. Within seven days after submission of the petition, the
7 governor shall either deny the petition in writing, stating his or
8 her reasons for the denial, or order the immediate repeal of the
9 rule. In ruling on the petition, the governor shall consider only
10 whether the conditions in subsection (1) of this section were met
11 such that adoption of the rule on an emergency basis was necessary.
12 If the governor orders the repeal of the emergency rule, any sanction
13 imposed based on that rule is void. This subsection shall not be
14 construed to prohibit adoption of any rule as a permanent rule.

15 **Sec. 714.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to
16 read as follows:

17 There is hereby created in the state treasury a fund to be known
18 as the highway safety fund to the credit of which must be deposited
19 all moneys directed by law to be deposited therein. This fund must be
20 used for carrying out the provisions of law relating to driver
21 licensing, driver improvement, financial responsibility, cost of
22 furnishing abstracts of driving records and maintaining such case
23 records, and to carry out the purposes set forth in RCW 43.59.010,
24 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
25 fiscal biennia, the legislature may transfer from the highway safety
26 fund to the Puget Sound ferry operations account, the motor vehicle
27 fund, and the multimodal transportation account such amounts as
28 reflect the excess fund balance of the highway safety fund. During
29 the ((2017-2019 and the)) 2019-2021 and 2021-2023 fiscal biennia, the
30 legislature may direct the state treasurer to make transfers of
31 moneys in the highway safety fund to the multimodal transportation
32 account.

33 **Sec. 715.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to
34 read as follows:

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

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

6 (3) During the 2015-2017 fiscal biennium, the legislature may
7 transfer from the rural mobility grant program account to the
8 multimodal transportation account such amounts as reflect the excess
9 fund balance of the rural mobility grant program account.

10 (4) During the (~~2017-2019 and the~~) 2019-2021 and 2021-2023
11 fiscal biennia, the legislature may direct the state treasurer to
12 make transfers of moneys in the rural mobility grant program account
13 to the multimodal transportation account.

14 **Sec. 716.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
15 read as follows:

16 A special account to be known as the state route number 520 civil
17 penalties account is created in the state treasury. All state route
18 number 520 bridge replacement and HOV program civil penalties
19 generated from the nonpayment of tolls on the state route number 520
20 corridor must be deposited into the account, as provided under RCW
21 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
22 appropriation. Expenditures from the account may be used to fund any
23 project within the state route number 520 bridge replacement and HOV
24 program, including mitigation. During the 2013-2015 and 2015-2017
25 fiscal biennia, the legislature may transfer from the state route
26 number 520 civil penalties account to the state route number 520
27 corridor account such amounts as reflect the excess fund balance of
28 the state route number 520 civil penalties account. Funds transferred
29 must be used solely for capital expenditures for the state route
30 number 520 bridge replacement and HOV project. During the (~~2017-2019~~
31 ~~and the~~) 2019-2021 and 2021-2023 fiscal biennia, the legislature may
32 direct the state treasurer to make transfers of moneys in the state
33 route number 520 civil penalties account to the state route number
34 520 corridor account.

35 **Sec. 717.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
36 read as follows:

37 (1) The capital vessel replacement account is created in the
38 motor vehicle fund. All revenues generated from the vessel

1 replacement surcharge under RCW 47.60.315(7) and service fees
2 collected by the department of licensing or county auditor or other
3 agent appointed by the director under RCW 46.17.040, 46.17.050, and
4 46.17.060 must be deposited into the account. Moneys in the account
5 may be spent only after appropriation. Expenditures from the account
6 may be used only for the construction or purchase of ferry vessels
7 and to pay the principal and interest on bonds authorized for the
8 construction or purchase of ferry vessels. However, expenditures from
9 the account must first be used to support the construction or
10 purchase, including any applicable financing costs, of a ferry vessel
11 with a carrying capacity of at least one hundred forty-four cars.

12 (2) The state treasurer may transfer moneys from the capital
13 vessel replacement account to the transportation 2003 account (nickel
14 account) for debt service on bonds issued for the construction of
15 144-car class ferry vessels.

16 (3) The legislature may transfer from the capital vessel
17 replacement account to the connecting Washington account created
18 under RCW 46.68.395 such amounts as reflect the excess fund balance
19 of the capital vessel replacement account to be used for ferry
20 terminal construction and preservation.

21 (4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
22 biennia, the legislature may direct the state treasurer to make
23 transfers of moneys in the capital vessel replacement account to the
24 transportation partnership account.

25 **Sec. 718.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
26 read as follows:

27 (1) The connecting Washington account is created in the motor
28 vehicle fund. Moneys in the account may be spent only after
29 appropriation. Expenditures from the account must be used only for
30 projects or improvements identified as connecting Washington projects
31 or improvements in a transportation appropriations act, including any
32 principal and interest on bonds authorized for the projects or
33 improvements.

34 (2) Moneys in the connecting Washington account may not be
35 expended on the state route number 99 Alaskan Way viaduct replacement
36 project.

37 (3) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
38 biennia, the legislature may direct the state treasurer to make

1 transfers of moneys in the connecting Washington account to the motor
2 vehicle fund.

3 **2019-2021 FISCAL BIENNIUM**

4 **GENERAL GOVERNMENT AGENCIES—OPERATING**

5 **Sec. 801.** 2019 c 416 s 101 (uncodified) is amended to read as
6 follows:

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

8 Motor Vehicle Account—State Appropriation (~~(\$545,000)~~)
9 \$536,000

10 **Sec. 802.** 2020 c 219 s 101 (uncodified) is amended to read as
11 follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

13 Motor Vehicle Account—State Appropriation (~~(\$1,419,000)~~)
14 \$1,388,000

15 Multimodal Transportation Account—State Appropriation. . . . \$300,000

16 Puget Sound Ferry Operations Account—State Appropriation . . \$121,000

17 TOTAL APPROPRIATION. (~~(\$1,840,000)~~)
18 \$1,809,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$300,000 of the multimodal transportation
21 account—state appropriation is provided solely for the office of
22 financial management, in direct coordination with the office of state
23 treasurer, to evaluate, coordinate, and assist in efforts by state
24 agencies in developing cost recovery mechanisms for credit card and
25 other financial transaction fees currently paid from state funds.
26 This may include disbursing interagency reimbursements for the
27 implementation costs incurred by the affected agencies. As part of
28 the first phase of this effort, the office of financial management,
29 with the assistance of relevant agencies, must develop implementation
30 plans and take all necessary steps to ensure that the actual cost-
31 recovery mechanisms will be in place by January 1, 2020, for the
32 vehicles and drivers programs of the department of licensing. By
33 November 1, 2019, the office of financial management must provide a
34 report to the joint transportation committee on the phase 1
35 implementation plan and options to expand similar cost recovery

1 mechanisms to other state agencies and programs, including the
2 ferries division.

3 **Sec. 803.** 2019 c 416 s 106 (uncodified) is amended to read as
4 follows:

5 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**
6 Motor Vehicle Account—State Appropriation (~~(\$652,000)~~)
7 \$647,000

8 **TRANSPORTATION AGENCIES—OPERATING**

9 **Sec. 901.** 2020 c 219 s 201 (uncodified) is amended to read as
10 follows:

11 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**
12 Highway Safety Account—State Appropriation (~~(\$4,675,000)~~)
13 \$4,647,000
14 Highway Safety Account—Federal Appropriation (~~(\$27,051,000)~~)
15 \$26,943,000
16 Highway Safety Account—Private/Local Appropriation \$118,000
17 School Zone Safety Account—State Appropriation \$850,000
18 TOTAL APPROPRIATION. (~~(\$32,694,000)~~)
19 \$32,558,000

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

22 (1) \$150,000 of the highway safety account—state appropriation is
23 provided solely for the implementation of chapter 54, Laws of 2019
24 (Cooper Jones Active Transportation Safety Council). If chapter 54,
25 Laws of 2019 is not enacted by June 30, 2019, the amount provided in
26 this subsection lapses.

27 (2) The Washington traffic safety commission may oversee a pilot
28 program in up to three cities implementing the use of automated
29 vehicle noise enforcement cameras in zones that have been designated
30 by ordinance as "Stay Out of Areas of Racing."

31 (a) Any programs authorized by the commission must be authorized
32 by December 31, (~~2020~~) 2022.

33 (b) If a city has established an authorized automated vehicle
34 noise enforcement camera pilot program under this section, the
35 compensation paid to the manufacturer or vendor of the equipment used

1 must be based upon the value of the equipment and services provided
2 or rendered in support of the system.

3 (c) Any city administering a pilot program overseen by the
4 traffic safety commission shall use the following guidelines to
5 administer the program:

6 (i) Automated vehicle noise enforcement camera may record
7 photographs or audio of the vehicle and vehicle license plate only
8 while a violation is occurring. The picture must not reveal the face
9 of the driver or of passengers in the vehicle;

10 (ii) The law enforcement agency of the city or county government
11 shall install two signs facing opposite directions within two hundred
12 feet, or otherwise consistent with the uniform manual on traffic
13 control devices, where the automated vehicle noise enforcement camera
14 is used that state "Street Racing Noise Pilot Program in Progress";

15 (iii) Cities testing the use of automated vehicle noise
16 enforcement cameras must post information on the city web site and
17 notify local media outlets indicating the zones in which the
18 automated vehicle noise enforcement cameras will be used;

19 (iv) A city may only issue a warning notice with no penalty for a
20 violation detected by automated vehicle noise enforcement cameras in
21 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
22 the registered owner of a vehicle within fourteen days of the
23 detected violation;

24 (v) A violation detected through the use of automated vehicle
25 noise enforcement cameras is not part of the registered owner's
26 driving record under RCW 46.52.101 and 46.52.120;

27 (vi) Notwithstanding any other provision of law, all photographs,
28 videos, microphotographs, audio recordings, or electronic images
29 prepared under this section are for the exclusive use of law
30 enforcement in the discharge of duties under this section and are not
31 open to the public and may not be used in a court in a pending action
32 or proceeding. No photograph, microphotograph, audio recording, or
33 electronic image may be used for any purpose other than the issuance
34 of warnings for violations under this section or retained longer than
35 necessary to issue a warning notice as required under this subsection
36 (2); and

37 (vii) By June 30, 2021, the participating cities shall provide a
38 report to the commission and appropriate committees of the
39 legislature regarding the use, public acceptance, outcomes, warnings
40 issued, data retention and use, and other relevant issues regarding

1 automated vehicle noise enforcement cameras demonstrated by the pilot
2 projects.

3 (3) The Washington traffic safety commission may oversee a
4 demonstration project in one county, coordinating with a public
5 transportation benefit area (PTBA) and the department of
6 transportation, to test the feasibility and accuracy of the use of
7 automated enforcement technology for high occupancy vehicle (HOV)
8 lane passenger compliance. All costs associated with the
9 demonstration project must be borne by the participating public
10 transportation benefit area. Any photograph, microphotograph, or
11 electronic images of a driver or passengers are for the exclusive use
12 of the PTBA in the determination of whether an HOV passenger
13 violation has occurred to test the feasibility and accuracy of
14 automated enforcement under this subsection and are not open to the
15 public and may not be used in a court in a pending action or
16 proceeding. All photographs, microphotographs, and electronic images
17 must be destroyed after determining a passenger count and no later
18 than the completion of the demonstration project. No warnings or
19 notices of infraction may be issued under the demonstration project.

20 For purposes of the demonstration project, an automated
21 enforcement technology device may record an image of a driver and
22 passenger of a motor vehicle. The county and PTBA must erect signs
23 marking the locations where the automated enforcement for HOV
24 passenger requirements is occurring.

25 The PTBA, in consultation with the Washington traffic safety
26 commission, must provide a report to the transportation committees of
27 the legislature with the number of violations detected during the
28 demonstration project, whether the technology used was accurate and
29 any recommendations for future use of automated enforcement
30 technology for HOV lane enforcement by June 30, 2021.

31 (4) (a) The Washington traffic safety commission shall coordinate
32 with each city that implements a pilot program as authorized in
33 chapter 224, Laws of 2020 (automated traffic safety cameras) or
34 chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020
35 (automated traffic safety cameras) to provide the transportation
36 committees of the legislature with the following information by June
37 30, 2021:

38 (i) The number of warnings and infractions issued to first-time
39 violators under the pilot program;

1 (ii) The number of warnings and infractions issued to the
2 registered owners of vehicles that are not registered with an address
3 located in the city conducting the pilot program; and

4 (iii) The frequency with which warnings and infractions are
5 issued on weekdays versus weekend days.

6 (b) If neither chapter 224, Laws of 2020 nor chapter . . .
7 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June
8 30, 2020, the conditions of this subsection (4) have no force and
9 effect.

10 **Sec. 902.** 2020 c 219 s 202 (uncodified) is amended to read as
11 follows:

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13 Rural Arterial Trust Account—State Appropriation	\$1,137,000
14 Motor Vehicle Account—State Appropriation	(\$2,920,000)
15	<u>\$3,042,000</u>
16 County Arterial Preservation Account—State	
17 Appropriation	\$1,677,000
18 TOTAL APPROPRIATION.	(\$5,734,000)
19	<u>\$5,856,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: \$58,000 of the motor vehicle account—
22 state appropriation is provided solely for succession planning and
23 training.

24 **Sec. 903.** 2020 c 219 s 204 (uncodified) is amended to read as
25 follows:

26 **FOR THE JOINT TRANSPORTATION COMMITTEE**

27 Motor Vehicle Account—State Appropriation	(\$2,187,000)
28	<u>\$2,173,000</u>
29 Multimodal Transportation Account—State Appropriation.	(\$917,000)
30	<u>\$895,000</u>
31 Highway Safety Account—State Appropriation.	\$275,000
32 TOTAL APPROPRIATION.	(\$3,379,000)
33	<u>\$3,343,000</u>

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

36 (1) \$400,000 of the motor vehicle account—state appropriation and
37 \$50,000 of the multimodal transportation account—state appropriation

1 is for the joint transportation committee to conduct a comprehensive
2 assessment of statewide transportation needs and priorities, and
3 existing and potential transportation funding mechanisms to address
4 those needs and priorities. The assessment must include: (a)
5 Recommendations on the critical state and local transportation
6 projects, programs, and services needed to achieve an efficient,
7 effective, statewide transportation system over the next ten years;
8 (b) a comprehensive menu of funding options for the legislature to
9 consider to address the identified transportation system investments;
10 (c) recommendations on whether a revision to the statewide
11 transportation policy goals in RCW 47.04.280 is warranted in light of
12 the recommendations and options identified in (a) and (b) of this
13 subsection; and (d) an analysis of the economic impacts of a range of
14 future transportation investments. The assessment must be submitted
15 to the transportation committees of the legislature by June 30, 2020.
16 Starting July 1, 2020, and concluding by December 31, 2020, a
17 committee-appointed commission or panel shall review the assessment
18 and make final recommendations to the legislature for consideration
19 during the 2021 legislative session on a realistic, achievable plan
20 for funding transportation programs, projects, and services over the
21 next ten years including a timeline for legislative action on funding
22 the identified transportation system needs shortfall.

23 (2) (a) \$382,000 of the multimodal transportation account—state
24 appropriation is for the joint transportation committee to conduct an
25 analysis of the electrification of public fleets in Washington state.
26 The study must include the following:

27 (i) An inventory of existing public fleets for the state of
28 Washington, counties, a sampling of cities, and public transit
29 agencies. The inventory must differentiate among battery and fuel
30 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
31 and any other functional categories. Three cities from each of the
32 following population ranges must be selected for the analysis:

33 (A) Population up to and including twenty-five thousand;

34 (B) Population greater than twenty-five thousand and up to and
35 including fifty thousand;

36 (C) Population greater than fifty thousand and up to and
37 including one hundred thousand;

38 (D) Population greater than one hundred thousand;

39 (ii) A review of currently available battery and fuel cell
40 electric vehicle alternatives to the vehicle types most commonly used

1 by the state, counties, cities, and public transit agencies. The
2 review must include:

3 (A) The average vehicle cost differential among the commercially
4 available fuel options;

5 (B) A cost benefit analysis of the conversion of different
6 vehicle classes; and

7 (C) Recommendations for the types of vehicles that should be
8 excluded from consideration due to insufficient alternatives,
9 unreliable technology, or excessive cost;

10 (iii) The projected costs of achieving substantial conversion to
11 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
12 the state, counties, cities, and public transit agencies. This cost
13 estimate must include:

14 (A) Vehicle acquisition costs, charging and refueling
15 infrastructure costs, and other associated costs;

16 (B) Financial constraints of each type of entity to transition to
17 an electric vehicle fleet; and

18 (C) Any other identified barriers to transitioning to a battery
19 and/or fuel cell electric vehicle fleet;

20 (iv) Identification and analysis of financing mechanisms that
21 could be used to finance the transition of publicly owned vehicles to
22 battery and fuel cell electric vehicles. These mechanisms include,
23 but are not limited to: Energy or carbon savings performance
24 contracting, utility grants and rebates, revolving loan funds, state
25 grant programs, private third-party financing, fleet management
26 services, leasing, vehicle use optimization, and vehicle to grid
27 technology; and

28 (v) The predicted number and location profile of electric vehicle
29 fueling stations needed statewide to provide fueling for the fleets
30 of the state, counties, cities, and public transit agencies.

31 (b) In developing and implementing the study, the joint
32 transportation committee must solicit input from representatives of
33 the department of enterprise services, the department of
34 transportation, the department of licensing, the department of
35 commerce, the Washington state association of counties, the
36 association of Washington cities, the Washington state transit
37 association, transit agencies, and others as deemed appropriate.

38 (c) The joint transportation committee must issue a report of its
39 findings and recommendations to the transportation committees of the
40 legislature by September 30, 2020.

1 (3) (a) \$250,000 of the multimodal transportation account—state
2 appropriation is for the joint transportation committee to conduct a
3 study of the feasibility of an east-west intercity passenger rail
4 system. The study must include the following elements:

5 (i) Projections of potential ridership;

6 (ii) Review of relevant planning studies;

7 (iii) Establishment of an advisory group and associated meetings;

8 (iv) Development of a Stampede Pass corridor alignment to
9 maximize ridership, revenue, and rationale, considering service to
10 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
11 Toppenish, and Spokane;

12 (v) Assessment of current infrastructure conditions, including
13 station stop locations;

14 (vi) Identification of equipment needs; and

15 (vii) Identification of operator options.

16 (b) A report of the study findings and recommendations is due to
17 the transportation committees of the legislature by June 30, 2020.

18 (4) (a) \$275,000 of the highway safety fund—state appropriation is
19 for a study of vehicle subagents in Washington state. The study must
20 consider and include recommendations, as necessary, on the following:

21 (i) The relevant statutes, rules, and/or regulations authorizing
22 vehicle subagents and any changes made to the relevant statutes,
23 rules, and/or regulations;

24 (ii) The current process of selecting and authorizing a vehicle
25 subagent, including the change of ownership process and the
26 identification of any barriers to entry into the vehicle subagent
27 market;

28 (iii) The annual business expenditures borne by each of the
29 vehicle subagent businesses since fiscal year 2010 and identification
30 of any materials, including office equipment and supplies, provided
31 by the department of licensing to each vehicle subagent since fiscal
32 year 2010. To accomplish this task, each vehicle subagent must
33 provide expenditure data to the joint transportation committee for
34 the purposes of this study;

35 (iv) The oversight provided by the county auditors and/or the
36 department of licensing over the vehicle subagent businesses;

37 (v) The history of service fees, how increases to the service fee
38 rate are made, and how the requested fee increase is determined;

39 (vi) The online vehicle registration renewal process and any
40 potential improvements to the online process;

1 (vii) The department of licensing's ability to provide more
2 vehicle licensing services directly, particularly taking into account
3 the increase in online vehicle renewal transactions;

4 (viii) The potential expansion of services that can be performed
5 by vehicle subagents; and

6 (ix) The process by which the geographic locations of vehicle
7 subagents are determined.

8 (b) In conducting the study, the joint transportation committee
9 must consult with the department of licensing, a representative of
10 county auditors, and a representative of vehicle subagents.

11 (c) The joint transportation committee may collect any data from
12 the department of licensing, county auditors, and vehicle subagents
13 that is necessary to conduct the study.

14 (d) The joint transportation committee must issue a report of its
15 findings and recommendations to the transportation committees of the
16 legislature by September 30, 2020.

17 (5) (a) \$235,000 of the multimodal transportation account—state
18 appropriation is for the joint transportation committee to oversee a
19 consultant study on rail safety governance best practices, by class
20 of rail where applicable, and recommendations for the implementation
21 of these best practices in Washington state. The study must assess
22 rail safety governance for passenger and freight rail, including rail
23 transit services, and must consider recommendations made by the
24 national transportation safety board in its 2017 Amtrak passenger
25 train 501 derailment accident report that are relevant to rail safety
26 governance.

27 (b) The study must include the following components:

28 (i) (A) An assessment of rail safety oversight in Washington state
29 that includes: (I) The rail safety oversight roles of federal, state,
30 regional, and local agencies, including the extent to which federal
31 and state laws govern these roles and the extent to which these roles
32 would be modified should the suspended federal rules in 49 C.F.R.
33 Part 270 take effect; (II) federal, state, regional, and local agency
34 organizational structures and processes utilized to conduct rail
35 safety oversight; and (III) coordination activities by federal,
36 state, regional, and local agencies in conducting rail safety
37 oversight;

38 (B) An examination of rail safety governance best practices by
39 other states for the items identified in (a) of this subsection; and

1 (C) Recommendations for the implementation of best practices for
2 rail safety governance in Washington state.

3 (ii) The study must address the extent to which additional safety
4 oversight of rail project design and construction is used in other
5 states and would be a recommended best practice for Washington state.

6 (c) The joint transportation committee shall consult with the
7 Washington state department of transportation, the Washington state
8 utilities and transportation commission, sound transit, the national
9 transportation safety board, Amtrak, the federal railroad
10 administration, BNSF railway company, one or more representatives of
11 short line railroads, one or more representatives of labor, and other
12 entities with rail safety expertise as necessary.

13 (d) The joint transportation committee must issue a report of its
14 findings and recommendations on rail safety governance to the
15 transportation committees of the legislature by January 6, 2021.

16 (6) (a) \$250,000 of the motor vehicle account—state appropriation
17 is for the joint transportation committee to conduct a study of the
18 feasibility of a private auto ferry between the state of Washington
19 and British Columbia, Canada. The study must include the following
20 elements:

21 (i) Expected impacts to ridership, revenue, and expenditures for
22 Washington state ferries;

23 (ii) Expected impacts to ferry service provided to the San Juan
24 Islands;

25 (iii) Possible terminal locations on Fidalgo Island;

26 (iv) Economic impacts to the Anacortes area if ferry service
27 between the area and Vancouver Island ceases;

28 (v) Economic impacts to the San Juan Islands if ferry service or
29 ferry tourism is reduced;

30 (vi) Expected impacts to family wage jobs in the marine industry
31 for Washingtonians;

32 (vii) Expected impacts to ferry fares between the state of
33 Washington and British Columbia, Canada;

34 (viii) Legal analysis of all state, federal, or Canadian laws or
35 rules, including the Jones act and rules of the board of pilotage
36 commissioners, that may apply to initiation of private service or
37 cessation of state service; and

38 (ix) Options for encouraging private auto ferry service between
39 the state of Washington and Vancouver Island, Canada.

1 (b) In conducting the study, the joint transportation committee
2 must consult with the department of transportation, a representative
3 of San Juan county, a representative of the city of Anacortes, a
4 representative of the inland boatman's union, a representative of
5 Puget Sound pilots, a representative of the port of Anacortes, a
6 representative of the economic development alliance of Skagit county,
7 and interested private ferry operators in Washington state.

8 (c) A report of the study findings and options is due to the
9 transportation committees of the legislature by February 15, 2021.

10 **Sec. 904.** 2020 c 219 s 205 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION COMMISSION**

13	Motor Vehicle Account—State Appropriation	((\$2,324,000))
14		<u>\$1,861,000</u>
15	Interstate 405 and <u>State</u> Route Number 167 Express Toll Lanes	
16	Account—State Appropriation.	((\$410,000))
17		<u>\$406,000</u>
18	State Route Number 520 Corridor Account—State	
19	Appropriation.	((\$271,000))
20		<u>\$262,000</u>
21	Tacoma Narrows Toll Bridge Account—State	
22	Appropriation.	((\$158,000))
23		<u>\$152,000</u>
24	Alaskan Way Viaduct Replacement Project	
25	Account—State Appropriation.	((\$136,000))
26		<u>\$132,000</u>
27	TOTAL APPROPRIATION.	((\$3,299,000))
28		<u>\$2,813,000</u>

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

31 (1)(a) The commission shall reconvene the road usage charge
32 steering committee, with the same membership described in chapter
33 297, Laws of 2018, and shall report at least once every three months
34 to the steering committee with updates on report development for the
35 completed road usage charge pilot project until the final report is
36 submitted. The commission shall also report to the steering committee
37 on any other activities undertaken in accordance with this subsection
38 (1) as necessary to keep it apprised of new developments and to

1 obtain input on its efforts. The final report on the road usage
2 charge pilot project is due to the transportation committees of the
3 legislature by January 1, 2020, and should include recommendations
4 for necessary next steps to consider impacts to communities of color,
5 low-income households, vulnerable populations, and displaced
6 communities. Any legislative vacancies on the steering committee must
7 be appointed by the speaker of the house of representatives for a
8 house of representatives member vacancy, and by the president of the
9 senate for a senate member vacancy.

10 (b) (i) The commission shall coordinate with the department of
11 transportation to jointly seek federal funds available through the
12 federal surface transportation system funding alternatives grant
13 program, applying toll credits for meeting match requirements. One or
14 more grant applications shall be developed that propose to:

15 (A) Create a framework for modeling the effects of a road usage
16 charge on passenger and light-duty vehicles including, but not
17 limited to, plug-in electric vehicles, autonomous vehicles, state
18 fleets, and transportation network companies on a road usage charge
19 system;

20 (B) Identify and measure potential disparate impacts of a road
21 usage charge on designated populations, including communities of
22 color, low-income households, vulnerable populations, and displaced
23 communities;

24 (C) Incorporate emerging approaches to mileage reporting, such as
25 in-vehicle telematics, improved smartphone apps, and use of private
26 businesses to provide odometer verification and mileage reporting
27 services, into a road usage charge system;

28 (D) Conduct a series of facilitated work sessions with other
29 states and private sector firms to identify opportunities to reduce
30 the cost of collections for a road usage charge;

31 (E) Develop a road usage charge phase-in plan that incorporates
32 findings from (b) (i) (A) through (D) of this subsection;

33 (F) Carry out a limited scale demonstration to test new mileage
34 reporting methods; equity policies; cost reduction techniques; and
35 collecting a road usage charge from passenger and light-duty vehicles
36 including, but not limited to, plug-in electric vehicles, autonomous
37 vehicles, state fleets, transportation network companies, and other
38 new mobility services; and

39 (G) Produce a final report with recommendations and a recommended
40 roadmap that details how a road usage charge could be appropriately

1 scaled to fit state circumstances and that includes a framework for
2 evaluating policy choices related to the use of road usage charge
3 revenue.

4 (ii) A year-end report on the status of any federally-funded
5 project for which federal funding is secured must be provided to the
6 governor's office and the transportation committees of the
7 legislature by January 1, 2020, and by January 1, 2021.

8 (c) \$150,000 of the motor vehicle account—state appropriation is
9 provided solely for analysis of potential impacts of a road usage
10 charge on communities of color, low-income households, vulnerable
11 populations, and displaced communities. The analysis must include an
12 assessment of potential mitigation measures to address these
13 potential impacts. These funds must be held in unallotted status
14 during the 2019-2021 fiscal biennium, and may only be used after the
15 commission has provided notice to the office of financial management
16 that it has exhausted all efforts to secure federal funds from the
17 federal surface transportation system funding alternatives grant
18 program under (b) of this subsection without successfully securing
19 federal funding for the further study of a road usage charge. A year-
20 end update on the status of this effort, if undertaken prior to the
21 end of calendar year 2020, must be provided to the governor's office
22 and the transportation committees of the legislature by January 1,
23 2021.

24 (2) (a) \$250,000 of the Interstate 405 and state route number 167
25 express toll lanes account—state appropriation is provided solely for
26 the transportation commission to conduct a study, applicable to the
27 Interstate 405 express toll lanes, of discounted tolls and other
28 similar programs for low-income drivers that are provided by other
29 states, countries, or other entities and how such a program could be
30 implemented in the state of Washington. The transportation commission
31 may contract with a consultant to conduct all or a portion of this
32 study.

33 (b) In conducting this study, the transportation commission shall
34 consult with both the department of transportation and the department
35 of social and health services.

36 (c) The transportation commission shall, at a minimum, consider
37 the following issues when conducting the study of discounted tolls
38 and other similar programs for low-income drivers:

39 (i) The benefits, requirements, and any potential detriments to
40 the users of a program;

1 (ii) The most cost-effective way to implement a program given
2 existing financial commitments, shared cost requirements across
3 facilities, and technical requirements to execute and maintain a
4 program;

5 (iii) The implications of a program for tolling policies,
6 revenues, costs, operations, and enforcement; and

7 (iv) Any implications to tolled facilities based on the type of
8 tolling implemented on a particular facility.

9 (d) The transportation commission shall provide a report
10 detailing the findings of this study and recommendations for
11 implementing a discounted toll or other appropriate program in the
12 state of Washington to the transportation committees of the
13 legislature by June 30, 2021.

14 (3) \$160,000 of the Interstate 405 and state route number 167
15 express toll lanes account—state appropriation, \$271,000 of the state
16 route number 520 corridor account—state appropriation, \$158,000 of
17 the Tacoma Narrows toll bridge account—state appropriation, and
18 \$136,000 of the Alaskan Way viaduct replacement project account—state
19 appropriation are provided solely for the transportation commission's
20 proportional share of time spent supporting tolling operations for
21 the respective tolling facilities.

22 (4) The legislature requests that the commission commence
23 proceedings to name state route number 165 as The Glacier Highway to
24 commemorate the significance of glaciers to the state of Washington.

25 **Sec. 905.** 2020 c 219 s 207 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account—State Appropriation	(\$501,294,000)
	<u>\$498,197,000</u>
30 State Patrol Highway Account—Federal Appropriation	(\$16,081,000)
	<u>\$16,079,000</u>
32 State Patrol Highway Account—Private/Local	
33 Appropriation	\$4,258,000
34 Highway Safety Account—State Appropriation	\$1,188,000
35 Ignition Interlock Device Revolving Account—State	
36 Appropriation	\$7,010,000
37 Multimodal Transportation Account—State	
38 Appropriation	\$286,000

1 number of toxicology cases from impaired driving and death
2 investigations.

3 (7) \$580,000 of the state patrol highway account—state
4 appropriation is provided solely for the operation of and
5 administrative support to the license investigation unit to enforce
6 vehicle registration laws in southwestern Washington. The Washington
7 state patrol, in consultation with the department of revenue, shall
8 maintain a running estimate of the additional vehicle registration
9 fees, sales and use taxes, and local vehicle fees remitted to the
10 state pursuant to activity conducted by the license investigation
11 unit. Beginning October 1, 2019, and quarterly thereafter, the
12 Washington state patrol shall submit a report detailing the
13 additional revenue amounts generated since July 1, 2017, to the
14 director of the office of financial management and the transportation
15 committees of the legislature. At the end of the calendar quarter in
16 which it is estimated that more than \$625,000 in state sales and use
17 taxes have been remitted to the state since July 1, 2017, the
18 Washington state patrol shall notify the state treasurer and the
19 state treasurer shall transfer funds pursuant to section 406, chapter
20 416, Laws of 2019.

21 (8) \$18,000 of the state patrol highway account—state
22 appropriation is provided solely for the license investigation unit
23 to procure an additional license plate reader and related costs.

24 (9) The Washington state patrol and the office of financial
25 management must be consulted by the department of transportation
26 during the design phase of any improvement or preservation project
27 that could impact Washington state patrol weigh station operations.
28 During the design phase of any such project, the department of
29 transportation must estimate the cost of designing around the
30 affected weigh station's current operations, as well as the cost of
31 moving the affected weigh station.

32 (10) \$4,210,000 of the state patrol highway account—state
33 appropriation is provided solely for a third arming and a third
34 trooper basic training class. The cadet class is expected to graduate
35 in June 2021.

36 (11) \$65,000 of the state patrol highway account—state
37 appropriation is provided solely for the implementation of chapter
38 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws

1 of 2019 is not enacted by June 30, 2019, the amount provided in this
2 subsection lapses.

3 (12)(a) The Washington state patrol must report quarterly to the
4 house and senate transportation committees on the status of
5 recruitment and retention activities as follows:

6 (i) A summary of recruitment and retention strategies;

7 (ii) The number of transportation funded staff vacancies by major
8 category;

9 (iii) The number of applicants for each of the positions by these
10 categories;

11 (iv) The composition of workforce; and

12 (v) Other relevant outcome measures with comparative information
13 with recent comparable months in prior years.

14 (b) By January 1, 2020, the Washington state patrol must submit
15 to the transportation committees of the legislature and the governor
16 a workforce diversity plan. The plan must identify ongoing, and both
17 short-term and long-term, specific comprehensive outreach and
18 recruitment strategies to increase populations underrepresented
19 within both commissioned and noncommissioned employee groups.

20 (13) \$1,182,000 of the Interstate 405 and state route number 167
21 express toll lanes account—state appropriation, \$1,988,000 of the
22 state route number 520 corridor account—state appropriation,
23 \$1,158,000 of the Tacoma Narrows toll bridge account—state
24 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
25 project account—state appropriation are provided solely for the
26 Washington state patrol's proportional share of time spent supporting
27 tolling operations and enforcement for the respective tolling
28 facilities.

29 (14) \$100,000 of the state patrol highway account—state
30 appropriation is provided solely for the implementation of (~~Senate~~
31 ~~Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol
32 retirement definition of salary), which reflects an increase in the
33 Washington state patrol retirement system pension contribution rate
34 of 0.15 percent for changes to the definition of salary. If (~~Senate~~
35 ~~Bill No. 6218~~) chapter 97, Laws of 2020 is not enacted by June 30,
36 2020, the amount provided in this subsection lapses.

37 (~~(16)~~) (15) \$975,000 of the state patrol highway account—state
38 appropriation is provided solely for communications officers at the
39 King county public safety answering point.

1 (~~(17)~~) (16) \$830,000 of the state patrol highway account—state
2 appropriation is provided solely for information technology security
3 enhancements.

4 (~~(18)~~) (17) \$150,000 of the state patrol highway account is
5 provided solely for the Washington state patrol to work with the
6 department of enterprise services and office of minority and women's
7 business enterprises to contract for a workforce diversity strategic
8 action plan. The successful consultant must have demonstrated
9 expertise in workforce diversity research and an established record
10 of assisting organizations in implementing diversity initiatives. The
11 plan must include:

12 (a) Current and past employment data on the composition of the
13 state patrol workforce generally and of its protective service
14 workers;

15 (b) Research into the reasons for underrepresentation of
16 minorities and women in the state patrol workforce;

17 (c) Research on best practices for recruiting across the state
18 and from communities historically underrepresented in the Washington
19 state patrol workforce;

20 (d) Case studies of law enforcement and other agencies that have
21 successfully diversified their workforce; and

22 (e) A strategic plan with recommendations that will address
23 disparities in the Washington state patrol employment ranks in both
24 commissioned and noncommissioned personnel, with a focus on
25 executive, command, and supervisory employees.

26 **Sec. 906.** 2020 c 219 s 208 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF LICENSING**

29	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
30	Motorcycle Safety Education Account—State	
31	Appropriation	(\$5,052,000)
32		<u>\$5,023,000</u>
33	State Wildlife Account—State Appropriation	(\$511,000)
34		<u>\$510,000</u>
35	Highway Safety Account—State Appropriation	(\$242,965,000)
36		<u>\$221,941,000</u>
37	Highway Safety Account—Federal Appropriation	\$1,294,000
38	Motor Vehicle Account—State Appropriation	(\$71,447,000)

1		<u>\$65,416,000</u>
2	Motor Vehicle Account—Federal Appropriation.	\$186,000
3	Motor Vehicle Account—Private/Local Appropriation	\$10,008,000
4	Ignition Interlock Device Revolving Account—State	
5	Appropriation	((\$5,779,000))
6		<u>\$4,687,000</u>
7	Department of Licensing Services Account—State	
8	Appropriation	((\$7,696,000))
9		<u>\$7,685,000</u>
10	License Plate Technology Account—State	
11	Appropriation	\$4,250,000
12	Abandoned Recreational Vehicle Account—State	
13	Appropriation.	\$2,925,000
14	Limousine Carriers Account—State Appropriation.	\$113,000
15	Electric Vehicle Account—State Appropriation.	\$264,000
16	DOL Technology Improvement & Data Management	
17	Account—State Appropriation.	\$2,250,000
18	Agency Financial Transaction Account—State	
19	Appropriation.	\$11,903,000
20	TOTAL APPROPRIATION.	((\$366,677,000))
21		<u>\$338,489,000</u>

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

24 (1) \$139,000 of the motorcycle safety education account—state
25 appropriation is provided solely for the implementation of chapter
26 65, Laws of 2019 (motorcycle safety). If chapter 65, Laws of 2019 is
27 not enacted by June 30, 2019, the amount provided in this subsection
28 lapses.

29 (2) \$25,000 of the motorcycle safety education account—state
30 appropriation, \$4,000 of the state wildlife account—state
31 appropriation, \$1,708,000 of the highway safety account—state
32 appropriation, \$576,000 of the motor vehicle account—state
33 appropriation, \$22,000 of the ignition interlock device revolving
34 account—state appropriation, and \$28,000 of the department of
35 licensing services account—state appropriation are provided solely
36 for the department to fund the appropriate staff and necessary
37 equipment and software for data management, data analytics, and data
38 compliance activities. The department must, in consultation with the

1 office of the chief information officer, construct a framework with
2 goals for providing better data stewardship and a plan to achieve
3 those goals. The department must provide the framework and plan to
4 the transportation committees of the legislature by December 31,
5 2019, and an update by May 1, 2020.

6 (3) Appropriations provided for the cloud continuity of
7 operations project in this section are subject to the conditions,
8 limitations, and review provided in section 701 (~~of this act~~),
9 chapter 219, Laws of 2020.

10 (4) \$24,028,000 of the highway safety account—state appropriation
11 is provided solely for costs necessary to accommodate increased
12 demand for enhanced drivers' licenses and enhanced identicards. The
13 department shall report on a quarterly basis on the use of these
14 funds, associated workload, and information with comparative
15 information with recent comparable months in prior years. The report
16 must include detailed statewide and by licensing service office
17 information on staffing levels, average monthly wait times, the
18 number of enhanced drivers' licenses and enhanced identicards issued/
19 renewed, and the number of primary drivers' licenses and identicards
20 issued/renewed. Within the amounts provided in this subsection, the
21 department shall implement efficiency measures to reduce the time for
22 licensing transactions and wait times including, but not limited to,
23 the installation of additional cameras at licensing service offices
24 that reduce bottlenecks and align with the "keep your customer"
25 initiative.

26 (5) \$507,000 of the motor vehicle account—state appropriation is
27 provided solely for the implementation of chapter . . . (Substitute
28 Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter
29 417, Laws of 2019 (vehicle service fees). If neither chapter . . .
30 (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417, Laws
31 of 2019 are enacted by June 30, 2019, the amount provided in this
32 subsection lapses.

33 (6) \$25,000 of the motor vehicle account—state appropriation is
34 provided solely for the implementation of chapter 177, Laws of 2019
35 (San Juan Islands license plate). If chapter 177, Laws of 2019 is not
36 enacted by June 30, 2019, the amount provided in this subsection
37 lapses.

38 (7) \$24,000 of the motor vehicle account—state appropriation is
39 provided solely for the implementation of chapter 384, Laws of 2019

1 (Seattle Storm license plate). If chapter 384, Laws of 2019 is not
2 enacted by June 30, 2019, the amount provided in this subsection
3 lapses.

4 (8) \$65,000 of the highway safety account—state appropriation is
5 provided solely for the implementation of chapter 440, Laws of 2019
6 (immigrants in the workplace). If chapter 440, Laws of 2019 is not
7 enacted by June 30, 2019, the amount provided in this subsection
8 lapses.

9 (9) The appropriations in this section assume implementation of
10 additional cost recovery mechanisms to recoup at least \$11,903,000 in
11 credit card and other financial transaction costs as part of charges
12 imposed for driver and vehicle fee transactions beginning January 1,
13 2020. At the direction of the office of financial management, the
14 department must develop a method of tracking the additional amount of
15 credit card and other financial cost-recovery revenues. In
16 consultation with the office of financial management, the department
17 must notify the state treasurer of these amounts and the state
18 treasurer must deposit these revenues in the agency financial
19 transaction account created in section 717, chapter 416, Laws of 2019
20 on a quarterly basis.

21 (10) \$1,281,000 of the department of licensing service account—
22 state appropriation is provided solely for savings from the
23 implementation of chapter 417, Laws of 2019 (vehicle service fees).
24 If chapter 417, Laws of 2019 is enacted by June 30, 2019, the amount
25 provided in this subsection lapses.

26 (11) \$2,650,000 of the abandoned recreational vehicle disposal
27 account—state appropriation is provided solely for providing
28 reimbursements in accordance with the department's abandoned
29 recreational vehicle disposal reimbursement program. It is the intent
30 of the legislature that the department prioritize this funding for
31 allowable and approved reimbursements and not to build a reserve of
32 funds within the account.

33 (12) \$20,000 of the motor vehicle account—state appropriation is
34 provided solely for the implementation of chapter 210, Laws of 2019
35 (Gold Star license plate). If chapter 210, Laws of 2019 is not
36 enacted by June 30, 2019, the amount provided in this subsection
37 lapses.

38 (13) \$31,000 of the motor vehicle account—state appropriation is
39 provided solely for the implementation of chapter 262, Laws of 2019

1 (snow bikes). If chapter 262, Laws of 2019 is not enacted by June 30,
2 2019, the amount provided in this subsection lapses.

3 (14) \$24,000 of the motor vehicle account—state appropriation is
4 provided solely for the implementation of chapter 139, Laws of 2019
5 (Purple Heart license plate). If chapter 139, Laws of 2019 is not
6 enacted by June 30, 2019, the amount provided in this subsection
7 lapses.

8 (15) \$24,000 of the motor vehicle account—state appropriation is
9 provided solely for the implementation of chapter 278, Laws of 2019
10 (vehicle and vessel owner information). If chapter 278, Laws of 2019
11 is not enacted by June 30, 2019, the amount provided in this
12 subsection lapses.

13 (16) \$600,000 of the highway safety account—state appropriation
14 is provided solely for the department to provide an interagency
15 transfer to the department of social and health services, children's
16 administration division for the purpose of providing driver's license
17 support to a larger population of foster youth than is already served
18 within existing resources. Support services include reimbursement of
19 driver's license issuance costs, fees for driver training education,
20 and motor vehicle liability insurance costs.

21 (17) The department must place personal and company data elements
22 in separate data fields to allow the department to select discrete
23 data elements when providing information or data to persons or
24 entities outside the department. Pursuant to the restrictions in
25 federal and state law, a person's photo, social security number, or
26 medical information must not be made available through public
27 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

28 (18) \$91,000 of the highway safety account—state appropriation is
29 provided solely for the department's costs related to the one
30 Washington project.

31 (19) (~~(\$1,674,000)~~) \$1,174,000 of the highway safety account—
32 state appropriation is provided solely for communication and outreach
33 activities necessary to inform the public of federally acceptable
34 identification options including, but not limited to, enhanced
35 drivers' licenses and enhanced identicards. The department shall
36 continue the outreach plan that includes informational material that
37 can be effectively communicated to all communities and populations in
38 Washington. To accomplish this work, the department shall contract
39 with an external vendor with demonstrated experience and expertise in

1 outreach and marketing to underrepresented communities in a
2 culturally-responsive fashion.

3 (20) Due to the passage of chapter 1 (Initiative Measure No.
4 976), Laws of 2020, the department, working with the office of
5 financial management, shall provide a monthly report on the number of
6 registrations involved and differences between actual collections and
7 collections if the initiative was not subject to a temporary
8 injunction as of December 5, 2019.

9 (21) The appropriations in this section assume full cost recovery
10 for the administration and collection of a motor vehicle excise tax
11 on behalf of any regional transit authority pursuant to section 706
12 (~~(of this act)~~), chapter 219, Laws of 2020.

13 (~~((26))~~) (22) \$107,000 of the highway safety account—state
14 appropriation is provided solely for the implementation of chapter
15 78, Laws of 2020 (military veterans commercial driver's license
16 waivers) or chapter . . . (Second Substitute Senate Bill No. 5544),
17 Laws of 2020 (military veterans commercial driver's license waivers).
18 If neither chapter 78, Laws of 2020 nor chapter . . . (Second
19 Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30,
20 2020, the amount provided in this subsection lapses.

21 (~~((28))~~) (23) \$114,000 of the highway safety account—state
22 appropriation is provided solely for the implementation of chapter
23 124, Laws of 2020 (homeless youth identicards) or chapter . . .
24 (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If
25 neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No.
26 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided
27 in this subsection lapses.

28 (~~((29))~~) (24) \$24,000 of the motor vehicle account—state
29 appropriation is provided solely for the implementation of chapter
30 129, Laws of 2020 (Seattle national hockey league special license
31 plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020 (Seattle
32 national hockey league special license plate). If neither chapter
33 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562), Laws of
34 2020 is enacted by June 30, 2020, the amount provided in this
35 subsection lapses.

36 (~~((30))~~) (25) \$14,000 of the motor vehicle account—state
37 appropriation is provided solely for the implementation of
38 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
39 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No.

1 6115), Laws of 2020 (off-road vehicle enforcement). If neither
2 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
3 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is
4 enacted by June 30, 2020, the amount provided in this subsection
5 lapses.

6 ~~((31))~~ (26) \$105,000 of the motor vehicle account—state
7 appropriation is provided solely for the implementation of chapter
8 118, Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate
9 Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither
10 chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No. 6251),
11 Laws of 2020 (tribal vehicles compact) is enacted by June 30, 2020,
12 the amount provided in this subsection lapses.

13 ~~((32))~~ (27) \$57,000 of the state wildlife account—state
14 appropriation is provided solely for the implementation of chapter
15 148, Laws of 2020 (state wildlife account). If chapter 148, Laws of
16 2020 is not enacted by June 30, 2020, the amount provided in this
17 subsection lapses.

18 ~~((33))~~ (28) \$19,000 of the motor vehicle account—state
19 appropriation is provided solely for the implementation of chapter
20 93, Laws of 2020 (apples special license plate). If chapter 93, Laws
21 of 2020 is not enacted by June 30, 2020, the amount provided in this
22 subsection lapses.

23 ~~((34))~~ (29) \$19,000 of the motor vehicle account—state
24 appropriation is provided solely for the implementation of chapter
25 239, Laws of 2020 (stolen vehicle check). If chapter 239, Laws of
26 2020 is not enacted by June 30, 2020, the amount provided in this
27 subsection lapses.

28 ~~((36))~~ (30) \$40,000 of the department of licensing services
29 account—state appropriation is provided solely for the department to
30 report to the governor and chairs of the transportation committees of
31 the legislature by December 1, 2020, with a proposed plan to allow
32 the registered owner of a vehicle, or the registered owner's
33 authorized representative, to voluntarily enter into either a
34 quarterly or monthly payment plan with the department to pay vehicle
35 fees or taxes due at the time of application for renewal vehicle
36 registration. The plan must include: (a) An analysis of the
37 administrative costs associated with allowing the payment plans; (b)
38 the estimated revenue impact by fund or account, including impacts to

1 local governments; and (c) the recommended method to achieve the
2 greatest level of customer payment compliance.

3 ~~((37))~~ (31) (a) Within available resources, and in collaboration
4 with the department of revenue, the department of licensing shall
5 evaluate the effectiveness of chapter 218, Laws of 2017, in improving
6 compliance with state laws relating to the registration of off-road
7 vehicles, including the payment of retail sales and use tax. The
8 department of licensing shall recommend any statutory,
9 administrative, or other changes needed to optimize and further
10 strengthen the compliance, including an implementation timeline and
11 corresponding resource requirements. Among its recommendations, the
12 department of licensing must address potential changes to the process
13 under RCW 46.93.210 by which the department notifies persons whose
14 vehicles may not be properly registered in the state. The department
15 shall submit a report to the governor and the transportation
16 committees of the legislature by December 15, 2020.

17 (b) If chapter . . . (Engrossed Substitute House Bill No. 2723),
18 Laws of 2020 is enacted by June 30, 2020, this subsection has no
19 force and effect.

20 **Sec. 907.** 2020 c 219 s 209 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
23 **—PROGRAM B**

24	State Route Number 520 Corridor Account—State	
25	Appropriation	((\$59,059,000))
26		<u>\$36,506,000</u>
27	State Route Number 520 Civil Penalties Account—State	
28	Appropriation	((\$4,145,000))
29		<u>\$20,231,000</u>
30	Tacoma Narrows Toll Bridge Account—State	
31	Appropriation	((\$33,806,000))
32		<u>\$34,075,000</u>
33	Alaskan Way Viaduct Replacement Project Account—State	
34	Appropriation.	((\$21,616,000))
35		<u>\$19,858,000</u>
36	Interstate 405 and State Route Number 167 Express	
37	Toll Lanes Account—State Appropriation.	((\$27,457,000))
38		<u>\$23,638,000</u>

1 TOTAL APPROPRIATION. ((~~\$146,083,000~~))
2 \$134,308,000

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

5 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
6 appropriation and \$11,034,000 of the state route number 520 corridor
7 account—state appropriation are provided solely for the purposes of
8 addressing unforeseen operations and maintenance costs on the Tacoma
9 Narrows bridge and the state route number 520 bridge, respectively.
10 The office of financial management shall place the amounts provided
11 in this subsection, which represent a portion of the required minimum
12 fund balance under the policy of the state treasurer, in unallotted
13 status. The office may release the funds only when it determines that
14 all other funds designated for operations and maintenance purposes
15 have been exhausted.

16 (2) As long as the facility is tolled, the department must
17 provide quarterly reports to the transportation committees of the
18 legislature on the Interstate 405 express toll lane project
19 performance measures listed in RCW 47.56.880(4). These reports must
20 include:

21 (a) Information on the travel times and travel time reliability
22 (at a minimum, average and 90th percentile travel times) maintained
23 during peak and nonpeak periods in the express toll lanes and general
24 purpose lanes for both the entire corridor and commonly made trips in
25 the corridor including, but not limited to, northbound from Bellevue
26 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
27 state route number 522, Bellevue to Bothell (both NE 8th to state
28 route number 522 and NE 8th to state route number 527), and a trip
29 internal to the corridor (such as NE 85th to NE 160th) and similar
30 southbound trips;

31 (b) A month-to-month comparison of travel times and travel time
32 reliability for the entire corridor and commonly made trips in the
33 corridor as specified in (a) of this subsection since implementation
34 of the express toll lanes and, to the extent available, a comparison
35 to the travel times and travel time reliability prior to
36 implementation of the express toll lanes;

37 (c) Total express toll lane and total general purpose lane
38 traffic volumes, as well as per lane traffic volumes for each type of
39 lane (i) compared to total express toll lane and total general

1 purpose lane traffic volumes, as well as per lane traffic volumes for
2 each type of lane, on this segment of Interstate 405 prior to
3 implementation of the express toll lanes and (ii) compared to total
4 express toll lane and total general purpose lane traffic volumes, as
5 well as per lane traffic volumes for each type of lane, from month to
6 month since implementation of the express toll lanes; and

7 (d) Underlying congestion measurements, that is, speeds, that are
8 being used to generate the summary graphs provided, to be made
9 available in a digital file format.

10 (3) (a) \$2,114,000 of the Interstate 405 and state route number
11 167 express toll lanes account—state appropriation, \$4,920,000 of the
12 state route number 520 corridor account—state appropriation,
13 \$2,116,000 of the Tacoma Narrows toll bridge account—state
14 appropriation, and \$2,776,000 of the Alaskan Way viaduct replacement
15 project account—state appropriation are provided solely for the
16 department to finish implementing a new tolling customer service toll
17 collection system, and are subject to the conditions, limitations,
18 and review provided in section 701 (~~of this act~~), chapter 219, Laws
19 of 2020.

20 (b) The department shall continue to work with the office of
21 financial management, office of the chief information officer, and
22 the transportation committees of the legislature on the project
23 management plan that includes a provision for independent
24 verification and validation of contract deliverables from the
25 successful bidder and a provision for quality assurance that includes
26 reporting independently to the office of the chief information
27 officer on an ongoing basis during system implementation.

28 (4) The department shall make detailed quarterly reports to the
29 transportation committees of the legislature and the public on the
30 department's web site on the following:

31 (a) The use of consultants in the tolling program, including the
32 name of the contractor, the scope of work, the type of contract,
33 timelines, deliverables, any new task orders, and any extensions to
34 existing consultant contracts;

35 (b) The nonvendor costs of administering toll operations,
36 including the costs of staffing the division, consultants, and other
37 personal service contracts required for technical oversight and
38 management assistance, insurance, payments related to credit card

1 processing, transponder purchases and inventory management, facility
2 operations and maintenance, and other miscellaneous nonvendor costs;

3 (c) The vendor-related costs of operating tolled facilities,
4 including the costs of the customer service center, cash collections
5 on the Tacoma Narrows bridge, electronic payment processing, and toll
6 collection equipment maintenance, renewal, and replacement;

7 (d) The toll adjudication process, including a summary table for
8 each toll facility that includes:

9 (i) The number of notices of civil penalty issued;

10 (ii) The number of recipients who pay before the notice becomes a
11 penalty;

12 (iii) The number of recipients who request a hearing and the
13 number who do not respond;

14 (iv) Workload costs related to hearings;

15 (v) The cost and effectiveness of debt collection activities; and

16 (vi) Revenues generated from notices of civil penalty; and

17 (e) A summary of toll revenue by facility on all operating toll
18 facilities and express toll lane systems, and an itemized depiction
19 of the use of that revenue.

20 (5) (~~(\$24,735,000)~~) \$20,914,000 of the Interstate 405 and state
21 route number 167 express toll lanes account—state appropriation is
22 provided solely for operational costs related to the express toll
23 lane facility.

24 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
25 Bridge will have reached the end of its operational life. During the
26 2019-2021 fiscal biennium, the department plans to issue a request
27 for proposals as the first stage of a competitive procurement process
28 that will replace the toll equipment and select a new tolling
29 operator for the Tacoma Narrows Bridge. The request for proposals and
30 subsequent competitive procurement must incorporate elements that
31 prioritize the overall goal of lowering costs per transaction for the
32 facility, such as incentives for innovative approaches which result
33 in lower transactional costs, requests for efficiencies on the part
34 of the bidder that lower operational costs, and incorporation of
35 technologies such as self-serve credit card machines or other point-
36 of-payment technologies that lower costs or improve operational
37 efficiencies.

38 (7) (~~(\$18,840,000)~~) \$17,082,000 of the Alaskan Way viaduct
39 replacement project account—state appropriation is provided solely
40 for the new state route number 99 tunnel toll facility's expected

1 share of collecting toll revenues, operating customer services, and
2 maintaining toll collection systems. The legislature expects to see
3 appropriate reductions to the other toll facility accounts once
4 tolling on the new state route number 99 tunnel toll facility
5 commences and any previously incurred costs for start-up of the new
6 facility are charged back to the Alaskan Way viaduct replacement
7 project account. The office of financial management shall closely
8 monitor the application of the cost allocation model and ensure that
9 the new state route number 99 tunnel toll facility is adequately
10 sharing costs and the other toll facility accounts are not being
11 overspent or subsidizing the new state route number 99 tunnel toll
12 facility.

13 (8) \$608,000 of the Interstate 405 and state route number 167
14 express toll lanes account—state appropriation are provided solely
15 for increased levels of service from the Washington state patrol for
16 enforcement of toll lane violations on the Interstate 405 and state
17 route number 167 express toll lanes. The department shall compile
18 monthly data on the number of Washington state patrol enforcement
19 hours on each facility and the percentage of time during peak hours
20 that speeds are at or above forty-five miles per hour on each
21 facility. The department shall provide this data in a report to the
22 transportation committees of the legislature on at least a calendar
23 quarterly basis.

24 (9) The department shall develop an ongoing cost allocation
25 method to assign appropriate costs to each of the toll funds for
26 services provided by each Washington state department of
27 transportation program and all relevant transportation agencies,
28 including the Washington state patrol and the transportation
29 commission. This method should update the toll cost allocation method
30 used in the 2020 supplemental transportation appropriations act. By
31 December 1, 2020, a report with the recommended method and any
32 changes or potential impacts to toll rates shall be submitted to the
33 transportation committees of the legislature and the office of
34 financial management.

35 **Sec. 908.** 2020 c 219 s 210 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
38 **C**

1	Transportation Partnership Account—State Appropriation . . .	\$1,460,000
2	Motor Vehicle Account—State Appropriation	(\$96,331,000)
3		<u>\$93,032,000</u>
4	Puget Sound Ferry Operations Account—State	
5	Appropriation	\$263,000
6	Multimodal Transportation Account—State	
7	Appropriation	(\$2,878,000)
8		<u>\$2,665,000</u>
9	Transportation 2003 Account (Nickel Account)—State	
10	Appropriation	\$1,460,000
11	TOTAL APPROPRIATION.	(\$102,392,000)
12		<u>\$98,880,000</u>

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

15 (1) \$8,114,000 of the motor vehicle account—state appropriation
16 is provided solely for the development of the labor system
17 replacement project and is subject to the conditions, limitations,
18 and review provided in section 701 (~~of this act~~), chapter 219, Laws
19 of 2020. It is the intent of the legislature that if any portion of
20 the labor system replacement project is leveraged in the future for
21 the time, leave, and labor distribution of any other agencies, the
22 motor vehicle account will be reimbursed proportionally for the
23 development of the system since amounts expended from the motor
24 vehicle account must be used exclusively for highway purposes in
25 conformance with Article II, section 40 of the state Constitution.
26 This must be accomplished through a loan arrangement with the current
27 interest rate under the terms set by the office of the state
28 treasurer at the time the system is deployed to additional agencies.
29 If the motor vehicle account is not reimbursed for future use of the
30 system, it is further the intent of the legislature that reductions
31 will be made to central service agency charges accordingly. The
32 department shall provide a report to the transportation committees of
33 the legislature by December 31, 2019, detailing the project timeline
34 as of July 1, 2019, an updated project timeline if necessary,
35 expenditures made to date for the purposes of this project, and
36 expenditures projected through the remainder of the project timeline.

37 (2) \$1,375,000 of the motor vehicle account—state appropriation
38 is provided solely for the department's cost related to the one
39 Washington project.

1 (3) \$21,500,000 of the motor vehicle account—state appropriation
 2 is provided solely for the activities of the information technology
 3 program in developing and maintaining information systems that
 4 support the operations and program delivery of the department,
 5 ensuring compliance with section 701 (~~of this act~~), chapter 219,
 6 Laws of 2020, and the requirements of the office of the chief
 7 information officer under RCW 43.88.092 to evaluate and prioritize
 8 any new financial and capital systems replacement or modernization
 9 project and any other information technology project. During the
 10 2019-2021 fiscal biennium, the department may use the distributed
 11 direct program support or other cost allocation method to fund a new
 12 capital systems replacement or modernization project. The department
 13 shall submit a decision package for implementation of a new capital
 14 systems replacement project to the governor and the transportation
 15 committees of the legislature as part of the normal budget process
 16 for the 2021-2023 biennium.

17 **Sec. 909.** 2020 c 219 s 211 (uncodified) is amended to read as
 18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
 20 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

21 Motor Vehicle Account—State Appropriation	((\$34,807,000))
	<u>\$33,819,000</u>
23 State Route Number 520 Corridor Account—State	
24 Appropriation	\$34,000
25 TOTAL APPROPRIATION.	((\$34,841,000))
26	<u>\$33,853,000</u>

27 **Sec. 910.** 2020 c 219 s 212 (uncodified) is amended to read as
 28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

30 Aeronautics Account—State Appropriation	((\$7,743,000))
31	<u>\$6,773,000</u>
32 Aeronautics Account—Federal Appropriation	\$3,043,000
33 Aeronautics Account—Private/Local Appropriation	\$60,000
34 TOTAL APPROPRIATION.	((\$10,846,000))
35	<u>\$9,876,000</u>

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

1 (1) (~~(\$2,862,000)~~) \$2,505,000 of the aeronautics account—state
2 appropriation is provided solely for the airport aid grant program,
3 which provides competitive grants to public use airports for
4 pavement, safety, maintenance, planning, and security.

5 (2) (~~(\$268,000)~~) \$218,000 of the aeronautics account—state
6 appropriation is provided solely for one FTE dedicated to planning
7 aviation emergency services and addressing emerging aeronautics
8 requirements.

9 (3) \$200,000 of the aeronautics account—state appropriation is
10 provided solely for the department to convene an electric aircraft
11 work group to study the state of the electrically powered aircraft
12 industry and assess infrastructure needs related to the deployment of
13 electric or hybrid-electric aircraft for commercial air travel in
14 Washington state.

15 (a) The chair of the work group may be a consultant specializing
16 in aeronautics. The work group must include, but is not limited to,
17 representation from the electric aircraft industry, the aircraft
18 manufacturing industry, electric utility districts, the battery
19 industry, the department of commerce, the department of
20 transportation aviation division, the airline pilots association, a
21 primary airport representing an airport association, and the airline
22 industry.

23 (b) The study must include, but is not limited to:

24 (i) Infrastructure requirements necessary to facilitate electric
25 aircraft operations at airports;

26 (ii) Potential economic and public benefits including, but not
27 limited to, the direct and indirect impact on the number of
28 manufacturing and service jobs and the wages from those jobs in
29 Washington state;

30 (iii) Potential incentives for industry in the manufacturing and
31 operation of electric aircraft for regional air travel;

32 (iv) Educational and workforce requirements for manufacturing and
33 maintaining electric aircraft;

34 (v) Demand and forecast for electric aircraft use to include
35 expected timeline of the aircraft entering the market given federal
36 aviation administration certification requirements;

37 (vi) Identification of up to six airports in Washington state
38 that may benefit from a pilot program once an electrically propelled
39 aircraft for commercial use becomes available; and

1 (vii) Recommendations to further the advancement of the
2 electrification of aircraft for regional commercial use within
3 Washington state, including specific, measurable goals for the years
4 2030, 2040, and 2050 that reflect progressive and substantial
5 increases in the utilization of electric and hybrid-electric
6 commercial aircraft.

7 (c) The work group must submit a report and accompanying
8 recommendations to the transportation committees of the legislature
9 by November 15, 2020.

10 (4) (~~(\$350,000)~~) \$193,000 of the aeronautics account—state
11 appropriation is provided solely for the implementation of chapter
12 396, Laws of 2019 (aviation coordinating commission).

13 (5) Within amounts appropriated in this section, the aviation
14 division of the department shall assist and consult with the
15 department of revenue in their efforts to update the document titled
16 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
17 reflect changes to Washington tax code regarding hazardous
18 substances. The department of revenue, in consultation with the
19 aviation division of the Washington state department of
20 transportation, is tasked with developing and recommending a
21 methodology to segregate and track actual amounts collected from the
22 hazardous substance tax under chapter 82.21 RCW and the petroleum
23 products tax under chapter 82.23A RCW as imposed on aviation fuel.
24 The department of revenue is directed to submit a report, including
25 the recommended methodology, to the fiscal committees of the house of
26 representatives and the senate by January 11, 2021.

27 **Sec. 911.** 2020 c 219 s 213 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
30 **SUPPORT—PROGRAM H**

31 Motor Vehicle Account—State Appropriation	((\$59,788,000))
	<u>\$58,643,000</u>
32 Motor Vehicle Account—Federal Appropriation	\$500,000
33 Multimodal Transportation Account—State Appropriation . . .	\$258,000
34 TOTAL APPROPRIATION.	((\$60,546,000))
	<u>\$59,401,000</u>

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

1 (1) The legislature recognizes that the trail known as the Rocky
2 Reach Trail, and its extensions, serve to separate motor vehicle
3 traffic from pedestrians and bicyclists, increasing motor vehicle
4 safety on state route number 2 and the coincident section of state
5 route number 97. Consistent with chapter 47.30 RCW and pursuant to
6 RCW 47.12.080, the legislature declares that transferring portions of
7 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
8 associated buffer areas to the Washington state parks and recreation
9 commission is consistent with the public interest. The legislature
10 directs the department to transfer the property to the Washington
11 state parks and recreation commission.

12 (a) The department must be paid fair market value for any
13 portions of the transferred real property that is later abandoned,
14 vacated, or ceases to be publicly maintained for trail purposes.

15 (b) Prior to completing the transfer in this subsection (1), the
16 department must ensure that provisions are made to accommodate
17 private and public utilities and any facilities that predate the
18 department's acquisition of the property, at no cost to those
19 entities. Prior to completing the transfer, the department shall also
20 ensure that provisions, by fair market assessment, are made to
21 accommodate other private and public utilities and any facilities
22 that have been legally allowed by permit or other instrument.

23 (c) The department may sell any adjoining property that is not
24 necessary to support the Rocky Reach Trail and adjacent buffer areas
25 only after the transfer of trail-related property to the Washington
26 state parks and recreation commission is complete. Adjoining property
27 owners must be given the first opportunity to acquire such property
28 that abuts their property, and applicable boundary line or other
29 adjustments must be made to the legal descriptions for recording
30 purposes.

31 (2) With respect to Parcel 12 of the real property conveyed by
32 the state of Washington to the city of Mercer Island under that
33 certain quitclaim deed, dated April 19, 2000, recorded in King county
34 under recording no. 20000425001234, the requirement in the deed that
35 the property be used for road/street purposes only will be deemed
36 satisfied by the department of transportation so long as commuter
37 parking, as part of the vertical development of the property, is one
38 of the significant uses of the property.

39 (3) \$1,600,000 of the motor vehicle account—state appropriation
40 is provided solely for real estate services activities. Consistent

1 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
2 initiating, extending, or renewing any rent or lease agreements with
3 a regional transit authority, consideration of value must be
4 equivalent to one hundred percent of economic or market rent.

5 (4) (a) \$100,000 of the motor vehicle account—state appropriation
6 is provided solely for the department to:

7 (i) Determine the real property owned by the state of Washington
8 and under the jurisdiction of the department in King county that is
9 surplus property located in an area encompassing south of Dearborn
10 Street in Seattle, south of Newcastle, west of SR 515, and north of
11 South 216th to SR 515; and

12 (ii) Use any remaining funds after (a) (i) of this subsection is
13 completed to identify additional real property across the state owned
14 by the state of Washington and under the jurisdiction of the
15 department that is surplus property.

16 (b) The department shall provide a report to the transportation
17 committees of the legislature describing the properties it has
18 identified as surplus property under (a) of this subsection by
19 October 1, 2020.

20 **Sec. 912.** 2020 c 219 s 214 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
23 **PROGRAM K**

24	Motor Vehicle Account—State Appropriation	\$670,000
25	Electric Vehicle Account—State Appropriation.	(\$2,000,000)
26		<u>\$100,000</u>
27	Multimodal Transportation Account—State Appropriation. (\$1,634,000)	
28		<u>\$350,000</u>
29	TOTAL APPROPRIATION.	(\$4,304,000)
30		<u>\$1,120,000</u>

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

33 (1) 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 (2) \$350,000 of the multimodal transportation account—state
37 appropriation is provided solely for the department to execute a
38 transit oriented development pilot project at Kingsgate park and ride

1 in Kirkland intended to be completed by December 31, 2023. The
2 purpose of the pilot project is to demonstrate how appropriate
3 department properties may be used to provide multiple public benefits
4 such as affordable and market rate housing, commercial development,
5 and institutional facilities in addition to transportation purposes.
6 To accomplish the pilot project, the department is authorized to
7 exercise all legal and administrative powers authorized in statute
8 that may include, but is not limited to, the transfer, lease, or sale
9 of some or all of the property to another governmental agency, public
10 development authority, or nonprofit developer approved by the
11 department and partner agencies. The department may also partner with
12 sound transit, King county, the city of Kirkland, and any other
13 federal, regional, or local jurisdiction on any policy changes
14 necessary from those jurisdictions to facilitate the pilot project.
15 By December 1, 2019, the department must report to the legislature on
16 any legislative actions necessary to facilitate the pilot project and
17 future transit oriented development projects.

18 (3) (~~(\$2,000,000)~~) \$100,000 of the electric vehicle account—state
19 appropriation is provided solely for the clean alternative fuel
20 vehicle charging and refueling infrastructure program in chapter 287,
21 Laws of 2019 (advancing green transportation adoption).

22 (4) (~~(\$1,200,000 of the multimodal transportation account—state~~
23 ~~appropriation is provided solely for the pilot program established~~
24 ~~under chapter 287, Laws of 2019 (advancing green transportation~~
25 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~
26 ~~to underserved communities and low to moderate income members of the~~
27 ~~workforce not readily served by transit or located in transportation~~
28 ~~corridors with emissions that exceed federal or state emissions~~
29 ~~standards.~~

30 ~~(5) \$84,000 of the multimodal transportation account—state~~
31 ~~appropriation is provided solely for an interagency transfer to the~~
32 ~~department of commerce for the purpose of conducting a study as~~
33 ~~described in chapter 287, Laws of 2019 (advancing green~~
34 ~~transportation adoption) to identify opportunities to reduce barriers~~
35 ~~to electric vehicle adoption by lower income residents of the state~~
36 ~~through the use of vehicle and infrastructure financing assistance.~~

37 ~~(6))~~ Building on the information and experience gained from the
38 transit oriented development project at the Kingsgate park and ride,
39 the department must identify a pilot park and ride with future

1 public-private partnership development potential in Pierce county and
2 report back to the transportation committees of the legislature by
3 June 30, 2021, with a proposal for moving forward with a pilot
4 project.

5 **Sec. 913.** 2020 c 219 s 215 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

8 Motor Vehicle Account—State Appropriation	((\$486,514,000))
9	<u>\$461,472,000</u>
10 Motor Vehicle Account—Federal Appropriation	\$7,000,000
11 State Route Number 520 Corridor Account—State	
12 Appropriation	((\$4,447,000))
13	<u>\$4,422,000</u>
14 Tacoma Narrows Toll Bridge Account—State	
15 Appropriation	((\$1,549,000))
16	<u>\$1,539,000</u>
17 Alaskan Way Viaduct Replacement Project	
18 Account—State Appropriation	((\$9,537,000))
19	<u>\$8,844,000</u>
20 Interstate 405 and State Route Number 167 Express	
21 Toll Lanes Account—State Appropriation.	\$4,528,000
22 TOTAL APPROPRIATION.	((\$513,575,000))
23	<u>\$487,805,000</u>

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

26 (1) (a) \$6,170,000 of the motor vehicle account—state
27 appropriation is provided solely for utility fees assessed by local
28 governments as authorized under RCW 90.03.525 for the mitigation of
29 stormwater runoff from state highways. Plan and reporting
30 requirements as required in chapter 435, Laws of 2019 (Local
31 Stormwater Charges) shall be consistent with the January 2012
32 findings of the Joint Transportation Committee Report for Effective
33 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in
34 Stormwater Management.

35 (b) Pursuant to RCW 90.03.525(3), the department and the
36 utilities imposing charges to the department shall negotiate with the
37 goal of agreeing to rates such that the total charges to the
38 department for the 2019-2021 fiscal biennium do not exceed the amount

1 provided in this subsection. The department shall report to the
2 transportation committees of the legislature on the amount of funds
3 requested, the funds granted, and the strategies used to keep costs
4 down, by January 17, 2021. If chapter 435, Laws of 2019 (local
5 stormwater charges) is enacted by June 30, 2019, this subsection
6 (1)(b) does not take effect.

7 (2) (~~(\$4,447,000)~~) \$4,422,000 of the state route number 520
8 corridor account—state appropriation is provided solely to maintain
9 the state route number 520 floating bridge. These funds must be used
10 in accordance with RCW 47.56.830(3).

11 (3) (~~(\$1,549,000)~~) \$1,539,000 of the Tacoma Narrows toll bridge
12 account—state appropriation is provided solely to maintain the new
13 Tacoma Narrows bridge. These funds must be used in accordance with
14 RCW 47.56.830(3).

15 (4) \$2,050,000 of the Interstate 405 and state route number 167
16 express toll lanes account—state appropriation is provided solely to
17 maintain the Interstate 405 and state route number 167 express toll
18 lanes between Lynnwood and Bellevue, and Renton and the southernmost
19 point of the express toll lanes. These funds must be used in
20 accordance with RCW 47.56.830(3).

21 (5) \$2,478,000 of the Interstate 405 and state route number 167
22 express toll lanes account—state appropriation is provided solely for
23 maintenance for the 2019-2021 fiscal biennium only on the Interstate
24 405 roadway between Renton and Bellevue.

25 (6) \$5,000,000 of the motor vehicle account—state appropriation
26 is provided solely for a contingency pool for snow and ice removal.
27 The department must notify the office of financial management and the
28 transportation committees of the legislature when they have spent the
29 base budget for snow and ice removal and will begin using the
30 contingency pool funding.

31 (7) \$1,025,000 of the motor vehicle account—state appropriation
32 is provided solely for the department to implement safety
33 improvements and debris clean up on department-owned rights-of-way in
34 the city of Seattle at levels above that being implemented as of
35 January 1, 2019. The department must contract out or hire a crew
36 dedicated solely to collecting and disposing of garbage, clearing
37 debris or hazardous material, and implementing safety improvements
38 where hazards exist to the traveling public, department employees, or
39 people encamped upon department-owned rights-of-way. The department

1 may request assistance from the Washington state patrol as necessary
2 in order for both agencies to provide enhanced safety-related
3 activities regarding the emergency hazards along state highway
4 rights-of-way in the Seattle area.

5 (8) \$1,015,000 of the motor vehicle account—state appropriation
6 is provided solely for a partnership program between the department
7 and the city of Tacoma. The program shall address the safety and
8 public health problems created by homeless encampments on the
9 department's property along state highways within the city limits.
10 \$570,000 is for dedicated department maintenance staff and associated
11 clean-up costs. The department and the city of Tacoma shall enter
12 into a reimbursable agreement to cover up to \$445,000 of the city's
13 expenses for clean-up crews and landfill costs.

14 (9) The department must commence a pilot program for the
15 2019-2021 fiscal biennium at the four highest demand safety rest
16 areas to create and maintain an online calendar for volunteer groups
17 to check availability of weekends for the free coffee program. The
18 calendar must be updated at least weekly and show dates and times
19 that are, or are not, available to participate in the free coffee
20 program. The department must submit a report to the legislature on
21 the ongoing pilot by December 1, 2020, outlining the costs and
22 benefits of the online calendar pilot, and including surveys from the
23 volunteer groups and agency staff to determine its effectiveness.

24 **Sec. 914.** 2020 c 219 s 216 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
27 **OPERATING**

28 Motor Vehicle Account—State Appropriation	((\$76,211,000))
	<u>\$73,602,000</u>
29 Motor Vehicle Account—Federal Appropriation	\$2,050,000
30 Motor Vehicle Account—Private/Local Appropriation	\$250,000
31 State Route Number 520 Corridor Account—State	
32 Appropriation.	\$53,000
33 Tacoma Narrows Toll Bridge Account—State Appropriation.	\$31,000
34 Alaskan Way Viaduct Replacement Project Account—	
35 State Appropriation.	\$26,000
36 Interstate 405 and State Route Number 167 Express	
37 Toll Lanes Account—State Appropriation.	\$32,000

1 TOTAL APPROPRIATION. (~~\$78,653,000~~)
2 \$76,044,000

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

5 (1) \$6,000,000 of the motor vehicle account—state appropriation
6 is provided solely for low-cost enhancements. The department shall
7 give priority to low-cost enhancement projects that improve safety or
8 provide congestion relief. By December 15th of each odd-numbered
9 year, the department shall provide a report to the legislature
10 listing all low-cost enhancement projects completed in the prior
11 fiscal biennium.

12 (2) (a) During the 2019-2021 fiscal biennium, the department shall
13 continue a pilot program that expands private transportation
14 providers' access to high occupancy vehicle lanes. Under the pilot
15 program, when the department reserves a portion of a highway based on
16 the number of passengers in a vehicle, the following vehicles must be
17 authorized to use the reserved portion of the highway if the vehicle
18 has the capacity to carry eight or more passengers, regardless of the
19 number of passengers in the vehicle: (i) Auto transportation company
20 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
21 carrier vehicles regulated under chapter 81.70 RCW, except marked or
22 unmarked stretch limousines and stretch sport utility vehicles as
23 defined under department of licensing rules; (iii) private nonprofit
24 transportation provider vehicles regulated under chapter 81.66 RCW;
25 and (iv) private employer transportation service vehicles. For
26 purposes of this subsection, "private employer transportation
27 service" means regularly scheduled, fixed-route transportation
28 service that is offered by an employer for the benefit of its
29 employees. Nothing in this subsection is intended to authorize the
30 conversion of public infrastructure to private, for-profit purposes
31 or to otherwise create an entitlement or other claim by private users
32 to public infrastructure.

33 (b) The department shall expand the high occupancy vehicle lane
34 access pilot program to vehicles that deliver or collect blood,
35 tissue, or blood components for a blood-collecting or distributing
36 establishment regulated under chapter 70.335 RCW. Under the pilot
37 program, when the department reserves a portion of a highway based on
38 the number of passengers in a vehicle, blood-collecting or
39 distributing establishment vehicles that are clearly and identifiably

1 marked as such on all sides of the vehicle are considered emergency
2 vehicles and must be authorized to use the reserved portion of the
3 highway.

4 (c) The department shall expand the high occupancy vehicle lane
5 access pilot program to organ transport vehicles transporting a time
6 urgent organ for an organ procurement organization as defined in RCW
7 68.64.010. Under the pilot program, when the department reserves a
8 portion of a highway based on the number of passengers in a vehicle,
9 organ transport vehicles that are clearly and identifiably marked as
10 such on all sides of the vehicle are considered emergency vehicles
11 and must be authorized to use the reserved portion of the highway.

12 (d) The department shall expand the high occupancy vehicle lane
13 access pilot program to private, for hire vehicles regulated under
14 chapter 81.72 RCW that have been specially manufactured, designed, or
15 modified for the transportation of a person who has a mobility
16 disability and uses a wheelchair or other assistive device. Under the
17 pilot program, when the department reserves a portion of a highway
18 based on the number of passengers in a vehicle, wheelchair-accessible
19 taxicabs that are clearly and identifiably marked as such on all
20 sides of the vehicle are considered public transportation vehicles
21 and must be authorized to use the reserved portion of the highway.

22 (e) Nothing in this subsection (2) is intended to exempt these
23 vehicles from paying tolls when they do not meet the occupancy
24 requirements established by the department for express toll lanes.

25 (3) When regional transit authority construction activities are
26 visible from a state highway, the department shall allow the regional
27 transit authority to place safe and appropriate signage informing the
28 public of the purpose of the construction activity.

29 (4) The department must make signage for low-height bridges a
30 high priority.

31 (5) \$32,000 of the Interstate 405 and state route number 167
32 express toll lanes account—state appropriation, \$53,000 of the state
33 route number 520 corridor account—state appropriation, \$31,000 of the
34 Tacoma Narrows toll bridge account—state appropriation, and \$26,000
35 of the Alaskan Way viaduct replacement project account—state
36 appropriation are provided solely for the traffic operations
37 program's proportional share of time spent supporting tolling
38 operations for the respective tolling facilities.

1 state appropriation is provided solely for the department, in
 2 consultation with the appropriate local jurisdictions and relevant
 3 stakeholder groups, to establish a pilot media-based public
 4 information campaign regarding the damage of studded tire use on
 5 state and local roadways in Whatcom county, and to continue the
 6 existing pilot information campaign in Spokane county. The reason for
 7 the geographic selection of Spokane and Whatcom counties is based on
 8 the high utilization of studded tires in these jurisdictions. The
 9 public information campaigns must primarily focus on making the
 10 consumer aware of the safety implications for other drivers, road
 11 deterioration, financial impact for taxpayers, and, secondarily, the
 12 alternatives to studded tires. The Whatcom county pilot media-based
 13 public information campaign must begin by September 1, 2020. By
 14 January 14, 2021, the department must provide the transportation
 15 committees of the legislature an update on the Spokane and Whatcom
 16 county pilot media-based public information campaigns.

17 (4) \$119,000 of the Interstate 405 and state route number 167
 18 express toll lanes account—state appropriation, \$199,000 of the state
 19 route number 520 corridor account—state appropriation, \$116,000 of
 20 the Tacoma Narrows toll bridge account—state appropriation, and
 21 \$100,000 of the Alaskan Way viaduct replacement project account—state
 22 appropriation are provided solely for the transportation management
 23 and support program's proportional share of time spent supporting
 24 tolling operations for the respective tolling facilities.

25 **Sec. 916.** 2020 c 219 s 218 (uncodified) is amended to read as
 26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
 28 **AND RESEARCH—PROGRAM T**

29	Interstate 405 and State Route Number 167 Express Toll Lanes	
30	Account—State Appropriation.	((\$3,123,000))
31		<u>\$121,000</u>
32	Motor Vehicle Account—State Appropriation	((\$26,587,000))
33		<u>\$24,097,000</u>
34	Motor Vehicle Account—Federal Appropriation	((\$35,385,000))
35		<u>\$32,508,000</u>
36	Motor Vehicle Account—Private/Local Appropriation.	\$1,200,000
37	Multimodal Transportation Account—State Appropriation	\$710,000
38	Multimodal Transportation Account—Federal	

1	Appropriation	\$2,809,000
2	Multimodal Transportation Account—Private/Local	
3	Appropriation	\$100,000
4	State Route Number 520 Corridor Account—State	
5	Appropriation.	(((\$763,000))
6		<u>\$150,000</u>
7	((Tacoma Narrows Toll Bridge Account—State Appropriation.	\$121,000
8	Alaskan Way Viaduct Replacement Project Account—	
9	State Appropriation.	\$104,000))
10	TOTAL APPROPRIATION.	(((\$70,902,000))
11		<u>\$61,695,000</u>

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

14 (1) \$130,000 of the motor vehicle account—state appropriation is
15 provided solely for completion of a corridor study to identify
16 potential improvements between exit 116 and exit 99 of Interstate 5.
17 The study should further develop mid- and long-term strategies from
18 the corridor sketch, and identify potential US 101/I-5 interchange
19 improvements, a strategic plan for the Nisqually River bridges,
20 regional congestion relief options, and ecosystem benefits to the
21 Nisqually River estuary for salmon productivity and flood control.

22 (2) The study on state route number 518 referenced in section
23 218(5), chapter 297, Laws of 2018 must be submitted to the
24 transportation committees of the legislature by November 30, 2019.

25 (3) \$100,000 of the motor vehicle account—state appropriation is
26 provided solely to complete the Tacoma mall direct access feasibility
27 study.

28 (4) ~~(((\$4,600,000))~~ \$672,900 of the motor vehicle account—federal
29 appropriation is provided solely to complete the road usage charge
30 pilot project overseen by the transportation commission using the
31 remaining unspent amount of the federal grant award. The purpose of
32 the road usage charge pilot project is to explore the viability of a
33 road usage charge as a possible replacement for the gas tax.

34 (5) \$3,000,000 of the Interstate 405 and state route number 167
35 express toll lanes account—state appropriation is provided solely for
36 updating the state route number 167 master plan. If chapter 421, Laws
37 of 2019 (addressing tolling) is not enacted by June 30, 2019, the
38 amount provided in this subsection lapses.

1 (6) \$123,000 of the Interstate 405 and state route number 167
2 express toll lanes account—state appropriation, \$207,000 of the state
3 route number 520 corridor account—state appropriation, \$121,000 of
4 the Tacoma Narrows toll bridge account—state appropriation, and
5 \$104,000 of the Alaskan Way viaduct replacement project account—state
6 appropriation are provided solely for the transportation planning,
7 data, and research program's proportional share of time spent
8 supporting tolling operations for the respective tolling facilities.

9 (7) By December 31, 2020, the department shall provide to the
10 governor and the transportation committees of the legislature a
11 report examining the feasibility of doing performance-based
12 evaluations for projects. The department must incorporate feedback
13 from stakeholder groups, including traditionally underserved and
14 historically disadvantaged populations, and the report shall include
15 the project evaluation procedures that would be used for the
16 performance-based evaluation.

17 (8) (~~(\$556,000)~~) \$150,000 of the state route number 520 corridor
18 account—state appropriation is provided solely for the department to
19 contract with the University of Washington department of mechanical
20 engineering, to study measures to reduce noise impacts from the state
21 route number 520 bridge expansion joints. The field testing shall be
22 scheduled during existing construction, maintenance, or other
23 scheduled closures to minimize impacts. The testing must also ensure
24 safety of the traveling public. The study shall examine testing
25 methodologies and project timelines and costs. A final report must be
26 submitted to the transportation committees of the legislature and the
27 governor by (~~December 1, 2021~~) March 1, 2022.

28 (9) \$5,900,000 of the motor vehicle account—federal appropriation
29 and \$400,000 of the motor vehicle account—private/local appropriation
30 are provided solely for delivery of the department's state planning
31 and research work program and pooled fund research projects, provided
32 that the department may not expend any amounts provided in this
33 section on a long-range plan or corridor scenario analysis for I-5
34 from Tumwater to Marysville. This is not intended to reference or
35 impact: The existing I-5 corridor from Mounts road to Tumwater design
36 and operations alternatives analysis; design studies related to HOV
37 lanes or operations; or where it is necessary to continue design and
38 operations analysis related to projects already under development.

1 (10) \$1,050,000 of the motor vehicle account—federal
2 appropriation is provided solely for the Forward Drive road usage
3 charge research project overseen by the transportation commission
4 using a portion of the amount of the federal grant award. The purpose
5 of the Forward Drive road usage charge research project is to advance
6 research in key policy areas related to road usage charge including
7 assessing impacts of future mobility shifts on road usage charge
8 revenues, conducting an equity analysis, updating and assessing
9 emerging mileage reporting methods, determining opportunities to
10 reduce cost of collection, conducting small-scale pilot tests, and
11 identifying a long-term, detailed phase-in plan.

12 **Sec. 917.** 2020 c 219 s 219 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
15 **PROGRAM U**

16	Motor Vehicle Account—State Appropriation	((\$79,474,000))
17		<u>\$86,974,000</u>
18	Multimodal Transportation Account—State	
19	Appropriation	\$2,833,000
20	Interstate 405 and State Route Number 167 Express	
21	Toll Lanes Account—State Appropriation.	\$122,000
22	State Route Number 520 Corridor Account—State	
23	Appropriation.	\$205,000
24	Tacoma Narrows Toll Bridge Account—State	
25	Appropriation.	\$120,000
26	Alaskan Way Viaduct Replacement Project Account—State	
27	Appropriation.	\$102,000
28	TOTAL APPROPRIATION.	((\$82,856,000))
29		<u>\$90,356,000</u>

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

32 (1) Consistent with existing protocol and practices, for any
33 negotiated settlement of a claim against the state for the department
34 that exceeds five million dollars, the department, in conjunction
35 with the attorney general and the department of enterprise services,
36 shall notify the director of the office of financial management and
37 the transportation committees of the legislature.

1 (2) Beginning October 1, 2019, and quarterly thereafter, the
2 department, in conjunction with the attorney general and the
3 department of enterprise services, shall provide a report with
4 judgments and settlements dealing with the Washington state ferry
5 system to the director of the office of financial management and the
6 transportation committees of the legislature. The report must include
7 information on: (a) The number of claims and settlements by type; (b)
8 the average claim and settlement by type; (c) defense costs
9 associated with those claims and settlements; and (d) information on
10 the impacts of moving legal costs associated with the Washington
11 state ferry system into the statewide self-insurance pool.

12 (3) Beginning October 1, 2019, and quarterly thereafter, the
13 department, in conjunction with the attorney general and the
14 department of enterprise services, shall provide a report with
15 judgments and settlements dealing with the nonferry operations of the
16 department to the director of the office of financial management and
17 the transportation committees of the legislature. The report must
18 include information on: (a) The number of claims and settlements by
19 type; (b) the average claim and settlement by type; and (c) defense
20 costs associated with those claims and settlements.

21 (4) \$122,000 of the Interstate 405 and state route number 167
22 express toll lanes account—state appropriation, \$205,000 of the state
23 route number 520 corridor account—state appropriation, \$120,000 of
24 the Tacoma Narrows toll bridge account—state appropriation, and
25 \$102,000 of the Alaskan Way viaduct replacement project account—state
26 appropriation are provided solely for the charges from other
27 agencies' program's proportional share of supporting tolling
28 operations for the respective tolling facilities.

29 (5) When the department identifies significant legal issues that
30 have potential transportation budget implications, the department
31 must initiate a briefing for appropriate legislative members or staff
32 through the office of the attorney general and its legislative
33 briefing protocol.

34 **Sec. 918.** 2020 c 219 s 220 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**
37 State Vehicle Parking Account—State Appropriation \$784,000
38 Regional Mobility Grant Program Account—State

1	Appropriation	((\$88,698,000))
2		<u>\$78,159,000</u>
3	Rural Mobility Grant Program Account—State	
4	Appropriation	\$32,223,000
5	Multimodal Transportation Account—State	
6	Appropriation	((\$122,355,000))
7		<u>\$122,349,000</u>
8	Multimodal Transportation Account—Federal	
9	Appropriation	\$3,574,000
10	Multimodal Transportation Account—Local	
11	Appropriation	\$100,000
12	TOTAL APPROPRIATION.	((\$247,734,000))
13		<u>\$237,189,000</u>

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

16 (1) \$62,698,000 of the multimodal transportation account—state
17 appropriation is provided solely for a grant program for special
18 needs transportation provided by transit agencies and nonprofit
19 providers of transportation. Of this amount:

20 (a) \$14,297,000 of the multimodal transportation account—state
21 appropriation is provided solely for grants to nonprofit providers of
22 special needs transportation. Grants for nonprofit providers must be
23 based on need, including the availability of other providers of
24 service in the area, efforts to coordinate trips among providers and
25 riders, and the cost effectiveness of trips provided. Fuel type may
26 not be a factor in the grant selection process.

27 (b) \$48,401,000 of the multimodal transportation account—state
28 appropriation is provided solely for grants to transit agencies to
29 transport persons with special transportation needs. To receive a
30 grant, the transit agency must, to the greatest extent practicable,
31 have a maintenance of effort for special needs transportation that is
32 no less than the previous year's maintenance of effort for special
33 needs transportation. Grants for transit agencies must be prorated
34 based on the amount expended for demand response service and route
35 deviated service in calendar year 2017 as reported in the "Summary of
36 Public Transportation - 2017" published by the department of
37 transportation. No transit agency may receive more than thirty
38 percent of these distributions. Fuel type may not be a factor in the
39 grant selection process.

1 (2) \$32,223,000 of the rural mobility grant program account—state
2 appropriation is provided solely for grants to aid small cities in
3 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
4 factor in the grant selection process.

5 (3) (a) \$10,539,000 of the multimodal transportation account—state
6 appropriation is provided solely for a vanpool grant program for: (i)
7 Public transit agencies to add vanpools or replace vans; and (ii)
8 incentives for employers to increase employee vanpool use. The grant
9 program for public transit agencies will cover capital costs only;
10 operating costs for public transit agencies are not eligible for
11 funding under this grant program. Additional employees may not be
12 hired from the funds provided in this section for the vanpool grant
13 program, and supplanting of transit funds currently funding vanpools
14 is not allowed. The department shall encourage grant applicants and
15 recipients to leverage funds other than state funds. Fuel type may
16 not be a factor in the grant selection process.

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

19 (4) \$27,483,000 of the regional mobility grant program account—
20 state appropriation is reappropriated and provided solely for the
21 regional mobility grant projects identified in LEAP Transportation
22 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
23 22, 2021, Program - Public Transportation Program (V).

24 (5) (a) ((~~\$61,215,000~~)) \$50,676,000 of the regional mobility grant
25 program account—state appropriation is provided solely for the
26 regional mobility grant projects identified in LEAP Transportation
27 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
28 22, 2021, Program - Public Transportation Program (V). The department
29 shall review all projects receiving grant awards under this program
30 at least semiannually to determine whether the projects are making
31 satisfactory progress. Any project that has been awarded funds, but
32 does not report activity on the project within one year of the grant
33 award, must be reviewed by the department to determine whether the
34 grant should be terminated. The department shall promptly close out
35 grants when projects have been completed, and any remaining funds
36 must be used only to fund projects identified in the LEAP
37 transportation document referenced in this subsection. The department
38 shall provide annual status reports on December 15, 2019, and
39 December 15, 2020, to the office of financial management and the

1 transportation committees of the legislature regarding the projects
2 receiving the grants. It is the intent of the legislature to
3 appropriate funds through the regional mobility grant program only
4 for projects that will be completed on schedule. A grantee may not
5 receive more than twenty-five percent of the amount appropriated in
6 this subsection. Additionally, when allocating funding for the
7 2021-2023 biennium, no more than thirty percent of the total grant
8 program may directly benefit or support one grantee. The department
9 shall not approve any increases or changes to the scope of a project
10 for the purpose of a grantee expending remaining funds on an awarded
11 grant. Fuel type may not be a factor in the grant selection process.

12 (b) In order to be eligible to receive a grant under (a) of this
13 subsection during the 2019-2021 fiscal biennium, a transit agency
14 must establish a process for private transportation providers to
15 apply for the use of park and ride facilities. For purposes of this
16 subsection, (i) "private transportation provider" means: An auto
17 transportation company regulated under chapter 81.68 RCW; a passenger
18 charter carrier regulated under chapter 81.70 RCW, except marked or
19 unmarked stretch limousines and stretch sport utility vehicles as
20 defined under department of licensing rules; a private nonprofit
21 transportation provider regulated under chapter 81.66 RCW; or a
22 private employer transportation service provider; and (ii) "private
23 employer transportation service" means regularly scheduled, fixed-
24 route transportation service that is offered by an employer for the
25 benefit of its employees.

26 (6) Funds provided for the commute trip reduction (CTR) program
27 may also be used for the growth and transportation efficiency center
28 program.

29 (7) \$7,670,000 of the multimodal transportation account—state
30 appropriation and \$784,000 of the state vehicle parking account—state
31 appropriation are provided solely for CTR grants and activities. Fuel
32 type may not be a factor in the grant selection process. Of this
33 amount:

34 (a) \$1,000,000 of the multimodal transportation account—state
35 appropriation is provided solely for the department to continue a
36 pilot transit pass incentive program. Businesses and nonprofit
37 organizations located in a county adjacent to Puget Sound with a
38 population of more than seven hundred thousand that have never
39 offered transit subsidies to employees are eligible to apply to the

1 program for a fifty percent rebate on the cost of employee transit
2 subsidies provided through the regional ORCA fare collection system.
3 No single business or nonprofit organization may receive more than
4 ten thousand dollars from the program.

5 (i) Businesses and nonprofit organizations may apply and be
6 awarded funds prior to purchasing a transit subsidy, but the
7 department may not provide reimbursement until proof of purchase or a
8 contract has been provided to the department.

9 (ii) The department shall update the transportation committees of
10 the legislature on the impact of the program by January 31, 2020, and
11 may adopt rules to administer the program.

12 (b) \$30,000 of the state vehicle parking account—state
13 appropriation is provided solely for the STAR pass program for state
14 employees residing in Mason and Grays Harbor Counties. Use of the
15 pass is for public transportation between Mason County and Thurston
16 County, and Grays Harbor and Thurston County. The pass may also be
17 used within Grays Harbor County. The STAR pass commute trip reduction
18 program is open to any state employee who expresses intent to commute
19 to his or her assigned state worksite using a public transit system
20 currently participating in the STAR pass program.

21 (c) \$1,000,000 of the multimodal transportation account—state
22 appropriation is provided solely for a first mile/last mile
23 connections grant program. Eligible grant recipients include cities,
24 businesses, nonprofits, and transportation network companies with
25 first mile/last mile solution proposals. Transit agencies are not
26 eligible. The commute trip reduction board shall develop grant
27 parameters, evaluation criteria, and evaluate grant proposals. The
28 commute trip reduction board shall provide the transportation
29 committees of the legislature a report on the effectiveness of this
30 grant program and best practices for continuing the program.

31 (8) Except as provided otherwise in this subsection, \$33,370,000
32 of the multimodal transportation account—state appropriation is
33 provided solely for connecting Washington transit projects identified
34 in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as
35 developed March ((11, 2020)) 22, 2021. It is the intent of the
36 legislature that entities identified to receive funding in the LEAP
37 document referenced in this subsection receive the amounts specified
38 in the time frame specified in that LEAP document. If an entity has
39 already completed a project in the LEAP document referenced in this

1 subsection before the time frame identified, the entity may
2 substitute another transit project or projects that cost a similar or
3 lesser amount.

4 (9) \$1,000,000 of the multimodal transportation account—state
5 appropriation is provided solely for transit coordination grants.
6 Fuel type may not be a factor in the grant selection process.

7 (10) The department shall not require more than a ten percent
8 match from nonprofit transportation providers for state grants.

9 (11)(a) For projects funded as part of the 2015 connecting
10 Washington transportation package listed on the LEAP transportation
11 document identified in subsection (4) of this section, if the
12 department expects to have substantial reappropriations for the
13 2021-2023 fiscal biennium, the department may, on a pilot basis,
14 apply funding from a project with an appropriation that cannot be
15 used for the current fiscal biennium to advance one or more of the
16 following projects:

17 (i) King County Metro - RapidRide Expansion, Burien-Delridge
18 (G2000031);

19 (ii) King County Metro - Route 40 Northgate to Downtown
20 (G2000032);

21 (iii) Mason Transit Park & Ride Development (G2000042); or

22 (iv) Pierce Transit - SR 7 Express Service (G2000045).

23 (b) At least ten business days before advancing a project
24 pursuant to this subsection, the department must notify the office of
25 financial management and the transportation committees of the
26 legislature. The advancement of a project may not hinder the delivery
27 of the projects for which the reappropriations are necessary for the
28 2021-2023 fiscal biennium.

29 (c) To the extent practicable, the department shall use the
30 flexibility and authority granted in this section to minimize the
31 amount of reappropriations needed each biennium.

32 (12) \$750,000 of the multimodal transportation account—state
33 appropriation is provided solely for Intercity Transit for the Dash
34 shuttle program.

35 (13)(a) \$485,000 of the multimodal transportation account—state
36 appropriation is provided solely for King county for:

37 (i) An expanded pilot program to provide certain students in the
38 Highline, Tukwila, and Lake Washington school districts with an ORCA
39 card during these school districts' summer vacations. In order to be

1 eligible for an ORCA card under this program, a student must also be
2 in high school, be eligible for free and reduced-price lunches, and
3 have a job or other responsibility during the summer; and

4 (ii) Providing administrative support to other interested school
5 districts in King county to prepare for implementing similar programs
6 for their students.

7 (b) King county must provide a report to the department and the
8 transportation committees of the legislature by December 15, 2021,
9 regarding:

10 (i) The annual student usage of the pilot program;

11 (ii) Available ridership data;

12 (iii) A cost estimate, including a detailed description of the
13 various expenses leading to the cost estimate, and any other factors
14 relevant to expanding the program to other King county school
15 districts;

16 (iv) A cost estimate, including a detailed description of the
17 various expenses leading to the cost estimate, and any other factors
18 relevant to expanding the program to student populations other than
19 high school or eligible for free and reduced-price lunches;

20 (v) Opportunities for subsidized ORCA cards or local grant or
21 matching funds; and

22 (vi) Any additional information that would help determine if the
23 pilot program should be extended or expanded.

24 (14) \$12,000,000 of the multimodal transportation account—state
25 appropriation is provided solely for the green transportation capital
26 grant program established in chapter 287, Laws of 2019 (advancing
27 green transportation adoption).

28 (15) \$555,000 of the multimodal transportation account—state
29 appropriation is provided solely for an interagency transfer to the
30 Washington State University extension energy program to establish and
31 administer a technical assistance and education program for public
32 agencies on the use of alternative fuel vehicles.

33 ((~~(17)~~)) (16) The appropriations in this section include savings
34 due to anticipated project underruns; however, it is unknown which
35 projects will provide savings. The legislature intends to provide
36 sufficient flexibility for the department to manage to this savings
37 target. To provide this flexibility, the office of financial
38 management may authorize, through an allotment modification,
39 reductions in the appropriated amounts that are provided solely for a

1 particular purpose within this section subject to the following
2 conditions and limitations:

3 (a) No allotment modifications may be made to amounts provided
4 solely for the special needs transportation grant program;

5 (b) The department must confirm that any modification requested
6 under this subsection of amounts provided solely for a specific
7 purpose are not expected to be used for that purpose in this
8 biennium;

9 (c) Allotment modifications authorized under this subsection may
10 not result in increased funding for any project beyond the amount
11 provided for that project in the 2019-2021 fiscal biennium in LEAP
12 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
13 March ((11, 2020)) 22, 2021;

14 (d) Allotment modifications authorized under this subsection
15 apply only to amounts appropriated in this section from the
16 multimodal transportation account—state; and

17 (e) By December 1, 2020, the department must submit a report to
18 the transportation committees of the legislature regarding the
19 actions taken under this subsection.

20 ((18)) (17) (a) The Washington state department of
21 transportation public transportation division, working with the
22 Thurston regional planning council, shall provide state agency
23 management, the office of financial management, and the
24 transportation committees of the legislature with results of their
25 regional mobility grant program demonstration project I-5/US 101
26 Practical Solutions: State Capitol Campus Transportation Demand
27 Management - Mobile Work. This includes reporting after the 2020
28 legislative session on the measurable results of an early pilot
29 initiative, "Telework Tuesday," beginning in January 2020.

30 (b) Capitol campus state agency management is directed to fully
31 participate in this work, which aims to reduce greenhouse gases,
32 require less office space and parking investments; provide low cost
33 congestion relief on I-5 during peak periods, US 101, and the local
34 transportation network; and improve retention and recruitment of
35 public employees. The agencies should actively: Encourage employees
36 qualified to telework to participate in this program and increase the
37 number of employees who qualify for mobile work and schedule shifts.

38 (c) If measurable success is achieved, the capitol campus state
39 agencies shall provide options to expand the project to other
40 jurisdictions concentrated with large employers. Expansion and

1 encouragement of telework will help reduce demand on the
2 transportation system, reduce traffic during peak hours, and reduce
3 greenhouse gas emissions.

4 **Sec. 919.** 2020 c 219 s 221 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

7 Motor Vehicle Account—State Appropriation.	\$250,000
8 Puget Sound Ferry Operations Account—State	
9 Appropriation	((\$545,997,000))
10	<u>\$487,445,000</u>
11 Puget Sound Ferry Operations Account—Federal	
12 Appropriation	((\$7,932,000))
13	<u>\$47,169,000</u>
14 Puget Sound Ferry Operations Account—Private/Local	
15 Appropriation	\$121,000
16 TOTAL APPROPRIATION.	((\$554,300,000))
17	<u>\$534,985,000</u>

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

20 (1) The office of financial management budget instructions
21 require agencies to recast enacted budgets into activities. The
22 Washington state ferries shall include a greater level of detail in
23 its 2019-2021 supplemental and 2021-2023 omnibus transportation
24 appropriations act requests, as determined jointly by the office of
25 financial management, the Washington state ferries, and the
26 transportation committees of the legislature. This level of detail
27 must include the administrative functions in the operating as well as
28 capital programs.

29 (2) For the 2019-2021 fiscal biennium, the department may enter
30 into a distributor controlled fuel hedging program and other methods
31 of hedging approved by the fuel hedging committee, which must include
32 a representative of the department of enterprise services.

33 (3) ((~~\$73,161,000~~)) \$67,052,000 of the Puget Sound ferry
34 operations account—state appropriation is provided solely for auto
35 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
36 reflect cost savings from a reduced biodiesel fuel requirement and,
37 therefore, is contingent upon the enactment of section 703, chapter
38 416, Laws of 2019. The amount provided in this subsection represents

1 the fuel budget for the purposes of calculating any ferry fare fuel
2 surcharge. The department shall review future use of alternative
3 fuels and dual fuel configurations, including hydrogen.

4 (4) \$650,000 of the Puget sound ferry operations account—state
5 appropriation is provided solely for increased staffing at Washington
6 ferry terminals to meet increased workload and customer expectations.
7 Within the amount provided in this subsection, the department shall
8 contract with uniformed officers for additional traffic control
9 assistance at the Kingston ferry terminal during peak ferry travel
10 times, with a particular focus on Sundays and holiday weekends.
11 Traffic control methods should include, but not be limited to,
12 holding traffic on the shoulder at Lindvog Road until space opens for
13 cars at the tollbooths and dock, and management of traffic on Highway
14 104 in order to ensure Kingston residents and business owners have
15 access to businesses, roads, and driveways.

16 (5) \$254,000 of the Puget Sound ferry operations account—state
17 appropriation is provided solely for a dedicated inventory logistics
18 manager on a one-time basis.

19 (6) \$500,000 of the Puget Sound ferry operations account—state
20 appropriation is provided solely for operating costs related to
21 moving vessels for emergency capital repairs. Funds may only be spent
22 after approval by the office of financial management.

23 (7) By January 1, 2020, the ferries division must submit a
24 workforce plan for reducing overtime due to shortages of staff
25 available to fill vacant crew positions. The plan must include
26 numbers of crew positions being filled by staff working overtime,
27 strategies for filling these positions with straight time employees,
28 progress toward implementing those strategies, and a forecast for
29 when overtime expenditures will return to historical averages.

30 (8) \$160,000 of the Puget Sound ferry operations account—state
31 appropriation is provided solely for a ferry fleet baseline noise
32 study, conducted by a consultant, for the purpose of establishing
33 plans and data-driven goals to reduce ferry noise when Southern
34 resident orca whales are present. In addition, the study must
35 establish prioritized strategies to address vessels serving routes
36 with the greatest exposure to orca whale movements.

37 (9) (a) \$250,000 of the motor vehicle account—state appropriation
38 is provided solely for the department, in consultation with the
39 Washington state transportation center, to develop a plan for service

1 on the triangle route with a goal of providing maximum sailings
2 moving the most passengers to all stops in the least travel time,
3 including waits between sailings, within budget and resource
4 constraints.

5 (b) The Washington state transportation center must use new
6 traffic management models and scheduling tools to examine proposed
7 improvements for the triangle route. The department shall report to
8 the standing transportation committees of the legislature by January
9 15, 2021. The report must include:

10 (i) Implementation and status of data collection, modeling,
11 scheduling, capital investments, and procedural improvements to allow
12 Washington state ferries to schedule more sailings to and from all
13 stops on the triangle route with minimum time between sailings;

14 (ii) Recommendations for emergency boat allocations, regular
15 schedule policies, and emergency schedule policies based on all
16 customers alternative travel options to ensure that any dock with no
17 road access is prioritized in scheduling and scheduled service is
18 provided based on population size, demographics, and local medical
19 services;

20 (iii) Triangle route pilot economic analysis of Washington state
21 ferries fare revenue and fuel cost impact of offering additional,
22 better spaced sailings;

23 (iv) Results of an economic analysis of the return on investment
24 of potentially acquiring and using traffic control infrastructure,
25 technology, walk on loading bridges, and Good-to-Go and ORCA
26 replacement of current fare sales, validation, collections,
27 accounting, and all associated labor and benefits costs that can be
28 saved via those capital investments; and

29 (v) Recommendation on policies, procedures, or agency
30 interpretations of statute that may be adopted to mitigate any delays
31 or disruptions to scheduled sailings.

32 (10) \$15,139,000 of the Puget Sound ferry operations account—
33 state appropriation is provided solely for training. Of the amount
34 provided in this subsection:

35 (a) \$2,500,000 is for training for new employees.

36 (b) \$160,000 is for electronic chart display and information
37 system training.

38 (c) \$379,000 is for marine evacuation slide training.

1 (11) \$1,600,000 of the Puget Sound ferry operations account—state
2 appropriation is provided solely for naval architecture staff support
3 for the marine maintenance program.

4 (12) \$336,000 of the Puget Sound ferry operations account—state
5 appropriation is provided solely for inspections of fall restraint
6 systems.

7 (13) \$4,361,000 of the Puget Sound ferry operations account—state
8 appropriation is provided solely for overtime expenses incurred by
9 engine and deck crew members.

10 (14) \$1,200,000 of the Puget Sound ferry operations account—state
11 appropriation is provided solely for familiarization for new
12 assignments of engine crew and terminal staff.

13 (15) \$100,000 of the Puget Sound ferry operations account—state
14 appropriation is provided solely to develop a plan for upgrading a
15 second vessel to meet the international convention for the safety of
16 life at sea standards. The plan must identify the option with the
17 lowest impacts to sailing schedules.

18 (16) The department must request reimbursement from the federal
19 transit administration for the maximum amount of ferry operating
20 expenses eligible for reimbursement under federal law.

21 **Sec. 920.** 2020 c 219 s 222 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

24 Multimodal Transportation Account—State	
25 Appropriation	((\$70,244,000))
26	<u>\$46,851,000</u>
27 Multimodal Transportation Account—Private/Local	
28 Appropriation	\$717,000
29 (Multimodal Transportation Account—Federal	
30 Appropriation	\$500,000)
31 TOTAL APPROPRIATION.	((\$71,461,000))
32	<u>\$47,568,000</u>

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

35 (1) (a) (i) \$224,000 of the multimodal transportation account—state
36 appropriation and \$671,000 of the multimodal transportation account—
37 private/local appropriation are provided solely for continued
38 analysis of the ultra high-speed ground transportation corridor in a

1 new study, with participation from Washington, Oregon, and British
2 Columbia. No funds may be expended until the department is in receipt
3 of \$671,000 in private/local funding provided solely for this
4 purpose.

5 (ii) The ultra high-speed ground transportation corridor advisory
6 group must include legislative membership.

7 (iii) "Ultra high-speed" means a maximum testing speed of at
8 least two hundred fifty miles per hour.

9 (b) The study must consist of the following:

10 (i) Development of proposed corridor governance, general powers,
11 operating structure, legal instruments, and contracting requirements,
12 in the context of the roles of relevant jurisdictions, including
13 federal, state, provincial, and local governments;

14 (ii) Development of a long-term funding and financing strategy
15 for project initiation, development, construction, and program
16 administration of the high-speed corridor, building on the funding
17 and financing chapter of the 2019 business case analysis and aligned
18 with the recommendations of (b) (i) of this subsection; and

19 (iii) Development of recommendations for a department-led ultra-
20 high speed corridor engagement plan for policy leadership from
21 elected officials.

22 (c) This study must build on the results of the 2018 Washington
23 state ultra high-speed ground transportation business case analysis
24 and the 2019 Washington state ultra high-speed ground transportation
25 study findings report. The department shall consult with the
26 transportation committees of the legislature regarding all issues
27 related to proposed corridor governance.

28 (d) The development work referenced in (b) of this subsection is
29 intended to identify and make recommendations related to specific
30 entities, including interjurisdictional entities, policies, and
31 processes required for the purposes of furthering preliminary
32 analysis efforts for the ultra high-speed ground transportation
33 corridor. This development work is not intended to authorize one or
34 more entities to assume decision making authority for the design,
35 construction, or operation of an ultra high-speed rail corridor.

36 (e) By December 1, 2020, the department shall provide to the
37 governor and the transportation committees of the legislature a
38 report of the study's findings regarding the three elements noted in
39 this subsection. As applicable, the report should also be sent to the
40 executive and legislative branches of government in the state of

1 Oregon and appropriate government bodies in the province of British
2 Columbia.

3 (2) The department is directed to continue to pursue efforts to
4 reduce costs, increase ridership, and review Amtrak Cascades fares
5 and fare schedules. Within thirty days of each annual cost/revenue
6 reconciliation under the Amtrak service contract, the department
7 shall report annual credits to the office of financial management and
8 the legislative transportation committees. Annual credits from Amtrak
9 to the department including, but not limited to, credits due to
10 higher ridership, reduced level of service, and fare or fare schedule
11 adjustments, must be used to offset corresponding amounts of the
12 multimodal transportation account—state appropriation, which must be
13 placed in reserve.

14 **Sec. 921.** 2020 c 219 s 223 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
17 **OPERATING**

18 Motor Vehicle Account—State Appropriation	((\$12,187,000))
19	<u>\$12,441,000</u>
20 Motor Vehicle Account—Federal Appropriation	\$2,567,000
21 Multiuse Roadway Safety Account—State Appropriation	\$450,000
22 Multimodal Transportation Account—State	
23 Appropriation	\$350,000
24 TOTAL APPROPRIATION.	((\$15,554,000))
25	<u>\$15,808,000</u>

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

28 (1) \$350,000 of the multimodal transportation account—state
29 appropriation is provided solely for a study by the Puget Sound
30 regional council of new passenger ferry service to better connect
31 communities throughout the twelve county Puget Sound region. The
32 study must assess potential new routes, identify future terminal
33 locations, and provide recommendations to accelerate the
34 electrification of the ferry fleet. The study must identify future
35 passenger only demand throughout Western Washington, analyze
36 potential routes and terminal locations on Puget Sound, Lake
37 Washington, and Lake Union with an emphasis on preserving waterfront
38 opportunities in public ownership and opportunities for partnership.

1 The study must determine whether and when the passenger ferry service
2 achieves a net reduction in carbon emissions including an analysis of
3 the emissions of modes that passengers would otherwise have used. The
4 study must estimate capital and operating costs for routes and
5 terminals. The study must include early and continuous outreach with
6 all interested stakeholders and a report to the legislature and all
7 interested parties by January 31, 2021.

8 (2) \$1,142,000 of the motor vehicle account—state appropriation
9 is provided solely for the department, from amounts set aside out of
10 statewide fuel taxes distributed to counties according to RCW
11 46.68.120(3), to contract with the Washington state association of
12 counties to:

13 (a) In coordination with stakeholders, identify county-owned fish
14 passage barriers, with priority given to barriers that share the same
15 stream system as state-owned fish passage barriers. The study must
16 identify, map, and provide a preliminary assessment of county-owned
17 barriers that need correction, and provide, where possible,
18 preliminary costs estimates for each barrier correction. The study
19 must provide recommendations on:

20 (i) How to prioritize county-owned barriers within the same
21 stream system of state-owned barriers in the current six-year
22 construction plan to maximize state investment; and

23 (ii) How future state six-year construction plans should
24 incorporate county-owned barriers;

25 (b) Update the local agency guidelines manual, including
26 exploring alternatives within the local agency guidelines manual on
27 county priorities;

28 (c) Study the current state of county transportation funding,
29 identify emerging issues, and identify potential future alternative
30 transportation fuel funding sources to meet current and future needs.

31 (3) The entire multiuse roadway safety account—state
32 appropriation is provided solely for grants under RCW 46.09.540,
33 subject to the following limitations:

34 (a) Twenty-five percent of the amounts provided are reserved for
35 counties that each have a population of fifteen thousand persons or
36 less;

37 (b) (i) Seventy-five percent of the amounts provided are reserved
38 for counties that each have a population exceeding fifteen thousand
39 persons; and

(ii) No county that receives a grant or grants under (b) of this subsection may receive more than sixty thousand dollars in total grants.

(4) \$260,000 of the motor vehicle account—state appropriation is provided solely for the Wahkiakum county ferry operating deficit.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 1001. 2020 c 219 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State	
Appropriation	((\$23,015,000))
	<u>\$17,344,000</u>
Highway Safety Account—State Appropriation.	\$81,000
Motor Vehicle Account—State Appropriation.	((\$4,907,000))
	<u>\$3,165,000</u>
Freight Mobility Multimodal Account—State	
Appropriation	((\$4,992,000))
	<u>\$4,454,000</u>
Motor Vehicle Account—Federal Appropriation	\$1,899,000
Freight Mobility Multimodal Account—Private/Local	
Appropriation	\$1,250,000
TOTAL APPROPRIATION.	((\$36,144,000))
	<u>\$28,193,000</u>

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

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document ((~~2020-3~~)) 2021-2 ALL PROJECTS as developed March ((~~11, 2020~~)) 22, 2021, ((~~Conference~~)) Program - FMSIB ((~~Project List~~)).

(2) Until directed by the legislature, the board may not initiate a new call for projects. By January 1, 2020, the board must report to the legislature on alternative proposals to revise its project award and obligation process, which result in lower reappropriations.

((~~4~~)) (3) It is the intent of the legislature to continue to make strategic investments in a statewide freight mobility transportation system with the help of the freight mobility strategic

1 investment board, including projects that mitigate the impact of
2 freight movement on local communities.

3 **Sec. 1002.** 2020 c 219 s 302 (uncodified) is amended to read as
4 follows:

5 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

6	Rural Arterial Trust Account—State Appropriation	((\$62,884,000))
7		<u>\$51,184,000</u>
8	Motor Vehicle Account—State Appropriation	\$1,456,000
9	County Arterial Preservation Account—State	
10	Appropriation	\$39,590,000
11	TOTAL APPROPRIATION.	((\$103,930,000))
12		<u>\$92,230,000</u>

13 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
16 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

17	Motor Vehicle Account—State Appropriation	((\$51,187,000))
18		<u>\$49,717,000</u>
19	Connecting Washington Account—State Appropriation	((\$51,523,000))
20		<u>\$50,746,000</u>
21	TOTAL APPROPRIATION.	((\$102,710,000))
22		<u>\$100,463,000</u>

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

25 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington
26 account—state appropriation is provided solely for a new Olympic
27 region maintenance and administration facility to be located on the
28 department-owned site at the intersection of Marvin Road and 32nd
29 Avenue in Lacey, Washington.

30 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—
31 state appropriation is provided solely for the department facility
32 located at 15700 Dayton Ave N in Shoreline. This appropriation is
33 contingent upon the department of ecology signing a not less than
34 twenty-year agreement to pay a share of any financing contract issued
35 pursuant to chapter 39.94 RCW.

36 (b) Payments from the department of ecology as described in this
37 subsection shall be deposited into the motor vehicle account.

1 (c) Total project costs are not to exceed \$46,500,000.

2 (3) \$1,565,000 from the motor vehicle account—state appropriation
3 is provided solely for furniture for the renovated Northwest Region
4 Headquarters at Dayton Avenue. The department must efficiently
5 furnish the renovated building.

6 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

9 Transportation Partnership Account—State

10 Appropriation ((~~\$385,619,000~~))
11 \$395,725,000

12 Motor Vehicle Account—State Appropriation ((~~\$102,543,000~~))
13 \$63,435,000

14 Motor Vehicle Account—Federal Appropriation ((~~\$151,857,000~~))
15 \$156,149,000

16 Motor Vehicle Account—Private/Local Appropriation ((~~\$70,404,000~~))
17 \$64,126,000

18 State Route Number 520 Corridor Account—State

19 Appropriation. \$1,000

20 State Route Number 520 Corridor Account—Federal

21 Appropriation. \$1,000

22 Connecting Washington Account—State

23 Appropriation ((~~\$2,355,205,000~~))
24 \$1,631,186,000

25 Special Category C Account—State Appropriation ((~~\$36,134,000~~))
26 \$19,123,000

27 Multimodal Transportation Account—State

28 Appropriation ((~~\$3,853,000~~))
29 \$3,855,000

30 Alaskan Way Viaduct Replacement Project Account—State

31 Appropriation \$77,956,000

32 Transportation 2003 Account (Nickel Account)—State

33 Appropriation ((~~\$10,429,000~~))
34 \$9,403,000

35 Interstate 405 and State Route Number 167 Express

36 Toll Lanes Account—State Appropriation. ((~~\$90,027,000~~))
37 \$33,742,000

38 TOTAL APPROPRIATION. ((~~\$3,284,027,000~~))

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2020)) 2021-1 as developed March ((11, 2020)) 22, 2021, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 219, Laws of 2020.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (0BI4001).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to ((\$1,835,325,000)) \$1,085,325,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to ((\$24,910,000)) \$19,123,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

1 (6) The transportation partnership account—state appropriation
2 includes up to (~~(\$162,658,000)~~) \$175,140,000 in proceeds from the
3 sale of bonds authorized in RCW 47.10.873.

4 (7) The Alaskan Way viaduct replacement project account—state
5 appropriation includes up to \$77,956,000 in proceeds from the sale of
6 bonds authorized in RCW 47.10.873.

7 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation
8 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000
9 of the motor vehicle account—private/local appropriation, \$3,384,000
10 of the transportation 2003 account (nickel account)—state
11 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
12 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of
13 the multimodal transportation account—state appropriation are
14 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
15 (809936Z). It is the intent of the legislature that the \$25,000,000
16 increase in funding provided in the 2021-2023 fiscal biennium be
17 covered by any legal damages paid to the state as a result of a
18 lawsuit related to contractual provisions for construction and
19 delivery of the Alaskan Way viaduct replacement project. The
20 legislature intends that the \$25,000,000 of the transportation
21 partnership account—state funds be repaid when those damages are
22 recovered.

23 (9) \$3,000,000 of the multimodal transportation account—state
24 appropriation is provided solely for transit mitigation for the SR
25 99/Viaduct Project - Construction Mitigation project (809940B).

26 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington
27 account—state appropriation, \$1,052,000 of the special category C
28 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor
29 vehicle account—private/local appropriation are provided solely for
30 the US 395 North Spokane Corridor project (M00800R).

31 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state
32 route number 167 express toll lanes account—state appropriation is
33 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
34 project (L2000234) for activities related to adding capacity on
35 Interstate 405 between state route number 522 and Interstate 5, with
36 the goals of increasing vehicle throughput and aligning project
37 completion with the implementation of bus rapid transit in the
38 vicinity of the project.

1 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting
2 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of
3 the motor vehicle account—private/local appropriation are provided
4 solely for the SR 520 Seattle Corridor Improvements - West End
5 project (M00400R).

6 (b) Recognizing that the department of transportation requires
7 full possession of parcel number 1-23190 to complete the Montlake
8 Phase of the West End project, the department is directed to:

9 (i) Work with the operator of the Montlake boulevard market
10 located on parcel number 1-23190 to negotiate a lease allowing
11 continued operations up to January 1, 2020. After that time, the
12 department shall identify an area in the vicinity of the Montlake
13 property for a temporary market or other food service to be provided
14 during the period of project construction. Should the current
15 operator elect not to participate in providing that temporary
16 service, the department shall then develop an outreach plan with the
17 city to solicit community input on the food services provided, and
18 then advertise the opportunity to other potential vendors. Further,
19 the department shall work with the city of Seattle and existing
20 permit processes to facilitate vendor access to and use of the area
21 in the vicinity of the Montlake property.

22 (ii) Upon completion of the Montlake Phase of the West End
23 project (current anticipated contract completion of 2023), WSDOT
24 shall sell that portion of the property not used for permanent
25 transportation improvements and initiate a process to convey that
26 surplus property to a subsequent owner.

27 (c) \$60,000 of the motor vehicle account—state appropriation is
28 provided solely for grants to nonprofit organizations located in a
29 city with a population exceeding six hundred thousand persons and
30 that empower artists through equitable access to vital expertise,
31 opportunities, and business services. Funds may be used only for the
32 purpose of preserving, commemorating, and sharing the history of the
33 city of Seattle's freeway protests and making the history of activism
34 around the promotion of more integrated transportation and land use
35 planning accessible to current and future generations through the
36 preservation of Bent 2 of the R. H. Thompson freeway ramp.

37 (13) It is the intent of the legislature that for the I-5 JBLM
38 Corridor Improvements project (M00100R), the department shall
39 actively pursue \$50,000,000 in federal funds to pay for this project

1 to supplant state funds in the future. \$50,000,000 in connecting
2 Washington account funding must be held in unallotted status during
3 the 2021-2023 fiscal biennium. These funds may only be used after the
4 department has provided notice to the office of financial management
5 that it has exhausted all efforts to secure federal funds from the
6 federal highway administration and the department of defense.

7 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington
8 account—state appropriation (~~(is)~~), \$12,599,000 of the motor vehicle
9 account—private/local appropriation, \$2,500,000 of the motor vehicle
10 account—state appropriation, and \$1,500,000 of the motor vehicle
11 account—federal appropriation are provided solely for the SR 167/SR
12 509 Puget Sound Gateway project (M00600R).

13 (a) Any savings on the project must stay on the Puget Sound
14 Gateway corridor until the project is complete.

15 (b) Proceeds from the sale of any surplus real property acquired
16 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
17 (M00600R) project must be deposited into the motor vehicle account
18 for the purpose of constructing the project.

19 (c) In making budget allocations to the Puget Sound Gateway
20 project, the department shall implement the project's construction as
21 a single corridor investment. The department shall develop a
22 coordinated corridor construction and implementation plan for state
23 route number 167 and state route number 509 in collaboration with
24 affected stakeholders. Specific funding allocations must be based on
25 where and when specific project segments are ready for construction
26 to move forward and investments can be best optimized for timely
27 project completion. Emphasis must be placed on avoiding gaps in fund
28 expenditures for either project.

29 (d) It is the legislature's intent that the department shall
30 construct a full single-point urban interchange at the junction of
31 state route number 161 (Meridian avenue) and state route number 167
32 and a full single-point urban interchange at the junction of state
33 route number 509 and 188th Street. If the department receives
34 additional funds from an outside source for this project after the
35 base project is fully funded, the funds must first be applied toward
36 the completion of these two full single-point urban interchanges.

37 (e) In designing the state route number 509/state route number
38 516 interchange component of the SR 167/SR 509 Puget Sound Gateway

1 project (M00600R), the department shall make every effort to utilize
2 the preferred "4B" design.

3 (f) The department shall explore the development of a multiuse
4 trail for bicyclists, pedestrians, skateboarders, and similar users
5 along the SR 167 right-of-way acquired for the project to connect a
6 network of new and existing trails from Mount Rainier to Point
7 Defiance Park.

8 (g) If sufficient bonding authority to complete this project is
9 not provided within chapter 421, Laws of 2019 (addressing tolling),
10 or within a bond authorization act referencing chapter 421, Laws of
11 2019 by June 30, 2019, it is the intent of the legislature to return
12 the Puget Sound Gateway project (M00600R) to its previously
13 identified construction schedule by moving \$128,900,000 in connecting
14 Washington account—state appropriation back to the 2027-2029 biennium
15 from the 2023-2025 biennium on the list referenced in subsection (2)
16 of this section. If sufficient bonding authority is provided, it is
17 the intent of the legislature to advance the project to allow for
18 earlier completion and inflationary savings.

19 (15) It is the intent of the legislature that, for the I-5/North
20 Lewis County Interchange project (L2000204), the department develop
21 and design the project with the objective of significantly improving
22 access to the industrially zoned properties in north Lewis county.
23 The design must consider the county's process of investigating
24 alternatives to improve such access from Interstate 5 that began in
25 March 2015.

26 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership
27 account—state appropriation is provided solely for the U.S. 2 Trestle
28 IJR project (L1000158).

29 (17) The department shall itemize all future requests for the
30 construction of buildings on a project list and submit them through
31 the transportation executive information system as part of the
32 department's annual budget submittal. It is the intent of the
33 legislature that new facility construction must be transparent and
34 not appropriated within larger highway construction projects.

35 (18) Any advisory group that the department convenes during the
36 2019-2021 fiscal biennium must consider the interests of the entire
37 state of Washington.

38 (19) The legislature finds that there are sixteen companies
39 involved in wood preserving in the state that employ four hundred
40 workers and have an annual payroll of fifteen million dollars. Before

1 the department's switch to steel guardrails, ninety percent of the
2 twenty-five hundred mile guardrail system was constructed of
3 preserved wood and one hundred ten thousand wood guardrail posts were
4 produced annually for state use. Moreover, the policy of using steel
5 posts requires the state to use imported steel. Given these findings,
6 where practicable, and until June 30, 2021, the department shall
7 include the design option to use wood guardrail posts, in addition to
8 steel posts, in new guardrail installations. The selection of posts
9 must be consistent with the agency design manual policy that existed
10 before December 2009.

11 (20) (a) For connecting Washington projects that have already
12 begun and are eligible for the authority granted in section 601 (~~of~~
13 ~~this act~~), chapter 219, Laws of 2020, the department shall
14 prioritize advancing the following projects if expected
15 reappropriations become available:

- 16 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
17 (ii) SR 305 Construction - Safety Improvements (N30500R);
18 (iii) SR 14/Bingen Underpass (L2220062);
19 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
20 (v) US Hwy 2 Safety (N00200R);
21 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
22 (vii) I-5 JBLM Corridor Improvements (M00100R);
23 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
24 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
25 (x) SR 520/124th St Interchange (Design and Right of Way)
26 (L1000098).

27 (b) To the extent practicable, the department shall use the
28 flexibility and authority granted in this section and in section 601
29 of this act to minimize the amount of reappropriations needed each
30 biennium.

31 (c) The advancement of a project may not hinder the delivery of
32 the projects for which the reappropriations are necessary for the
33 2021-2023 fiscal biennium.

34 (21) The legislature continues to prioritize the replacement of
35 the state's aging infrastructure and recognizes the importance of
36 reusing and recycling construction aggregate and recycled concrete
37 materials in our transportation system. To accomplish Washington
38 state's sustainability goals in transportation and in accordance with
39 RCW 70.95.805, the legislature reaffirms its determination that
40 recycled concrete aggregate and other transportation building

1 materials are natural resource construction materials that are too
2 valuable to be wasted and landfilled, and are a commodity as defined
3 in WAC 173-350-100.

4 Further, the legislature determines construction aggregate and
5 recycled concrete materials substantially meet widely recognized
6 international, national, and local standards and specifications
7 referenced in American society for testing and materials, American
8 concrete institute, Washington state department of transportation,
9 Seattle department of transportation, American public works
10 association, federal aviation administration, and federal highway
11 administration specifications, and are described as necessary and
12 desirable products for recycling and reuse by state and federal
13 agencies.

14 As these recyclable materials have well established markets, are
15 substantially a primary or secondary product of necessary
16 construction processes and production, and are managed as an item of
17 commercial value, construction aggregate and recycled concrete
18 materials are exempt from chapter 173-350 WAC.

19 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—
20 state appropriation (~~(is)~~) and \$7,329,000 of the motor vehicle
21 account—private/local appropriation are provided solely for staffing
22 of a project office to replace the Interstate 5 bridge across the
23 Columbia river (G2000088). If at least a \$9,000,000 transfer is not
24 authorized in section 406(29), chapter 416, Laws of 2019, then
25 \$9,000,000 of the motor vehicle account—state appropriation lapses.

26 (b) (~~(Of the amount provided in this subsection, \$7,780,000 of~~
27 ~~the motor vehicle account state appropriation must be placed in~~
28 ~~unallotted status by the office of financial management until the~~
29 ~~department develops a detailed plan for the work of this project~~
30 ~~office in consultation with the chairs and ranking members of the~~
31 ~~transportation committees of the legislature. The director of the~~
32 ~~office of financial management shall consult with the chairs and~~
33 ~~ranking members of the transportation committees of the legislature~~
34 ~~prior to making a decision to allot these funds.~~

35 (e)) The work of this project office includes, but is not
36 limited to, the reevaluation of the purpose and need identified for
37 the project previously known as the Columbia river crossing, the
38 reevaluation of permits and development of a finance plan, the
39 reengagement of key stakeholders and the public, and the reevaluation

1 of scope, schedule, and budget for a reinvigorated bistate effort for
2 replacement of the Interstate 5 Columbia river bridge. When
3 reevaluating the finance plan for the project, the department shall
4 assume that some costs of the new facility may be covered by tolls.
5 The project office must also study the possible different governance
6 structures for a bridge authority that would provide for the joint
7 administration of the bridges over the Columbia river between Oregon
8 and Washington. As part of this study, the project office must
9 examine the feasibility and necessity of an interstate compact in
10 conjunction with the national center for interstate compacts.

11 ~~((d))~~ (c) Within the amount provided in this subsection, the
12 department must implement chapter 137, Laws of 2019 (projects of
13 statewide significance).

14 ~~((e))~~ (d) The department shall have as a goal to:

15 (i) Reengage project stakeholders and reevaluate the purpose and
16 need and environmental permits by July 1, 2020;

17 (ii) Develop a finance plan by December 1, 2020; and

18 (iii) Have made significant progress toward beginning the
19 supplemental environmental impact statement process by June 30, 2021.

20 The department shall aim to provide a progress report on these
21 activities to the governor and the transportation committees of the
22 legislature by December 1, 2019, and a final report to the governor
23 and the transportation committees of the legislature by December 1,
24 2020.

25 (23) ~~(((\$17,500,000 of the motor vehicle account state
26 appropriation is provided solely to begin the pre-design phase on the
27 I-5/Columbia River Bridge project (G2000088)).~~

28 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state
29 appropriation, \$47,655,000 of the motor vehicle account—federal
30 appropriation, \$11,179,000 of the motor vehicle account—private/local
31 appropriation, \$6,100,000 of the motor vehicle account—state
32 appropriation, and \$18,706,000 of the transportation partnership
33 account—state appropriation are provided solely for the Fish Passage
34 Barrier Removal project (OBI4001) with the intent of fully complying
35 with the court injunction by 2030.

36 (b) Of the amounts provided in this subsection, \$320,000 of the
37 connecting Washington account—state appropriation is provided solely
38 to remove the fish passage barrier on state route number 6 that
39 interfaces with Boistfort Valley water utilities near milepost 46.6.

1 (c) The department shall coordinate with the Brian Abbott fish
2 passage barrier removal board to use a watershed approach to maximize
3 habitat gain by replacing both state and local culverts. The
4 department shall deliver high habitat value fish passage barrier
5 corrections that it has identified, guided by the following factors:
6 Opportunity to bundle projects, ability to leverage investments by
7 others, presence of other barriers, project readiness, other
8 transportation projects in the area, and transportation impacts.

9 (d) The department must keep track of, for each barrier removed:
10 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
11 amount spent to comply with the injunction.

12 (e) It is the intent of the legislature that for the amount
13 listed for the 2021-2023 biennium for the Fish Passage Barrier
14 Removal project (0BI4001) on the LEAP list referenced in subsection
15 (1) of this section, that accrued practical design savings deposited
16 in the transportation future funding program account be used to help
17 fund the cost of fully complying with the court injunction by 2030.

18 ~~((25))~~ (24)(a) The Washington state department of
19 transportation is directed to pursue compliance with the *U.S. v.*
20 *Washington* permanent injunction by delivering culvert corrections
21 within the injunction area guided by the principle of providing the
22 greatest fisheries habitat gain at the earliest time and considering
23 the following factors: Opportunity to bundle projects, tribal
24 priorities, ability to leverage investments by others, presence of
25 other barriers, project readiness, culvert condition, other
26 transportation projects in the area, and transportation impacts.

27 (b) The department and Brian Abbott fish barrier removal board,
28 while providing the opportunity for stakeholders, tribes, and
29 government agencies to give input on a statewide culvert remediation
30 plan, must provide updates on the development of the statewide
31 culvert remediation plan to the capital budget, ways and means, and
32 transportation committees of the legislature by November 1, 2020, and
33 March 15, 2021. The first update must include a project timeline and
34 plan to ensure that all state agencies with culvert correction
35 programs are involved in the creation of the comprehensive plan. The
36 department and Brian Abbott fish barrier removal board must submit
37 the final comprehensive statewide culvert remediation plan and the
38 process by which it will be adaptively managed over time to the
39 governor and the legislative fiscal committees by June 30, 2021.

1 (~~((26) \$16,649,000)~~) (25) \$4,880,000 of the connecting Washington
2 account—state appropriation, \$373,000 of the motor vehicle account—
3 state appropriation, and (~~(\$6,000,000)~~) \$113,000 of the motor vehicle
4 account—private/local appropriation are provided solely for the I-90/
5 Barker to Harvard - Improve Interchanges & Local Roads project
6 (L2000122). The connecting Washington account appropriation for the
7 improvements that fall within the city of Liberty Lake may only be
8 expended if the city of Liberty Lake agrees to cover any project
9 costs within the city of Liberty Lake above the \$20,900,000 of state
10 appropriation provided for the total project in LEAP Transportation
11 Document (~~(2020)~~) 2021-1 as developed March (~~(11, 2020)~~) 22, 2021,
12 Program - Highway Improvements (I).

13 (~~((27))~~) (26) (a) (~~(\$6,799,000)~~) \$3,901,000 of the motor vehicle
14 account—federal appropriation, (~~(\$31,000)~~) \$34,000 of the motor
15 vehicle account—state appropriation(~~(, ~~\$3,812,000~~ of the~~
16 ~~transportation partnership account state appropriation)~~), and
17 (~~(\$7,000,000)~~) \$4,519,000 of the Interstate 405 and state route
18 number 167 express toll lanes account—state appropriation are
19 provided solely for the SR 167/SR 410 to SR 18 - Congestion
20 Management project (316706C).

21 (b) If sufficient bonding authority to complete this project is
22 not provided within chapter 421, Laws of 2019 (addressing tolling),
23 or within a bond authorization act referencing chapter 421, Laws of
24 2019 by June 30, 2019, it is the intent of the legislature to remove
25 the \$100,000,000 in toll funding from this project on the list
26 referenced in subsection (2) of this section.

27 (~~((28))~~) (27) For the I-405/North 8th Street Direct Access Ramp
28 in Renton project (L1000280), if sufficient bonding authority to
29 begin this project is not provided within chapter 421, Laws of 2019
30 (addressing tolling), or within a bond authorization act referencing
31 chapter 421, Laws of 2019, it is the intent of the legislature to
32 remove the project from the list referenced in subsection (2) of this
33 section.

34 (~~((29) \$7,985,000)~~) (28) \$7,071,000 of the Special Category C
35 account—state appropriation (~~(and ~~\$1,000,000~~ of the motor vehicle~~
36 ~~account private/local appropriation are)~~) is provided solely for the
37 SR 18 Widening - Issaquah/Hobart Rd to Raging River project
38 (L1000199) for improving and widening state route number 18 to four
39 lanes from Issaquah-Hobart Road to Raging River.

1 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state
2 appropriation is provided solely for the I-5 Corridor from Mounts
3 Road to Tumwater project (L1000231) for completing a National and
4 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
5 and long-term environmental impacts associated with future
6 improvements along the I-5 corridor from Tumwater to DuPont.

7 ~~((31) \$622,000)~~ (30) \$200,000 of the motor vehicle account—
8 state appropriation is provided solely for the US 101/East Sequim
9 Corridor Improvements project (L2000343).

10 ~~((32) \$12,916,000)~~ (31) \$777,000 of the motor vehicle account—
11 state appropriation is provided solely for the SR 522/Paradise Lk Rd
12 Interchange & Widening on SR 522 (Design/Engineering) project
13 (NPARADI).

14 ~~((33) \$1,000,000)~~ (32) \$1,001,000 of the motor vehicle account—
15 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle
16 account—federal appropriation are provided solely for the US 101/
17 Morse Creek Safety Barrier project (L1000247).

18 ~~((34) \$1,000,000)~~ (33) \$85,000 of the motor vehicle account—
19 state appropriation is provided solely for the SR 162/410 Interchange
20 Design and Right of Way project (L1000276).

21 ~~((36))~~ (34) The appropriations in this section include savings
22 due to anticipated project underruns; however, it is unknown which
23 projects will provide savings. The legislature intends to provide
24 sufficient flexibility for the department to manage to this savings
25 target. To provide this flexibility, the office of financial
26 management may authorize, through an allotment modification,
27 reductions in the appropriated amounts that are provided solely for a
28 particular purpose within this section subject to the following
29 conditions and limitations:

30 (a) The department must confirm that any modification requested
31 under this subsection of amounts provided solely for a specific
32 purpose are not expected to be used for that purpose in this
33 biennium;

34 (b) Allotment modifications authorized under this subsection may
35 not result in increased funding for any project beyond the amount
36 provided for that project in the 2019-2021 fiscal biennium in LEAP
37 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed
38 March ~~((11, 2020))~~ 22, 2021;

1 (c) Allotment modifications authorized under this subsection
2 apply only to amounts appropriated in this section from the following
3 accounts: Multimodal transportation account—state, transportation
4 partnership account—state, connecting Washington account—state, and
5 special category C account—state; and

6 (d) By December 1, 2020, the department must submit a report to
7 the transportation committees of the legislature regarding the
8 actions taken under this subsection.

9 **Sec. 1005.** 2020 c 219 s 306 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

12	Recreational Vehicle Account—State Appropriation	\$2,971,000
13	Transportation Partnership Account—State	
14	Appropriation	(\$20,248,000)
15		<u>\$20,566,000</u>
16	<u>Highway Safety Account—State Appropriation.</u>	<u>\$1,000</u>
17	Motor Vehicle Account—State Appropriation	(\$82,447,000)
18		<u>\$87,866,000</u>
19	Motor Vehicle Account—Federal Appropriation	(\$490,744,000)
20		<u>\$498,257,000</u>
21	Motor Vehicle Account—Private/Local	
22	Appropriation	(\$7,408,000)
23		<u>\$7,660,000</u>
24	State Route Number 520 Corridor Account—State	
25	Appropriation	(\$326,000)
26		<u>\$395,000</u>
27	Connecting Washington Account—State Appropriation	(\$204,630,000)
28		<u>\$178,738,000</u>
29	Tacoma Narrows Toll Bridge Account—State	
30	Appropriation	(\$8,350,000)
31		<u>\$1,078,000</u>
32	Alaskan Way Viaduct Replacement Project Account—State	
33	Appropriation.	(\$10,000)
34		<u>\$79,000</u>
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation.	(\$3,018,000)
37		<u>\$1,457,000</u>
38	Transportation 2003 Account (Nickel Account)—State	

1	Appropriation	\$17,892,000
2	TOTAL APPROPRIATION.	((\$838,044,000))
3		<u>\$816,960,000</u>

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

6 (1) Except as provided otherwise in this section, the entire
7 connecting Washington account—state appropriation and the entire
8 transportation partnership account—state appropriation are provided
9 solely for the projects and activities as listed by fund, project,
10 and amount in LEAP Transportation Document ((2020)) 2021-1 as
11 developed March ((11, 2020)) 22, 2021, Program - Highway Preservation
12 Program (P). However, limited transfers of specific line-item project
13 appropriations may occur between projects for those amounts listed
14 subject to the conditions and limitations in section 601 ((of this
15 act)), chapter 219, Laws of 2020.

16 (2) Except as provided otherwise in this section, the entire
17 motor vehicle account—state appropriation and motor vehicle account—
18 federal appropriation are provided solely for the projects and
19 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
20 PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway
21 Preservation Program (P). Any federal funds gained through
22 efficiencies, adjustments to the federal funds forecast, additional
23 congressional action not related to a specific project or purpose, or
24 the federal funds redistribution process must then be applied to
25 highway and bridge preservation activities or fish passage barrier
26 corrections (0BI4001).

27 (3) Within the motor vehicle account—state appropriation and
28 motor vehicle account—federal appropriation, the department may
29 transfer funds between programs I and P, except for funds that are
30 otherwise restricted in this act. Ten days prior to any transfer, the
31 department must submit its request to the office of financial
32 management and the transportation committees of the legislature and
33 consider any concerns raised. The department shall submit a report on
34 fiscal year funds transferred in the prior fiscal year using this
35 subsection as part of the department's annual budget submittal.

36 (4) ((~~\$26,683,000~~)) \$21,517,000 of the connecting Washington
37 account—state appropriation is provided solely for the land mobile
38 radio upgrade (G2000055) and is subject to the conditions,
39 limitations, and review provided in section 701 ((of this act)),

1 chapter 219, Laws of 2020. The land mobile radio project is subject
2 to technical oversight by the office of the chief information
3 officer. The department, in collaboration with the office of the
4 chief information officer, shall identify where existing or proposed
5 mobile radio technology investments should be consolidated, identify
6 when existing or proposed mobile radio technology investments can be
7 reused or leveraged to meet multiagency needs, increase mobile radio
8 interoperability between agencies, and identify how redundant
9 investments can be reduced over time. The department shall also
10 provide quarterly reports to the technology services board on project
11 progress.

12 (5) (~~(\$4,000,000)~~) \$5,000,000 of the motor vehicle account—state
13 appropriation is provided solely for extraordinary costs incurred
14 from litigation awards, settlements, or dispute mitigation activities
15 not eligible for funding from the self-insurance fund. The amount
16 provided in this subsection must be held in unallotted status until
17 the department submits a request to the office of financial
18 management that includes documentation detailing litigation-related
19 expenses. The office of financial management may release the funds
20 only when it determines that all other funds designated for
21 litigation awards, settlements, and dispute mitigation activities
22 have been exhausted. No funds provided in this subsection may be
23 expended on any legal fees related to the SR 99/Alaskan Way viaduct
24 replacement project (809936Z).

25 (6) The appropriation in this section includes funding for
26 starting planning, engineering, and construction of the Elwha River
27 bridge replacement. To the greatest extent practicable, the
28 department shall maintain public access on the existing route.

29 (7) \$21,289,000 of the motor vehicle account—federal
30 appropriation and \$840,000 of the motor vehicle account—state
31 appropriation are provided solely for the preservation of
32 structurally deficient bridges or bridges that are at risk of
33 becoming structurally deficient (L1000068). These funds must be used
34 widely around the state of Washington. When practicable, the
35 department shall pursue design-build contracts for these bridge
36 projects to expedite delivery. The department shall provide a report
37 that identifies the progress of each project funded in this
38 subsection as part of its annual agency budget request.

1 (8) The department must consult with the Washington state patrol
2 and the office of financial management during the design phase of any
3 improvement or preservation project that could impact Washington
4 state patrol weigh station operations. During the design phase of any
5 such project, the department must estimate the cost of designing
6 around the affected weigh station's current operations, as well as
7 the cost of moving the affected weigh station.

8 (9) During the course of any planned resurfacing or other
9 preservation activity on state route number 26 between Colfax and
10 Othello in the 2019-2021 fiscal biennium, the department must add
11 dug-in reflectors.

12 (10) Within the connecting Washington account—state
13 appropriation, the department may transfer funds from Highway System
14 Preservation (L1100071) to other preservation projects listed in the
15 LEAP transportation document identified in subsection (1) of this
16 section, if it is determined necessary for completion of these high
17 priority preservation projects. The department's next budget
18 submittal after using this subsection must appropriately reflect the
19 transfer.

20 **Sec. 1006.** 2020 c 219 s 307 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
23 **CAPITAL**

24	Motor Vehicle Account—State Appropriation	((\$7,746,000))
25		<u>\$6,296,000</u>
26	Motor Vehicle Account—Federal Appropriation	((\$6,137,000))
27		<u>\$5,039,000</u>
28	Motor Vehicle Account—Private/Local Appropriation	\$579,000
29	Interstate 405 and State Route Number 167 Express 30 Toll Lanes Account—State Appropriation.	((\$100,000))
31		<u>\$189,000</u>
32	TOTAL APPROPRIATION.	((\$14,562,000))
33		<u>\$12,103,000</u>

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

36 ((~~(1) \$700,000~~)) \$121,000 of the motor vehicle account—state
37 appropriation is provided solely for the SR 99 Aurora Bridge ITS
38 project (L2000338).

1 **Sec. 1007.** 2020 c 219 s 308 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**

4 **CONSTRUCTION—PROGRAM W**

5	Puget Sound Capital Construction Account—State	
6	Appropriation	((\$116,253,000))
7		<u>\$85,297,000</u>
8	Puget Sound Capital Construction Account—Federal	
9	Appropriation	((\$198,688,000))
10		<u>\$177,352,000</u>
11	Puget Sound Capital Construction Account—Private/Local	
12	Appropriation	((\$4,779,000))
13		<u>\$4,575,000</u>
14	Transportation Partnership Account—State	
15	Appropriation	((\$6,582,000))
16		<u>\$2,312,000</u>
17	Connecting Washington Account—State Appropriation . . .	\$112,426,000
18	Capital Vessel Replacement Account—State	
19	Appropriation.	((\$96,030,000))
20		<u>\$35,547,000</u>
21	Transportation 2003 Account (Nickel Account)—State	
22	Appropriation.	\$986,000
23	TOTAL APPROPRIATION.	((\$535,744,000))
24		<u>\$418,495,000</u>

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

27 (1) Except as provided otherwise in this section, the entire
28 appropriations in this section are provided solely for the projects
29 and activities as listed in LEAP Transportation Document ((~~2020~~)
30 2021-2 ALL PROJECTS as developed March ((~~11, 2020~~) 22, 2021, Program
31 - Washington State Ferries Capital Program (W)).

32 (2) \$2,857,000 of the Puget Sound capital construction account—
33 state appropriation, ((~~\$17,832,000~~) \$18,818,000 of the Puget Sound
34 capital construction account—federal appropriation, and \$63,789,000
35 of the connecting Washington account—state appropriation, are
36 provided solely for the Mukilteo ferry terminal (952515P). To the
37 extent practicable, the department shall avoid the closure of, or
38 disruption to, any existing public access walkways in the vicinity of
39 the terminal project during construction.

1 (3) (~~(\$102,641,000)~~) \$94,643,000 of the Puget Sound capital
2 construction account—federal appropriation, \$47,819,000 of the
3 connecting Washington account—state appropriation, and \$4,355,000 of
4 the Puget Sound capital construction account—local appropriation are
5 provided solely for the Seattle Terminal Replacement project
6 (900010L).

7 (4) \$5,357,000 of the Puget Sound capital construction account—
8 state appropriation is provided solely for emergency capital repair
9 costs (999910K). Funds may only be spent after approval by the office
10 of financial management.

11 (5) (~~(\$2,300,000)~~) \$2,224,000 of the Puget Sound capital
12 construction account—state appropriation is provided solely for the
13 ORCA acceptance project (L2000300). The ferry system shall work with
14 Washington technology solutions and the tolling division on the
15 development of a new, interoperable ticketing system.

16 (6) \$495,000 of the Puget Sound capital construction account—
17 state appropriation is provided solely for an electric ferry planning
18 team (G2000087) to develop ten-year and twenty-year implementation
19 plans to efficiently deploy hybrid-electric vessels, including a
20 cost-benefit analysis of construction and operation of hybrid-
21 electric vessels with and without charging infrastructure. The plan
22 includes, but is not limited to, vessel technology and feasibility,
23 vessel and terminal deployment schedules, project financing, and
24 workforce requirements. The plan shall be submitted to the office of
25 financial management and the transportation committees of the
26 legislature by June 30, 2020.

27 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital
28 construction account—state appropriation and \$8,000,000 of the Puget
29 Sound capital construction account—federal appropriation are provided
30 solely for the conversion of up to two Jumbo Mark II vessels to
31 electric hybrid propulsion (G2000084). The department shall seek
32 additional funds for the purposes of this subsection. The department
33 may spend from the Puget Sound capital construction account—state
34 appropriation in this section only as much as the department receives
35 in Volkswagen settlement funds for the purposes of this subsection.

36 (8) \$400,000 of the Puget Sound capital construction account—
37 state appropriation is provided solely for a request for proposals
38 for a new maintenance management system (project L2000301) and is

1 subject to the conditions, limitations, and review provided in
2 section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

3 (9) (~~(\$96,030,000)~~) \$35,547,000 of the capital vessel replacement
4 account—state appropriation is provided solely for the acquisition of
5 a 144-car hybrid-electric vessel. The vendor must present to the
6 joint transportation committee and the office of financial
7 management, by September 15, 2019, a list of options that will result
8 in significant cost savings changes in terms of construction or the
9 long-term maintenance and operations of the vessel. The vendor must
10 allow for exercising the options without a penalty. It is the intent
11 of the legislature to provide an additional \$88,000,000 in funding in
12 the 2021-23 biennium. The reduction provided in this subsection is an
13 assumed underrun pursuant to subsection (11) of this section. The
14 commencement of construction of new vessels for the ferry system is
15 important not only for safety reasons, but also to keep skilled
16 marine construction jobs in the Puget Sound region and to sustain the
17 capacity of the region to meet the ongoing construction and
18 preservation needs of the ferry system fleet of vessels. The
19 legislature has determined that the current vessel procurement
20 process must move forward with all due speed, balancing the interests
21 of both the taxpayers and shipyards. To accomplish construction of
22 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
23 for vessels initially funded after July 1, 2020, is encouraged to
24 follow the historical practice of subcontracting the construction of
25 ferry superstructures to a separate nonaffiliated contractor located
26 within the Puget Sound region, that is qualified in accordance with
27 RCW 47.60.690.

28 (10) The capital vessel replacement account—state appropriation
29 includes up to (~~(\$96,030,000)~~) \$35,547,000 in proceeds from the sale
30 of bonds authorized in RCW 47.10.873.

31 (~~((12))~~) (11) The appropriations in this section include savings
32 due to anticipated project underruns; however, it is unknown which
33 projects will provide savings. The legislature intends to provide
34 sufficient flexibility for the department to manage to this savings
35 target. To provide this flexibility, the office of financial
36 management may authorize, through an allotment modification,
37 reductions in the appropriated amounts that are provided solely for a
38 particular purpose within this section subject to the following
39 conditions and limitations:

1 (a) The department must confirm that any modification requested
2 under this subsection of amounts provided solely for a specific
3 purpose are not expected to be used for that purpose in this
4 biennium;

5 (b) Allotment modifications authorized under this subsection may
6 not result in increased funding for any project beyond the amount
7 provided for that project in the 2019-2021 fiscal biennium in LEAP
8 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
9 March ((11, 2020)) 22, 2021;

10 (c) Allotment modifications authorized under this subsection
11 apply only to amounts appropriated in this section from the following
12 accounts: Puget Sound capital construction account—state,
13 transportation partnership account—state, and capital vessel
14 replacement account—state; and

15 (d) By December 1, 2020, the department must submit a report to
16 the transportation committees of the legislature regarding the
17 actions taken under this subsection.

18 **Sec. 1008.** 2020 c 219 s 309 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

21 Motor Vehicle Account—State Appropriation.	((\$3,300,000))
	<u>\$2,300,000</u>
23 Essential Rail Assistance Account—State Appropriation . . .	\$851,000
24 Transportation Infrastructure Account—State	
25 Appropriation	((\$7,554,000))
	<u>\$7,465,000</u>
27 Multimodal Transportation Account—State	
28 Appropriation	\$74,876,000
29 Multimodal Transportation Account—Federal	
30 Appropriation	\$8,601,000
31 Multimodal Transportation Account—Local	
32 Appropriation	\$336,000
33 TOTAL APPROPRIATION.	((\$95,518,000))
	<u>\$94,429,000</u>

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

37 (1) Except as provided otherwise in this section, the entire
38 appropriations in this section are provided solely for the projects

1 and activities as listed by project and amount in LEAP Transportation
2 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
3 22, 2021, Program - Rail Program (Y).

4 (2) ((~~\$7,136,000~~)) \$7,047,000 of the transportation
5 infrastructure account—state appropriation is provided solely for new
6 low-interest loans approved by the department through the freight
7 rail investment bank (FRIB) program. The department shall issue FRIB
8 program loans with a repayment period of no more than ten years, and
9 charge only so much interest as is necessary to recoup the
10 department's costs to administer the loans. The department shall
11 report annually to the transportation committees of the legislature
12 and the office of financial management on all FRIB loans issued.

13 (3) \$7,782,000 of the multimodal transportation account—state
14 appropriation, \$51,000 of the transportation infrastructure account—
15 state appropriation, and \$135,000 of the essential rail assistance
16 account—state appropriation are provided solely for new statewide
17 emergent freight rail assistance projects identified in the LEAP
18 transportation document referenced in subsection (1) of this section.

19 (4) \$367,000 of the transportation infrastructure account—state
20 appropriation and \$1,100,000 of the multimodal transportation account
21 —state appropriation are provided solely to reimburse Highline Grain,
22 LLC for approved work completed on Palouse River and Coulee City
23 (PCC) railroad track in Spokane county between the BNSF Railway
24 Interchange at Cheney and Geiger Junction and must be administered in
25 a manner consistent with freight rail assistance program projects.
26 The value of the public benefit of this project is expected to meet
27 or exceed the cost of this project in: Shipper savings on
28 transportation costs; jobs saved in rail-dependent industries; and/or
29 reduced future costs to repair wear and tear on state and local
30 highways due to fewer annual truck trips (reduced vehicle miles
31 traveled). The amounts provided in this subsection are not a
32 commitment for future legislatures, but it is the legislature's
33 intent that future legislatures will work to approve biennial
34 appropriations until the full \$7,337,000 cost of this project is
35 reimbursed.

36 (5) (a) \$716,000 of the essential rail assistance account—state
37 appropriation and \$82,000 of the multimodal transportation account—
38 state appropriation are provided solely for the purpose of the

1 rehabilitation and maintenance of the Palouse river and Coulee City
2 railroad line (F01111B).

3 (b) Expenditures from the essential rail assistance account—state
4 in this subsection may not exceed the combined total of:

5 (i) Revenues and transfers deposited into the essential rail
6 assistance account from leases and sale of property relating to the
7 Palouse river and Coulee City railroad;

8 (ii) Revenues from trackage rights agreement fees paid by
9 shippers; and

10 (iii) Revenues and transfers transferred from the miscellaneous
11 program account to the essential rail assistance account, pursuant to
12 RCW 47.76.360, for the purpose of sustaining the grain train program
13 by maintaining the Palouse river and Coulee City railroad.

14 (6) The department shall issue a call for projects for the
15 freight rail assistance program, and shall evaluate the applications
16 in a manner consistent with past practices as specified in section
17 309, chapter 367, Laws of 2011. By November 15, 2020, the department
18 shall submit a prioritized list of recommended projects to the office
19 of financial management and the transportation committees of the
20 legislature.

21 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation
22 account—state appropriation is provided solely as expenditure
23 authority for any insurance proceeds received by the state for
24 Passenger Rail Equipment Replacement (project 700010C.) The
25 department must use this expenditure authority only to purchase
26 replacement equipment that has been competitively procured and for
27 service recovery needs and corrective actions related to the December
28 2017 derailment.

29 (8) \$898,000 of the multimodal transportation account—federal
30 appropriation and \$8,000 of the multimodal transportation account—
31 state appropriation are provided solely for the Ridgefield Rail
32 Overpass (project 725910A). Total costs for this project may not
33 exceed \$909,000 across fiscal biennia.

34 (9) (a) For projects funded as part of the 2015 connecting
35 Washington transportation package listed on the LEAP transportation
36 document identified in subsection (1) of this section, if the
37 department expects to have substantial reappropriations for the
38 2021-2023 fiscal biennium, the department may, on a pilot basis,
39 apply funding from a project in this section with an appropriation

1 that cannot be used for the current fiscal biennium to advance the
2 South Kelso Railroad Crossing project (L1000147).

3 (b) At least ten business days before advancing the project
4 pursuant to this subsection, the department must notify the office of
5 financial management and the transportation committees of the
6 legislature. The advancement of the project may not hinder the
7 delivery of the projects for which the reappropriations are necessary
8 for the 2021-2023 fiscal biennium.

9 (c) To the extent practicable, the department shall use the
10 flexibility and authority granted in this section to minimize the
11 amount of reappropriations needed each biennium.

12 ~~(10) ((The multimodal transportation account state appropriation~~
13 ~~includes up to \$25,000,000 in proceeds from the sale of bonds~~
14 ~~authorized in RCW 47.10.867.~~

15 ~~(11))~~ The department must report to the joint transportation
16 committee on the progress made on freight rail investment bank
17 projects and freight rail assistance projects funded during this
18 biennium by January 1, 2020.

19 ~~((12))~~ (11) \$1,500,000 of the multimodal transportation account
20 —state appropriation is provided solely for the Chelatchie Prairie
21 railroad roadbed rehabilitation project (L1000233).

22 ~~((13))~~ (12) \$250,000 of the multimodal transportation account—
23 state appropriation is provided solely for the Port of Moses Lake
24 Northern Columbia Basin railroad feasibility study (L1000235).

25 ~~((14))~~ (13) \$500,000 of the multimodal transportation account—
26 state appropriation is provided solely for the Spokane airport
27 transload facility project (L1000242).

28 ~~((15) —\$1,000,000 of the motor vehicle account state~~
29 ~~appropriation is provided solely for the grade separation at Bell~~
30 ~~road project (L1000239).~~

31 ~~(16))~~ (14) \$750,000 of the motor vehicle account—state
32 appropriation and \$399,000 of the multimodal transportation account—
33 state appropriation are provided solely for the rail crossing
34 improvements at 6th Ave. and South 19th St. project (L2000289).

35 ~~((18))~~ (15) The appropriations in this section include savings
36 due to anticipated project underruns; however, it is unknown which
37 projects will provide savings. The legislature intends to provide
38 sufficient flexibility for the department to manage to this savings
39 target. To provide this flexibility, the office of financial

1 management may authorize, through an allotment modification,
2 reductions in the appropriated amounts that are provided solely for a
3 particular purpose within this section subject to the following
4 conditions and limitations:

5 (a) The department must confirm that any modification requested
6 under this subsection of amounts provided solely for a specific
7 purpose are not expected to be used for that purpose in this
8 biennium;

9 (b) Allotment modifications authorized under this subsection may
10 not result in increased funding for any project beyond the amount
11 provided for that project in the 2019-2021 fiscal biennium in LEAP
12 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
13 March ((11, 2020)) 22, 2021;

14 (c) Allotment modifications authorized under this subsection
15 apply only to amounts appropriated in this section from the
16 multimodal transportation account—state; and

17 (d) By December 1, 2020, the department must submit a report to
18 the transportation committees of the legislature regarding the
19 actions taken under this subsection.

20 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
23 **CAPITAL**

24	Highway Infrastructure Account—State Appropriation	\$1,276,000
25	Highway Infrastructure Account—Federal Appropriation	\$1,337,000
26	Transportation Partnership Account—State	
27	Appropriation	((\$2,380,000))
28		<u>\$1,630,000</u>
29	Highway Safety Account—State Appropriation	\$1,314,000
30	Motor Vehicle Account—State Appropriation	((\$35,607,000))
31		<u>\$24,543,000</u>
32	Motor Vehicle Account—Federal Appropriation	((\$41,420,000))
33		<u>\$52,267,000</u>
34	Motor Vehicle Account—Private/Local Appropriation	((\$24,600,000))
35		<u>\$18,000,000</u>
36	Connecting Washington Account—State Appropriation	((\$155,550,000))
37		<u>\$130,708,000</u>
38	Multimodal Transportation Account—State	

1	Appropriation	((\$77,469,000))
2		<u>\$74,351,000</u>
3	TOTAL APPROPRIATION.	((\$340,953,000))
4		<u>\$305,426,000</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
9 and activities as listed by project and amount in LEAP Transportation
10 Document ((~~2020~~)) 2021-2 ALL PROJECTS as developed March ((~~11, 2020~~))
11 22, 2021, Program - Local Programs Program (Z).

12 (2) The amounts identified in the LEAP transportation document
13 referenced under subsection (1) of this section for pedestrian
14 safety/safe routes to school are as follows:

15 (a) ((~~\$18,380,000~~)) \$8,361,000 of the multimodal transportation
16 account—state appropriation is provided solely for newly selected
17 pedestrian and bicycle safety program projects. ((~~\$18,577,000~~))
18 \$19,363,000 of the multimodal transportation account—state
19 appropriation and \$1,380,000 of the transportation partnership
20 account—state appropriation are reappropriated for pedestrian and
21 bicycle safety program projects selected in the previous biennia
22 (L2000188).

23 (b) ((~~\$11,400,000~~)) \$4,066,000 of the motor vehicle account—
24 federal appropriation and ((~~\$7,750,000~~)) \$4,668,000 of the multimodal
25 transportation account—state appropriation are provided solely for
26 newly selected safe routes to school projects. ((~~\$11,354,000~~))
27 \$10,744,000 of the motor vehicle account—federal appropriation,
28 ((~~\$4,640,000~~)) \$3,075,000 of the multimodal transportation account—
29 state appropriation, and \$1,314,000 of the highway safety account—
30 state appropriation are reappropriated for safe routes to school
31 projects selected in the previous biennia (L2000189). The department
32 may consider the special situations facing high-need areas, as
33 defined by schools or project areas in which the percentage of the
34 children eligible to receive free and reduced-price meals under the
35 national school lunch program is equal to, or greater than, the state
36 average as determined by the department, when evaluating project
37 proposals against established funding criteria while ensuring
38 continued compliance with federal eligibility requirements.

1 (3) The department shall submit a report to the transportation
2 committees of the legislature by December 1, 2019, and December 1,
3 2020, on the status of projects funded as part of the pedestrian
4 safety/safe routes to school grant program. The report must include,
5 but is not limited to, a list of projects selected and a brief
6 description of each project's status.

7 (4) (~~(\$37,537,000)~~) \$32,976,000 of the multimodal transportation
8 account—state appropriation is provided solely for bicycle and
9 pedestrian projects listed in the LEAP transportation document
10 referenced in subsection (1) of this section.

11 (5) (~~(\$23,926,000)~~) \$13,829,000 of the connecting Washington
12 account—state appropriation is provided solely for the Covington
13 Connector (L2000104). The amounts described in the LEAP
14 transportation document referenced in subsection (1) of this section
15 are not a commitment by future legislatures, but it is the
16 legislature's intent that future legislatures will work to approve
17 appropriations in the 2019-2021 fiscal biennium to reimburse the city
18 of Covington for approved work completed on the project up to the
19 full \$24,000,000 cost of this project.

20 (6)(a) For projects funded as part of the 2015 connecting
21 Washington transportation package listed on the LEAP transportation
22 document identified in subsection (1) of this section, if the
23 department expects to have substantial reappropriations for the
24 2021-2023 fiscal biennium, the department may, on a pilot basis,
25 apply funding from a project in this section with an appropriation
26 that cannot be used for the current fiscal biennium to advance one or
27 more of the following projects:

- 28 (i) I-5/Port of Tacoma Road Interchange (L1000087);
- 29 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or
- 30 (iii) SR 523 145th Street (L1000148);

31 (b) At least ten business days before advancing a project
32 pursuant to this subsection, the department must notify the office of
33 financial management and the transportation committees of the
34 legislature. The advancement of a project may not hinder the delivery
35 of the projects for which the reappropriations are necessary for the
36 2021-2023 fiscal biennium.

37 (c) To the extent practicable, the department shall use the
38 flexibility and authority granted in this section to minimize the
39 amount of reappropriations needed each biennium.

1 (7) It is the expectation of the legislature that the department
2 will be administering a local railroad crossing safety grant program
3 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

4 (8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account—
5 federal appropriation is provided solely for national highway freight
6 network projects identified on the project list submitted in
7 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
8 October 31, 2016.

9 (b) The department shall convene a stakeholder group for the
10 purpose of developing a recommendation for a Washington freight
11 advisory committee. The recommendations must include, but are not
12 limited to, defining the committee's purpose and goals, roles and
13 responsibilities, reporting structure, and proposed activities.
14 Stakeholders must include representation from, but not limited to,
15 the trucking industry, the maritime industry, the rail industry,
16 cities, tribal governments, counties, ports, and representatives from
17 key industrial associations important to the state's economic
18 vitality and other relevant public and private interests. In
19 developing the recommendation, the stakeholder group must review
20 practices used by other states. The proposed committee must conform
21 with requirements of the fixing America's surface transportation act
22 and other relevant federal legislation. The recommendations must
23 include how the committee can address improving freight mobility
24 including, but not limited to, addressing insufficient truck parking
25 in Washington state, examining the link between preservation
26 investments and freight mobility, and enhancing freight logistics
27 through the application of technology. The stakeholder group shall
28 make recommendations to the governor and the transportation
29 committees of the legislature by December 1, 2020.

30 (9) \$1,000,000 of the motor vehicle account—state appropriation
31 is provided solely for the Beech Street Extension project (L1000222).

32 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state
33 appropriation is provided solely for the Dupont-Steilacoom road
34 improvements project (L1000224).

35 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state
36 appropriation is provided solely for the SR 104/40th place northeast
37 roundabout project (L1000244).

1 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation
2 account—state appropriation is provided solely for the Clinton to
3 Ken's corner trail project (L1000249).

4 (13) (~~(\$210,000 of the motor vehicle account—state appropriation~~
5 ~~is provided solely for the I-405/44th gateway signage and green-~~
6 ~~seaping improvements project (L1000250).~~

7 ~~(14)~~—~~\$650,000~~) \$50,000 of the motor vehicle account—state
8 appropriation is provided solely for the Wallace Kneeland and Shelton
9 springs road intersection improvements project (L1000260).

10 ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state
11 appropriation and \$500,000 of the multimodal transportation account—
12 state appropriation are provided solely for the complete 224th Phase
13 two project (L1000270).

14 ~~((16))~~ (15) \$60,000 of the multimodal transportation account—
15 state appropriation is provided solely for the installation of an
16 updated meteorological station at the Colville airport (L1000279).

17 ~~((17))~~ (16)(a) \$700,000 of the motor vehicle account—state
18 appropriation is provided solely for the Ballard-Interbay Regional
19 Transportation system plan project (L1000281).

20 (b) Funding in this subsection is provided solely for the city of
21 Seattle to develop a plan and report for the Ballard-Interbay
22 Regional Transportation System project to improve mobility for people
23 and freight. The plan must be developed in coordination and
24 partnership with entities including but not limited to the city of
25 Seattle, King county, the Port of Seattle, Sound Transit, the
26 Washington state military department for the Seattle armory, and the
27 Washington state department of transportation. The plan must examine
28 replacement of the Ballard bridge and the Magnolia bridge, which was
29 damaged in the 2001 Nisqually earthquake. The city must provide a
30 report on the plan that includes recommendations to the Seattle city
31 council, King county council, and the transportation committees of
32 the legislature by November 1, 2020. The report must include
33 recommendations on how to maintain the current and future capacities
34 of the Magnolia and Ballard bridges, an overview and analysis of all
35 plans between 2010 and 2020 that examine how to replace the Magnolia
36 bridge, and recommendations on a timeline for constructing new
37 Magnolia and Ballard bridges.

1 ~~((18))~~ (17) \$750,000 of the motor vehicle account—state
2 appropriation is provided solely for the Mickelson Parkway project
3 (L1000282).

4 ~~((19) \$300,000)~~ (18) \$175,000 of the motor vehicle account—
5 state appropriation is provided solely for the South 314th Street
6 Improvements project (L1000283).

7 ~~((20) \$250,000)~~ (19) \$200,000 of the motor vehicle account—
8 state appropriation is provided solely for the Ridgefield South I-5
9 Access Planning project (L1000284).

10 ~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account—state
11 appropriation is provided solely for the Washougal 32nd Street
12 Underpass Design and Permitting project (L1000285).

13 ~~((22) \$600,000 of the connecting Washington account—state
14 appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account—
15 state appropriation, and \$267,000 of the multimodal transportation
16 account—state appropriation are provided solely for the Bingen Walnut
17 Creek and Maple Railroad Crossing (L2000328).

18 ~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account—
19 state appropriation is provided solely for the SR 303 Warren Avenue
20 Bridge Pedestrian Improvements project (L2000339).

21 ~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account—
22 state appropriation is provided solely for the 72nd/Washington
23 Improvements in Yakima project (L2000341).

24 ~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account—
25 state appropriation is provided solely for the 48th/Washington
26 Improvements in Yakima project (L2000342).

27 ~~((27))~~ (25) The appropriations in this section include savings
28 due to anticipated project underruns; however, it is unknown which
29 projects will provide savings. The legislature intends to provide
30 sufficient flexibility for the department to manage to this savings
31 target. To provide this flexibility, the office of financial
32 management may authorize, through an allotment modification,
33 reductions in the appropriated amounts that are provided solely for a
34 particular purpose within this section subject to the following
35 conditions and limitations:

36 (a) The department must confirm that any modification requested
37 under this subsection of amounts provided solely for a specific
38 purpose are not expected to be used for that purpose in this
39 biennium;

1 (b) Allotment modifications authorized under this subsection may
2 not result in increased funding for any project beyond the amount
3 provided for that project in the 2019-2021 fiscal biennium in LEAP
4 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
5 March ((11, 2020)) 22, 2021;

6 (c) Allotment modifications authorized under this subsection
7 apply only to amounts appropriated in this section from the following
8 accounts: Connecting Washington account—state and multimodal
9 transportation account—state; and

10 (d) By December 1, 2020, the department must submit a report to
11 the transportation committees of the legislature regarding the
12 actions taken under this subsection.

13 (26) \$11,679,000 of the motor vehicle account—federal
14 appropriation is provided solely to accelerate local preservation
15 projects that ensure the reliable movement of freight on the national
16 highway freight system. The department will identify projects through
17 its current national highway system asset management call for
18 projects with applications due in February 2021.

19 **TRANSFERS AND DISTRIBUTIONS**

20 **Sec. 1101.** 2020 c 219 s 401 (uncodified) is amended to read as
21 follows:

22 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
23 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
24 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
25 **REVENUE**

26 Special Category C Account—State Appropriation. ((~~\$105,000~~))
27 \$21,000
28 ((~~Multimodal Transportation Account—State Appropriation. . . \$125,000~~))
29 Transportation Partnership Account—State Appropriation ((~~\$1,407,000~~))
30 \$182,000
31 Connecting Washington Account—State Appropriation. . . ((~~\$7,723,000~~))
32 \$2,455,000
33 Highway Bond Retirement Account—State
34 Appropriation. ((~~\$1,378,835,000~~))
35 \$1,308,311,000
36 Ferry Bond Retirement Account—State Appropriation. . . ((~~\$25,078,000~~))

1 \$34,067,000

2 ~~((7))~~ (5) Motor Vehicle Account—State Appropriation:

3 For transfer to the Puget Sound Capital Construction

4 Account—State. (~~(\$52,000,000)~~)

5 \$43,000,000

6 ~~((8) Motor Vehicle)~~ (6) Multimodal Transportation

7 Account—State Appropriation: For transfer to the

8 Puget Sound Ferry Operations Account—State. (~~(\$55,000,000)~~)

9 \$50,000,000

10 ~~((9))~~ (7) Rural Mobility Grant Program Account—State

11 Appropriation: For transfer to the Multimodal

12 Transportation Account—State. \$3,000,000

13 ~~((10))~~ (8) State Route Number 520 Civil Penalties

14 Account—State Appropriation: For transfer to

15 the State Route Number 520 Corridor

16 Account—State. \$1,434,000

17 ~~((11))~~ (9) Capital Vessel Replacement Account—State

18 Appropriation: For transfer to the Connecting

19 Washington Account—State. \$60,000,000

20 ~~((12))~~ (10) Multimodal Transportation Account—State

21 Appropriation: For transfer to the Regional

22 Mobility Grant Program Account—State. \$11,215,000

23 ~~((13))~~ (11) Multimodal Transportation Account—State

24 Appropriation: For transfer to the Rural

25 Mobility Grant Program Account—State. \$15,223,000

26 ~~((14) Transportation 2003 Account (Nickel~~

27 ~~Account))~~ (12) Multimodal Transportation Account—

28 State Appropriation: For transfer to the Puget

29 Sound Capital Construction Account—State. (~~(\$15,000,000)~~)

30 \$20,000,000

31 ~~((15)(a) Alaskan Way Viaduct Replacement Project~~

32 ~~Account—State Appropriation: For transfer to the~~

33 ~~Motor Vehicle Account—State. \$9,992,000~~

34 ~~(b) The transfer identified in this subsection is provided solely~~

35 ~~to repay in full the motor vehicle account state appropriation loan~~

36 ~~from section 1005(21), chapter 416, Laws of 2019.~~

37 ~~(16))~~ (13)(a) Transportation Partnership Account—State

38 Appropriation: For transfer to the Alaskan Way Viaduct

39 Replacement Project Account—State. \$77,956,000

1 (b) The amount transferred in this subsection represents that
2 portion of the up to \$200,000,000 in proceeds from the sale of bonds
3 authorized in RCW 47.10.873, intended to be sold through the
4 2021-2023 fiscal biennium, used only for construction of the SR 99/
5 Alaskan Way Viaduct Replacement project (809936Z), and that must be
6 repaid from the Alaskan Way viaduct replacement project account
7 consistent with RCW 47.56.864.

8 ((+17)) (14) Motor Vehicle Account—State Appropriation:
9 For transfer to the County Arterial Preservation
10 Account—State. ((\$4,829,000))
11 \$9,902,000

12 ((+18)) (15)(a) General Fund Account—State Appropriation:
13 For transfer to the State Patrol Highway
14 Account—State. \$625,000

15 (b) The state treasurer shall transfer the funds only after
16 receiving notification from the Washington state patrol under section
17 207(7), chapter 416, Laws of 2019.

18 ((+19)) (16) Capital Vessel Replacement Account—State
19 Appropriation: For transfer to the Transportation
20 Partnership Account—State. ((\$2,312,000))
21 \$1,167,000

22 ((+20)) (17)(a) Alaskan Way Viaduct Replacement Project
23 Account—State Appropriation: For transfer to the
24 Transportation Partnership Account—State. \$15,858,000

25 (b) The amount transferred in this subsection represents
26 repayment of debt service incurred for the construction of the SR 99/
27 Alaskan Way Viaduct Replacement project (809936Z).

28 ((+21)) (18) Tacoma Narrows Toll Bridge Account—State
29 Appropriation: For transfer to the Motor
30 Vehicle Account—State. \$950,000

31 ((+22)) (19)(a) Tacoma Narrows Toll Bridge Account—State
32 Appropriation:
33 For transfer to the Motor Vehicle
34 Account—State. \$5,000,000

35 (b) A transfer in the amount of \$5,000,000 was made from the
36 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
37 April 2019. It is the intent of the legislature that this transfer
38 was to be temporary, for the purpose of minimizing the impact of toll

1 increases, and this is an equivalent reimbursing transfer to occur in
2 November 2019.

3 ~~((23))~~ (20) (a) Transportation ~~((2003 Account (Nickel Account))~~
4 Partnership Account

5 —State Appropriation: For transfer to the Tacoma
6 Narrows Toll Bridge Account—State. \$12,543,000

7 (b) It is the intent of the legislature that this transfer is
8 temporary, for the purpose of minimizing the impact of toll
9 increases, and an equivalent reimbursing transfer is to occur after
10 the debt service and deferred sales tax on the Tacoma Narrows bridge
11 construction costs are fully repaid in accordance with chapter 195,
12 Laws of 2018.

13 ~~((24))~~ (21) Transportation Infrastructure Account—State
14 Appropriation: For transfer to the multimodal
15 Transportation Account—State. \$9,000,000

16 ~~((25))~~ (22) Multimodal Transportation Account—State
17 Appropriation: For transfer to the Pilotage
18 Account—State. \$2,500,000

19 ~~((26))~~ (23) (a) Motor Vehicle Account—State
20 Appropriation: For transfer to the County Road
21 Administration Board Emergency Loan Account—State. \$1,000,000

22 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,
23 the amount provided in this subsection lapses.

24 ~~((27))~~ (24) (a) Advanced Environmental Mitigation
25 Revolving Account—State Appropriation: For transfer
26 to the Motor Vehicle Account—State. \$9,000,000

27 (b) The amount transferred in this subsection is contingent on at
28 least a \$9,000,000 transfer to the advanced environmental mitigation
29 revolving account authorized by June 30, 2019, in the omnibus capital
30 appropriations act.

31 ~~((28))~~ (25) Multimodal Transportation Account—State
32 Appropriation: For transfer to the Electric Vehicle
33 Charging Infrastructure Account—State. \$1,000,000

34 ~~((29))~~ (26) Multimodal Transportation Account—State
35 Appropriation: For transfer to the Complete Streets
36 Grant Program Account—State. \$10,200,000

37 ~~((30))~~ (27) (a) Transportation Partnership
38 Account—State Appropriation: For transfer to the Capital Vessel
39 Replacement Account—State. ~~(\$96,030,000)~~

\$35,547,000

(b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873.

((+31)) (28) Freight Mobility Multimodal Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. \$7,296,000

((+32)) (29) Connecting Washington Account—State Appropriation: For transfer to the Motor Vehicle Account—State. \$115,000,000

(30) Motor Vehicle Account—State Appropriation: For transfer to the Alaskan Way Viaduct Replacement Project Account—State. \$11,783,000

(31) Motor Vehicle Account—State Appropriation: For transfer to the 520 Civil Penalties Account—State. . . \$6,000,000

(32) Motor Vehicle Account—State Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)—State. \$13,000,000

NEW SECTION. **Sec. 1107.** A new section is added to 2020 c 219 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—AMERICAN RESCUE PLAN ACT OF 2021—REVENUE LOSS DEPOSITS

Coronavirus State Fiscal Recovery Fund—Federal Appropriation \$315,866,000

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

(1) The appropriation is provided solely for expenditure into accounts in the amounts specified in subsection (2) of this section. These amounts reflect revenue losses to state transportation accounts in state fiscal year 2020 relative to revenues collected in state fiscal year 2019 and shall be used to maintain government services pursuant to the federal American rescue plan act of 2021.

(2) The appropriation must be distributed to the following accounts in the amounts designated:

Aeronautics Account—State. \$328,000
State Patrol Highway Account—State. \$12,358,000
Puget Sound Capital Construction Account—State. \$790,000
Transportation Partnership Account—State. \$16,530,000

1	Highway Safety Account—State.	\$8,218,000
2	Motor Vehicle Account—State.	\$99,416,000
3	Puget Sound Ferry Operations Account—State.	\$30,742,000
4	Connecting Washington Account—State.	\$17,246,000
5	Special Category C Account—State.	\$1,086,000
6	Multimodal Transportation Account—State.	\$115,609,000
7	Transportation 2003 Account (Nickel Account)—State.	\$13,543,000

8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1201.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 1202.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of
15 the state government and its existing public institutions, and takes
16 effect immediately."

17 Correct the title.

EFFECT: Makes biennial transportation appropriations for the
2021-2023 biennium, and modifies supplemental appropriations for the
2019-2021 biennium.

(End of Bill)

INDEX

PAGE #

ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM. 68

BOARD OF PILOTAGE COMMISSIONERS. 4

BOND REIMBURSEMENT. 85

COLLECTIVE BARGAINING AGREEMENT

 COALITION OF UNIONS. 79

 PTE LOCAL 17. 79

 WFSE. 78

 WPEA. 79

 WSP LIEUTENANTS AND CAPTAINS ASSOCIATION. 80

 WSP TROOPERS ASSOCIATION. 79

COLLECTIVE BARGAINING AGREEMENTS. 75

COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED. 75

 CARPENTERS. 76

 FASPAA. 76

 IBU. 78

 MEBA-L. 77

 MEBA-UL. 77

 METAL TRADES. 76

 MM&P MASTERS. 78

 MM&P MATES. 77

 MM&P WATCH CENTER SUPERVISORS. 78

 OPEIU. 75

 PORT ENGINEERS. 77

 SEIU LOCAL 6. 76

COMPENSATION

 NONREPRESENTED EMPLOYEES-INSURANCE BENEFITS. 81

 REPRESENTED EMPLOYEES-HEALTH CARE-COALITION-INSURANCE BENEFITS 80

 REPRESENTED EMPLOYEES-OUTSIDE HEALTH CARE COALITION-INSURANCE
 BENEFITS. 80

 REVISE PENSION CONTRIBUTION RATES. 81

COUNTY ROAD ADMINISTRATION BOARD. 8, 50, 107, 165

DEPARTMENT OF AGRICULTURE. 2

DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION. 2, 103

DEPARTMENT OF ECOLOGY. 5

DEPARTMENT OF FISH AND WILDLIFE. 5

DEPARTMENT OF LICENSING. 17, 120

 TRANSFERS. 71, 197

DEPARTMENT OF TRANSPORTATION

 AVIATION-PROGRAM F. 27, 133

CHARGES FROM OTHER AGENCIES—PROGRAM U.	39, 148
FACILITIES—PROGRAM D—CAPITAL.	51, 165
FACILITIES—PROGRAM D—OPERATING.	27, 133
HIGHWAY MAINTENANCE—PROGRAM M.	31, 139
IMPROVEMENTS—PROGRAM I.	51, 166
INFORMATION TECHNOLOGY—PROGRAM C.	26, 131
LOCAL PROGRAMS—PROGRAM Z—CAPITAL.	66, 189
LOCAL PROGRAMS—PROGRAM Z—OPERATING.	46, 162
MARINE—PROGRAM X.	44, 157
PRESERVATION—PROGRAM P.	58, 178
PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H.	27, 135
PUBLIC TRANSPORTATION—PROGRAM V.	40, 149
PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K.	29, 137
RAIL—PROGRAM Y—CAPITAL.	64, 185
RAIL—PROGRAM Y—OPERATING.	46, 160
TOLL OPERATIONS AND MAINTENANCE—PROGRAM B.	22, 127
TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL.	61, 181
TRAFFIC OPERATIONS—PROGRAM Q—OPERATING.	33, 141
TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S.	35, 144
TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T.	36, 145
WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W.	62, 182
FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES.	69
FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES.	3
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD.	12, 48, 164
FUND TRANSFERS.	83
HOUSE OF REPRESENTATIVES.	4
JOINT TRANSPORTATION COMMITTEE.	8, 107
JUNETEENTH HOLIDAY.	81
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE.	3, 104
NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS.	69
OFFICE OF FINANCIAL MANAGEMENT.	2, 103
AMERICAN RESCUE PLAN ACT OF 2021—REVENUE LOSS DEPOSITS.	201
QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM.	69
REAPPROPRIATIONS REPORTING.	85
SENATE.	4
STATE PARKS AND RECREATION COMMISSION.	2
STATE TREASURER	
ADMINISTRATIVE TRANSFERS.	71, 197
BOND RETIREMENT AND INTEREST.	70, 71, 195, 196

BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE.	74
STATE REVENUES FOR DISTRIBUTION.	71, 74, 196
STATUTORY TRANSFERS.	71
TRANSFERS.	71, 197
TOLL CREDITS.	87
TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING.	86
TRANSPORTATION COMMISSION.	12, 113
TRANSPORTATION IMPROVEMENT BOARD.	8, 50
UTILITIES AND TRANSPORTATION COMMISSION.	2
WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY.	3
WASHINGTON STATE PATROL.	12, 49, 116
WASHINGTON TRAFFIC SAFETY COMMISSION.	5, 104
WEB SITE REPORTING REQUIREMENTS.	86

--- END ---