
SUBSTITUTE SENATE BILL 5165

State of Washington

67th Legislature

2021 Regular Session

By Senate Transportation (originally sponsored by Senators Hobbs, King, Nobles, Saldaña, and Wilson, C.; by request of Office of Financial Management)

READ FIRST TIME 03/26/21.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 82.21.030, 46.68.060, 47.12.370,
3 46.68.325, 47.56.876, 46.68.370, 46.68.300, 47.60.322, 46.68.290,
4 82.44.135, 46.68.395, 46.68.063, 46.68.396, 47.01.480, 47.60.530,
5 47.60.315, 34.05.350, and 70A.205.425; amending 2019 c 416 ss 101,
6 106, and 302 (uncodified), and 2020 c 219 ss 101, 102, 104, 105, 201,
7 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
8 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 304, 305, 306, 307,
9 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, and 408
10 (uncodified); adding a new section to 2019 c 416 (uncodified);
11 creating new sections; making appropriations and authorizing
12 expenditures for capital improvements; providing a contingent
13 effective date; providing an expiration date; and declaring an
14 emergency.

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

16 **2021-2023 FISCAL BIENNIUM**

17 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
18 is hereby adopted and, subject to the provisions set forth, the
19 several amounts specified, or as much thereof as may be necessary to
20 accomplish the purposes designated, are hereby appropriated from the

1 several accounts and funds named to the designated state agencies and
2 offices for employee compensation and other expenses, for capital
3 projects, and for other specified purposes, including the payment of
4 any final judgments arising out of such activities, for the period
5 ending June 30, 2023.

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

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

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

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

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

15 (e) "Provided solely" means the specified amount may be spent
16 only for the specified purpose. Unless otherwise specifically
17 authorized in this act, any portion of an amount provided solely for
18 a specified purpose that is not expended subject to the specified
19 conditions and limitations to fulfill the specified purpose shall
20 lapse.

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

24 (g) "LEAP" means the legislative evaluation and accountability
25 program committee.

26 **GENERAL GOVERNMENT AGENCIES—OPERATING**

27 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
28 **HISTORIC PRESERVATION**

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

30 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
31 **COMMISSION**

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

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

34 TOTAL APPROPRIATION. \$654,000

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

| | | |
|---|--|--------------|
| 1 | Motor Vehicle Account—State Appropriation | \$1,441,0000 |
| 2 | Puget Sound Ferry Operations Account—State Appropriation . . | \$126,000 |
| 3 | Multimodal Transportation Account—State Appropriation. . . . | \$250,000 |
| 4 | TOTAL APPROPRIATION. | \$1,817,000 |

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

7 \$250,000 of the multimodal transportation account—state
8 appropriation is provided solely for the office of financial
9 management, in collaboration with the Washington department of
10 transportation and the office of the chief information officer, to
11 conduct an evaluation of short term and long term facility and
12 information technology needs. In conducting the evaluation, the
13 office of financial management may contract with an entity with
14 direct expertise in this area. The office of financial management
15 must submit a final report of their evaluation by October 1, 2022.
16 The evaluation must be coordinated with any legislatively directed
17 study regarding leased space. The evaluation must include, but is not
18 limited to:

19 (1) Development of a status quo scenario based on current policy
20 and projections and two alternative scenarios of the number of people
21 and percentage of staff in telework status on a permanent basis with
22 one alternative being the minimum feasible level of teleworking and
23 one alternative being the maximum feasible level of teleworking;

24 (2) Current and projected facility needs by location and function
25 for the scenarios in subsection (1) of this section;

26 (3) The specific number of employees and percentage of the
27 workforce expected to be teleworking by location and function and the
28 anticipated impact on facility space needs for the scenarios in
29 subsection (1) of this section;

30 (4) Analysis of opportunities to colocate with other state,
31 local, and other public agencies to reduce costs and improve cost-
32 efficiency;

33 (5) Detailed information on any increased costs, such as end-user
34 devices, software, technology infrastructure, and other types of
35 assistance needed to meet the teleworking levels in each of the
36 scenarios in subsection (1) of this section;

37 (6) Detailed information on any reduced costs, such as leases,
38 facility maintenance, and utilities, resulting from the projected

1 teleworking levels for the scenarios in subsection (1) of this
2 section; and

3 (7) Cost-benefit analysis detailing the net impact of teleworking
4 on facility and total costs for the scenarios in subsection (1) of
5 this section.

6 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
7 **COMMISSION**

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

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

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

13 Motor Vehicle Account—State Appropriation \$1,345,000

14 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
15 **ACCOUNTABILITY PROGRAM COMMITTEE**

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

17 NEW SECTION. **Sec. 107. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

18 Pilotage Account—State Appropriation \$5,775,000

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

21 (1) \$2,926,000 of the pilotage account—state appropriation is
22 provided solely for self-insurance liability premium expenditures;
23 however, this appropriation is contingent upon the board:

24 (a) Annually depositing the first \$150,000 collected through
25 Puget Sound pilotage district pilotage tariffs into the pilotage
26 account; and

27 (b) Assessing a self-insurance premium surcharge of \$16 per
28 pilotage assignment on vessels requiring pilotage in the Puget Sound
29 pilotage district.

30 (2) The board of pilotage commissioners shall file the annual
31 report to the governor and chairs of the transportation committees
32 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
33 thereafter. The report must include the continuation of policies and
34 procedures necessary to increase the diversity of pilots, trainees,
35 and applicants, including a diversity action plan. The diversity

1 action plan must articulate a comprehensive vision of the board's
2 diversity goals and the steps it will take to reach those goals.

3 NEW SECTION. **Sec. 108. FOR THE HOUSE OF REPRESENTATIVES**

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

5 NEW SECTION. **Sec. 109. FOR THE SENATE**

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

7 NEW SECTION. **Sec. 110. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
8 **AMERICAN RESCUE PLAN ACT OF 2021**

9 Coronavirus State Fiscal Recovery
10 Account—Federal Appropriation. \$1,000,000,000

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

13 (1) \$600,000,000 of the coronavirus state fiscal recovery account
14 —federal appropriation is provided solely for expenditure into
15 accounts as specified in LEAP Transportation Document 3 as developed
16 on March 22, 2021. These funds will be used exclusively to maintain
17 government services as specified in the federal American rescue plan
18 act of 2021. This reflects the anticipated revenue losses for
19 transportation funds due to the COVID-19 public health emergency
20 relative to revenues collected in fiscal year 2019.

21 (2) \$400,000,000 of the coronavirus state fiscal recovery account
22 —federal appropriation is provided solely for water infrastructure
23 projects that remove fish passage barriers that are impeding state
24 streams, rivers, and other waterways (0BI4001), as permitted under
25 the federal American rescue plan act of 2021. When funds are
26 received, this appropriation must be spent prior to the use of funds
27 provided in section 306 of this act for project (0BI4001). These
28 water infrastructure projects are to pursue compliance with the
29 federal *U.S. v. Washington* court injunction by 2030.

30 NEW SECTION. **Sec. 111. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

31 Motor Vehicle Account—State Appropriation. \$400,000

32 The appropriation in this section is subject to the following
33 conditions and limitations: \$400,000 of the motor vehicle account—
34 state appropriation is provided solely for the department, from
35 amounts set aside out of statewide fuel taxes distributed to cities

1 according to RCW 46.68.110(2), to contract with the association of
2 Washington cities to inventory and assess fish passage barriers
3 associated with city roads located in the *U.S. v. Washington* case
4 area, water resource inventory area numbers one through 23. The study
5 is a continuation of previous inventories, and must finalize a
6 complete inventory of city-owned fish passage barriers in water
7 resource inventory area numbers one through 23. The inventories and
8 assessments must be conducted using the methods described in the
9 department's fish passage, inventory, assessment, and prioritization
10 manual. A report of the study must be provided to the office of
11 financial management and the transportation committees of the
12 legislature by July 1, 2023.

13 **TRANSPORTATION AGENCIES—OPERATING**

14 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
15 **COMMISSION**

| | | |
|----|--|--------------|
| 16 | Highway Safety Account—State Appropriation | \$4,624,000 |
| 17 | Highway Safety Account—Federal Appropriation | \$27,202,000 |
| 18 | Highway Safety Account—Private/Local Appropriation | \$60,000 |
| 19 | School Zone Safety Account—State Appropriation | \$850,000 |
| 20 | TOTAL APPROPRIATION. | \$32,736,000 |

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

23 (1) The Washington traffic safety commission may oversee a
24 demonstration project in one county, coordinating with a public
25 transportation benefit area (PTBA) and the department of
26 transportation, to test the feasibility and accuracy of the use of
27 automated enforcement technology for high occupancy vehicle (HOV)
28 lane passenger compliance. All costs associated with the
29 demonstration project must be borne by the participating public
30 transportation benefit area. Any photograph, microphotograph, or
31 electronic images of a driver or passengers are for the exclusive use
32 of the PTBA in the determination of whether an HOV passenger
33 violation has occurred to test the feasibility and accuracy of
34 automated enforcement under this subsection and are not open to the
35 public and may not be used in a court in a pending action or
36 proceeding. All photographs, microphotographs, and electronic images
37 must be destroyed after determining a passenger count and no later

1 than the completion of the demonstration project. No warnings or
2 notices of infraction may be issued under the demonstration project.

3 For purposes of the demonstration project, an automated
4 enforcement technology device may record an image of a driver and
5 passenger of a motor vehicle. The county and PTBA must erect signs
6 marking the locations where the automated enforcement for HOV
7 passenger requirements is occurring.

8 The PTBA, in consultation with the Washington traffic safety
9 commission, must provide a report to the transportation committees of
10 the legislature with the number of violations detected during the
11 demonstration project, whether the technology used was accurate and
12 any recommendations for future use of automated enforcement
13 technology for HOV lane enforcement by June 30, 2023.

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

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

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

25 (c) Any city administering a pilot program overseen by the
26 traffic safety commission shall use the following guidelines to
27 administer the program:

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

32 (ii) The law enforcement agency of the city or county government
33 shall install two signs facing opposite directions within 200 feet,
34 or otherwise consistent with the uniform manual on traffic control
35 devices, where the automated vehicle noise enforcement camera is used
36 that state "Street Racing Noise Pilot Program in Progress";

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

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

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

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

19 (vii) By June 30, 2022, the participating cities shall provide a
20 report to the commission and appropriate committees of the
21 legislature regarding the use, public acceptance, outcomes, warnings
22 issued, data retention and use, and other relevant issues regarding
23 automated vehicle noise enforcement cameras demonstrated by the pilot
24 projects.

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

| | |
|---|-------------|
| 26 Rural Arterial Trust Account—State Appropriation | \$1,134,000 |
| 27 Motor Vehicle Account—State Appropriation | \$2,759,000 |
| 28 County Arterial Preservation Account—State | |
| 29 Appropriation | \$1,669,000 |
| 30 TOTAL APPROPRIATION. | \$5,562,000 |

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

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|---|-------------|
| 32 Transportation Improvement Account—State | |
| 33 Appropriation | \$4,509,000 |

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

| | |
|---|-------------|
| 35 Motor Vehicle Account—State Appropriation | \$2,079,000 |
| 36 Multimodal Transportation Account—State Appropriation. | \$220,000 |

1 TOTAL APPROPRIATION. \$2,299,000

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

4 (1) (a) \$250,000 of the motor vehicle account—state appropriation
5 is for the joint transportation committee to convene a vehicle
6 registration payment work group to study and recommend new options
7 for payment of vehicle fees or taxes due at the time of application
8 for vehicle registration.

9 (b) The work group must consist of, but is not limited to, the
10 following members: A representative of the department of licensing, a
11 representative of county auditors, a representative of subagents, a
12 representative of local taxing authorities imposing a fee or tax due
13 at the time of application for vehicle registration, a representative
14 of a city offering or considering a rebate program for vehicle fees
15 or taxes due at the time of application for vehicle registration, a
16 representative of vehicle owners subject to a motor vehicle excise
17 tax, a representative of vehicle owners subject to an electric car or
18 transportation electrification fee, and an advocate for multimodal
19 transportation options. Work group members are eligible for
20 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

21 (c) The work group must engage with members of the public who are
22 interested in new options for payment of fees or taxes due at the
23 time of application for vehicle registration, including persons from
24 communities of color, low-income households, vulnerable populations,
25 and displaced communities. Input from members of the public must
26 inform the work group's recommendations. The work group must notify
27 members of the public of opportunities to engage through a variety of
28 communication channels including, but not limited to, the following:
29 Outreach through community organizations, print and broadcast media,
30 and social media.

31 (d) The work group's recommendations must include, but are not
32 limited to, the following:

33 (i) Options to provide or encourage rebates to vehicle owners who
34 pay taxes and fees due at the time of application for vehicle
35 registration;

36 (ii) An agreed upon service fee structure for vehicle
37 registration payment plans;

38 (iii) An agreed upon service fee revenue allocation method;

1 (iv) A process to allow agents and subagents to determine if a
2 vehicle owner has paid all taxes and fees due prior to renewal of a
3 vehicle registration;

4 (v) Options for reducing revenue loss due to missed payments,
5 transfer of the certificate of title, or registration of a vehicle
6 out of state; and

7 (vi) Options to reduce impacts to communities of color, low-
8 income households, vulnerable populations, and displaced communities.

9 (e) A report of the work group's findings and recommendations is
10 due to the transportation committees of the legislature by June 30,
11 2022.

12 (2) \$50,000 of the motor vehicle account—state appropriation is
13 for the joint transportation committee to contract for a legal
14 consultant to analyze and recommend options for the formation of a
15 bistate bridge authority for the purpose of constructing, financing,
16 operating and maintaining a new replacement bridge over the Columbia
17 River near Hood River connecting Klickitat county in Washington to
18 Hood River county in Oregon. The consultant may confer with the Hood
19 River Bistate Working Group to understand the work and analysis that
20 has been completed.

21 The Washington interlocal cooperation act, chapter 39.34 RCW,
22 authorizes public agencies to contract with other public agencies via
23 interlocal agreements that enable cooperation among the agencies to
24 perform governmental activities and deliver public services,
25 including agreements with public entities in other states. Such
26 interstate agreements are deemed interstate compacts. The legal
27 analysis must identify and recommend alternative and/or additional
28 statutory authority that would be necessary to allow for the
29 formation of a local government bistate bridge authority or
30 governance structure for the Hood River Bridge replacement that at a
31 minimum may:

32 (a) Issue bonds for bridge construction;

33 (b) Collect tolls; and

34 (c) Secure and administer state or federal grants and loans.

35 The legal analysis must be presented to the transportation
36 committees of the legislature by September 30, 2021.

37 (3) (a) \$220,000 of the multimodal transportation account—state
38 appropriation is for chapter . . . (Engrossed Substitute Senate Bill
39 No. 5439), Laws of 2021 (broadband along state highways). However, if
40 chapter . . . (Engrossed Substitute Senate Bill No. 5439), Laws of

1 2021 is not enacted by June 30, 2021, then the amount provided in
2 this subsection is for the joint transportation committee to conduct
3 a study of mutually beneficial strategies for the transportation
4 system and statewide broadband development. The study must recommend:

5 (i) An effective department of transportation strategy, and
6 specific highway corridors, that could be used to address missing
7 fiber connections and inadequate broadband service in parts of the
8 state unserved and underserved by broadband facilities;

9 (ii) The role of the department of transportation and the
10 statewide broadband office in a coordinated statewide approach for
11 broadband development on highway rights-of-way in both the short and
12 long term; and

13 (iii) The most promising planning and financing tools that could
14 be used to provide the state with greater ability to install conduit
15 in anticipation of future broadband fiber occupancy, including an
16 examination of other state best practices and a review of any needed
17 changes to state laws or regulations.

18 (b) A report of the study findings and recommendations is due to
19 the transportation committees of the legislature by January 1, 2022.

20 (4) \$215,000 of the motor vehicle account—state appropriation is
21 provided solely for the joint transportation committee, from amounts
22 set aside out of statewide fuel taxes distributed to cities according
23 to RCW 46.68.110(2), to convene a study on the impacts of current and
24 historical city transportation investments on designated populations,
25 including communities of color, low-income households, vulnerable
26 populations, and displaced communities. The study must identify and
27 measure the true costs of underinvestment of accessible
28 transportation for designated populations, including the secondary
29 impacts to public health, economic opportunity, educational access,
30 and environmental risk factors. The assessment must include specific
31 approaches to addressing existing inequities within cities, as well
32 as recommendations to develop best practices to improve, diversify,
33 and expand city transportation investments. A report must be provided
34 to the office of financial management and the transportation
35 committees of the legislature by December 20, 2022.

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

37 Motor Vehicle Account—State Appropriation \$3,056,000

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

3 (1) The commission shall reconvene the road usage charge steering
4 committee, with the same membership described in chapter 297, Laws of
5 2018, and shall periodically report to the steering committee with
6 updates on activities undertaken in accordance with the federal grant
7 awarded July 2020 ("Forward Drive"). A year-end update on the status
8 of any federally-funded project for which federal funding is secured
9 must be provided to the governor's office and the transportation
10 committees of the legislature by January 1, 2022, and by January 1,
11 2023. Additionally, as part of the activities undertaken in
12 accordance with the federal grant, the commission shall identify and
13 measure how a road usage charge could be adjusted so vehicles of
14 comparable efficiency pay the same rate regardless of their means of
15 propulsion, and examine options for indexing to stabilize revenue as
16 vehicle fleets become more efficient over time. Any legislative
17 vacancies on the steering committee must be appointed by the speaker
18 of the house of representatives for a house of representatives member
19 vacancy, and by the president of the senate for a senate member
20 vacancy.

21 (2) The commission may modify their sufficient minimum balance
22 internal policy for the Tacoma Narrows toll bridge account for the
23 2021-2023 biennium due to temporary revenue impacts from the COVID-19
24 pandemic.

25 (3) \$225,000 of the motor vehicle account—state appropriation is
26 provided solely for the implementation of chapter . . . (Substitute
27 Senate Bill No. 5444), Laws of 2021 (per mile charge). If
28 chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not
29 enacted by June 30, 2021, the amount provided in this subsection
30 lapses.

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

33 Freight Mobility Investment Account—State
34 Appropriation \$830,000

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

36 State Patrol Highway Account—State Appropriation \$518,461,000
37 State Patrol Highway Account—Federal Appropriation . . . \$15,838,000

| | | |
|---|---|---------------|
| 1 | State Patrol Highway Account—Private/Local | |
| 2 | Appropriation | \$4,267,000 |
| 3 | Highway Safety Account—State Appropriation | \$1,214,000 |
| 4 | Ignition Interlock Device Revolving Account—State | |
| 5 | Appropriation | \$5,053,000 |
| 6 | Multimodal Transportation Account—State Appropriation | \$288,000 |
| 7 | TOTAL APPROPRIATION. | \$545,121,000 |

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

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

19 (2) \$580,000 of the state patrol highway account—state
20 appropriation is provided solely for the operation of and
21 administrative support to the license investigation unit to enforce
22 vehicle registration laws in southwestern Washington. The Washington
23 state patrol, in consultation with the department of revenue, shall
24 maintain a running estimate of the additional vehicle registration
25 fees, sales and use taxes, and local vehicle fees remitted to the
26 state pursuant to activity conducted by the license investigation
27 unit. Beginning October 1, 2021, and quarterly thereafter, the
28 Washington state patrol shall submit a report detailing the
29 additional revenue amounts generated since January 1, 2021, to the
30 director of the office of financial management and the transportation
31 committees of the legislature. At the end of the calendar quarter in
32 which it is estimated that more than \$625,000 in state sales and use
33 taxes have been remitted to the state since January 1, 2021, the
34 Washington state patrol shall notify the state treasurer and the
35 state treasurer shall transfer funds pursuant to section 406 of this
36 act.

37 (3) \$4,430,000 of the state patrol highway account—state
38 appropriation is provided solely for a third arming and a third

1 trooper basic training class. The cadet class is expected to graduate
2 in June 2023.

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

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

8 (b) The number of transportation funded staff vacancies by major
9 category;

10 (c) The number of applicants for each of the positions by these
11 categories;

12 (d) The composition of workforce;

13 (e) Other relevant outcome measures with comparative information
14 with recent comparable months in prior years; and

15 (f) Activities related to the implementation of the agency's
16 workforce diversity plan, including short-term and long-term,
17 specific comprehensive outreach and recruitment strategies to
18 increase populations underrepresented within both commissioned and
19 noncommissioned employee groups.

20 (5) \$493,000 of the state patrol highway account—state
21 appropriation is provided solely for aerial criminal investigation
22 tools, including software licensing and maintenance, and annual
23 certification, and is subject to the conditions, limitations, and
24 review requirements of section 701 of this act.

25 (6) \$7,962,000 of the state patrol highway account—state
26 appropriation is provided solely for the land mobile radio system
27 replacement, upgrade, and other related activities. Beginning January
28 1, 2022, the Washington state patrol must report semiannually to the
29 office of the state chief information officer on the progress related
30 to the projects and activities associated with the land mobile radio
31 system, including the governance structure, outcomes achieved in the
32 prior six month time period, and how the activities are being managed
33 holistically as recommended by the office of the chief information
34 officer. At the time of submittal to the office of the state chief
35 information officer, this report shall be transmitted to the office
36 of financial management and the house and senate transportation
37 committees.

38 (7) (a) The Washington state patrol is directed to terminate its
39 "Agreement for Utility Connection and Reimbursement of Water
40 Extension Expenses" with the city of Shelton, executed on June 12,

1 2017, subject to the city of Shelton's consent to terminate the
2 agreement. The legislature finds that the water connection extension
3 constructed by the Washington state patrol from the city of Shelton's
4 water facilities to the Washington state patrol academy was necessary
5 to meet the water supply needs of the academy. The legislature also
6 finds that the water connection provides an ongoing water supply that
7 is necessary to the operation of the training facility, that the
8 state is making use of the water connection for these public
9 activities, and that any future incidental use of the municipal
10 infrastructure put in place to support these activities will not
11 impede the Washington state patrol's ongoing use of the water
12 connection extension.

13 (b) \$2,220,000 of the statutory transfers to the state patrol
14 highway account—state as specified in this act, comprised of a
15 portion of the required statutory transfers from the waste tire
16 removal account—state pursuant to RCW 70A.205.425, reimburses the
17 state patrol highway account—state for the portion of the water
18 project costs assigned by the agreement to properties, other than the
19 Washington state patrol academy, that make use of the water
20 connection while the agreement remains in effect. This reimbursement
21 to the state patrol highway account is intended to address any
22 possibility that the termination of this agreement could be
23 determined to result in the unconstitutional use of 18th amendment
24 designated funds for nonhighway purposes under the constitution of
25 the state of Washington; however, this transfer is not intended to
26 indicate that the incidental use of this infrastructure by these
27 properties necessarily requires such reimbursement under the state
28 Constitution.

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

| | | |
|----|--|---------------|
| 30 | Marine Fuel Tax Refund Account—State Appropriation | \$34,000 |
| 31 | Motorcycle Safety Education Account—State | |
| 32 | Appropriation | \$4,898,000 |
| 33 | Limited Fish and Wildlife Account—State | |
| 34 | Appropriation | \$917,000 |
| 35 | Highway Safety Account—State Appropriation | \$236,536,000 |
| 36 | Highway Safety Account—Federal Appropriation | \$1,294,000 |
| 37 | Motor Vehicle Account—State Appropriation | \$63,338,000 |
| 38 | Motor Vehicle Account—Federal Appropriation. | \$150,000 |

| | | |
|----|---|---------------|
| 1 | Motor Vehicle Account—Private/Local Appropriation | \$15,604,000 |
| 2 | Ignition Interlock Device Revolving Account—State | |
| 3 | Appropriation | \$4,078,000 |
| 4 | Department of Licensing Services Account—State | |
| 5 | Appropriation | \$8,162,000 |
| 6 | License Plate Technology Account—State | |
| 7 | Appropriation | \$4,250,000 |
| 8 | Abandoned Recreational Vehicle Account—State | |
| 9 | Appropriation. | \$3,066,000 |
| 10 | Limousine Carriers Account—State Appropriation. | \$110,000 |
| 11 | Electric Vehicle Account—State Appropriation. | \$405,000 |
| 12 | DOL Technology Improvement & Data Management | |
| 13 | Account—State Appropriation. | \$748,000 |
| 14 | Agency Financial Transaction Account—State | |
| 15 | Appropriation. | \$21,257,000 |
| 16 | Driver Licensing Technology Support | |
| 17 | Account—State Appropriation. | \$2,540,000 |
| 18 | TOTAL APPROPRIATION. | \$367,387,000 |

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

21 (1) \$500,000 of the highway safety account—state appropriation is
22 provided solely for the department to provide an interagency transfer
23 to the department of social and health services, children's
24 administration division for the purpose of providing driver's license
25 support to a larger population of foster youth than is already served
26 within existing resources. Support services include reimbursement of
27 driver's license issuance costs, fees for driver training education,
28 and motor vehicle liability insurance costs.

29 (2)(a) The department must implement cost recovery mechanisms to
30 recoup at least a portion of credit card and other financial
31 transaction costs as part of charges imposed for driver and vehicle
32 fee transactions. The department must develop a method of tracking
33 the amount of credit card and other financial cost-recovery revenues.
34 The department must notify the state treasurer of these amounts and
35 the state treasurer must deposit these revenues in the agency
36 financial transaction account on a quarterly basis. If either Senate
37 Bill No. 5167 or House Bill No. 1115 (cost recovery of state agency
38 credit card and transaction fees) is enacted by June 30, 2021, this
39 subsection (2)(a) has no force and effect.

1 (b) The appropriations in this section assume implementation by
2 the department of cost recovery mechanisms to recoup at least
3 \$15,870,000 during the 2021-2023 biennium in credit card and other
4 financial transaction costs as part of charges imposed for driver and
5 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
6 department must report any amounts recovered to the office of
7 financial management and appropriate committees of the legislature on
8 a quarterly basis.

9 (3) 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 714
12 of this act.

13 (4) \$12,000 of the motorcycle safety education account—state
14 appropriation, \$2,000 of the limited fish and wildlife account—state
15 appropriation, \$728,000 of the highway safety account—state
16 appropriation, \$238,000 of the motor vehicle account—state
17 appropriation, \$10,000 of the ignition interlock device revolving
18 account—state appropriation, and \$10,000 of the department of
19 licensing services account—state appropriation are provided solely
20 for the department to redesign and improve its online services and
21 website, and are subject to the conditions, limitations, and review
22 requirements of section 701 of this act.

23 (5) \$375,000 of the motor vehicle account—state appropriation is
24 provided solely for the implementation of chapter . . . (Substitute
25 Senate Bill No. 5444), Laws of 2021 (per mile charge). If
26 chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not
27 enacted by June 30, 2021, the amount provided in this subsection
28 lapses.

29 (6) \$523,000 of the highway safety account—state appropriation is
30 provided solely for the implementation of chapter . . . (Substitute
31 House Bill No. 1207), Laws of 2021 (DOL issued documents). If
32 chapter . . . (Substitute House Bill No. 1207), Laws of 2021 is not
33 enacted by June 30, 2021, the amount provided in this subsection
34 lapses.

35 (7) \$2,540,000 of the driver licensing technology support account
36 —state appropriation is provided solely for the implementation of
37 chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of
38 2021 (DOL issued documents). If chapter . . . (Engrossed Substitute

1 Senate Bill No. 5226), Laws of 2021 is not enacted by June 30, 2021,
2 the amount provided in this subsection lapses.

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

| | | |
|----|---|---------------|
| 5 | State Route Number 520 Corridor Account—State | |
| 6 | Appropriation | \$53,678,000 |
| 7 | State Route Number 520 Civil Penalties Account—State | |
| 8 | Appropriation | \$4,122,000 |
| 9 | Tacoma Narrows Toll Bridge Account—State | |
| 10 | Appropriation | \$29,809,000 |
| 11 | Alaskan Way Viaduct Replacement Project Account—State | |
| 12 | Appropriation. | \$20,847,000 |
| 13 | Interstate 405 and State Route Number 167 Express | |
| 14 | Toll Lanes Account—State Appropriation. | \$23,914,000 |
| 15 | TOTAL APPROPRIATION. | \$132,370,000 |

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

18 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
19 appropriation and \$12,484,000 of the state route number 520 corridor
20 account—state appropriation are provided solely for the purposes of
21 addressing unforeseen operations and maintenance costs on the Tacoma
22 Narrows bridge and the state route number 520 bridge, respectively.
23 The office of financial management shall place the amounts provided
24 in this subsection, which represent a portion of the required minimum
25 fund balance under the policy of the state treasurer, in unallotted
26 status. The office may release the funds only when it determines that
27 all other funds designated for operations and maintenance purposes
28 have been exhausted.

29 (2) As long as the facility is tolled, the department must
30 provide annual reports to the transportation committees of the
31 legislature on the Interstate 405 express toll lane project
32 performance measures listed in RCW 47.56.880(4). These reports must
33 include:

34 (a) Information on the travel times and travel time reliability
35 (at a minimum, average and 90th percentile travel times) maintained
36 during peak and nonpeak periods in the express toll lanes and general
37 purpose lanes for both the entire corridor and commonly made trips in
38 the corridor including, but not limited to, northbound from Bellevue

1 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
2 state route number 522, Bellevue to Bothell (both NE 8th to state
3 route number 522 and NE 8th to state route number 527), and a trip
4 internal to the corridor (such as NE 85th to NE 160th) and similar
5 southbound trips;

6 (b) A month-to-month comparison of travel times and travel time
7 reliability for the entire corridor and commonly made trips in the
8 corridor as specified in (a) of this subsection since implementation
9 of the express toll lanes and, to the extent available, a comparison
10 to the travel times and travel time reliability prior to
11 implementation of the express toll lanes;

12 (c) Total express toll lane and total general purpose lane
13 traffic volumes, as well as per lane traffic volumes for each type of
14 lane (i) compared to total express toll lane and total general
15 purpose lane traffic volumes, as well as per lane traffic volumes for
16 each type of lane, on this segment of Interstate 405 prior to
17 implementation of the express toll lanes and (ii) compared to total
18 express toll lane and total general purpose lane traffic volumes, as
19 well as per lane traffic volumes for each type of lane, from month to
20 month since implementation of the express toll lanes; and

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

24 (3) (a) \$708,000 of the Interstate 405 and state route number 167
25 express toll lanes account—state appropriation, \$1,651,000 of the
26 state route number 520 corridor account—state appropriation, \$709,000
27 of the Tacoma Narrows toll bridge account—state appropriation, and
28 \$932,000 of the Alaskan Way viaduct replacement project account—state
29 appropriation are provided solely for the department to finish
30 implementing a new tolling customer service toll collection system,
31 and are subject to the conditions, limitations, and review provided
32 in section 701 of this act.

33 (b) The department shall continue to work with the office of
34 financial management, office of the chief information officer, and
35 the transportation committees of the legislature on the project
36 management plan that includes a provision for independent
37 verification and validation of contract deliverables from the
38 successful bidder and a provision for quality assurance that includes

1 reporting independently to the office of the chief information
2 officer on an ongoing basis during system implementation.

3 (4) The department shall make detailed annual reports to the
4 transportation committees of the legislature and the public on the
5 department's web site on the following:

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

10 (b) The nonvendor costs of administering toll operations,
11 including the costs of staffing the division, consultants, and other
12 personal service contracts required for technical oversight and
13 management assistance, insurance, payments related to credit card
14 processing, transponder purchases and inventory management, facility
15 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

27 (iv) Workload costs related to hearings;

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

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

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

33 (5) During the 2021-2023 fiscal biennium, the department plans to
34 issue a request for proposals as the first stage of a competitive
35 procurement process that will replace the toll equipment and select a
36 new tolling operator for the Tacoma Narrows Bridge. The request for
37 proposals and subsequent competitive procurement must incorporate
38 elements that prioritize the overall goal of lowering costs per
39 transaction for the facility, such as incentives for innovative
40 approaches which result in lower transactional costs, requests for

1 efficiencies on the part of the bidder that lower operational costs,
2 and incorporation of technologies such as self-serve credit card
3 machines or other point-of-payment technologies that lower costs or
4 improve operational efficiencies.

5 (6) \$19,915,000 of the Alaskan Way viaduct replacement project
6 account—state appropriation is provided solely for the new state
7 route number 99 tunnel toll facility's expected share of collecting
8 toll revenues, operating customer services, and maintaining toll
9 collection systems. The legislature expects to see appropriate
10 reductions to the other toll facility accounts once tolling on the
11 new state route number 99 tunnel toll facility stabilizes and any
12 previously incurred costs for start-up of the new facility are
13 charged back to the Alaskan Way viaduct replacement project account.
14 The office of financial management shall closely monitor the
15 application of the cost allocation model and ensure that the new
16 state route number 99 tunnel toll facility is adequately sharing
17 costs and the other toll facility accounts are not being overspent or
18 subsidizing the new state route number 99 tunnel toll facility.

19 (7) The department shall submit a plan to the legislature for the
20 Interstate 405 and state route number 167 express toll lanes account
21 detailing how bond proceeds can cover the proposed construction plan
22 on the Interstate 405 and state route number 167 express toll lane
23 corridor outlined on LEAP Transportation Document 2021-1 as developed
24 March 22, 2021, by January 1, 2022. The legislature assumes that
25 bonds will not be issued to support the Interstate 405 and state
26 route number 167 express toll lanes account until after the 2022
27 regular legislative session.

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

| | | |
|----|--|---------------|
| 30 | Transportation Partnership Account—State Appropriation . . . | \$1,377,000 |
| 31 | Motor Vehicle Account—State Appropriation | \$92,753,000 |
| 32 | Puget Sound Ferry Operations Account—State | |
| 33 | Appropriation | \$263,000 |
| 34 | Multimodal Transportation Account—State | |
| 35 | Appropriation | \$11,259,000 |
| 36 | Transportation 2003 Account (Nickel Account)—State | |
| 37 | Appropriation | \$1,393,000 |
| 38 | TOTAL APPROPRIATION. | \$107,045,000 |

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$8,546,000 of the multimodal
3 transportation account—state appropriation is provided solely for the
4 department's cost related to the one Washington project, and is
5 subject to the conditions, limitations, and review requirements of
6 section 701 of this act.

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

| | | |
|----|---|--------------|
| 10 | Motor Vehicle Account—State Appropriation | \$35,974,000 |
| 11 | State Route Number 520 Corridor Account—State | |
| 12 | Appropriation | \$34,000 |
| 13 | TOTAL APPROPRIATION. | \$36,008,000 |

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

| | | |
|----|---|--------------|
| 16 | Aeronautics Account—State Appropriation | \$7,455,000 |
| 17 | Aeronautics Account—Federal Appropriation | \$3,916,000 |
| 18 | Aeronautics Account—Private/Local Appropriation | \$60,000 |
| 19 | TOTAL APPROPRIATION. | \$11,431,000 |

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

22 (1) \$2,388,000 of the aeronautics account—state appropriation is
23 provided solely for the airport aid grant program, which provides
24 competitive grants to public use airports for pavement, safety,
25 maintenance, planning, and security.

26 (2) \$157,000 of the aeronautics account—state appropriation is
27 provided solely for the implementation of chapter 396, Laws of 2019
28 (aviation coordinating commission).

29 (3) \$280,000 of the aeronautics account—state appropriation is
30 provided solely for the implementation of chapter . . . (Substitute
31 House Bill No. 1379), Laws of 2021 (unpiloted aircraft system). If
32 chapter . . . (Substitute House Bill No. 1379), Laws of 2021 is not
33 enacted by June 30, 2021, the amount provided in this subsection
34 lapses.

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

| | | |
|---|---|--------------|
| 3 | Motor Vehicle Account—State Appropriation | \$58,838,000 |
| 4 | Motor Vehicle Account—Federal Appropriation | \$500,000 |
| 5 | Multimodal Transportation Account—State Appropriation . . . | \$258,000 |
| 6 | TOTAL APPROPRIATION. | \$59,596,000 |

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

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

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

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

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

1 (2) With respect to Parcel 12 of the real property conveyed by
2 the state of Washington to the city of Mercer Island under that
3 certain quitclaim deed, dated April 19, 2000, recorded in King county
4 under recording no. 20000425001234, the requirement in the deed that
5 the property be used for road/street purposes only will be deemed
6 satisfied by the department of transportation so long as commuter
7 parking, as part of the vertical development of the property, is one
8 of the significant uses of the property.

9 (3) \$1,600,000 of the motor vehicle account—state appropriation
10 is provided solely for real estate services activities. Consistent
11 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when
12 initiating, extending, or renewing any rent or lease agreements with
13 a regional transit authority, consideration of value must be
14 equivalent to one hundred percent of economic or market rent.

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

20 (5) During the 2021-2023 biennium, if the department takes
21 possession of the property situated in the city of Edmonds for which
22 a purchase agreement was executed between Unocal and the department
23 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
24 confirms that the property is still no longer needed for
25 transportation purposes, the department shall provide the city of
26 Edmonds with the right of first purchase at fair market value in
27 accordance with RCW 47.12.063(3) for the city's intended use of the
28 property to rehabilitate near-shore habitat for salmon and related
29 species.

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

| | | |
|----|--|-------------|
| 32 | Motor Vehicle Account—State Appropriation | \$675,000 |
| 33 | Electric Vehicle Account—State Appropriation. | \$3,900,000 |
| 34 | Multimodal Transportation Account—State Appropriation. . . | \$2,400,000 |
| 35 | TOTAL APPROPRIATION. | \$6,975,000 |

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

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

4 (2) \$2,400,000 of the electric vehicle account—state
5 appropriation is provided solely for the clean alternative fuel
6 vehicle charging and refueling infrastructure program in chapter 287,
7 Laws of 2019 (advancing green transportation adoption).

8 (3) \$2,400,000 of the multimodal transportation account—state
9 appropriation is provided solely for the pilot program established
10 under chapter 287, Laws of 2019 (advancing green transportation
11 adoption) to provide clean alternative fuel vehicle use opportunities
12 to underserved communities and low to moderate income members of the
13 workforce not readily served by transit or located in transportation
14 corridors with emissions that exceed federal or state emissions
15 standards. Consistent with the geographical diversity element
16 described in RCW 47.04.355(4), the legislature strongly encourages
17 the department to consider implementing the pilot in both urban and
18 rural communities if possible, to obtain valuable information on the
19 needs of underserved communities located in different geographical
20 locations in Washington.

21 (4) \$1,500,000 of the electric vehicle account—state
22 appropriation is provided solely for a colocated DC fast charging and
23 hydrogen fueling station near the Wenatchee or East Wenatchee area
24 near a state route or near or on a publicly owned facility to service
25 passenger, light-duty and heavy-duty vehicles. The hydrogen fueling
26 station must include a DC fast charging station colocated at the
27 hydrogen fueling station site. Funds may be used for one or more fuel
28 cell electric vehicles that would utilize the fueling stations. The
29 department must contract with a public utility district that produces
30 hydrogen in the area to own and/or manage and provide technical
31 assistance for the design, planning, permitting, construction,
32 maintenance and operation of the hydrogen fueling station. The
33 department and public utility district are encouraged to collaborate
34 with and seek contributions from additional public and private
35 partners for the fueling station.

36 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **HIGHWAY MAINTENANCE—PROGRAM M**

38 Motor Vehicle Account—State Appropriation \$493,925,000

| | | |
|----|---|---------------|
| 1 | Motor Vehicle Account—Federal Appropriation | \$7,000,000 |
| 2 | State Route Number 520 Corridor Account—State | |
| 3 | Appropriation | \$4,082,000 |
| 4 | Tacoma Narrows Toll Bridge Account—State | |
| 5 | Appropriation | \$1,479,000 |
| 6 | Alaskan Way Viaduct Replacement Project | |
| 7 | Account—State Appropriation | \$8,157,000 |
| 8 | Interstate 405 and State Route Number 167 Express | |
| 9 | Toll Lanes Account—State Appropriation. | \$2,545,000 |
| 10 | TOTAL APPROPRIATION. | \$517,188,000 |

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

13 (1) \$7,529,000 of the motor vehicle account—state appropriation
14 is provided solely for utility fees assessed by local governments as
15 authorized under RCW 90.03.525 for the mitigation of stormwater
16 runoff from state highways. Plan and reporting requirements as
17 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
18 shall be consistent with the January 2012 findings of the Joint
19 Transportation Committee Report for Effective Cost Recovery Structure
20 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

21 (2) \$5,000,000 of the motor vehicle account—state appropriation
22 is provided solely for a contingency pool for snow and ice removal.
23 The department must notify the office of financial management and the
24 transportation committees of the legislature when they have spent the
25 base budget for snow and ice removal and will begin using the
26 contingency pool funding.

27 (3) \$1,025,000 of the motor vehicle account—state appropriation
28 is provided solely for the department to implement safety
29 improvements and debris clean up on department-owned rights-of-way in
30 the city of Seattle at levels above that being implemented as of
31 January 1, 2019. The department must maintain a crew dedicated solely
32 to collecting and disposing of garbage, clearing debris or hazardous
33 material, and implementing safety improvements where hazards exist to
34 the traveling public, department employees, or people encamped upon
35 department-owned rights-of-way. The department may request assistance
36 from the Washington state patrol as necessary in order for both
37 agencies to provide enhanced safety-related activities regarding the
38 emergency hazards along state highway rights-of-way in the Seattle
39 area.

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

10 (5) The department must continue a pilot program for the
11 2021-2023 fiscal biennium at the four highest demand safety rest
12 areas to create and maintain an online calendar for volunteer groups
13 to check availability of weekends for the free coffee program. The
14 calendar must be updated at least weekly and show dates and times
15 that are, or are not, available to participate in the free coffee
16 program. The department must submit a report to the legislature on
17 the ongoing pilot by December 1, 2022, outlining the costs and
18 benefits of the online calendar pilot, and including surveys from the
19 volunteer groups and agency staff to determine its effectiveness.

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

| | | |
|----|---|--------------|
| 22 | Motor Vehicle Account—State Appropriation | \$74,548,000 |
| 23 | Motor Vehicle Account—Federal Appropriation | \$2,050,000 |
| 24 | Motor Vehicle Account—Private/Local Appropriation | \$250,000 |
| 25 | State Route Number 520 Corridor Account—State | |
| 26 | Appropriation. | \$175,000 |
| 27 | Alaskan Way Viaduct Replacement Project Account— | |
| 28 | State Appropriation. | \$1,080,000 |
| 29 | TOTAL APPROPRIATION. | \$78,103,000 |

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

32 (1) \$6,000,000 of the motor vehicle account—state appropriation
33 is provided solely for low-cost enhancements. The department shall
34 give priority to low-cost enhancement projects that improve safety or
35 provide congestion relief. By December 15th of each odd-numbered
36 year, the department shall provide a report to the legislature
37 listing all low-cost enhancement projects completed in the prior
38 fiscal biennium.

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

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

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

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

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

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

| | | |
|----|---|--------------|
| 16 | Motor Vehicle Account—State Appropriation | \$37,895,000 |
| 17 | Motor Vehicle Account—Federal Appropriation | \$780,000 |
| 18 | Motor Vehicle Account—Private/Local Appropriation | \$500,000 |
| 19 | Multimodal Transportation Account—State | |
| 20 | Appropriation | \$2,129,000 |
| 21 | TOTAL APPROPRIATION. | \$41,304,000 |

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$2,000,000 of the motor vehicle account—
24 state appropriation and \$1,000,000 of the multimodal transportation
25 account—state appropriation are provided solely for a grant program
26 that makes awards to nonprofit agencies, churches, and other entities
27 to perform outreach to populations underrepresented in the current
28 apprenticeship programs with an emphasis on outreach and support to
29 the juvenile rehabilitation and foster care communities to provide:
30 (1) Preapprenticeship training in one or more of the highway
31 construction trades; (2) support services that may include assistance
32 with transportation, child care, basic tools, housing, and other
33 barrier reducing support that are needed to help women, minorities,
34 veterans, and other disadvantaged individuals enter and succeed in
35 apprenticeship; (3) mentorship and retention training; and (4)
36 cultural competency training to foster and encourage a safe and
37 welcoming worksite for every person on all Washington state
38 department of transportation construction projects. This grant

1 program facilitates access to career connected learning
2 opportunities, including career awareness and exploration, career
3 preparation, and career launch programs, as defined in RCW
4 28C.30.020. The department must report on grants that have been
5 awarded and the amount of funds disbursed by December 1st each year.

6 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

| | | |
|----|--|--------------|
| 8 | Motor Vehicle Account—State Appropriation | \$25,257,000 |
| 9 | Motor Vehicle Account—Federal Appropriation | \$34,865,000 |
| 10 | Motor Vehicle Account—Private/Local Appropriation. | \$400,000 |
| 11 | Multimodal Transportation Account—State Appropriation . . . | \$769,000 |
| 12 | Multimodal Transportation Account—Federal | |
| 13 | Appropriation | \$2,809,000 |
| 14 | Multimodal Transportation Account—Private/Local | |
| 15 | Appropriation | \$100,000 |
| 16 | Interstate 405 and State Route Number 167 Express Toll Lanes | |
| 17 | Account—State Appropriation. | \$1,879,000 |
| 18 | TOTAL APPROPRIATION. | \$66,079,000 |

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

21 (1) \$4,080,000 of the motor vehicle account—federal appropriation
22 is provided solely for the Forward Drive road usage charge research
23 project overseen by the transportation commission using a portion of
24 the amount of the federal grant award. The purpose of the Forward
25 Drive road usage charge research project is to advance research in
26 key policy areas related to road usage charge including assessing
27 impacts of future mobility shifts on road usage charge revenues,
28 conducting an equity analysis, updating and assessing emerging
29 mileage reporting methods, determining opportunities to reduce cost
30 of collection, conducting small-scale pilot tests, and identifying a
31 long-term, detailed phase-in plan.

32 (2) \$1,879,000 of the Interstate 405 and state route number 167
33 express toll lanes account—state appropriation is provided solely for
34 updating the state route number 167 master plan.

35 (3) \$100,000 of the multimodal transportation account—state
36 appropriation is provided solely for the department to partner with
37 the department of commerce in developing statewide vehicle miles
38 traveled targets and a process for developing geography specific

1 vehicle miles traveled targets based on the statewide vehicle miles
 2 traveled targets. Given land use patterns are key factors in travel
 3 demand and should be taken into consideration when developing the
 4 geography specific targets, the department and the department of
 5 commerce shall partner with local jurisdictions, regional
 6 transportation planning organizations and other stakeholders to
 7 inventory existing laws and rules that promote transportation and
 8 land use, identify gaps and make recommendations for changes in laws,
 9 rules and agency guidance, and establish a framework for considering
 10 underserved and rural communities in the evaluation. The department
 11 and the department of commerce shall provide an initial technical
 12 report by December 31, 2021, an interim report by June 22, 2022, and
 13 a final report to the governor and appropriate committees of the
 14 legislature by June 30, 2023, that includes a process for
 15 establishing geography specific vehicle miles traveled reduction
 16 targets and funding requirements for state and local jurisdictions.

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

| | | |
|----|---|---------------|
| 19 | Aeronautics Account—State Appropriation. | \$1,000 |
| 20 | Transportation Partnership Account—State Appropriation. . . . | \$23,000 |
| 21 | Motor Vehicle Account—State Appropriation | \$98,868,000 |
| 22 | Puget Sound Ferry Operations Account—State Appropriation. . | \$220,000 |
| 23 | Connecting Washington Account—State Appropriation. | \$184,000 |
| 24 | Multimodal Transportation Account—State | |
| 25 | Appropriation | \$4,733,000 |
| 26 | Interstate 405 and State Route Number 167 Express | |
| 27 | Toll Lanes Account—State Appropriation. | \$6,000 |
| 28 | State Route Number 520 Corridor Account—State | |
| 29 | Appropriation. | \$4,000 |
| 30 | Tacoma Narrows Toll Bridge Account—State | |
| 31 | Appropriation. | \$2,000 |
| 32 | TOTAL APPROPRIATION. | \$104,041,000 |

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

- 35 (1) Consistent with existing protocol and practices, for any
 36 negotiated settlement of a claim against the state for the department
 37 that exceeds five million dollars, the department, in conjunction
 38 with the attorney general and the department of enterprise services,

1 shall notify the director of the office of financial management and
2 the transportation committees of the legislature.

3 (2) Beginning October 1, 2021, and semiannually thereafter, the
4 department, in conjunction with the attorney general and the
5 department of enterprise services, shall provide a report with
6 judgments and settlements dealing with the Washington state ferry
7 system to the director of the office of financial management and the
8 transportation committees of the legislature. The report must include
9 information on: (a) The number of claims and settlements by type; (b)
10 the average claim and settlement by type; (c) defense costs
11 associated with those claims and settlements; and (d) information on
12 the impacts of moving legal costs associated with the Washington
13 state ferry system into the statewide self-insurance pool.

14 (3) Beginning October 1, 2021, and semiannually thereafter, the
15 department, in conjunction with the attorney general and the
16 department of enterprise services, shall provide a report with
17 judgments and settlements dealing with the nonferry operations of the
18 department to the director of the office of financial management and
19 the transportation committees of the legislature. The report must
20 include information on: (a) The number of claims and settlements by
21 type; (b) the average claim and settlement by type; and (c) defense
22 costs associated with those claims and settlements.

23 (4) When the department identifies significant legal issues that
24 have potential transportation budget implications, the department
25 must initiate a briefing for appropriate legislative members or staff
26 through the office of the attorney general and its legislative
27 briefing protocol.

28 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **PUBLIC TRANSPORTATION—PROGRAM V**

| | | |
|----|---|---------------|
| 30 | State Vehicle Parking Account—State Appropriation | \$784,000 |
| 31 | Regional Mobility Grant Program Account—State | |
| 32 | Appropriation | \$99,004,000 |
| 33 | Rural Mobility Grant Program Account—State | |
| 34 | Appropriation | \$33,168,000 |
| 35 | Multimodal Transportation Account—State | |
| 36 | Appropriation | \$128,740,000 |
| 37 | Multimodal Transportation Account—Federal | |
| 38 | Appropriation | \$3,574,000 |

| | | |
|---|---|---------------|
| 1 | Multimodal Transportation Account—Local | |
| 2 | Appropriation | \$100,000 |
| 3 | TOTAL APPROPRIATION. | \$265,370,000 |

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

6 (1) \$62,821,000 of the multimodal transportation account—state
7 appropriation is provided solely for a grant program for special
8 needs transportation provided by transit agencies and nonprofit
9 providers of transportation. Of this amount:

10 (a) \$14,420,000 of the multimodal transportation account—state
11 appropriation is provided solely for grants to nonprofit providers of
12 special needs transportation. Grants for nonprofit providers must be
13 based on need, including the availability of other providers of
14 service in the area, efforts to coordinate trips among providers and
15 riders, and the cost effectiveness of trips provided. Fuel type may
16 not be a factor in the grant selection process.

17 (b) \$48,401,000 of the multimodal transportation account—state
18 appropriation is provided solely for grants to transit agencies to
19 transport persons with special transportation needs. To receive a
20 grant, the transit agency must, to the greatest extent practicable,
21 have a maintenance of effort for special needs transportation that is
22 no less than the previous year's maintenance of effort for special
23 needs transportation. Grants for transit agencies must be prorated
24 based on the amount expended for demand response service and route
25 deviated service in calendar year 2019 as reported in the "Summary of
26 Public Transportation - 2019" published by the department of
27 transportation. No transit agency may receive more than thirty
28 percent of these distributions. Fuel type may not be a factor in the
29 grant selection process.

30 (2) \$33,168,000 of the rural mobility grant program account—state
31 appropriation is provided solely for grants to aid small cities in
32 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
33 factor in the grant selection process.

34 (3) (a) \$10,290,000 of the multimodal transportation account—state
35 appropriation is provided solely for a vanpool grant program for: (i)
36 Public transit agencies to add vanpools or replace vans; and (ii)
37 incentives for employers to increase employee vanpool use. The grant
38 program for public transit agencies may cover capital costs only;
39 operating costs for public transit agencies are not eligible for

1 funding under this grant program. Additional employees may not be
2 hired from the funds provided in this section for the vanpool grant
3 program, and supplanting of transit funds currently funding vanpools
4 is not allowed. The department shall encourage grant applicants and
5 recipients to leverage funds other than state funds. Fuel type may
6 not be a factor in the grant selection process.

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

9 (4) \$21,326,000 of the regional mobility grant program account—
10 state appropriation is reappropriated and provided solely for the
11 regional mobility grant projects identified in LEAP Transportation
12 Document 2021-2 ALL PROJECTS as developed March 22, 2021, Program -
13 Public Transportation Program (V).

14 (5) (a) \$76,346,000 of the regional mobility grant program account
15 —state appropriation is provided solely for the regional mobility
16 grant projects identified in LEAP Transportation Document 2021-2 ALL
17 PROJECTS as developed March 22, 2021, Program - Public Transportation
18 Program (V). The department shall review all projects receiving grant
19 awards under this program at least semiannually to determine whether
20 the projects are making satisfactory progress. Any project that has
21 been awarded funds, but does not report activity on the project
22 within one year of the grant award, must be reviewed by the
23 department to determine whether the grant should be terminated. The
24 department shall promptly close out grants when projects have been
25 completed, and any remaining funds must be used only to fund projects
26 identified in the LEAP transportation document referenced in this
27 subsection. The department shall provide annual status reports on
28 December 15, 2021, and December 15, 2022, to the office of financial
29 management and the transportation committees of the legislature
30 regarding the projects receiving the grants. It is the intent of the
31 legislature to appropriate funds through the regional mobility grant
32 program only for projects that will be completed on schedule. A
33 grantee may not receive more than twenty-five percent of the amount
34 appropriated in this subsection. Additionally, when allocating
35 funding for the 2023-2025 biennium, no more than thirty percent of
36 the total grant program may directly benefit or support one grantee.
37 The department shall not approve any increases or changes to the
38 scope of a project for the purpose of a grantee expending remaining
39 funds on an awarded grant. Fuel type may not be a factor in the grant
40 selection process.

1 (b) In order to be eligible to receive a grant under (a) of this
2 subsection during the 2021-2023 fiscal biennium, a transit agency
3 must establish a process for private transportation providers to
4 apply for the use of park and ride facilities. For purposes of this
5 subsection, (i) "private transportation provider" means: An auto
6 transportation company regulated under chapter 81.68 RCW; a passenger
7 charter carrier regulated under chapter 81.70 RCW, except marked or
8 unmarked stretch limousines and stretch sport utility vehicles as
9 defined under department of licensing rules; a private nonprofit
10 transportation provider regulated under chapter 81.66 RCW; or a
11 private employer transportation service provider; and (ii) "private
12 employer transportation service" means regularly scheduled, fixed-
13 route transportation service that is offered by an employer for the
14 benefit of its employees.

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

18 (7) \$800,000 of the multimodal transportation account—state
19 appropriation is provided solely for continuation of the first mile/
20 last mile connections grant program. Eligible grant recipients
21 include cities, businesses, nonprofits, and transportation network
22 companies with first mile/last mile solution proposals. Transit
23 agencies are not eligible. The commute trip reduction board shall
24 develop grant parameters, evaluation criteria, and evaluate grant
25 proposals. The commute trip reduction board shall provide the
26 transportation committees of the legislature a report on the
27 effectiveness of this grant program and best practices for continuing
28 the program.

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

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

3 (10) \$16,308,000 of the multimodal transportation account—state
4 appropriation is provided solely for the green transportation capital
5 grant program established in chapter 287, Laws of 2019 (advancing
6 green transportation adoption).

7 (11) \$555,000 of the multimodal transportation account—state
8 appropriation is provided solely for an interagency transfer to the
9 Washington State University extension energy program to establish and
10 administer a technical assistance and education program for public
11 agencies on the use of alternative fuel vehicles.

12 (12) The department must provide telework assistance to employers
13 as part of its CTR activities. The objectives of telework assistance
14 include improving transportation system performance, supporting
15 economic vitality, and increasing equity and access to opportunity.

16 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **MARINE—PROGRAM X**

| | | |
|----|--|---------------|
| 18 | Puget Sound Ferry Operations Account—State | |
| 19 | Appropriation | \$418,212,000 |
| 20 | Puget Sound Ferry Operations Account—Federal | |
| 21 | Appropriation | \$124,000,000 |
| 22 | Puget Sound Ferry Operations Account—Private/Local | |
| 23 | Appropriation | \$121,000 |
| 24 | TOTAL APPROPRIATION. | \$542,333,000 |

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

27 (1) The office of financial management budget instructions
28 require agencies to recast enacted budgets into activities. The
29 Washington state ferries shall include a greater level of detail in
30 its 2021-2023 supplemental and 2023-2025 omnibus transportation
31 appropriations act requests, as determined jointly by the office of
32 financial management, the Washington state ferries, and the
33 transportation committees of the legislature. This level of detail
34 must include the administrative functions in the operating as well as
35 capital programs.

36 (2) For the 2021-2023 fiscal biennium, the department may enter
37 into a distributor controlled fuel hedging program and other methods

1 of hedging approved by the fuel hedging committee, which must include
2 a representative of the department of enterprise services.

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

12 (4) \$500,000 of the Puget Sound ferry operations account—state
13 appropriation is provided solely for operating costs related to
14 moving vessels for emergency capital repairs. Funds may only be spent
15 after approval by the office of financial management.

16 (5) \$2,400,000 of the Puget Sound ferry operations account—state
17 appropriation is provided solely for staffing and overtime expenses
18 incurred by engine and deck crewmembers. The department must provide
19 updated staffing cost estimates for fiscal years 2022 and 2023 with
20 its annual budget submittal and updated estimates by January 1, 2022.

21 (6) \$688,000 of the Puget Sound ferry operations account—state
22 appropriation is provided solely for new employee training. The
23 department must work to increase its outreach and recruitment of
24 populations underrepresented in maritime careers and continue working
25 to expand apprenticeship and internship programs, with an emphasis on
26 programs that are shown to improve recruitment for positions with the
27 state ferry system.

28 (7) The department must request reimbursement from the federal
29 transit administration for the maximum amount of ferry operating
30 expenses eligible for reimbursement under federal law.

31 (8) \$1,978,000 of the Puget Sound ferry operations account—state
32 appropriation is provided solely for restoration of service to
33 reflect increased ridership, availability of crewing and available
34 revenues. Expenditures may be made to resume service to Sidney,
35 British Columbia, including any service to the San Juans; to provide
36 Saturday service on the Fauntleroy-Vashon-Southworth route; and to
37 resume late night service on other routes in the system.

38 (9) Within amounts provided in this section, the department shall
39 contract with uniformed officers for additional traffic control

1 assistance at the Kingston ferry terminal during peak ferry travel
2 times, with a particular focus on Sundays and holiday weekends.
3 Traffic control methods should include, but not be limited to,
4 holding traffic on the shoulder at Lindvog Road until space opens for
5 cars at the tollbooths and dock, and management of traffic on Highway
6 104 in order to ensure Kingston residents and business owners have
7 access to businesses, roads, and driveways.

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

| | | |
|----|---|--------------|
| 10 | Multimodal Transportation Account—State | |
| 11 | Appropriation | \$80,204,000 |
| 12 | Multimodal Transportation Account—Private/Local | |
| 13 | Appropriation | \$46,000 |
| 14 | Multimodal Transportation Account—Federal | |
| 15 | Appropriation | \$500,000 |
| 16 | TOTAL APPROPRIATION. | \$80,750,000 |

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

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

| | | |
|----|---|--------------|
| 31 | Motor Vehicle Account—State Appropriation | \$11,954,000 |
| 32 | Motor Vehicle Account—Federal Appropriation | \$2,567,000 |
| 33 | Multiuse Roadway Safety Account—State Appropriation | \$450,000 |
| 34 | TOTAL APPROPRIATION. | \$14,971,000 |

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

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

4 (a) Twenty-five percent of the amounts provided are reserved for
5 counties that each have a population of fifteen thousand persons or
6 less; and

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

10 (ii) No county that receives a grant or grants under (a) of this
11 subsection may receive more than sixty thousand dollars in total
12 grants.

13 (2) \$1,023,000 of the motor vehicle account—state appropriation
14 is provided solely for the department, from amounts set aside out of
15 statewide fuel taxes distributed to counties according to RCW
16 46.68.120(3), to contract with the Washington state association of
17 counties to:

18 (a) In coordination with stakeholders, identify county-owned fish
19 passage barriers, and assess which barriers share the same stream
20 system as state-owned fish passage barriers;

21 (b) Streamline and update the county road administration board's
22 data dashboard, county reporting systems, and program management
23 software to provide a more detailed, more transparent, and user-
24 friendly platform for data management, reporting, and research by the
25 public and other interested parties; and

26 (c) Conduct a study of the use of county road right-of-way as a
27 potential source of revenue for county road operating and maintenance
28 needs with recommendations on their feasibility statewide.

29 **TRANSPORTATION AGENCIES—CAPITAL**

30 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
31 **INVESTMENT BOARD**

32 Freight Mobility Investment Account—State
33 Appropriation \$19,577,000
34 Freight Mobility Multimodal Account—State
35 Appropriation. \$19,695,000
36 TOTAL APPROPRIATION. \$39,272,000

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

3 (1) Except as otherwise provided in this section, the entire
4 appropriations in this section are provided solely for the projects
5 by amount, as listed in the LEAP Transportation Document 2021-2 ALL
6 PROJECTS as developed March 22, 2021, Freight Mobility Strategic
7 Investment Board (FMSIB).

8 (2) It is the intent of the legislature to continue to make
9 strategic investments in a statewide freight mobility transportation
10 system with the help of the freight mobility strategic investment
11 board, including projects that mitigate the impact of freight
12 movement on local communities.

13 (3) (a) For the 2021-2023 project appropriations, unless otherwise
14 provided in this act, the director of the office of financial
15 management may authorize a transfer of appropriation authority
16 between projects managed by the freight mobility strategic investment
17 board in order for the board to manage project spending and support
18 the efficient and timely delivery of all projects in the program. The
19 office of financial management may authorize a transfer of
20 appropriation authority between projects under the following
21 conditions and limitations:

22 (i) Transfers from a project may not be made as a result of the
23 reduction of the scope of a project or be made to support increases
24 in the scope of a project;

25 (ii) Each transfer between projects may only occur if the
26 director of the office of financial management finds that any
27 resulting change will not hinder the completion of the projects on
28 the LEAP Transportation Document 2021-2 ALL PROJECT list; and

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

36 (b) At the time the board submits a request to transfer funds
37 under this section, a copy of the request must be submitted to the
38 chairs and ranking members of the transportation committees of the
39 legislature.

1 (c) Before approval, the office of financial management shall
2 work with legislative staff of the house of representatives and
3 senate transportation committees to review the requested transfers in
4 a timely manner and consider any concerns raised by the chairs and
5 ranking members of the transportation committees.

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

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

12 State Patrol Highway Account—State Appropriation \$4,296,000

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

15 The entire appropriation in this section is provided solely for
16 the following projects:

- 17 (1) \$350,000 for emergency repairs;
- 18 (2) \$695,000 for roof replacements;
- 19 (3) \$350,000 for fuel tank decommissioning;
- 20 (4) \$750,000 for generator and electrical replacement;
- 21 (5) \$195,000 for the exterior envelope project at Yakima office;
- 22 (6) \$466,000 for equipment shelters;
- 23 (7) \$650,000 for weatherization projects;
- 24 (8) \$200,000 for roof replacement reappropriation; and
- 25 (9) \$640,000 for water and fire suppression systems
26 reappropriation.

27 The Washington state patrol may transfer funds between projects
28 specified in this section to address cash flow requirements. If a
29 project specified in this section is completed for less than the
30 amount provided, the remainder may be transferred to another project
31 specified in this section not to exceed the total appropriation
32 provided in this section.

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

34 Rural Arterial Trust Account—State Appropriation \$55,028,000

35 Motor Vehicle Account—State Appropriation \$1,456,000

36 County Arterial Preservation Account—State
37 Appropriation \$37,379,000

1 TOTAL APPROPRIATION. \$93,863,000

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

3 Small City Pavement and Sidewalk Account—State

4 Appropriation \$4,100,000

5 Transportation Improvement Account—State

6 Appropriation \$201,000,000

7 Complete Streets Grant Program Account—State

8 Appropriation \$14,670,000

9 TOTAL APPROPRIATION. \$219,770,000

10 The appropriations in this section are subject to the following

11 conditions and limitations: \$2,500,000 of the transportation

12 improvement account—state appropriation is provided solely for the

13 Relight Washington Program. The transportation improvement board

14 shall conduct a survey of all cities that are not currently eligible

15 for the Relight Washington Program to determine demand for the

16 program regardless of the current eligibility criteria. The

17 transportation improvement board shall report the results of the

18 survey to the governor and the transportation committees of the

19 legislature by October 1, 2021.

20 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**

21 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**

22 **CAPITAL**

23 Motor Vehicle Account—State Appropriation \$13,752,000

24 Connecting Washington Account—State Appropriation \$3,289,000

25 TOTAL APPROPRIATION. \$17,041,000

26 The appropriations in this section are subject to the following

27 conditions and limitations:

28 (1) \$3,289,000 of the connecting Washington account—state

29 appropriation is provided solely for a new Olympic region maintenance

30 and administration facility to be located on the department-owned

31 site at the intersection of Marvin Road and 32nd Avenue in Lacey,

32 Washington.

33 (2) (a) \$2,900,000 of the motor vehicle account—state

34 appropriation is provided solely for the department facility located

35 at 15700 Dayton Ave N in Shoreline. This appropriation is contingent

36 upon the department of ecology signing a not less than twenty-year

1 agreement to pay a share of any financing contract issued pursuant to
2 chapter 39.94 RCW.

3 (b) Payments from the department of ecology as described in this
4 subsection shall be deposited into the motor vehicle account.

5 (c) Total project costs are not to exceed \$47,930,000.

6 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **IMPROVEMENTS—PROGRAM I**

| | | |
|----|---|-----------------|
| 8 | Transportation 2003 Account (Nickel Account)—State | |
| 9 | Appropriation | \$149,000 |
| 10 | Transportation Partnership Account—State | |
| 11 | Appropriation | \$119,053,000 |
| 12 | Motor Vehicle Account—State Appropriation | \$88,517,000 |
| 13 | Motor Vehicle Account—Federal Appropriation | \$388,903,000 |
| 14 | Motor Vehicle Account—Private/Local Appropriation | \$58,628,000 |
| 15 | Connecting Washington Account—State | |
| 16 | Appropriation | \$2,839,983,000 |
| 17 | Transportation Future Funding Program Account—State | |
| 18 | Appropriation | \$40,050,000 |
| 19 | Special Category C Account—State Appropriation | \$105,363,000 |
| 20 | Multimodal Transportation Account—State | |
| 21 | Appropriation | \$984,000 |
| 22 | State Route Number 520 Corridor | |
| 23 | Account—State Appropriation. | \$15,940,000 |
| 24 | Interstate 405 and State Route Number 167 Express | |
| 25 | Toll Lanes Account—State Appropriation. | \$30,308,000 |
| 26 | TOTAL APPROPRIATION. | \$3,687,878,000 |

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

29 (1) Except as provided otherwise in this section, the entire
30 connecting Washington account—state appropriation and the entire
31 transportation partnership account—state appropriation are provided
32 solely for the projects and activities as listed by fund, project,
33 and amount in LEAP Transportation Document 2021-1 as developed March
34 22, 2021, Program - Highway Improvements Program (I). However,
35 limited transfers of specific line-item project appropriations may
36 occur between projects for those amounts listed subject to the
37 conditions and limitations in section 601 of this act.

1 (2) Except as provided otherwise in this section, the entire
2 motor vehicle account—state appropriation and motor vehicle account—
3 federal appropriation are provided solely for the projects and
4 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
5 as developed March 22, 2021, Program - Highway Improvements Program
6 (I). Any federal funds gained through efficiencies, adjustments to
7 the federal funds forecast, or the federal funds redistribution
8 process must then be applied to highway and bridge preservation
9 activities or fish passage barrier corrections (0BI4001).

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) The connecting Washington account—state appropriation
20 includes up to \$2,364,874,000 in proceeds from the sale of bonds
21 authorized in RCW 47.10.889.

22 (5) The special category C account—state appropriation includes
23 up to \$86,706,000 in proceeds from the sale of bonds authorized in
24 RCW 47.10.812.

25 (6) The transportation partnership account—state appropriation
26 includes up to \$69,992,000 in proceeds from the sale of bonds
27 authorized in RCW 47.10.873.

28 (7) \$60,450,000 of the transportation partnership account—state
29 appropriation, \$2,258,000 of the motor vehicle account—private/local
30 appropriation, and \$984,000 of the multimodal transportation account—
31 state appropriation are provided solely for the SR 99/Alaskan Way
32 Viaduct Replacement project (809936Z). It is the intent of the
33 legislature that any legal damages paid to the state as a result of a
34 lawsuit related to contractual provisions for construction and
35 delivery of the Alaskan Way viaduct replacement project be used to
36 repay project cost increases paid from the transportation partnership
37 account.

1 (8) \$193,699,000 of the connecting Washington account—state
2 appropriation is provided solely for the US 395 North Spokane
3 Corridor project (M00800R).

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

11 (b) The department may advance the I-405/SR 522 to I-5 Capacity
12 Improvements project (L2000234) and construct the project earlier
13 than is scheduled in the LEAP transportation document referenced in
14 subsection (2) of this section if additional funding is identified
15 and submitted through the existing unanticipated receipts process.
16 The department and the state treasurer shall pursue alternative
17 funding sources including but not limited to federal loan and grant
18 programs. The department shall explore phasing and modifying the
19 project to attempt to align project completion with the anticipated
20 deployment of bus rapid transit on the corridor in the 2023-2025
21 biennium. The department shall report back to the transportation
22 committees of the legislature on this work by October 15, 2021.

23 (10) \$492,349,000 of the connecting Washington account—state
24 appropriation and \$355,000 of the motor vehicle account—private/local
25 appropriation are provided solely for the SR 520 Seattle Corridor
26 Improvements - West End project (M00400R). Upon completion of the
27 Montlake Phase of the West End project (current anticipated contract
28 completion of 2023), the Washington state department of
29 transportation shall sell that portion of the property not used for
30 permanent transportation improvements and initiate a process to
31 convey that surplus property to a subsequent owner.

32 (11) \$382,880,000 of the connecting Washington account—state
33 appropriation, \$17,869,000 of the motor vehicle account—private/local
34 appropriation, and \$82,165,000 of the motor vehicle account—federal
35 appropriation are provided solely for the SR 167/SR 509 Puget Sound
36 Gateway project (M00600R).

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

1 (b) In making budget allocations to the Puget Sound Gateway
2 project, the department shall continue to collaborate with the
3 affected stakeholders as it implements the corridor construction and
4 implementation plan for state route number 167 and state route number
5 509.

6 (12) (a) \$26,928,000 of the motor vehicle account—state
7 appropriation and \$1,671,000 of the motor vehicle account—private/
8 local appropriation are provided solely to support a project office
9 and the continued work toward the I-5 Interstate Bridge Replacement
10 project (L2000370).

11 (b) The project office must also study the possible different
12 governance structures for a bridge authority that would provide for
13 the joint administration of the bridges over the Columbia river
14 between Oregon and Washington. As part of this study, the project
15 office must examine the feasibility and necessity of an interstate
16 compact in conjunction with the national center for interstate
17 compacts.

18 (13) (a) \$489,527,000 of the connecting Washington account—state
19 appropriation, \$194,959,000 of the motor vehicle account—federal
20 appropriation, \$1,849,000 of the motor vehicle account—state
21 appropriation, and \$40,050,000 of the transportation future funding
22 program account—state appropriation are provided solely for the Fish
23 Passage Barrier Removal project (OBI4001) with the intent of fully
24 complying with the court injunction by 2030.

25 (b) The department shall coordinate with the Brian Abbott fish
26 passage barrier removal board to use a watershed approach by
27 replacing both state and local culverts guided by the principle of
28 providing the greatest fisheries habitat gain at the earliest time.
29 The department shall deliver high habitat value fish passage barrier
30 corrections that it has identified, guided by the following factors:
31 Opportunity to bundle projects, tribal priorities, ability to
32 leverage investments by others, presence of other barriers, project
33 readiness, culvert conditions, other transportation projects in the
34 area, and transportation impacts.

35 (c) The department must keep track of, for each barrier removed:
36 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
37 amount spent to comply with the injunction.

38 (d) Of the amount provided in this subsection, \$40,050,000 of the
39 transportation future funding program account—state appropriation

1 reflects accrued practical design savings from other projects that
2 will be deposited in the transportation future funding program
3 account during the 2021-2023 biennium in accordance with the
4 requirements of sections 718 and 719 of this act. This transfer is
5 expected to help fund the cost of fully complying with the court
6 injunction by 2030.

7 (e) Of the amount provided in this subsection, \$142,923,000 of
8 the motor vehicle account—federal appropriation reflects the
9 department's portion of the unrestricted funds from the coronavirus
10 response and relief supplemental appropriations act of 2021. If the
11 final amount from this act changes while the legislature is not in
12 session, the department shall follow the existing unanticipated
13 receipt process and adjust the list referenced in subsection (1) of
14 this section accordingly, supplanting state funds with federal funds
15 if possible as directed in section 314 of this act.

16 (14) \$14,669,000 of the connecting Washington account—state
17 appropriation and \$3,037,000 of the motor vehicle account—private/
18 local appropriation are provided solely for the I-90/Barker to
19 Harvard - Improve Interchanges & Local Roads project (L2000122). The
20 connecting Washington account appropriation for the improvements that
21 fall within the city of Liberty Lake may only be expended if the city
22 of Liberty Lake agrees to cover any project costs within the city of
23 Liberty Lake above the \$20,900,000 of state appropriation provided
24 for the total project on the list referenced in subsection (1) of
25 this section.

26 (15) \$15,189,000 of the motor vehicle account—federal
27 appropriation, \$259,000 of the motor vehicle account—state
28 appropriation, and \$15,481,000 of the Interstate 405 and state route
29 number 167 express toll lanes account—state appropriation are
30 provided solely for the SR 167/SR 410 to SR 18 - Congestion
31 Management project (316706C).

32 (16) \$18,914,000 of the Special Category C account—state
33 appropriation is provided solely for the SR 18 Widening - Issaquah/
34 Hobart Rd to Raging River project (L1000199) for improving and
35 widening state route number 18 to four lanes from Issaquah-Hobart
36 Road to Raging River.

37 (17) The department shall itemize all future requests for the
38 construction of buildings on a project list and submit them through
39 the transportation executive information system as part of the

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

4 (18) Any advisory group that the department convenes during the
5 2021-2023 fiscal biennium must consider the interests of the entire
6 state of Washington.

7 (19) The legislature continues to prioritize the replacement of
8 the state's aging infrastructure and recognizes the importance of
9 reusing and recycling construction aggregate and recycled concrete
10 materials in our transportation system. To accomplish Washington
11 state's sustainability goals in transportation and in accordance with
12 RCW 70.95.805, the legislature reaffirms its determination that
13 recycled concrete aggregate and other transportation building
14 materials are natural resource construction materials that are too
15 valuable to be wasted and landfilled, and are a commodity as defined
16 in WAC 173-350-100.

17 Further, the legislature determines construction aggregate and
18 recycled concrete materials substantially meet widely recognized
19 international, national, and local standards and specifications
20 referenced in American society for testing and materials, American
21 concrete institute, Washington state department of transportation,
22 Seattle department of transportation, American public works
23 association, federal aviation administration, and federal highway
24 administration specifications, and are described as necessary and
25 desirable products for recycling and reuse by state and federal
26 agencies.

27 As these recyclable materials have well established markets, are
28 substantially a primary or secondary product of necessary
29 construction processes and production, and are managed as an item of
30 commercial value, construction aggregate and recycled concrete
31 materials are exempt from chapter 173-350 WAC.

32 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
33 **PRESERVATION—PROGRAM P**

| | | |
|----|--|--------------|
| 34 | Recreational Vehicle Account—State Appropriation | \$1,520,000 |
| 35 | Transportation 2003 Account (Nickel Account)—State | |
| 36 | Appropriation | \$49,105,000 |
| 37 | Transportation Partnership Account—State | |
| 38 | Appropriation | \$15,183,000 |

| | | |
|----|---|---------------|
| 1 | Motor Vehicle Account—State Appropriation | \$85,444,000 |
| 2 | Motor Vehicle Account—Federal Appropriation | \$492,282,000 |
| 3 | Motor Vehicle Account—Private/Local | |
| 4 | Appropriation | \$10,792,000 |
| 5 | Connecting Washington Account—State Appropriation | \$156,363,000 |
| 6 | State Route Number 520 Corridor Account—State | |
| 7 | Appropriation | \$1,891,000 |
| 8 | Tacoma Narrows Toll Bridge Account—State | |
| 9 | Appropriation | \$9,730,000 |
| 10 | Alaskan Way Viaduct Replacement Project Account—State | |
| 11 | Appropriation. | \$314,000 |
| 12 | Interstate 405 and State Route Number 167 Express | |
| 13 | Toll Lanes Account—State Appropriation. | \$26,039,000 |
| 14 | TOTAL APPROPRIATION. | \$848,663,000 |

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

17 (1) Except as provided otherwise in this section, the entire
18 connecting Washington account—state appropriation and the entire
19 transportation partnership account—state appropriation are provided
20 solely for the projects and activities as listed by fund, project,
21 and amount in LEAP Transportation Document 2021-1 as developed March
22 22, 2021, Program - Highway Preservation Program (P). However,
23 limited transfers of specific line-item project appropriations may
24 occur between projects for those amounts listed subject to the
25 conditions and limitations in section 601 of this act.

26 (2) Except as provided otherwise in this section, the entire
27 motor vehicle account—state appropriation and motor vehicle account—
28 federal appropriation are provided solely for the projects and
29 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
30 as developed March 22, 2021, Program - Highway Preservation Program
31 (P). Any federal funds gained through efficiencies, adjustments to
32 the federal funds forecast, or the federal funds redistribution
33 process must then be applied to highway and bridge preservation
34 activities or fish passage barrier corrections (0BI4001).

35 (3) Within the motor vehicle account—state appropriation and
36 motor vehicle account—federal appropriation, the department may
37 transfer funds between programs I and P, except for funds that are
38 otherwise restricted in this act. Ten days prior to any transfer, the
39 department must submit its request to the office of financial

1 management and the transportation committees of the legislature and
2 consider any concerns raised. The department shall submit a report on
3 fiscal year funds transferred in the prior fiscal year using this
4 subsection as part of the department's annual budget submittal.

5 (4) \$5,166,000 of the connecting Washington account—state
6 appropriation is provided solely for the land mobile radio upgrade
7 (G2000055) and is subject to the conditions, limitations, and review
8 provided in section 701 of this act. The land mobile radio project is
9 subject to technical oversight by the office of the chief information
10 officer. The department, in collaboration with the office of the
11 chief information officer, shall identify where existing or proposed
12 mobile radio technology investments should be consolidated, identify
13 when existing or proposed mobile radio technology investments can be
14 reused or leveraged to meet multiagency needs, increase mobile radio
15 interoperability between agencies, and identify how redundant
16 investments can be reduced over time. The department shall also
17 provide quarterly reports to the technology services board on project
18 progress.

19 (5) \$5,000,000 of the motor vehicle account—state appropriation
20 is provided solely for extraordinary costs incurred from litigation
21 awards, settlements, or dispute mitigation activities not eligible
22 for funding from the self-insurance fund (L2000290). The amount
23 provided in this subsection must be held in unallotted status until
24 the department submits a request to the office of financial
25 management that includes documentation detailing litigation-related
26 expenses. The office of financial management may release the funds
27 only when it determines that all other funds designated for
28 litigation awards, settlements, and dispute mitigation activities
29 have been exhausted. No funds provided in this subsection may be
30 expended on any legal fees related to the SR 99/Alaskan Way viaduct
31 replacement project (809936Z).

32 (6) \$14,358,000 of the motor vehicle account—federal
33 appropriation is provided solely for preservation projects within
34 project L1100071 that ensure the reliable movement of freight on the
35 national highway freight system. The department shall give priority
36 to those projects that can be advertised by September 30, 2021.

37 (7) The appropriation in this section includes funding for
38 starting planning, engineering, and construction of the Elwha River

1 bridge replacement. To the greatest extent practicable, the
2 department shall maintain public access on the existing route.

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

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

| | | |
|----|---|--------------|
| 12 | Motor Vehicle Account—State Appropriation | \$8,273,000 |
| 13 | Motor Vehicle Account—Federal Appropriation | \$5,289,000 |
| 14 | Motor Vehicle Account—Private/Local Appropriation | \$500,000 |
| 15 | Interstate 405 and State Route Number 167 Express | |
| 16 | Toll Lanes Account—State Appropriation. | \$900,000 |
| 17 | TOTAL APPROPRIATION. | \$14,962,000 |

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$579,000 of the motor vehicle account—
20 state appropriation is provided solely for the SR 99 Aurora Bridge
21 ITS project (L2000338).

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

| | | |
|----|---|---------------|
| 24 | Puget Sound Capital Construction Account—State | |
| 25 | Appropriation | \$128,759,000 |
| 26 | Puget Sound Capital Construction Account—Federal | |
| 27 | Appropriation | \$139,188,000 |
| 28 | Puget Sound Capital Construction Account—Private/Local | |
| 29 | Appropriation | \$312,000 |
| 30 | Transportation Partnership Account—State | |
| 31 | Appropriation | \$8,410,000 |
| 32 | Connecting Washington Account—State Appropriation | \$75,640,000 |
| 33 | Capital Vessel Replacement Account—State | |
| 34 | Appropriation. | \$152,453,000 |
| 35 | TOTAL APPROPRIATION. | \$504,762,000 |

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 in LEAP Transportation Document 2021-2 ALL
6 PROJECTS as developed March 22, 2021, Program - Washington State
7 Ferries Capital Program (W).

8 (2) For the 2021-2023 biennium, the marine division shall provide
9 to the office of financial management and the legislative
10 transportation committees the following reports on ferry capital
11 projects:

12 (a) On a semiannual basis the report must include a status update
13 on projects with funding provided in subsections (4) through (6) of
14 this section including, but not limited to, the following:

- 15 (i) Anticipated cost increases and cost savings;
- 16 (ii) Anticipated cash flow and schedule changes; and
- 17 (iii) Explanations for the changes.

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

- 21 (i) What work has been done;
- 22 (ii) How have schedules shifted; and
- 23 (iii) Associated changes in funding among projects, accompanied
24 by explanations for the changes.

25 (c) On an annual basis the report must include an update on the
26 implementation of the maintenance management system with
27 recommendations for using the system to improve the efficiency of
28 project reporting under this subsection.

29 (3) \$5,000,000 of the Puget Sound capital construction account—
30 state appropriation is provided solely for emergency capital repair
31 costs (999910K). Funds may only be spent after approval by the office
32 of financial management.

33 (4) \$1,277,000 of the Puget Sound capital construction account—
34 state appropriation is provided solely for the ORCA acceptance
35 project (L2000300). The ferry system shall work with Washington
36 technology solutions and the tolling division on the development of a
37 new, interoperable ticketing system.

38 (5) \$24,750,000 of the Puget Sound capital construction account—
39 state appropriation is provided solely for the conversion of up to

1 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).
2 The department shall seek additional funds for the purposes of this
3 subsection. The department may spend from the Puget Sound capital
4 construction account—state appropriation in this section only as much
5 as the department receives in Volkswagen settlement funds for the
6 purposes of this subsection.

7 (6) \$152,453,000 of the capital vessel replacement account—state
8 appropriation is provided solely for the acquisition of a 144-car
9 hybrid-electric vessel (L2000329). The commencement of construction
10 of new vessels for the ferry system is important not only for safety
11 reasons, but also to keep skilled marine construction jobs in the
12 Puget Sound region and to sustain the capacity of the region to meet
13 the ongoing construction and preservation needs of the ferry system
14 fleet of vessels. The legislature has determined that the current
15 vessel procurement process must move forward with all due speed,
16 balancing the interests of both the taxpayers and shipyards. To
17 accomplish construction of vessels in accordance with RCW 47.60.810,
18 the prevailing shipbuilder, for vessels initially funded after July
19 1, 2020, is encouraged to follow the historical practice of
20 subcontracting the construction of ferry superstructures to a
21 separate nonaffiliated contractor located within the Puget Sound
22 region, that is qualified in accordance with RCW 47.60.690.

23 (7) The capital vessel replacement account—state appropriation
24 includes up to \$152,453,000 in proceeds from the sale of bonds
25 authorized in RCW 47.10.873.

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

| | | |
|----|---|---------------|
| 28 | Essential Rail Assistance Account—State Appropriation . . . | \$550,000 |
| 29 | Transportation Infrastructure Account—State | |
| 30 | Appropriation | \$2,018,000 |
| 31 | Multimodal Transportation Account—State | |
| 32 | Appropriation | \$80,031,000 |
| 33 | Multimodal Transportation Account—Federal | |
| 34 | Appropriation | \$41,219,000 |
| 35 | TOTAL APPROPRIATION. | \$123,818,000 |

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

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

6 (2) \$1,651,000 of the transportation infrastructure account—state
7 appropriation is provided solely for new low-interest loans approved
8 by the department through the freight rail investment bank (FRIB)
9 program. The department shall issue FRIB program loans with a
10 repayment period of no more than ten years, and charge only so much
11 interest as is necessary to recoup the department's costs to
12 administer the loans. The department shall report annually to the
13 transportation committees of the legislature and the office of
14 financial management on all FRIB loans issued.

15 (3) \$6,817,000 of the multimodal transportation account—state
16 appropriation is provided solely for new statewide emergent freight
17 rail assistance projects identified in the LEAP transportation
18 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) \$550,000 of the essential rail assistance account—state
37 appropriation is provided solely for the purpose of the
38 rehabilitation and maintenance of the Palouse river and Coulee City
39 railroad line (F01111B).

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

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

6 (ii) Revenues from trackage rights agreement fees paid by
7 shippers; and

8 (iii) Revenues and transfers transferred from the miscellaneous
9 program account to the essential rail assistance account, pursuant to
10 RCW 47.76.360, for the purpose of sustaining the grain train program
11 by maintaining the Palouse river and Coulee City railroad.

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

19 (7) \$33,964,000 of the multimodal transportation account—state
20 appropriation and \$37,500,000 of the multimodal transportation
21 account—federal appropriation are provided solely for Passenger Rail
22 Equipment Replacement (project 700010C.) The appropriations in this
23 subsection include insurance proceeds received by the state. The
24 department must use these funds only to purchase replacement
25 equipment that has been competitively procured and for service
26 recovery needs and corrective actions related to the December 2017
27 derailment.

28 (8) \$500,000 of the multimodal transportation account—state
29 appropriation is provided solely for contingency funding for emergent
30 freight rail assistance projects funded in subsection (3) of this
31 section. Project sponsors may apply to the department for contingency
32 funds needed due to unforeseeable cost increases. The department
33 shall submit a report of any contingency funds provided under this
34 subsection as part of the department's annual budget submittal.

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

37 Highway Infrastructure Account—State Appropriation \$793,000
38 Highway Infrastructure Account—Federal Appropriation . . . \$1,600,000

| | | |
|---|---|---------------|
| 1 | Transportation Partnership Account—State | |
| 2 | Appropriation | \$750,000 |
| 3 | Motor Vehicle Account—State Appropriation | \$11,064,000 |
| 4 | Motor Vehicle Account—Federal Appropriation | \$53,072,000 |
| 5 | Motor Vehicle Account—Private/Local Appropriation | \$6,600,000 |
| 6 | Connecting Washington Account—State Appropriation | \$128,292,000 |
| 7 | Multimodal Transportation Account—State | |
| 8 | Appropriation | \$50,615,000 |
| 9 | TOTAL APPROPRIATION. | \$252,786,000 |

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

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

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

20 (a) \$27,613,000 of the multimodal transportation account—state
21 appropriation is provided solely for pedestrian and bicycle safety
22 program projects (L2000188).

23 (b) \$19,344,000 of the motor vehicle account—federal
24 appropriation and \$12,397,000 of the multimodal transportation
25 account—state appropriation are provided solely for safe routes to
26 school projects (L2000189). The department may consider the special
27 situations facing high-need areas, as defined by schools or project
28 areas in which the percentage of the children eligible to receive
29 free and reduced-price meals under the national school lunch program
30 is equal to, or greater than, the state average as determined by the
31 department, when evaluating project proposals against established
32 funding criteria while ensuring continued compliance with federal
33 eligibility requirements.

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

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

5 (5) It is the expectation of the legislature that the department
6 will be administering a local railroad crossing safety grant program
7 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

8 (6) \$12,500,000 of the motor vehicle account—federal
9 appropriation is provided solely for national highway freight network
10 projects identified on the project list submitted in accordance with
11 section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016
12 (L1000169).

13 (7) The department shall convene a Washington freight advisory
14 committee, and in doing so, shall follow the recommendations from the
15 freight stakeholder group contained in the report submitted to the
16 governor and the transportation committees of the legislature on
17 December 1, 2020. In following those recommendations, when the
18 department updates its federally-compliant freight plan, it shall
19 consult the Washington freight advisory committee on the freight plan
20 update and on the investment plan component that describes how the
21 estimated funding allocation for the national highway freight program
22 for federal fiscal years 2022-2025 will be invested and matched. The
23 department shall complete the freight plan update in compliance with
24 federal requirements and deadlines and shall provide an update on the
25 development of the freight plan, including the investment plan
26 component, when submitting its 2022 supplemental appropriations
27 request.

28 (8) \$9,000,000 of the motor vehicle account—federal appropriation
29 is provided solely for acceleration of local preservation projects
30 that ensure the reliable movement of freight on the national highway
31 freight system (G2000100). The department will identify projects
32 through its current national highway system asset management call for
33 projects with applications due in February 2021. The department shall
34 give priority to those projects that can be obligated by September
35 30, 2021.

36 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
37 **CAPITAL PROGRAM**

1 (1) As part of its annual budget submittal, the department of
2 transportation shall provide an update to the report provided to the
3 legislature in the prior fiscal year that: (a) Compares the original
4 project cost estimates approved in the 2003, 2005, and 2015 revenue
5 package project lists to the completed cost of the project, or the
6 most recent legislatively approved budget and total project costs for
7 projects not yet completed; (b) identifies highway projects that may
8 be reduced in scope and still achieve a functional benefit; (c)
9 identifies highway projects that have experienced scope increases and
10 that can be reduced in scope; (d) identifies highway projects that
11 have lost significant local or regional contributions that were
12 essential to completing the project; (e) identifies risk reserves and
13 contingency amounts allocated to projects; and (f) lists the nickel,
14 TPA, and connecting Washington projects charging to the
15 Nickel/TPA/CWA Environmental Mitigation Reserve (OBI4ENV) and the
16 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project
17 (OBI100B), and the amount each project is charging.

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

23 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
24 **CAPITAL PROGRAM**

25 On a quarterly basis, the department of transportation shall
26 provide to the office of financial management and the legislative
27 transportation committees a report for all capital projects, except
28 for ferry projects subject to the reporting requirements established
29 elsewhere in this act, that must include:

30 (1) A TEIS version containing actual capital expenditures for all
31 projects consistent with the structure of the most recently enacted
32 budget;

33 (2) Anticipated cost savings, cost increases, reappropriations,
34 and schedule adjustments for all projects consistent with the
35 structure of the most recently enacted budget;

36 (3) The award amount, the engineer's estimate, and the number of
37 bidders for all active projects consistent with the structure of the
38 most recently enacted budget; and

1 (4) Risk reserves and contingency amounts for all projects
2 consistent with the structure of the most recently enacted budget.

3 NEW SECTION. **Sec. 314. ADDITIONAL FEDERAL FUNDS**

4 (1) If the department of transportation receives federal funding
5 not appropriated in this act, the department shall apply such funds
6 to any of the following activities in lieu of state funds, if
7 compliant with federal funding restrictions, and in the order that
8 most reduces administrative burden and minimizes the use of bond
9 proceeds:

10 (a) Projects on LEAP Transportation Document 2021-2 ALL PROJECTS
11 as developed March 22, 2021; or

12 (b) Other department of transportation operating or capital
13 expenditures funded by appropriations from state accounts in this
14 act.

15 (2) However, if the funds received may not be used for any of the
16 purposes enumerated in this section and must be obligated before the
17 next regular legislative session, then the department may program the
18 funds for other transportation-related activities, provided that
19 these actions do not initiate any new programs, policies, or
20 expenditure levels requiring additional one-time or ongoing state
21 funds that have not been expressly authorized by the legislature. The
22 department shall follow the existing unanticipated receipt process to
23 notify the legislative standing committees on transportation and the
24 office of financial management of the amount of federal funds
25 received in addition to those appropriated in this act and the
26 projects or activities receiving funding through this process.

27 NEW SECTION. **Sec. 315. FEDERAL FUNDS RECEIVED FOR CAPITAL**
28 **PROJECT EXPENDITURES**

29 To the greatest extent practicable, the department of
30 transportation shall expend federal funds received for capital
31 project expenditures before state funds.

32 **TRANSFERS AND DISTRIBUTIONS**

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

| | | |
|----|---|-----------------|
| 1 | Transportation Partnership Account—State Appropriation. . . | \$1,112,000 |
| 2 | Connecting Washington Account—State Appropriation. | \$11,824,000 |
| 3 | Special Category C Account—State Appropriation. | \$434,000 |
| 4 | Highway Bond Retirement Account—State | |
| 5 | Appropriation. | \$1,489,078,000 |
| 6 | Ferry Bond Retirement Account—State Appropriation. | \$17,150,000 |
| 7 | Transportation Improvement Board Bond Retirement | |
| 8 | Account—State Appropriation. | \$11,770,000 |
| 9 | Nondebt-Limit Reimbursable Bond Retirement | |
| 10 | Account—State Appropriation. | \$29,323,000 |
| 11 | Toll Facility Bond Retirement Account—State | |
| 12 | Appropriation. | \$76,376,000 |
| 13 | TOTAL APPROPRIATION. | \$1,637,067,000 |

14 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT**
15 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
16 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

| | | |
|----|--|-------------|
| 17 | Transportation Partnership Account—State | |
| 18 | Appropriation. | \$222,000 |
| 19 | Connecting Washington Account—State Appropriation. | \$2,365,000 |
| 20 | Special Category C Account—State Appropriation. | \$87,000 |
| 21 | TOTAL APPROPRIATION. | \$2,674,000 |

22 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**
23 **FOR DISTRIBUTION**

| | | |
|----|--|---------------|
| 24 | Motor Vehicle Account—State Appropriation: For motor | |
| 25 | vehicle fuel tax statutory distributions to | |
| 26 | cities and counties. | \$467,390,000 |
| 27 | Multimodal Transportation Account—State | |
| 28 | Appropriation: For distribution to cities and | |
| 29 | counties. | \$26,786,000 |
| 30 | Motor Vehicle Account—State Appropriation: For | |
| 31 | distribution to cities and counties. | \$23,438,000 |

32 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

| | | |
|----|---|-----------------|
| 33 | Motor Vehicle Account—State Appropriation: For motor | |
| 34 | vehicle fuel tax refunds and statutory transfers. | \$1,974,599,000 |

1 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**

2 **TRANSFERS**

3 Motor Vehicle Account—State Appropriation: For motor
4 vehicle fuel tax refunds and transfers. \$235,675,000

5 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**

6 **TRANSFERS**

7 (1) Highway Safety Account—State Appropriation:
8 For transfer to the State Patrol Highway
9 Account—State. \$47,000,000

10 (2) (a) Transportation Partnership Account—State
11 Appropriation: For transfer to the Capital Vessel
12 Replacement Account—State. \$152,453,000

13 (b) The amount transferred in this subsection represents proceeds
14 from the sale of bonds authorized in RCW 47.10.873.

15 (3) (a) Transportation Partnership Account—State
16 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
17 —State. \$32,459,000

18 (b) It is the intent of the legislature that this transfer is
19 temporary, for the purpose of minimizing the impact of toll
20 increases. An equivalent reimbursing transfer is to occur after the
21 debt service and deferred sales tax on the Tacoma Narrows bridge
22 construction costs are fully repaid in accordance with chapter 195,
23 Laws of 2018.

24 (4) Motor Vehicle Account—State Appropriation:
25 For transfer to the County Arterial Preservation
26 Account—State. \$7,666,000

27 (5) Motor Vehicle Account—State Appropriation:
28 For transfer to the Freight Mobility Investment
29 Account—State. \$8,511,000

30 (6) Motor Vehicle Account—State Appropriation:
31 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

32 (7) Motor Vehicle Account—State Appropriation:
33 For transfer to the Transportation Improvement
34 Account—State. \$18,688,000

35 (8) Motor Vehicle Account—State Appropriation:
36 For transfer to the Transportation 2003 Account
37 (Nickel Account)—State. \$20,000,000

38 (9) Motor Vehicle Account—State Appropriation:

1 For transfer to the County Road Administration Board
2 Emergency Loan Account—State. \$1,000,000
3 (10) Rural Mobility Grant Program Account—State
4 Appropriation: For transfer to the Multimodal
5 Transportation Account—State. \$3,000,000
6 (11) State Route Number 520 Civil Penalties
7 Account—State Appropriation: For transfer to the
8 State Route Number 520 Corridor Account—State. \$1,532,000
9 (12) Capital Vessel Replacement Account—State
10 Appropriation: For transfer to the Connecting
11 Washington Account—State. \$35,000,000
12 (13) Capital Vessel Replacement Account—State
13 Appropriation: For transfer to the Transportation
14 Partnership Account—State. \$10,305,000
15 (14) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Complete Streets
17 Grant Program Account—State. \$14,670,000
18 (15) Multimodal Transportation Account—State
19 Appropriation: For transfer to the Connecting
20 Washington Account—State. \$200,000,000
21 (16) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Freight Mobility
23 Multimodal Account—State. \$8,511,000
24 (17) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Pilotage
26 Account—State. \$1,500,000
27 (18) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Puget Sound
29 Capital Construction Account—State. \$60,000,000
30 (19) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Regional Mobility
32 Grant Program Account—State. \$27,679,000
33 (20) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Rural Mobility
35 Grant Program Account—State. \$15,223,000
36 (21) (a) Alaskan Way Viaduct Replacement Project
37 Account—State Appropriation: For transfer to the
38 Transportation Partnership Account—State. \$22,885,000

1 (b) The amount transferred in this subsection represents
2 repayment of debt service incurred for the construction of the SR 99/
3 Alaskan Way Viaduct Replacement project (809936Z).

4 (22) Tacoma Narrows Toll Bridge Account—State
5 Appropriation: For transfer to the Motor Vehicle
6 Account—State. \$950,000

7 (23) Transportation Infrastructure Account—State
8 Appropriation: For transfer to the Multimodal
9 Transportation Account—State. \$8,500,000

10 (24) Puget Sound Ferry Operations Account—State
11 Appropriation: For transfer to the Puget Sound
12 Capital Construction Account—State. \$28,000,000

13 (25) Connecting Washington Account—State
14 Appropriation: For transfer to the Motor Vehicle
15 Account—State. \$104,487,000

16 (26) (a) General Fund Account—State
17 Appropriation: For transfer to the State Patrol
18 Highway Account—State. \$625,000

19 (b) The state treasurer shall transfer the funds only after
20 receiving notification from the Washington state patrol under section
21 207(2) of this act.

22 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT**
23 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
24 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

25 Toll Facility Bond Retirement Account—Federal
26 Appropriation \$199,129,000
27 Toll Facility Bond Retirement Account—State
28 Appropriation \$25,372,000
29 TOTAL APPROPRIATION. \$224,501,000

30 **COMPENSATION**

31 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
32 **IMPAIRED**

33 Nothing in this act prohibits the expenditure of any funds by an
34 agency or institution of the state for benefits guaranteed by any
35 collective bargaining agreement in effect on the effective date of
36 this section.

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

2 Sections 503 through 520 of this act represent the results of the
3 2021-2023 collective bargaining process required under chapters
4 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining
5 agreements contained in sections 503 through 520 of this act are
6 described in general terms. Only major economic terms are included in
7 the descriptions. These descriptions do not contain the complete
8 contents of the agreements. The collective bargaining agreements
9 contained in sections 503 through 520 of this act may also be funded
10 by expenditures from nonappropriated accounts. If positions are
11 funded with lidded grants or dedicated fund sources with insufficient
12 revenue, additional funding from other sources is not provided.

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

15 An agreement has been reached between the governor and the office
16 and professional employees international union local eight (OPEIU)
17 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
18 Funding is provided to fund the agreement, which does not include
19 wage increases but does include furloughs. The agreement provides
20 that positions designated by the employer as not requiring backfill
21 take 24 furlough days during the biennium. In addition, the following
22 positions are not subject to the furlough requirement: Bid
23 administrator, dispatch, dispatch coordinator, and relief positions.

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

26 An agreement has been reached between the governor and the ferry
27 agents, supervisors, and project administrators association pursuant
28 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
29 provided to fund the agreement, which does not include wage increases
30 but does include furloughs. The agreement provides that positions
31 designated by the employer as not requiring backfill take 24 furlough
32 days during the biennium.

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

35 An agreement has been reached between the governor and the
36 service employees international union local 6 pursuant to chapter

1 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
2 fund the agreement, which does not include wage increases but does
3 include furloughs. The agreement provides that positions designated
4 by the employer as not requiring backfill take 24 furlough days
5 during the biennium.

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

8 An agreement has been reached between the governor and the
9 Pacific Northwest regional council of carpenters pursuant to chapter
10 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
11 fund the agreement, which does not include wage increases but does
12 include furloughs. The agreement provides that positions designated
13 by the employer as not requiring backfill take 24 furlough days
14 during the biennium.

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

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

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

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

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

32 An agreement has been reached between the governor and the marine
33 engineers' beneficial association licensed engineer officers pursuant
34 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is

1 provided to fund the agreement, which does not include either wage
2 increases or the furlough requirement.

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

5 An agreement has been reached between the governor and the marine
6 engineers' beneficial association port engineers pursuant to chapter
7 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
8 fund the agreement, which does not include wage increases but does
9 include furloughs. The agreement provides that positions designated
10 by the employer as not requiring backfill take 24 furlough days
11 during the biennium.

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

14 An agreement has been reached between the governor and the
15 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
16 the 2021-2023 fiscal biennium. Funding is provided to fund the
17 agreement, which includes a two percent wage increase for second
18 mates, and does not include the furlough requirement.

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

21 An agreement has been reached between the governor and the
22 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
23 for the 2021-2023 fiscal biennium. Funding is provided to fund the
24 agreement, which does not include either wage increases or the
25 furlough requirement.

26 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
27 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**
28 **SUPERVISORS**

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

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

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

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

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

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

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

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

25 An agreement has been reached between the governor and the
26 Washington public employees association under the provisions of
27 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
28 provided to fund the agreement, which does not include wage
29 increases, but does include 24 furlough days for employees in
30 positions that do not require the position to be backfilled.

31 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
32 **COALITION OF UNIONS**

33 An agreement has been reached for the 2019-2021 biennium between
34 the governor and the coalition of unions under the provisions of
35 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is

1 provided to fund the agreement, which includes 24 furlough days for
2 employees in position that do not require the position to be
3 backfilled. The agreement includes and funding is provided for a 2.5
4 percent wage increase for fiscal year 2022 and a 2.5 percent wage
5 increase for fiscal year 2023 for the department of corrections
6 marine vessel operators.

7 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
8 **TROOPERS ASSOCIATION**

9 An agreement has been reached between the governor and the
10 Washington state patrol troopers association under the provisions of
11 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
12 provided to fund the agreement, which does not include general wages
13 increases but does provide the ability to request to reopen the
14 compensation article for the purpose of bargaining base rate of pay
15 for fiscal year 2023.

16 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
17 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

18 An agreement has been reached between the governor and the
19 Washington state patrol lieutenants and captains association under
20 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
21 biennium. Funding is provided to fund the agreement, which does not
22 include general wages increases but does provide the ability to
23 request to reopen the compensation article for the purpose of
24 bargaining base rate of pay for fiscal year 2023.

25 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
26 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

27 An agreement was reached for the 2021-2023 biennium between the
28 governor and the health care coalition under the provisions of
29 chapter 41.80 RCW. Appropriations in this act for state agencies,
30 including institutions of higher education, are sufficient to
31 implement the provisions of the 2021-2023 collective bargaining
32 agreement, which maintains the provisions of the 2019-2021 agreement,
33 and are subject to the following conditions and limitations:

34 The monthly employer funding rate for insurance benefit premiums,
35 public employees' benefits board administration, and the uniform
36 medical plan, shall not exceed \$936 per eligible employee for fiscal

1 year 2022. For fiscal year 2023, the monthly employer funding rate
2 shall not exceed \$1091 per eligible employee.

3 The board shall collect a \$25 per month surcharge payment from
4 members who use tobacco products and a surcharge payment of not less
5 than \$50 per month from members who cover a spouse or domestic
6 partner where the spouse or domestic partner has chosen not to enroll
7 in another employer-based group health insurance that has benefits
8 and premiums with an actuarial value of not less than 95 percent of
9 the actuarial value of the public employees' benefits board plan with
10 the largest enrollment. The surcharge payments shall be collected in
11 addition to the member premium payment if directed by the
12 legislature.

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

15 Appropriations for state agencies in this act are sufficient for
16 represented employees outside the coalition for health benefits, and
17 are subject to the following conditions and limitations: The monthly
18 employer funding rate for insurance benefit premiums, public
19 employees' benefits board administration, and the uniform medical
20 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
21 For fiscal year 2023, the monthly employer funding rate may not
22 exceed \$1091 per eligible employee.

23 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
24 **INSURANCE BENEFITS**

25 Appropriations for state agencies in this act are sufficient for
26 nonrepresented state employee health benefits for state agencies,
27 including institutions of higher education, and are subject to the
28 following conditions and limitations: The employer monthly funding
29 rate for insurance benefit premiums, public employees' benefits board
30 administration, and the uniform medical plan, shall not exceed \$936
31 per eligible employee for fiscal year 2022. For fiscal year 2023, the
32 monthly employer funding rate shall not exceed \$1091 per eligible
33 employee.

34 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**
35 **RATES**

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

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

9 Funding is provided within the amounts appropriated for the cost
10 to agencies of additional staff necessary to provide coverage in
11 positions that require continual presence, as a result of
12 implementing chapter . . . (Substitute House Bill No. 1016), Laws of
13 2021 (making Juneteenth a legal holiday). If chapter . . .
14 (Substitute House Bill No. 1016), Laws of 2021 is not enacted by June
15 30, 2021, this section does not take effect.

16 NEW SECTION. **Sec. 526. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
17 **INLANDBOATMEN'S UNION OF THE PACIFIC**

18 Puget Sound Ferry Operations Account—State
19 Appropriation \$2,798,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: Funding is provided solely for
22 eliminating the furlough days in the agreement reached with the
23 inlandboatmen's union of the Pacific and approved in part V of this
24 act. Expenditure of the amounts provided for this purpose is
25 contingent upon execution of an appropriate memorandum of
26 understanding between the governor or the governor's designee and the
27 exclusive bargaining representative, consistent with the terms of
28 this section. Appropriations for state agencies are increased by the
29 amounts specified in LEAP Transportation Document 2021 -
30 Compensation, dated March 22, 2021, to fund the provisions of this
31 section upon execution of the memorandum of understanding.

32 NEW SECTION. **Sec. 527. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
33 **PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS**

34 Puget Sound Ferry Operations Account—State
35 Appropriation \$156,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: Funding is provided solely for
3 eliminating the furlough days in the agreement reached with the
4 Pacific Northwest regional council of carpenters and approved in part
5 V of this act. Expenditure of the amounts provided for this purpose
6 is contingent upon execution of an appropriate memorandum of
7 understanding between the governor or the governor's designee and the
8 exclusive bargaining representative, consistent with the terms of
9 this section. Appropriations for state agencies are increased by the
10 amounts specified in LEAP Transportation Document 2021 -
11 Compensation, dated March 22, 2021, to fund the provisions of this
12 section upon execution of the memorandum of understanding.

13 NEW SECTION. **Sec. 528. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
14 **OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8**
15 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: Funding is provided solely for
18 eliminating the furlough days in the agreement reached with the
19 office and professional employees international union local 8 and
20 approved in part V of this act. Expenditure of the amounts provided
21 for this purpose is contingent upon execution of an appropriate
22 memorandum of understanding between the governor or the governor's
23 designee and the exclusive bargaining representative, consistent with
24 the terms of this section. Appropriations for state agencies are
25 increased by the amounts specified in LEAP Transportation Document
26 2021 - Compensation, dated March 22, 2021, to fund the provisions of
27 this section upon execution of the memorandum of understanding.

28 NEW SECTION. **Sec. 529. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
29 **FERRY AGENTS, SUPERVISORS, AND PROJECT ADMINISTRATORS ASSOCIATION**
30 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: Funding is provided solely for
33 eliminating the furlough days in the agreement reached with the ferry
34 agents, supervisors, and project administrators association and
35 approved in part V of this act. Expenditure of the amounts provided
36 for this purpose is contingent upon execution of an appropriate

1 memorandum of understanding between the governor or the governor's
2 designee and the exclusive bargaining representative, consistent with
3 the terms of this section. Appropriations for state agencies are
4 increased by the amounts specified in LEAP Transportation Document
5 2021 - Compensation, dated March 22, 2021, to fund the provisions of
6 this section upon execution of the memorandum of understanding.

7 NEW SECTION. **Sec. 530. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
8 **SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 6**

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

10 The appropriations in this section are subject to the following
11 conditions and limitations: Funding is provided solely for
12 eliminating the furlough days in the agreement reached with the
13 service employees international union local 6 and approved in part V
14 of this act. Expenditure of the amounts provided for this purpose is
15 contingent upon execution of an appropriate memorandum of
16 understanding between the governor or the governor's designee and the
17 exclusive bargaining representative, consistent with the terms of
18 this section. Appropriations for state agencies are increased by the
19 amounts specified in LEAP Transportation Document 2021 -
20 Compensation, dated March 22, 2021, to fund the provisions of this
21 section upon execution of the memorandum of understanding.

22 NEW SECTION. **Sec. 531. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
23 **MASTERS, MATES, AND PILOTS—WATCH CENTER SUPERVISORS**

24 Puget Sound Ferry Operations Account—State Appropriation . . \$150,000

25 The appropriations in this section are subject to the following
26 conditions and limitations: Funding is provided solely for
27 eliminating the furlough days in the agreement reached with the
28 masters, mates, and pilots - watch center supervisors and approved in
29 part V of this act. Expenditure of the amounts provided for this
30 purpose is contingent upon execution of an appropriate memorandum of
31 understanding between the governor or the governor's designee and the
32 exclusive bargaining representative, consistent with the terms of
33 this section. Appropriations for state agencies are increased by the
34 amounts specified in LEAP Transportation Document 2021 -
35 Compensation, dated March 22, 2021, to fund the provisions of this
36 section upon execution of the memorandum of understanding.

1 NEW SECTION. **Sec. 532. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**

2 **MARINE ENGINEERS' BENEFICIAL ASSOCIATION PORT ENGINEERS**

3 Puget Sound Ferry Operations Account—State Appropriation . . \$84,000

4 The appropriations in this section are subject to the following
5 conditions and limitations: Funding is provided solely for
6 eliminating the furlough days in the agreement reached with the
7 marine engineers' beneficial association port engineers and approved
8 in part V of this act. Expenditure of the amounts provided for this
9 purpose is contingent upon execution of an appropriate memorandum of
10 understanding between the governor or the governor's designee and the
11 exclusive bargaining representative, consistent with the terms of
12 this section. Appropriations for state agencies are increased by the
13 amounts specified in LEAP Transportation Document 2021 -
14 Compensation, dated March 22, 2021, to fund the provisions of this
15 section upon execution of the memorandum of understanding.

16 NEW SECTION. **Sec. 533. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**

17 **WASHINGTON FEDERATION OF STATE EMPLOYEES**

18 Motor Vehicle Account—State Appropriation \$15,891,000
19 Highway Safety Account—State Appropriation \$4,111,000
20 State Patrol Highway Account—State Appropriation \$1,661,000
21 Other Appropriated Funds \$1,038,000
22 TOTAL APPROPRIATION. \$22,701,000

23 The appropriations in this section are subject to the following
24 conditions and limitations: Funding is provided solely for
25 eliminating the furlough days in the agreement reached with the
26 Washington federation of state employees and approved in part V of
27 this act. Expenditure of the amounts provided for this purpose is
28 contingent upon execution of an appropriate memorandum of
29 understanding between the governor or the governor's designee and the
30 exclusive bargaining representative, consistent with the terms of
31 this section. Appropriations for state agencies are increased by the
32 amounts specified in LEAP Transportation Document 2021 -
33 Compensation, dated March 22, 2021, to fund the provisions of this
34 section upon execution of the memorandum of understanding.

35 NEW SECTION. **Sec. 534. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**

36 **WASHINGTON PUBLIC EMPLOYEES ASSOCIATION GENERAL GOVERNMENT**

37 Motor Vehicle Account—State Appropriation \$88,000

| | | |
|---|--|-------------|
| 1 | State Patrol Highway Account—State Appropriation | \$907,000 |
| 2 | State Patrol Highway Account—Federal Appropriation | \$68,000 |
| 3 | TOTAL APPROPRIATION. | \$1,063,000 |

4 The appropriations in this section are subject to the following
5 conditions and limitations: Funding is provided solely for
6 eliminating the furlough days in the agreement reached with the
7 Washington public employees association general government and
8 approved in part V of this act. Expenditure of the amounts provided
9 for this purpose is contingent upon execution of an appropriate
10 memorandum of understanding between the governor or the governor's
11 designee and the exclusive bargaining representative, consistent with
12 the terms of this section. Appropriations for state agencies are
13 increased by the amounts specified in LEAP Transportation Document
14 2021 - Compensation, dated March 22, 2021, to fund the provisions of
15 this section upon execution of the memorandum of understanding.

16 NEW SECTION. **Sec. 535. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
17 **PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17**

| | | |
|----|--|-------------|
| 18 | Motor Vehicle Account—State Appropriation | \$2,105,000 |
| 19 | Highway Safety Account—State Appropriation | \$2,108,000 |
| 20 | State Patrol Highway Account—State Appropriation | \$918,000 |
| 21 | Other Appropriated Funds | \$802,000 |
| 22 | TOTAL APPROPRIATION. | \$5,933,000 |

23 The appropriations in this section are subject to the following
24 conditions and limitations: Funding is provided solely for
25 eliminating the furlough days in the agreement reached with the
26 professional and technical employees local 17 and approved in part V
27 of this act. Expenditure of the amounts provided for this purpose is
28 contingent upon execution of an appropriate memorandum of
29 understanding between the governor or the governor's designee and the
30 exclusive bargaining representative, consistent with the terms of
31 this section. Appropriations for state agencies are increased by the
32 amounts specified in LEAP Transportation Document 2021 -
33 Compensation, dated March 22, 2021, to fund the provisions of this
34 section upon execution of the memorandum of understanding.

35 NEW SECTION. **Sec. 536. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
36 **THE COALITION OF UNIONS**

| | | |
|----|--|-----------|
| 37 | State Patrol Highway Account—State Appropriation | \$212,000 |
|----|--|-----------|

1 State Patrol Highway Account—Federal Appropriation \$18,000
2 TOTAL APPROPRIATION. \$230,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: Funding is provided solely for
5 eliminating the furlough days in the agreement reached with the
6 coalition of unions and approved in part V of this act. Expenditure
7 of the amounts provided for this purpose is contingent upon execution
8 of an appropriate memorandum of understanding between the governor or
9 the governor's designee and the exclusive bargaining representative,
10 consistent with the terms of this section. Appropriations for state
11 agencies are increased by the amounts specified in LEAP
12 Transportation Document 2021 - Compensation, dated March 22, 2021, to
13 fund the provisions of this section upon execution of the memorandum
14 of understanding.

15 NEW SECTION. **Sec. 537. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
16 **PUGET SOUND METAL TRADES COUNCIL**

17 Puget Sound Ferry Operations Account—State
18 Appropriation \$130,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: Funding is provided solely for
21 eliminating the general wage deduction in the agreement reached
22 through an interest arbitration award with the Puget Sound metal
23 trades council and approved in part V of this act. Expenditure of the
24 amounts provided for this purpose is contingent upon execution of an
25 appropriate memorandum of understanding between the governor or the
26 governor's designee and the exclusive bargaining representative,
27 consistent with the terms of this section. Appropriations for state
28 agencies are increased by the amounts specified in LEAP
29 Transportation Document 2021 - Compensation, dated March 22, 2021, to
30 fund the provisions of this section upon execution of the memorandum
31 of understanding.

32 NEW SECTION. **Sec. 538. COLLECTIVE BARGAINING AGREEMENTS—**
33 **ELIMINATING FURLOUGH DAYS**

34 Appropriations in this act provide sufficient funding to
35 eliminate the furlough days required in the following collective
36 bargaining agreements for the 2021-2023 biennium:

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

14 Expenditure of the amounts provided for this purpose is
15 contingent upon execution of an appropriate memorandum of
16 understanding between the governor or the governor's designee and the
17 exclusive bargaining representative, consistent with the terms of
18 this section.

19 NEW SECTION. **Sec. 539. COLLECTIVE BARGAINING AGREEMENTS—**
20 **ELIMINATING GENERAL WAGE DECREASE**

21 Appropriations in this act provide sufficient funding solely for
22 the purpose of eliminating the 1.9 percent wage reduction from July
23 1, 2021, to June 30, 2022, provided in the arbitration award for the
24 Puget Sound metal trades council. Expenditure of the amounts provided
25 for this purpose is contingent upon execution of an appropriate
26 modification of the agreement between the governor or the governor's
27 designee and the exclusive bargaining representative, consistent with
28 the terms of this section.

29 NEW SECTION. **Sec. 540. FORGONE GENERAL WAGE INCREASES**

30 Appropriations in this act for state agencies, including
31 institutions of higher education, are sufficient to provide a three
32 percent or two percent general wage increase, effective July 1, 2021,
33 for employees that were scheduled to receive a general wage increase
34 of either of those amounts on July 1, 2020, that was forgone due to
35 COVID-19 emergency.

36 **IMPLEMENTING PROVISIONS**

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

2 (1) The 2005 transportation partnership projects or improvements
3 and 2015 connecting Washington projects or improvements are listed in
4 the LEAP Transportation Document 2021-1 as developed March 22, 2021,
5 which consists of a list of specific projects by fund source and
6 amount over a sixteen-year period. Current fiscal biennium funding
7 for each project is a line-item appropriation, while the outer year
8 funding allocations represent a sixteen-year plan. The department of
9 transportation is expected to use the flexibility provided in this
10 section to assist in the delivery and completion of all
11 transportation partnership account and connecting Washington account
12 projects on the LEAP transportation document referenced in this
13 subsection. For the 2021-2023 project appropriations, unless
14 otherwise provided in this act, the director of the office of
15 financial management may provide written authorization for a transfer
16 of appropriation authority between projects funded with
17 transportation partnership account appropriations or connecting
18 Washington account appropriations to manage project spending and
19 efficiently deliver all projects in the respective program under the
20 following conditions and limitations:

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

23 (b) Transfers from a project may not be made as a result of the
24 reduction of the scope of a project or be made to support increases
25 in the scope of a project;

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

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

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

35 (f) Transfers may not be made while the legislature is in
36 session;

37 (g) Transfers to a project may not be made with funds designated
38 as attributable to practical design savings as described in RCW
39 47.01.480;

1 (h) Except for transfers made under (l) of this subsection,
2 transfers may only be made in fiscal year 2023;

3 (i) The total amount of transfers under this section may not
4 exceed \$50,000,000;

5 (j) Except as otherwise provided in (l) of this subsection,
6 transfers made to a single project may not cumulatively total more
7 than \$20,000,000 per biennium;

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

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

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

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

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

37 (5) No fewer than ten days after the receipt of a project
38 transfer request, the director of the office of financial management
39 must provide written notification to the department of any decision

1 regarding project transfers, with copies submitted to the
2 transportation committees of the legislature.

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

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

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

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

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

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

29 (1) As part of its 2022 supplemental budget submittal, the
30 department of transportation shall provide a report to the
31 legislature and the office of financial management that:

32 (a) Identifies, by capital project, the amount of state funding
33 that has been reappropriated from the 2019-2021 fiscal biennium into
34 the 2021-2023 fiscal biennium; and

35 (b) Identifies, for each project, the amount of cost savings or
36 increases in funding that have been identified as compared to the
37 2017 enacted omnibus transportation appropriations act.

1 (2) As part of the agency request for capital programs, the
2 department shall load reappropriations separately from funds that
3 were assumed to be required for the 2021-2023 fiscal biennium into
4 budgeting systems.

5 NEW SECTION. **Sec. 605. WEBSITE REPORTING REQUIREMENTS**

6 (1) The department of transportation shall post on its website
7 every report that is due from the department to the legislature
8 during the 2021-2023 fiscal biennium on one web page. The department
9 must post both completed reports and planned reports on a single web
10 page.

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

14 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
15 **ELEMENTS REPORTING**

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

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

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

29 (1) During the 2021-2023 fiscal biennium, while the legislature
30 is not in session, the director of the office of financial management
31 may approve project scope change requests to connecting Washington
32 projects in the highway improvements program, provided that the
33 requests meet the criteria outlined in RCW 47.01.480 and are subject
34 to the limitations in this section.

35 (2) At the time the department of transportation submits a
36 request for a project scope change under this section, a copy of the

1 request must be submitted to the transportation committees of the
2 legislature.

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

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

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

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

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

24 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

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

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

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

9 (b) As part of the development of a technology budget and at each
10 request for funding, the agency shall submit an updated technology
11 budget, if changes occurred, to include detailed financial
12 information to the office of financial management and the office of
13 the chief information officer. The technology budget must describe
14 the total cost of the project, as well as maintenance and operations
15 costs, to include and identify at least:

16 (i) Fund sources;

17 (ii) Full time equivalent staffing level to include job
18 classification assumptions;

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

21 (iv) Object and subobject codes of expenditures;

22 (v) Anticipated deliverables;

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

24 (vii) Maintenance and operations costs by fiscal year for at
25 least five years as a separate worksheet.

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

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

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

35 (ii) The office of the chief information officer staff assigned
36 to the project;

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

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

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

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

9 (4) Projects with estimated costs greater than \$100,000,000 from
10 initiation to completion and implementation may be divided into
11 discrete subprojects as determined by the office of the state chief
12 information officer. Each subproject must have a technology budget
13 and investment plan as provided in this section.

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

18 (i) Project changes each fiscal month;

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

21 (iii) Financial status of information technology projects under
22 oversight;

23 (iv) Coordination with agencies;

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

25 (vi) Monthly office of the chief information officer status
26 reports;

27 (vii) Historical project budget and expenditures through fiscal
28 year 2021;

29 (viii) Budget and expenditures each fiscal month;

30 (ix) Estimated annual maintenance and operations costs by fiscal
31 year; and

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

34 (A) Office of the chief information officer;

35 (B) Agency project team; and

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

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

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

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

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

6 (7) For any project that exceeds \$2,000,000 in total funds to
7 complete, requires more than one biennium to complete, or is financed
8 through financial contracts, bonds, or other indebtedness:

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

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

14 (c) The technology budget must specifically identify the uses of
15 any financing proceeds. No more than 30 percent of the financing
16 proceeds may be used for payroll-related costs for state employees
17 assigned to project management, installation, testing, or training;

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

22 (e) The agency must consult with the contracting division of the
23 department of enterprise services for a review of all contracts and
24 agreements related to the project's information technology
25 procurements.

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

30 (9) The office of the chief information officer may suspend or
31 terminate a project at any time if it determines that the project is
32 not meeting or not expected to meet anticipated performance and
33 technology outcomes. Once suspension or termination occurs, the
34 agency shall unallot any unused funding and shall not make any
35 expenditure for the project without the approval of the office of
36 financial management. The office of the chief information officer
37 must report on July 1st and December 1st each calendar year any
38 suspension or termination of a project in the previous six-month
39 period to the legislative fiscal committees.

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

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

11 (a) For the Washington state patrol: Aerial criminal
12 investigation tools;

13 (b) For the department of licensing: Website accessibility and
14 usability; and

15 (c) For the department of transportation: Maintenance management
16 system, land mobile radio system replacement, new csc system and
17 operator, PROPEL - WSDOT support of one Washington, and capital
18 systems replacement.

19 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
20 **THROUGH FINANCIAL CONTRACTS**

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

34 (2) Department of transportation: Enter into a financing contract
35 for up to \$32,500,000 plus financing expenses and required reserves
36 pursuant to chapter 39.94 RCW to renovate the existing office
37 building at 15700 Dayton Ave N, Shoreline.

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

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

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

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

20 (4) By December 1, 2009, the department of enterprise services
21 shall:

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

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

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

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

36 (1) The ignition interlock device revolving account program is
37 created within the department to assist in covering the monetary
38 costs of installing, removing, and leasing an ignition interlock
39 device, and applicable licensing, for indigent persons who are

1 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
2 ignition interlock device in all vehicles owned or operated by the
3 person. For purposes of this subsection, "indigent" has the same
4 meaning as in RCW 10.101.010, as determined by the department. During
5 the 2019-2021 and 2021-2023 fiscal (~~(biennium)~~) biennia, the ignition
6 interlock device revolving account program also includes ignition
7 interlock enforcement work conducted by the Washington state patrol.

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

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

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

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

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

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

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

29 **Sec. 705.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to
30 read as follows:

31 (1)(a) A tax is imposed on the privilege of possession of
32 hazardous substances in this state. Except as provided in (b) of this
33 subsection, the rate of the tax is seven-tenths of one percent
34 multiplied by the wholesale value of the substance. Moneys collected
35 under this subsection (1)(a) must be deposited in the model toxics
36 control capital account.

37 (b) Beginning July 1, 2019, the rate of the tax on petroleum
38 products is one dollar and nine cents per barrel. The tax collected
39 under this subsection (1)(b) on petroleum products must be deposited

1 as follows, after first depositing the tax as provided in (c) of this
2 subsection (~~((1))~~), except that during the 2021-2023 biennium the
3 deposit as provided in (c) of this subsection may be prorated equally
4 across each month of the biennium:

5 (i) Sixty percent to the model toxics control operating account
6 created under RCW 70A.305.180;

7 (ii) Twenty-five percent to the model toxics control capital
8 account created under RCW 70A.305.190; and

9 (iii) Fifteen percent to the model toxics control stormwater
10 account created under RCW 70A.305.200.

11 (c) Until the beginning of the ensuing biennium after the
12 enactment of an additive transportation funding act, fifty million
13 dollars per biennium to the motor vehicle fund to be used exclusively
14 for transportation stormwater activities and projects. For purposes
15 of this subsection, "additive transportation funding act" means an
16 act in which the combined total of new revenues deposited into the
17 motor vehicle fund and the multimodal transportation account exceed
18 two billion dollars per biennium attributable solely to an increase
19 in revenue from the enactment of the act.

20 (d) The department must compile a list of petroleum products that
21 are not easily measured on a per barrel basis. Petroleum products
22 identified on the list are subject to the rate under (a) of this
23 subsection in lieu of the volumetric rate under (b) of this
24 subsection. The list will be made in a form and manner prescribed by
25 the department and must be made available on the department's
26 internet website. In compiling the list, the department may accept
27 technical assistance from persons that sell, market, or distribute
28 petroleum products and consider any other resource the department
29 finds useful in compiling the list.

30 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.
31 The tax due dates, reporting periods, and return requirements
32 applicable to chapter 82.04 RCW apply equally to the tax imposed in
33 this chapter.

34 (3) Beginning July 1, 2020, and every July 1st thereafter, the
35 rate specified in subsection (1)(b) of this section must be adjusted
36 to reflect the percentage change in the implicit price deflator for
37 nonresidential structures as published by the United States
38 department of commerce, bureau of economic analysis for the most
39 recent twelve-month period ending December 31st of the prior year.

1 **Sec. 706.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to
2 read as follows:

3 There is hereby created in the state treasury a fund to be known
4 as the highway safety fund to the credit of which must be deposited
5 all moneys directed by law to be deposited therein. This fund must be
6 used for carrying out the provisions of law relating to driver
7 licensing, driver improvement, financial responsibility, cost of
8 furnishing abstracts of driving records and maintaining such case
9 records, and to carry out the purposes set forth in RCW 43.59.010,
10 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
11 fiscal biennia, the legislature may transfer from the highway safety
12 fund to the Puget Sound ferry operations account, the motor vehicle
13 fund, and the multimodal transportation account such amounts as
14 reflect the excess fund balance of the highway safety fund. During
15 the ~~((and the))~~ 2017-2019, 2019-2021, and 2021-2023 fiscal biennia,
16 the legislature may direct the state treasurer to make transfers of
17 moneys in the highway safety fund to the multimodal transportation
18 account and the state patrol highway account.

19 **Sec. 707.** RCW 47.12.370 and 2003 c 187 s 1 are each amended to
20 read as follows:

21 (1) The department may enter into exchange agreements with local,
22 state, or federal agencies, tribal governments, or private nonprofit
23 nature conservancy corporations as defined in RCW 64.04.130, to
24 convey properties under the jurisdiction of the department that serve
25 as environmental mitigation sites, as full or part consideration for
26 the grantee assuming all future maintenance and operation obligations
27 and costs required to maintain and operate the environmental
28 mitigation site in perpetuity.

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

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

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

38 (b) During the 2021-2023 fiscal biennium, the restrictions in (a)
39 of this subsection do not apply to any exchange agreement with a

1 tribal government for the acquisition of real property required by
2 the department for the SR 167/SR 509 Puget Sound Gateway project.

3 (3) The conveyances must be by quitclaim deed, or other form of
4 conveyance, executed by the secretary of transportation, and must
5 expressly restrict the use of the property to a mitigation site
6 consistent with preservation of the functions and values of the site,
7 and must provide for the automatic reversion to the department if the
8 property is not used as a mitigation site or is not maintained in a
9 manner that complies with applicable permits, laws, and regulations
10 pertaining to the maintenance and operation of the mitigation site.

11 **Sec. 708.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to
12 read as follows:

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

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

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

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

30 **Sec. 709.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
31 read as follows:

32 A special account to be known as the state route number 520 civil
33 penalties account is created in the state treasury. All state route
34 number 520 bridge replacement and HOV program civil penalties
35 generated from the nonpayment of tolls on the state route number 520
36 corridor must be deposited into the account, as provided under RCW
37 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
38 appropriation. Expenditures from the account may be used to fund any

1 project within the state route number 520 bridge replacement and HOV
2 program, including mitigation; however, through the 2021-2023 fiscal
3 biennium, expenditures may include operating expenses of the state
4 route number 520 corridor. During the 2013-2015 and 2015-2017 fiscal
5 biennia, the legislature may transfer from the state route number 520
6 civil penalties account to the state route number 520 corridor
7 account such amounts as reflect the excess fund balance of the state
8 route number 520 civil penalties account. Funds transferred must be
9 used solely for capital expenditures for the state route number 520
10 bridge replacement and HOV project. During the ((2017-2019 and the))
11 2019-2021 and 2021-2023 fiscal biennia, the legislature may direct
12 the state treasurer to make transfers of moneys in the state route
13 number 520 civil penalties account to the state route number 520
14 corridor account.

15 **Sec. 710.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to
16 read as follows:

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

33 **Sec. 711.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to
34 read as follows:

35 The freight mobility investment account is hereby created in the
36 state treasury. Money in the account may be spent only after
37 appropriation. Expenditures from the account may be used only for
38 freight mobility projects that have been approved by the freight

1 mobility strategic investment board in RCW 47.06A.020 and may include
2 any principal and interest on bonds authorized for the projects or
3 improvements. During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
4 biennia, the expenditures from the account may also be used for the
5 administrative expenses of the freight mobility strategic investment
6 board.

7 **Sec. 712.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
8 read as follows:

9 (1) The capital vessel replacement account is created in the
10 motor vehicle fund. All revenues generated from the vessel
11 replacement surcharge under RCW 47.60.315(7) and service fees
12 collected by the department of licensing or county auditor or other
13 agent appointed by the director under RCW 46.17.040, 46.17.050, and
14 46.17.060 must be deposited into the account. Moneys in the account
15 may be spent only after appropriation. Expenditures from the account
16 may be used only for the construction or purchase of ferry vessels
17 and to pay the principal and interest on bonds authorized for the
18 construction or purchase of ferry vessels. However, expenditures from
19 the account must first be used to support the construction or
20 purchase, including any applicable financing costs, of a ferry vessel
21 with a carrying capacity of at least one hundred forty-four cars.

22 (2) The state treasurer may transfer moneys from the capital
23 vessel replacement account to the transportation 2003 account (nickel
24 account) for debt service on bonds issued for the construction of
25 144-car class ferry vessels.

26 (3) The legislature may transfer from the capital vessel
27 replacement account to the connecting Washington account created
28 under RCW 46.68.395 such amounts as reflect the excess fund balance
29 of the capital vessel replacement account to be used for ferry
30 terminal construction and preservation.

31 (4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
32 biennia, the legislature may direct the state treasurer to make
33 transfers of moneys in the capital vessel replacement account to the
34 transportation partnership account and the connecting Washington
35 account.

36 **Sec. 713.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to
37 read as follows:

1 (1) The transportation partnership account is hereby created in
2 the state treasury. All distributions to the account from RCW
3 46.68.090 must be deposited into the account. Money in the account
4 may be spent only after appropriation. Expenditures from the account
5 must be used only for projects or improvements identified as 2005
6 transportation partnership projects or improvements in the omnibus
7 transportation appropriations act, including any principal and
8 interest on bonds authorized for the projects or improvements.

9 (2) The legislature finds that:

10 (a) Citizens demand and deserve accountability of transportation-
11 related programs and expenditures. Transportation-related programs
12 must continuously improve in quality, efficiency, and effectiveness
13 in order to increase public trust;

14 (b) Transportation-related agencies that receive tax dollars must
15 continuously improve the way they operate and deliver services so
16 citizens receive maximum value for their tax dollars; and

17 (c) Fair, independent, comprehensive performance audits of
18 transportation-related agencies overseen by the elected state auditor
19 are essential to improving the efficiency, economy, and effectiveness
20 of the state's transportation system.

21 (3) For purposes of chapter 314, Laws of 2005:

22 (a) "Performance audit" means an objective and systematic
23 assessment of a state agency or agencies or any of their programs,
24 functions, or activities by the state auditor or designee in order to
25 help improve agency efficiency, effectiveness, and accountability.
26 Performance audits include economy and efficiency audits and program
27 audits.

28 (b) "Transportation-related agency" means any state agency,
29 board, or commission that receives funding primarily for
30 transportation-related purposes. At a minimum, the department of
31 transportation, the transportation improvement board or its successor
32 entity, the county road administration board or its successor entity,
33 and the traffic safety commission are considered transportation-
34 related agencies. The Washington state patrol and the department of
35 licensing shall not be considered transportation-related agencies
36 under chapter 314, Laws of 2005.

37 (4) Within the authorities and duties under chapter 43.09 RCW,
38 the state auditor shall establish criteria and protocols for
39 performance audits. Transportation-related agencies shall be audited
40 using criteria that include generally accepted government auditing

1 standards as well as legislative mandates and performance objectives
2 established by state agencies. Mandates include, but are not limited
3 to, agency strategies, timelines, program objectives, and mission and
4 goals as required in RCW 43.88.090.

5 (5) Within the authorities and duties under chapter 43.09 RCW,
6 the state auditor may conduct performance audits for transportation-
7 related agencies. The state auditor shall contract with private firms
8 to conduct the performance audits.

9 (6) The audits may include:

10 (a) Identification of programs and services that can be
11 eliminated, reduced, consolidated, or enhanced;

12 (b) Identification of funding sources to the transportation-
13 related agency, to programs, and to services that can be eliminated,
14 reduced, consolidated, or enhanced;

15 (c) Analysis of gaps and overlaps in programs and services and
16 recommendations for improving, dropping, blending, or separating
17 functions to correct gaps or overlaps;

18 (d) Analysis and recommendations for pooling information
19 technology systems used within the transportation-related agency, and
20 evaluation of information processing and telecommunications policy,
21 organization, and management;

22 (e) Analysis of the roles and functions of the transportation-
23 related agency, its programs, and its services and their compliance
24 with statutory authority and recommendations for eliminating or
25 changing those roles and functions and ensuring compliance with
26 statutory authority;

27 (f) Recommendations for eliminating or changing statutes, rules,
28 and policy directives as may be necessary to ensure that the
29 transportation-related agency carry out reasonably and properly those
30 functions vested in the agency by statute;

31 (g) Verification of the reliability and validity of
32 transportation-related agency performance data, self-assessments, and
33 performance measurement systems as required under RCW 43.88.090;

34 (h) Identification of potential cost savings in the
35 transportation-related agency, its programs, and its services;

36 (i) Identification and recognition of best practices;

37 (j) Evaluation of planning, budgeting, and program evaluation
38 policies and practices;

39 (k) Evaluation of personnel systems operation and management;

1 (l) Evaluation of purchasing operations and management policies
2 and practices;

3 (m) Evaluation of organizational structure and staffing levels,
4 particularly in terms of the ratio of managers and supervisors to
5 nonmanagement personnel; and

6 (n) Evaluation of transportation-related project costs, including
7 but not limited to environmental mitigation, competitive bidding
8 practices, permitting processes, and capital project management.

9 (7) Within the authorities and duties under chapter 43.09 RCW,
10 the state auditor must provide the preliminary performance audit
11 reports to the audited state agency for comment. The auditor also may
12 seek input on the preliminary report from other appropriate
13 officials. Comments must be received within thirty days after receipt
14 of the preliminary performance audit report unless a different time
15 period is approved by the state auditor. The final performance audit
16 report shall include the objectives, scope, and methodology; the
17 audit results, including findings and recommendations; the agency's
18 response and conclusions; and identification of best practices.

19 (8) The state auditor shall provide final performance audit
20 reports to the citizens of Washington, the governor, the joint
21 legislative audit and review committee, the appropriate legislative
22 committees, and other appropriate officials. Final performance audit
23 reports shall be posted on the internet.

24 (9) The audited transportation-related agency is responsible for
25 follow-up and corrective action on all performance audit findings and
26 recommendations. The audited agency's plan for addressing each audit
27 finding and recommendation shall be included in the final audit
28 report. The plan shall provide the name of the contact person
29 responsible for each action, the action planned, and the anticipated
30 completion date. If the audited agency does not agree with the audit
31 findings and recommendations or believes action is not required, then
32 the action plan shall include an explanation and specific reasons.

33 The office of financial management shall require periodic
34 progress reports from the audited agency until all resolution has
35 occurred. The office of financial management is responsible for
36 achieving audit resolution. The office of financial management shall
37 annually report by December 31st the status of performance audit
38 resolution to the appropriate legislative committees and the state
39 auditor. The legislature shall consider the performance audit results
40 in connection with the state budget process.

1 The auditor may request status reports on specific audits or
2 findings.

3 (10) For the period from July 1, 2005, until June 30, 2007, the
4 amount of \$4,000,000 is appropriated from the transportation
5 partnership account to the state auditors office for the purposes of
6 subsections (2) through (9) of this section.

7 (11) During the 2015-2017 fiscal biennium, the legislature may
8 transfer from the transportation partnership account to the
9 connecting Washington account such amounts as reflect the excess fund
10 balance of the transportation partnership account.

11 (12) During (~~the 2017-2019 and~~) the 2019-2021 and 2021-2023
12 fiscal biennia, the legislature may direct the state treasurer to
13 make transfers of moneys in the transportation partnership account to
14 the connecting Washington account, the motor vehicle fund, the Tacoma
15 Narrows toll bridge account, and the capital vessel replacement
16 account.

17 **Sec. 714.** RCW 82.44.135 and 2020 c 219 s 706 are each amended to
18 read as follows:

19 (1) Before a local government subject to this chapter may impose
20 a motor vehicle excise tax, the local government must contract with
21 the department for the collection of the tax. The department may
22 charge a reasonable amount, not to exceed one percent of tax
23 collections, or two and one-half percent during the 2019-2021
24 (~~biennium~~) and 2021-2023 biennia, for the administration and
25 collection of the tax.

26 (2) For fiscal year 2021, the department shall charge a minimum
27 of seven million eight hundred two thousand dollars, and for the
28 2021-2023 fiscal biennium, the department shall charge a minimum of
29 \$15,604,000, which (~~is~~) are the reasonable (~~amount~~) amounts aimed
30 at achieving full cost recovery for the administration and collection
31 of a motor vehicle excise tax. The amount of the full reimbursement
32 for the administration and collection of the motor vehicle excise tax
33 must be deducted before distributing any revenues to a regional
34 transit authority. Any reimbursement to ensure full cost recovery
35 beyond the amount specified in this subsection may be negotiated
36 between the department and the regional transit authority if full
37 cost recovery has not been achieved, or if based on emergent issues.

1 **Sec. 715.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
2 read as follows:

3 (1) The connecting Washington account is created in the motor
4 vehicle fund. Moneys in the account may be spent only after
5 appropriation. Expenditures from the account must be used only for
6 projects or improvements identified as connecting Washington projects
7 or improvements in a transportation appropriations act, including any
8 principal and interest on bonds authorized for the projects or
9 improvements.

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

13 (3) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
14 biennia, the legislature may direct the state treasurer to make
15 transfers of moneys in the connecting Washington account to the motor
16 vehicle fund.

17 NEW SECTION. **Sec. 716.** (1) The agency financial transaction
18 account is created in the state treasury. Designated receipts from
19 cost recovery charges for credit card and other financial transaction
20 fees pursuant to this act must be deposited into the account. Moneys
21 in the account may be spent only after appropriation. Expenditures
22 from the account may be used only for paying credit card and
23 financial transaction fees, and other related costs incurred by state
24 agencies.

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

26 (3) If either Senate Bill No. 5167 or House Bill No. 1115 (cost
27 recovery of state agency credit card and transaction fees) is enacted
28 by June 30, 2021, this section has no force and effect.

29 **Sec. 717.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to
30 read as follows:

31 The department of licensing technology improvement and data
32 management account is created in the highway safety fund. All
33 receipts from fees collected under RCW 46.12.630(5) must be deposited
34 into the account. Expenditures from the account may be used only for
35 investments in technology and data management at the department.
36 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account
37 may also be used for responding to public records requests. Moneys in
38 the account may be spent only after appropriation.

1 **Sec. 718.** RCW 46.68.396 and 2015 3rd sp.s. c 12 s 2 are each
2 amended to read as follows:

3 The transportation future funding program account is created in
4 the connecting Washington account established in chapter 44, Laws of
5 2015 3rd sp. sess. Moneys in the account may be spent only after
6 appropriation. Expenditures from the account must be used only for
7 preservation projects, to accelerate the schedule of connecting
8 Washington projects identified in chapter 43, Laws of 2015 3rd sp.
9 sess., for new connecting Washington projects, and for principal and
10 interest on bonds authorized for the projects. It is the
11 legislature's intent that moneys not be appropriated from the account
12 until 2024 and that moneys in the account be expended in equal
13 amounts between preservation and improvement projects. However,
14 during the 2021-2023 biennium, moneys in the account may be
15 appropriated for fish passage barrier removal. Moneys in the account
16 may not be expended on the state route number 99 Alaskan Way viaduct
17 replacement project.

18 **Sec. 719.** RCW 47.01.480 and 2015 3rd sp.s. c 12 s 1 are each
19 amended to read as follows:

20 (1)(a) For projects identified as connecting Washington projects
21 and supported by revenues under chapter 44, Laws of 2015 3rd sp.
22 sess., it is the priority of the legislature that the department
23 deliver the named projects. The legislature encourages the department
24 to continue to institutionalize innovation and collaboration in
25 design and project delivery with an eye toward the most efficient use
26 of resources. In doing so, the legislature expects that, for some
27 projects, costs will be reduced during the project design phase due
28 to the application of practical design. However, significant changes
29 to a project title or scope arising from the application of practical
30 design requires legislative approval. The legislature will utilize
31 existing mechanisms and processes to ensure timely and efficient
32 approval. Practical design-related changes to the scope may be
33 proposed by the department, for the legislature's approval, only if
34 the project's intended performance is substantially unchanged and the
35 local governments and interested stakeholders impacted by the project
36 have been consulted and have reviewed the proposed changes.

37 (b) To the greatest extent practicable, a contract for the
38 construction of a project with any change to the title or scope,
39 whether significant or not, arising from the application of practical

1 design must not be let until the department has provided a detailed
2 notice describing the change to the chairs and ranking members of the
3 house of representatives and senate transportation committees or, if
4 during the interim, to the joint transportation committee.

5 (c) To determine the savings attributable to practical design,
6 each connecting Washington project must be evaluated. For design-bid-
7 build projects, the evaluation must occur at the end of the project
8 design phase. For design-build projects, the evaluation must occur at
9 the completion of thirty percent design. Each year as a part of its
10 annual budget submittal, the department must include a detailed
11 summary of how practical design has been applied and the associated
12 savings gained. The annual summary must also include for each
13 project: Details regarding any savings gained specifically through
14 changes in the cost of materials, changes in the scope of a project
15 and associated impacts on risk, the retirement of any risk reserves,
16 and unused contingency funds.

17 (2)(a) The transportation future funding program is intended to
18 provide for future emergent transportation projects, accelerating the
19 schedule for existing connecting Washington projects, and highway
20 preservation investments, beginning in fiscal year 2024, based on
21 savings accrued from the application of practical design and any
22 retired risk or unused contingency funding on connecting Washington
23 projects. However, for the 2021-2023 biennium the transportation
24 future funding program may be used to fund fish passage barrier
25 removal projects.

26 (b) Beginning July 1, 2016, the department must submit a report
27 to the state treasurer and the transportation committees of the
28 legislature once every six months identifying the amount of savings
29 attributable to the application of practical design, retired risk,
30 and unused contingency funding, and report when the savings become
31 available. The state treasurer must transfer the available amounts
32 identified in the report to the transportation future funding program
33 account created in RCW 46.68.396.

34 (c) Beginning in fiscal year 2024, as a part of its budget
35 submittal, the department may provide a list of highway improvement
36 projects or preservation investments for potential legislative
37 approval as part of the transportation future funding program.
38 Highway improvement projects considered for inclusion under the
39 transportation future funding program may include new connecting
40 Washington projects, or accelerate the schedule for existing

1 connecting Washington projects, and must: Address significant safety
2 concerns; alleviate congestion and advance mobility; provide
3 compelling economic development gains; leverage partnership funds
4 from local, federal, or other sources; or require a next phase of
5 funding to build upon initial investments provided by the
6 legislature.

7 (d) It is the intent of the legislature that if savings
8 attributable to the application of practical design are used to
9 accelerate existing connecting Washington projects, savings must also
10 be used for new connecting Washington projects of equal cost.

11 **Sec. 720.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to
12 read as follows:

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

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

16 (a) All moneys directed by law;

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

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

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

21 (4) Expenditures from the account may be used only for the
22 maintenance, administration, and operation of the Washington state
23 ferry system.

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

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

31 (7) During the 2021-2023 fiscal biennium, the legislature may
32 direct the state treasurer to make transfers of moneys in the Puget
33 Sound ferry operations account to the Puget Sound capital
34 construction account.

35 **Sec. 721.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to
36 read as follows:

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

1 (a) Each year the department shall provide the commission a
2 report of its review of fares and pricing policies, with
3 recommendations for the revision of fares and pricing policies for
4 the ensuing year;

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

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

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

14 (4) The chief executive officer of the ferry system may authorize
15 the use of promotional, discounted, and special event fares to the
16 general public and commercial enterprises for the purpose of
17 maximizing capacity use and the revenues collected by the ferry
18 system. The department shall report to the commission a summary of
19 the promotional, discounted, and special event fares offered during
20 each fiscal year and the financial results from these activities.

21 (5) Fare revenues and other revenues deposited in the Puget Sound
22 ferry operations account created in RCW 47.60.530 may not be used to
23 support the Puget Sound capital construction account created in RCW
24 47.60.505, unless the support for capital is separately identified in
25 the fare or except as provided in section 720 of this act during the
26 2021-2023 biennium.

27 (6) The commission may not raise fares until the fare rules
28 contain pricing policies developed under RCW 47.60.290, or September
29 1, 2009, whichever is later.

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

35 (8) Except as provided in subsection (10) of this section,
36 beginning May 1, 2020, the commission shall impose an additional
37 vessel replacement surcharge in an amount sufficient to fund twenty-
38 five year debt service on one 144-auto hybrid vessel taking into
39 account funds provided in chapter 417, Laws of 2019 or chapter . . .
40 (SSB 5419), Laws of 2019. The department of transportation shall

1 provide to the commission vessel and debt service cost estimates.
2 Information on vessels constructed or purchased with revenue from the
3 surcharges must be publicly posted including, but not limited to, the
4 commission web site.

5 (9) The vessel replacement surcharges imposed in this section may
6 only be used for the construction or purchase of ferry vessels and to
7 pay the principal and interest on bonds authorized for the
8 construction or purchase of new ferry vessels.

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

12 **Sec. 722.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each
13 amended to read as follows:

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

15 (a) That immediate adoption, amendment, or repeal of a rule is
16 necessary for the preservation of the public health, safety, or
17 general welfare, and that observing the time requirements of notice
18 and opportunity to comment upon adoption of a permanent rule would be
19 contrary to the public interest;

20 (b) That state or federal law or federal rule or a federal
21 deadline for state receipt of federal funds requires immediate
22 adoption of a rule; or

23 (c) In order to implement the requirements or reductions in
24 appropriations enacted in any budget for fiscal year 2009, 2010,
25 2011, 2012, (~~or~~) 2013, or in an omnibus transportation
26 appropriations act for the 2021-2023 biennium related to setting toll
27 rates or ferry fares, which necessitates the need for the immediate
28 adoption, amendment, or repeal of a rule, and that observing the time
29 requirements of notice and opportunity to comment upon adoption of a
30 permanent rule would be contrary to the fiscal needs or requirements
31 of the agency,
32 the agency may dispense with those requirements and adopt, amend, or
33 repeal the rule on an emergency basis. The agency's finding and a
34 concise statement of the reasons for its finding shall be
35 incorporated in the order for adoption of the emergency rule or
36 amendment filed with the office of the code reviser under RCW
37 34.05.380 and with the rules review committee.

38 (2) An emergency rule adopted under this section takes effect
39 upon filing with the code reviser, unless a later date is specified

1 in the order of adoption, and may not remain in effect for longer
2 than one hundred twenty days after filing. Identical or substantially
3 similar emergency rules may not be adopted in sequence unless
4 conditions have changed or the agency has filed notice of its intent
5 to adopt the rule as a permanent rule, and is actively undertaking
6 the appropriate procedures to adopt the rule as a permanent rule.
7 This section does not relieve any agency from compliance with any law
8 requiring that its permanent rules be approved by designated persons
9 or bodies before they become effective.

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

22 **Sec. 723.** RCW 70A.205.425 and 2020 c 20 s 1192 are each amended
23 to read as follows:

24 (1) All receipts from tire fees imposed under RCW 70A.205.405,
25 except as provided in subsection (2) of this section, must be
26 deposited in the waste tire removal account created under RCW
27 70A.205.415. Moneys in the account may be spent only after
28 appropriation. Expenditures from the account may be used for the
29 cleanup of unauthorized waste tire piles and measures that prevent
30 future accumulation of unauthorized waste tire piles.

31 (2) On September 1st of odd-numbered years, the state treasurer
32 must transfer any cash balance in excess of one million dollars from
33 the waste tire removal account created under RCW 70A.205.415 to the
34 motor vehicle fund for the purpose of road wear related maintenance
35 on state and local public highways. However, during the 2021-2023
36 fiscal biennium, the first \$2,220,000 of the excess must be
37 transferred to the state patrol highway account for the purpose of
38 completely satisfying the Washington state patrol's signed agreement
39 referenced in section 301(2), chapter 470, Laws of 2009 regarding

1 reimbursement for expenses incurred to construct a water line to the
2 Washington state patrol's Shelton academy.

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.** 2020 c 219 s 102 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF AGRICULTURE**

6 Motor Vehicle Account—State Appropriation (~~(\$1,359,000)~~)
7 \$1,350,000

8 **Sec. 804.** 2019 c 416 s 106 (uncodified) is amended to read as
9 follows:

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

11 Motor Vehicle Account—State Appropriation (~~(\$652,000)~~)
12 \$647,000

13 **Sec. 805.** 2020 c 219 s 104 (uncodified) is amended to read as
14 follows:

15 **FOR THE HOUSE OF REPRESENTATIVES**

16 Motor Vehicle Account—State Appropriation (~~(\$3,082,000)~~)
17 \$3,052,000

18 **Sec. 806.** 2020 c 219 s 105 (uncodified) is amended to read as
19 follows:

20 **FOR THE SENATE**

21 Motor Vehicle Account—State Appropriation \$2,999,000

22 **TRANSPORTATION AGENCIES—OPERATING**

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

25 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

26 Highway Safety Account—State Appropriation (~~(\$4,675,000)~~)
27 \$4,647,000

28 Highway Safety Account—Federal Appropriation (~~(\$27,051,000)~~)
29 \$26,943,000

30 Highway Safety Account—Private/Local Appropriation \$118,000

31 School Zone Safety Account—State Appropriation \$850,000

32 TOTAL APPROPRIATION. (~~(\$32,694,000)~~)
33 \$32,558,000

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

3 (1) \$150,000 of the highway safety account—state appropriation is
4 provided solely for the implementation of chapter 54, Laws of 2019
5 (Cooper Jones Active Transportation Safety Council). If chapter 54,
6 Laws of 2019 is not enacted by June 30, 2019, the amount provided in
7 this subsection lapses.

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

12 (a) Any programs authorized by the commission must be authorized
13 by December 31, 2020.

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

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

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

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

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

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

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

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

14 (vii) By June 30, 2021, the participating cities shall provide a
15 report to the commission and appropriate committees of the
16 legislature regarding the use, public acceptance, outcomes, warnings
17 issued, data retention and use, and other relevant issues regarding
18 automated vehicle noise enforcement cameras demonstrated by the pilot
19 projects.

20 (3) The Washington traffic safety commission may oversee a
21 demonstration project in one county, coordinating with a public
22 transportation benefit area (PTBA) and the department of
23 transportation, to test the feasibility and accuracy of the use of
24 automated enforcement technology for high occupancy vehicle (HOV)
25 lane passenger compliance. All costs associated with the
26 demonstration project must be borne by the participating public
27 transportation benefit area. Any photograph, microphotograph, or
28 electronic images of a driver or passengers are for the exclusive use
29 of the PTBA in the determination of whether an HOV passenger
30 violation has occurred to test the feasibility and accuracy of
31 automated enforcement under this subsection and are not open to the
32 public and may not be used in a court in a pending action or
33 proceeding. All photographs, microphotographs, and electronic images
34 must be destroyed after determining a passenger count and no later
35 than the completion of the demonstration project. No warnings or
36 notices of infraction may be issued under the demonstration project.

37 For purposes of the demonstration project, an automated
38 enforcement technology device may record an image of a driver and
39 passenger of a motor vehicle. The county and PTBA must erect signs

1 marking the locations where the automated enforcement for HOV
2 passenger requirements is occurring.

3 The PTBA, in consultation with the Washington traffic safety
4 commission, must provide a report to the transportation committees of
5 the legislature with the number of violations detected during the
6 demonstration project, whether the technology used was accurate and
7 any recommendations for future use of automated enforcement
8 technology for HOV lane enforcement by June 30, 2021.

9 (4) (a) The Washington traffic safety commission shall coordinate
10 with each city that implements a pilot program as authorized in
11 chapter 224, Laws of 2020 (automated traffic safety cameras) or
12 chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020
13 (automated traffic safety cameras) to provide the transportation
14 committees of the legislature with the following information by June
15 30, 2021:

16 (i) The number of warnings and infractions issued to first-time
17 violators under the pilot program;

18 (ii) The number of warnings and infractions issued to the
19 registered owners of vehicles that are not registered with an address
20 located in the city conducting the pilot program; and

21 (iii) The frequency with which warnings and infractions are
22 issued on weekdays versus weekend days.

23 (b) If neither chapter 224, Laws of 2020 nor chapter . . .
24 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June
25 30, 2020, the conditions of this subsection (4) have no force and
26 effect.

27 **Sec. 902.** 2020 c 219 s 202 (uncodified) is amended to read as
28 follows:

29 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | |
|---|--------------------------|
| 30 Rural Arterial Trust Account—State Appropriation | \$1,137,000 |
| 31 Motor Vehicle Account—State Appropriation | (\$2,920,000) |
| 32 | <u>\$2,995,000</u> |
| 33 County Arterial Preservation Account—State | |
| 34 Appropriation | \$1,677,000 |
| 35 TOTAL APPROPRIATION. | (\$5,734,000) |
| 36 | <u>\$5,809,000</u> |

37 The appropriations in this section are subject to the following
38 conditions and limitations: \$58,000 of the motor vehicle account—

1 state appropriation is provided solely for succession planning and
2 training.

3 **Sec. 903.** 2020 c 219 s 203 (uncodified) is amended to read as
4 follows:

5 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

6 Transportation Improvement Account—State
7 Appropriation (~~(\$3,854,000)~~)
8 \$3,825,000

9 **Sec. 904.** 2020 c 219 s 204 (uncodified) is amended to read as
10 follows:

11 **FOR THE JOINT TRANSPORTATION COMMITTEE**

12 Motor Vehicle Account—State Appropriation (~~(\$2,187,000)~~)
13 \$2,173,000
14 Multimodal Transportation Account—State Appropriation. . (~~(\$917,000)~~)
15 \$895,000
16 Highway Safety Account—State Appropriation. \$275,000
17 TOTAL APPROPRIATION. (~~(\$3,379,000)~~)
18 \$3,343,000

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

21 (1) \$400,000 of the motor vehicle account—state appropriation and
22 \$50,000 of the multimodal transportation account—state appropriation
23 is for the joint transportation committee to conduct a comprehensive
24 assessment of statewide transportation needs and priorities, and
25 existing and potential transportation funding mechanisms to address
26 those needs and priorities. The assessment must include: (a)
27 Recommendations on the critical state and local transportation
28 projects, programs, and services needed to achieve an efficient,
29 effective, statewide transportation system over the next ten years;
30 (b) a comprehensive menu of funding options for the legislature to
31 consider to address the identified transportation system investments;
32 (c) recommendations on whether a revision to the statewide
33 transportation policy goals in RCW 47.04.280 is warranted in light of
34 the recommendations and options identified in (a) and (b) of this
35 subsection; and (d) an analysis of the economic impacts of a range of
36 future transportation investments. The assessment must be submitted
37 to the transportation committees of the legislature by June 30, 2020.

1 Starting July 1, 2020, and concluding by December 31, 2020, a
2 committee-appointed commission or panel shall review the assessment
3 and make final recommendations to the legislature for consideration
4 during the 2021 legislative session on a realistic, achievable plan
5 for funding transportation programs, projects, and services over the
6 next ten years including a timeline for legislative action on funding
7 the identified transportation system needs shortfall.

8 (2) (a) \$382,000 of the multimodal transportation account—state
9 appropriation is for the joint transportation committee to conduct an
10 analysis of the electrification of public fleets in Washington state.
11 The study must include the following:

12 (i) An inventory of existing public fleets for the state of
13 Washington, counties, a sampling of cities, and public transit
14 agencies. The inventory must differentiate among battery and fuel
15 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
16 and any other functional categories. Three cities from each of the
17 following population ranges must be selected for the analysis:

18 (A) Population up to and including twenty-five thousand;

19 (B) Population greater than twenty-five thousand and up to and
20 including fifty thousand;

21 (C) Population greater than fifty thousand and up to and
22 including one hundred thousand;

23 (D) Population greater than one hundred thousand;

24 (ii) A review of currently available battery and fuel cell
25 electric vehicle alternatives to the vehicle types most commonly used
26 by the state, counties, cities, and public transit agencies. The
27 review must include:

28 (A) The average vehicle cost differential among the commercially
29 available fuel options;

30 (B) A cost benefit analysis of the conversion of different
31 vehicle classes; and

32 (C) Recommendations for the types of vehicles that should be
33 excluded from consideration due to insufficient alternatives,
34 unreliable technology, or excessive cost;

35 (iii) The projected costs of achieving substantial conversion to
36 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
37 the state, counties, cities, and public transit agencies. This cost
38 estimate must include:

39 (A) Vehicle acquisition costs, charging and refueling
40 infrastructure costs, and other associated costs;

1 (B) Financial constraints of each type of entity to transition to
2 an electric vehicle fleet; and

3 (C) Any other identified barriers to transitioning to a battery
4 and/or fuel cell electric vehicle fleet;

5 (iv) Identification and analysis of financing mechanisms that
6 could be used to finance the transition of publicly owned vehicles to
7 battery and fuel cell electric vehicles. These mechanisms include,
8 but are not limited to: Energy or carbon savings performance
9 contracting, utility grants and rebates, revolving loan funds, state
10 grant programs, private third-party financing, fleet management
11 services, leasing, vehicle use optimization, and vehicle to grid
12 technology; and

13 (v) The predicted number and location profile of electric vehicle
14 fueling stations needed statewide to provide fueling for the fleets
15 of the state, counties, cities, and public transit agencies.

16 (b) In developing and implementing the study, the joint
17 transportation committee must solicit input from representatives of
18 the department of enterprise services, the department of
19 transportation, the department of licensing, the department of
20 commerce, the Washington state association of counties, the
21 association of Washington cities, the Washington state transit
22 association, transit agencies, and others as deemed appropriate.

23 (c) The joint transportation committee must issue a report of its
24 findings and recommendations to the transportation committees of the
25 legislature by September 30, 2020.

26 (3) (a) (~~(\$250,000)~~) \$228,000 of the multimodal transportation
27 account—state appropriation is for the joint transportation committee
28 to conduct a study of the feasibility of an east-west intercity
29 passenger rail system. The study must include the following elements:

30 (i) Projections of potential ridership;

31 (ii) Review of relevant planning studies;

32 (iii) Establishment of an advisory group and associated meetings;

33 (iv) Development of a Stampede Pass corridor alignment to
34 maximize ridership, revenue, and rationale, considering service to
35 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
36 Toppenish, and Spokane;

37 (v) Assessment of current infrastructure conditions, including
38 station stop locations;

39 (vi) Identification of equipment needs; and

40 (vii) Identification of operator options.

1 (b) A report of the study findings and recommendations is due to
2 the transportation committees of the legislature by June 30, 2020.

3 (4) (a) \$275,000 of the highway safety fund—state appropriation is
4 for a study of vehicle subagents in Washington state. The study must
5 consider and include recommendations, as necessary, on the following:

6 (i) The relevant statutes, rules, and/or regulations authorizing
7 vehicle subagents and any changes made to the relevant statutes,
8 rules, and/or regulations;

9 (ii) The current process of selecting and authorizing a vehicle
10 subagent, including the change of ownership process and the
11 identification of any barriers to entry into the vehicle subagent
12 market;

13 (iii) The annual business expenditures borne by each of the
14 vehicle subagent businesses since fiscal year 2010 and identification
15 of any materials, including office equipment and supplies, provided
16 by the department of licensing to each vehicle subagent since fiscal
17 year 2010. To accomplish this task, each vehicle subagent must
18 provide expenditure data to the joint transportation committee for
19 the purposes of this study;

20 (iv) The oversight provided by the county auditors and/or the
21 department of licensing over the vehicle subagent businesses;

22 (v) The history of service fees, how increases to the service fee
23 rate are made, and how the requested fee increase is determined;

24 (vi) The online vehicle registration renewal process and any
25 potential improvements to the online process;

26 (vii) The department of licensing's ability to provide more
27 vehicle licensing services directly, particularly taking into account
28 the increase in online vehicle renewal transactions;

29 (viii) The potential expansion of services that can be performed
30 by vehicle subagents; and

31 (ix) The process by which the geographic locations of vehicle
32 subagents are determined.

33 (b) In conducting the study, the joint transportation committee
34 must consult with the department of licensing, a representative of
35 county auditors, and a representative of vehicle subagents.

36 (c) The joint transportation committee may collect any data from
37 the department of licensing, county auditors, and vehicle subagents
38 that is necessary to conduct the study.

1 (d) The joint transportation committee must issue a report of its
2 findings and recommendations to the transportation committees of the
3 legislature by September 30, 2020.

4 (5) (a) \$235,000 of the multimodal transportation account—state
5 appropriation is for the joint transportation committee to oversee a
6 consultant study on rail safety governance best practices, by class
7 of rail where applicable, and recommendations for the implementation
8 of these best practices in Washington state. The study must assess
9 rail safety governance for passenger and freight rail, including rail
10 transit services, and must consider recommendations made by the
11 national transportation safety board in its 2017 Amtrak passenger
12 train 501 derailment accident report that are relevant to rail safety
13 governance.

14 (b) The study must include the following components:

15 (i) (A) An assessment of rail safety oversight in Washington state
16 that includes: (I) The rail safety oversight roles of federal, state,
17 regional, and local agencies, including the extent to which federal
18 and state laws govern these roles and the extent to which these roles
19 would be modified should the suspended federal rules in 49 C.F.R.
20 Part 270 take effect; (II) federal, state, regional, and local agency
21 organizational structures and processes utilized to conduct rail
22 safety oversight; and (III) coordination activities by federal,
23 state, regional, and local agencies in conducting rail safety
24 oversight;

25 (B) An examination of rail safety governance best practices by
26 other states for the items identified in (a) of this subsection; and

27 (C) Recommendations for the implementation of best practices for
28 rail safety governance in Washington state.

29 (ii) The study must address the extent to which additional safety
30 oversight of rail project design and construction is used in other
31 states and would be a recommended best practice for Washington state.

32 (c) The joint transportation committee shall consult with the
33 Washington state department of transportation, the Washington state
34 utilities and transportation commission, sound transit, the national
35 transportation safety board, Amtrak, the federal railroad
36 administration, BNSF railway company, one or more representatives of
37 short line railroads, one or more representatives of labor, and other
38 entities with rail safety expertise as necessary.

1 (d) The joint transportation committee must issue a report of its
2 findings and recommendations on rail safety governance to the
3 transportation committees of the legislature by January 6, 2021.

4 (6) (a) \$250,000 of the motor vehicle account—state appropriation
5 is for the joint transportation committee to conduct a study of the
6 feasibility of a private auto ferry between the state of Washington
7 and British Columbia, Canada. The study must include the following
8 elements:

9 (i) Expected impacts to ridership, revenue, and expenditures for
10 Washington state ferries;

11 (ii) Expected impacts to ferry service provided to the San Juan
12 Islands;

13 (iii) Possible terminal locations on Fidalgo Island;

14 (iv) Economic impacts to the Anacortes area if ferry service
15 between the area and Vancouver Island ceases;

16 (v) Economic impacts to the San Juan Islands if ferry service or
17 ferry tourism is reduced;

18 (vi) Expected impacts to family wage jobs in the marine industry
19 for Washingtonians;

20 (vii) Expected impacts to ferry fares between the state of
21 Washington and British Columbia, Canada;

22 (viii) Legal analysis of all state, federal, or Canadian laws or
23 rules, including the Jones act and rules of the board of pilotage
24 commissioners, that may apply to initiation of private service or
25 cessation of state service; and

26 (ix) Options for encouraging private auto ferry service between
27 the state of Washington and Vancouver Island, Canada.

28 (b) In conducting the study, the joint transportation committee
29 must consult with the department of transportation, a representative
30 of San Juan county, a representative of the city of Anacortes, a
31 representative of the inland boatman's union, a representative of
32 Puget Sound pilots, a representative of the port of Anacortes, a
33 representative of the economic development alliance of Skagit county,
34 and interested private ferry operators in Washington state.

35 (c) A report of the study findings and options is due to the
36 transportation committees of the legislature by February 15, 2021.

37 **Sec. 905.** 2020 c 219 s 205 (uncodified) is amended to read as
38 follows:

39 **FOR THE TRANSPORTATION COMMISSION**

| | | |
|----|--|------------------------------|
| 1 | Motor Vehicle Account—State Appropriation | ((\$2,324,000)) |
| 2 | | <u>\$1,861,000</u> |
| 3 | Interstate 405 and State Route Number 167 Express Toll Lanes | |
| 4 | Account—State Appropriation. | ((\$410,000)) |
| 5 | | <u>\$406,000</u> |
| 6 | State Route Number 520 Corridor Account—State | |
| 7 | Appropriation. | ((\$271,000)) |
| 8 | | <u>\$262,000</u> |
| 9 | Tacoma Narrows Toll Bridge Account—State | |
| 10 | Appropriation. | ((\$158,000)) |
| 11 | | <u>\$152,000</u> |
| 12 | Alaskan Way Viaduct Replacement Project | |
| 13 | Account—State Appropriation. | ((\$136,000)) |
| 14 | | <u>\$132,000</u> |
| 15 | TOTAL APPROPRIATION. | ((\$3,299,000)) |
| 16 | | <u>\$2,813,000</u> |

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

19 (1)(a) The commission shall reconvene the road usage charge
20 steering committee, with the same membership described in chapter
21 297, Laws of 2018, and shall report at least once every three months
22 to the steering committee with updates on report development for the
23 completed road usage charge pilot project until the final report is
24 submitted. The commission shall also report to the steering committee
25 on any other activities undertaken in accordance with this subsection
26 (1) as necessary to keep it apprised of new developments and to
27 obtain input on its efforts. The final report on the road usage
28 charge pilot project is due to the transportation committees of the
29 legislature by January 1, 2020, and should include recommendations
30 for necessary next steps to consider impacts to communities of color,
31 low-income households, vulnerable populations, and displaced
32 communities. Any legislative vacancies on the steering committee must
33 be appointed by the speaker of the house of representatives for a
34 house of representatives member vacancy, and by the president of the
35 senate for a senate member vacancy.

36 (b)(i) The commission shall coordinate with the department of
37 transportation to jointly seek federal funds available through the
38 federal surface transportation system funding alternatives grant

1 program, applying toll credits for meeting match requirements. One or
2 more grant applications shall be developed that propose to:

3 (A) Create a framework for modeling the effects of a road usage
4 charge on passenger and light-duty vehicles including, but not
5 limited to, plug-in electric vehicles, autonomous vehicles, state
6 fleets, and transportation network companies on a road usage charge
7 system;

8 (B) Identify and measure potential disparate impacts of a road
9 usage charge on designated populations, including communities of
10 color, low-income households, vulnerable populations, and displaced
11 communities;

12 (C) Incorporate emerging approaches to mileage reporting, such as
13 in-vehicle telematics, improved smartphone apps, and use of private
14 businesses to provide odometer verification and mileage reporting
15 services, into a road usage charge system;

16 (D) Conduct a series of facilitated work sessions with other
17 states and private sector firms to identify opportunities to reduce
18 the cost of collections for a road usage charge;

19 (E) Develop a road usage charge phase-in plan that incorporates
20 findings from (b) (i) (A) through (D) of this subsection;

21 (F) Carry out a limited scale demonstration to test new mileage
22 reporting methods; equity policies; cost reduction techniques; and
23 collecting a road usage charge from passenger and light-duty vehicles
24 including, but not limited to, plug-in electric vehicles, autonomous
25 vehicles, state fleets, transportation network companies, and other
26 new mobility services; and

27 (G) Produce a final report with recommendations and a recommended
28 roadmap that details how a road usage charge could be appropriately
29 scaled to fit state circumstances and that includes a framework for
30 evaluating policy choices related to the use of road usage charge
31 revenue.

32 (ii) A year-end report on the status of any federally-funded
33 project for which federal funding is secured must be provided to the
34 governor's office and the transportation committees of the
35 legislature by January 1, 2020, and by January 1, 2021.

36 (c) \$150,000 of the motor vehicle account—state appropriation is
37 provided solely for analysis of potential impacts of a road usage
38 charge on communities of color, low-income households, vulnerable
39 populations, and displaced communities. The analysis must include an
40 assessment of potential mitigation measures to address these

1 potential impacts. These funds must be held in unallotted status
2 during the 2019-2021 fiscal biennium, and may only be used after the
3 commission has provided notice to the office of financial management
4 that it has exhausted all efforts to secure federal funds from the
5 federal surface transportation system funding alternatives grant
6 program under (b) of this subsection without successfully securing
7 federal funding for the further study of a road usage charge. A year-
8 end update on the status of this effort, if undertaken prior to the
9 end of calendar year 2020, must be provided to the governor's office
10 and the transportation committees of the legislature by January 1,
11 2021.

12 (2) (a) \$250,000 of the Interstate 405 and state route number 167
13 express toll lanes account—state appropriation is provided solely for
14 the transportation commission to conduct a study, applicable to the
15 Interstate 405 express toll lanes, of discounted tolls and other
16 similar programs for low-income drivers that are provided by other
17 states, countries, or other entities and how such a program could be
18 implemented in the state of Washington. The transportation commission
19 may contract with a consultant to conduct all or a portion of this
20 study.

21 (b) In conducting this study, the transportation commission shall
22 consult with both the department of transportation and the department
23 of social and health services.

24 (c) The transportation commission shall, at a minimum, consider
25 the following issues when conducting the study of discounted tolls
26 and other similar programs for low-income drivers:

27 (i) The benefits, requirements, and any potential detriments to
28 the users of a program;

29 (ii) The most cost-effective way to implement a program given
30 existing financial commitments, shared cost requirements across
31 facilities, and technical requirements to execute and maintain a
32 program;

33 (iii) The implications of a program for tolling policies,
34 revenues, costs, operations, and enforcement; and

35 (iv) Any implications to tolled facilities based on the type of
36 tolling implemented on a particular facility.

37 (d) The transportation commission shall provide a report
38 detailing the findings of this study and recommendations for
39 implementing a discounted toll or other appropriate program in the

1 state of Washington to the transportation committees of the
2 legislature by June 30, 2021.

3 (3) \$160,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$271,000 of the state
5 route number 520 corridor account—state appropriation, \$158,000 of
6 the Tacoma Narrows toll bridge account—state appropriation, and
7 \$136,000 of the Alaskan Way viaduct replacement project account—state
8 appropriation are provided solely for the transportation commission's
9 proportional share of time spent supporting tolling operations for
10 the respective tolling facilities.

11 (4) The legislature requests that the commission commence
12 proceedings to name state route number 165 as The Glacier Highway to
13 commemorate the significance of glaciers to the state of Washington.

14 **Sec. 906.** 2020 c 219 s 206 (uncodified) is amended to read as
15 follows:

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

17 Freight Mobility Investment Account—State
18 Appropriation (~~(\$772,000)~~)
19 \$766,000

20 **Sec. 907.** 2020 c 219 s 207 (uncodified) is amended to read as
21 follows:

22 **FOR THE WASHINGTON STATE PATROL**

23 State Patrol Highway Account—State Appropriation . . (~~(\$501,294,000)~~)
24 \$495,785,000

25 State Patrol Highway Account—Federal Appropriation . (~~(\$16,081,000)~~)
26 \$15,978,000

27 State Patrol Highway Account—Private/Local
28 Appropriation (~~(\$4,258,000)~~)
29 \$4,257,000

30 Highway Safety Account—State Appropriation \$1,188,000

31 Ignition Interlock Device Revolving Account—State
32 Appropriation \$7,010,000

33 Multimodal Transportation Account—State
34 Appropriation (~~(\$286,000)~~)
35 \$274,000

36 Interstate 405 and State Route Number 167 Express
37 Toll Lanes Account—State Appropriation. \$1,182,000

| | | |
|---|---|--------------------------------|
| 1 | State Route Number 520 Corridor Account—State | |
| 2 | Appropriation. | \$1,988,000 |
| 3 | Tacoma Narrows Toll Bridge Account—State Appropriation. . | \$1,158,000 |
| 4 | Alaskan Way Viaduct Replacement Project | |
| 5 | Account—State Appropriation. | \$996,000 |
| 6 | TOTAL APPROPRIATION. | ((\$535,441,000)) |
| 7 | | <u>\$529,816,000</u> |

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

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

19 (2) \$510,000 of the ignition interlock device revolving account—
20 state appropriation is provided solely for the ignition interlock
21 program at the Washington state patrol to provide funding for two
22 staff to work and provide support for the program in working with
23 manufacturers, service centers, technicians, and participants in the
24 program.

25 (3) \$1,424,000 of the state patrol highway account—state
26 appropriation is provided solely to enter into an agreement for
27 upgraded land mobile software, hardware, and equipment.

28 (4) \$2,582,000 of the state patrol highway account—state
29 appropriation is provided solely for the replacement of radios and
30 other related equipment.

31 (5) \$343,000 of the state patrol highway account—state
32 appropriation is provided solely for aerial criminal investigation
33 tools, including software licensing and maintenance, and annual
34 certification.

35 (6) ((~~\$2,342,000~~)) \$1,556,000 of the state patrol highway account
36 —state appropriation is provided solely to address the increase in
37 the number of toxicology cases from impaired driving and death
38 investigations.

1 (7) \$580,000 of the state patrol highway account—state
2 appropriation is provided solely for the operation of and
3 administrative support to the license investigation unit to enforce
4 vehicle registration laws in southwestern Washington. The Washington
5 state patrol, in consultation with the department of revenue, shall
6 maintain a running estimate of the additional vehicle registration
7 fees, sales and use taxes, and local vehicle fees remitted to the
8 state pursuant to activity conducted by the license investigation
9 unit. Beginning October 1, 2019, and quarterly thereafter, the
10 Washington state patrol shall submit a report detailing the
11 additional revenue amounts generated since July 1, 2017, to the
12 director of the office of financial management and the transportation
13 committees of the legislature. At the end of the calendar quarter in
14 which it is estimated that more than \$625,000 in state sales and use
15 taxes have been remitted to the state since July 1, 2017, the
16 Washington state patrol shall notify the state treasurer and the
17 state treasurer shall transfer funds pursuant to section 406, chapter
18 416, Laws of 2019.

19 (8) \$18,000 of the state patrol highway account—state
20 appropriation is provided solely for the license investigation unit
21 to procure an additional license plate reader and related costs.

22 (9) The Washington state patrol and the office of financial
23 management must be consulted by the department of transportation
24 during the design phase of any improvement or preservation project
25 that could impact Washington state patrol weigh station operations.
26 During the design phase of any such project, the department of
27 transportation must estimate the cost of designing around the
28 affected weigh station's current operations, as well as the cost of
29 moving the affected weigh station.

30 (10) \$4,210,000 of the state patrol highway account—state
31 appropriation is provided solely for a third arming and a third
32 trooper basic training class. The cadet class is expected to graduate
33 in June 2021.

34 (11) \$65,000 of the state patrol highway account—state
35 appropriation is provided solely for the implementation of chapter
36 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws
37 of 2019 is not enacted by June 30, 2019, the amount provided in this
38 subsection lapses.

1 (12) (a) The Washington state patrol must report quarterly to the
2 house and senate transportation committees on the status of
3 recruitment and retention activities as follows:

4 (i) A summary of recruitment and retention strategies;

5 (ii) The number of transportation funded staff vacancies by major
6 category;

7 (iii) The number of applicants for each of the positions by these
8 categories;

9 (iv) The composition of workforce; and

10 (v) Other relevant outcome measures with comparative information
11 with recent comparable months in prior years.

12 (b) By January 1, 2020, the Washington state patrol must submit
13 to the transportation committees of the legislature and the governor
14 a workforce diversity plan. The plan must identify ongoing, and both
15 short-term and long-term, specific comprehensive outreach and
16 recruitment strategies to increase populations underrepresented
17 within both commissioned and noncommissioned employee groups.

18 (13) \$1,182,000 of the Interstate 405 and state route number 167
19 express toll lanes account—state appropriation, \$1,988,000 of the
20 state route number 520 corridor account—state appropriation,
21 \$1,158,000 of the Tacoma Narrows toll bridge account—state
22 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
23 project account—state appropriation are provided solely for the
24 Washington state patrol's proportional share of time spent supporting
25 tolling operations and enforcement for the respective tolling
26 facilities.

27 (14) \$100,000 of the state patrol highway account—state
28 appropriation is provided solely for the implementation of (~~Senate~~
29 ~~Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol
30 retirement definition of salary), which reflects an increase in the
31 Washington state patrol retirement system pension contribution rate
32 of 0.15 percent for changes to the definition of salary. If (~~Senate~~
33 ~~Bill No. 6218~~) chapter 97, Laws of 2020 is not enacted by June 30,
34 2020, the amount provided in this subsection lapses.

35 (~~(16)~~) (15) \$975,000 of the state patrol highway account—state
36 appropriation is provided solely for communications officers at the
37 King county public safety answering point.

| | | |
|----|---|--------------------------------|
| 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>\$338,989,000</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 of the highway safety account—state appropriation
32 is provided solely for communication and outreach activities
33 necessary to inform the public of federally acceptable identification
34 options including, but not limited to, enhanced drivers' licenses and
35 enhanced identicards. The department shall continue the outreach plan
36 that includes informational material that can be effectively
37 communicated to all communities and populations in Washington. To
38 accomplish this work, the department shall contract with an external
39 vendor with demonstrated experience and expertise in outreach and

1 marketing to underrepresented communities in a culturally-responsive
2 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. 909.** 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>\$39,033,000</u> |
| 27 | State Route Number 520 Civil Penalties Account—State | |
| 28 | Appropriation | ((\$4,145,000)) |
| 29 | | <u>\$13,530,000</u> |
| 30 | Tacoma Narrows Toll Bridge Account—State | |
| 31 | Appropriation | ((\$33,806,000)) |
| 32 | | <u>\$34,073,000</u> |
| 33 | Alaskan Way Viaduct Replacement Project Account—State | |
| 34 | Appropriation. | ((\$21,616,000)) |
| 35 | | <u>\$19,857,000</u> |
| 36 | Interstate 405 and State Route Number 167 Express | |
| 37 | Toll Lanes Account—State Appropriation. | ((\$27,457,000)) |
| 38 | | <u>\$23,637,000</u> |

| | | |
|---|---|--------------------------------|
| 1 | <u>Motor Vehicle Account—State Appropriation.</u> | <u>\$4,170,000</u> |
| 2 | TOTAL APPROPRIATION. | ((\$146,083,000)) |
| 3 | | <u>\$134,300,000</u> |

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

6 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
7 appropriation and \$11,034,000 of the state route number 520 corridor
8 account—state appropriation are provided solely for the purposes of
9 addressing unforeseen operations and maintenance costs on the Tacoma
10 Narrows bridge and the state route number 520 bridge, respectively.
11 The office of financial management shall place the amounts provided
12 in this subsection, which represent a portion of the required minimum
13 fund balance under the policy of the state treasurer, in unallotted
14 status. The office may release the funds only when it determines that
15 all other funds designated for operations and maintenance purposes
16 have been exhausted.

17 (2) As long as the facility is tolled, the department must
18 provide quarterly reports to the transportation committees of the
19 legislature on the Interstate 405 express toll lane project
20 performance measures listed in RCW 47.56.880(4). These reports must
21 include:

22 (a) Information on the travel times and travel time reliability
23 (at a minimum, average and 90th percentile travel times) maintained
24 during peak and nonpeak periods in the express toll lanes and general
25 purpose lanes for both the entire corridor and commonly made trips in
26 the corridor including, but not limited to, northbound from Bellevue
27 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
28 state route number 522, Bellevue to Bothell (both NE 8th to state
29 route number 522 and NE 8th to state route number 527), and a trip
30 internal to the corridor (such as NE 85th to NE 160th) and similar
31 southbound trips;

32 (b) A month-to-month comparison of travel times and travel time
33 reliability for the entire corridor and commonly made trips in the
34 corridor as specified in (a) of this subsection since implementation
35 of the express toll lanes and, to the extent available, a comparison
36 to the travel times and travel time reliability prior to
37 implementation of the express toll lanes;

38 (c) Total express toll lane and total general purpose lane
39 traffic volumes, as well as per lane traffic volumes for each type of

1 lane (i) compared to total express toll lane and total general
2 purpose lane traffic volumes, as well as per lane traffic volumes for
3 each type of lane, on this segment of Interstate 405 prior to
4 implementation of the express toll lanes and (ii) compared to total
5 express toll lane and total general purpose lane traffic volumes, as
6 well as per lane traffic volumes for each type of lane, from month to
7 month since implementation of the express toll lanes; and

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

11 (3) (a) (~~(\$2,114,000)~~) \$1,406,000 of the Interstate 405 and state
12 route number 167 express toll lanes account—state appropriation,
13 (~~(\$4,920,000)~~) \$3,269,000 of the state route number 520 corridor
14 account—state appropriation, (~~(\$2,116,000)~~) \$1,407,000 of the Tacoma
15 Narrows toll bridge account—state appropriation, and (~~(\$2,776,000)~~)
16 \$1,844,000 of the Alaskan Way viaduct replacement project account—
17 state appropriation are provided solely for the department to finish
18 implementing a new tolling customer service toll collection system,
19 and are subject to the conditions, limitations, and review provided
20 in section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

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

29 (4) The department shall make detailed quarterly reports to the
30 transportation committees of the legislature and the public on the
31 department's web site on the following:

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

36 (b) The nonvendor costs of administering toll operations,
37 including the costs of staffing the division, consultants, and other
38 personal service contracts required for technical oversight and
39 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)~~) \$21,623,000 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 (~~(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~~) \$18,013,000 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))~~ (7) \$608,000 of the Interstate 405 and state route number
14 167 express toll lanes account—state appropriation are provided
15 solely for increased levels of service from the Washington state
16 patrol for enforcement of toll lane violations on the Interstate 405
17 and state route number 167 express toll lanes. The department shall
18 compile monthly data on the number of Washington state patrol
19 enforcement hours on each facility and the percentage of time during
20 peak hours that speeds are at or above forty-five miles per hour on
21 each facility. The department shall provide this data in a report to
22 the transportation committees of the legislature on at least a
23 calendar quarterly basis.

24 ~~((+9))~~ (8) The department shall develop an ongoing cost
25 allocation method to assign appropriate costs to each of the toll
26 funds for 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. 910.** 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. 911.** 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. 912.** 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. 913.** 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>\$55,549,000</u> |
| 32 Motor Vehicle Account—Federal Appropriation | \$500,000 |
| 33 Multimodal Transportation Account—State Appropriation . . . | \$258,000 |
| 34 TOTAL APPROPRIATION. | ((\$60,546,000)) |
| | <u>\$56,307,000</u> |

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. 914.** 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 | | <u>\$654,000</u> |
| 26 | Electric Vehicle Account—State Appropriation. | ((\$2,000,000)) |
| 27 | | <u>\$100,000</u> |
| 28 | Multimodal Transportation Account—State Appropriation. ((\$1,634,000)) | |
| 29 | | <u>\$350,000</u> |
| 30 | TOTAL APPROPRIATION. | ((\$4,304,000)) |
| 31 | | <u>\$1,104,000</u> |

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

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

37 (2) \$350,000 of the multimodal transportation account—state
38 appropriation is provided solely for the department to execute a

1 transit oriented development pilot project at Kingsgate park and ride
2 in Kirkland intended to be completed by December 31, 2023. The
3 purpose of the pilot project is to demonstrate how appropriate
4 department properties may be used to provide multiple public benefits
5 such as affordable and market rate housing, commercial development,
6 and institutional facilities in addition to transportation purposes.
7 To accomplish the pilot project, the department is authorized to
8 exercise all legal and administrative powers authorized in statute
9 that may include, but is not limited to, the transfer, lease, or sale
10 of some or all of the property to another governmental agency, public
11 development authority, or nonprofit developer approved by the
12 department and partner agencies. The department may also partner with
13 sound transit, King county, the city of Kirkland, and any other
14 federal, regional, or local jurisdiction on any policy changes
15 necessary from those jurisdictions to facilitate the pilot project.
16 By December 1, 2019, the department must report to the legislature on
17 any legislative actions necessary to facilitate the pilot project and
18 future transit oriented development projects.

19 (3) (~~(\$2,000,000)~~) \$100,000 of the electric vehicle account—state
20 appropriation is provided solely for the clean alternative fuel
21 vehicle charging and refueling infrastructure program in chapter 287,
22 Laws of 2019 (advancing green transportation adoption).

23 (4) (~~(\$1,200,000 of the multimodal transportation account—state~~
24 ~~appropriation is provided solely for the pilot program established~~
25 ~~under chapter 287, Laws of 2019 (advancing green transportation~~
26 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~
27 ~~to underserved communities and low to moderate income members of the~~
28 ~~workforce not readily served by transit or located in transportation~~
29 ~~corridors with emissions that exceed federal or state emissions~~
30 ~~standards.~~

31 (5) ~~\$84,000 of the multimodal transportation account—state~~
32 ~~appropriation is provided solely for an interagency transfer to the~~
33 ~~department of commerce for the purpose of conducting a study as~~
34 ~~described in chapter 287, Laws of 2019 (advancing green~~
35 ~~transportation adoption) to identify opportunities to reduce barriers~~
36 ~~to electric vehicle adoption by lower income residents of the state~~
37 ~~through the use of vehicle and infrastructure financing assistance.~~

38 (6)) Building on the information and experience gained from the
39 transit oriented development project at the Kingsgate park and ride,

1 the department must identify a pilot park and ride with future
2 public-private partnership development potential in Pierce county and
3 report back to the transportation committees of the legislature by
4 June 30, 2021, with a proposal for moving forward with a pilot
5 project.

6 **Sec. 915.** 2020 c 219 s 215 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

| | |
|--|--------------------------------|
| 9 Motor Vehicle Account—State Appropriation | ((\$486,514,000)) |
| 10 | <u>\$461,472,000</u> |
| 11 Motor Vehicle Account—Federal Appropriation | \$7,000,000 |
| 12 State Route Number 520 Corridor Account—State | |
| 13 Appropriation | ((\$4,447,000)) |
| 14 | <u>\$4,422,000</u> |
| 15 Tacoma Narrows Toll Bridge Account—State | |
| 16 Appropriation | ((\$1,549,000)) |
| 17 | <u>\$1,539,000</u> |
| 18 Alaskan Way Viaduct Replacement Project | |
| 19 Account—State Appropriation | ((\$9,537,000)) |
| 20 | <u>\$8,844,000</u> |
| 21 Interstate 405 and State Route Number 167 Express | |
| 22 Toll Lanes Account—State Appropriation. | \$4,528,000 |
| 23 TOTAL APPROPRIATION. | ((\$513,575,000)) |
| 24 | <u>\$487,805,000</u> |

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

27 (1) (a) \$6,170,000 of the motor vehicle account—state
28 appropriation is provided solely for utility fees assessed by local
29 governments as authorized under RCW 90.03.525 for the mitigation of
30 stormwater runoff from state highways. Plan and reporting
31 requirements as required in chapter 435, Laws of 2019 (Local
32 Stormwater Charges) shall be consistent with the January 2012
33 findings of the Joint Transportation Committee Report for Effective
34 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in
35 Stormwater Management.

36 (b) Pursuant to RCW 90.03.525(3), the department and the
37 utilities imposing charges to the department shall negotiate with the
38 goal of agreeing to rates such that the total charges to the

1 department for the 2019-2021 fiscal biennium do not exceed the amount
2 provided in this subsection. The department shall report to the
3 transportation committees of the legislature on the amount of funds
4 requested, the funds granted, and the strategies used to keep costs
5 down, by January 17, 2021. If chapter 435, Laws of 2019 (local
6 stormwater charges) is enacted by June 30, 2019, this subsection
7 (1)(b) does not take effect.

8 (2) (~~(\$4,447,000)~~) \$4,422,000 of the state route number 520
9 corridor account—state appropriation is provided solely to maintain
10 the state route number 520 floating bridge. These funds must be used
11 in accordance with RCW 47.56.830(3).

12 (3) (~~(\$1,549,000)~~) \$1,539,000 of the Tacoma Narrows toll bridge
13 account—state appropriation is provided solely to maintain the new
14 Tacoma Narrows bridge. These funds must be used in accordance with
15 RCW 47.56.830(3).

16 (4) \$2,050,000 of the Interstate 405 and state route number 167
17 express toll lanes account—state appropriation is provided solely to
18 maintain the Interstate 405 and state route number 167 express toll
19 lanes between Lynnwood and Bellevue, and Renton and the southernmost
20 point of the express toll lanes. These funds must be used in
21 accordance with RCW 47.56.830(3).

22 (5) \$2,478,000 of the Interstate 405 and state route number 167
23 express toll lanes account—state appropriation is provided solely for
24 maintenance for the 2019-2021 fiscal biennium only on the Interstate
25 405 roadway between Renton and Bellevue.

26 (6) \$5,000,000 of the motor vehicle account—state appropriation
27 is provided solely for a contingency pool for snow and ice removal.
28 The department must notify the office of financial management and the
29 transportation committees of the legislature when they have spent the
30 base budget for snow and ice removal and will begin using the
31 contingency pool funding.

32 (7) \$1,025,000 of the motor vehicle account—state appropriation
33 is provided solely for the department to implement safety
34 improvements and debris clean up on department-owned rights-of-way in
35 the city of Seattle at levels above that being implemented as of
36 January 1, 2019. The department must contract out or hire a crew
37 dedicated solely to collecting and disposing of garbage, clearing
38 debris or hazardous material, and implementing safety improvements
39 where hazards exist to the traveling public, department employees, or

1 people encamped upon department-owned rights-of-way. The department
2 may request assistance from the Washington state patrol as necessary
3 in order for both agencies to provide enhanced safety-related
4 activities regarding the emergency hazards along state highway
5 rights-of-way in the Seattle area.

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

15 (9) The department must commence a pilot program for the
16 2019-2021 fiscal biennium at the four highest demand safety rest
17 areas to create and maintain an online calendar for volunteer groups
18 to check availability of weekends for the free coffee program. The
19 calendar must be updated at least weekly and show dates and times
20 that are, or are not, available to participate in the free coffee
21 program. The department must submit a report to the legislature on
22 the ongoing pilot by December 1, 2020, outlining the costs and
23 benefits of the online calendar pilot, and including surveys from the
24 volunteer groups and agency staff to determine its effectiveness.

25 **Sec. 916.** 2020 c 219 s 216 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
28 **OPERATING**

| | |
|--|---------------------|
| 29 Motor Vehicle Account—State Appropriation | (\$76,211,000) |
| 30 | <u>\$73,219,000</u> |
| 31 Motor Vehicle Account—Federal Appropriation | \$2,050,000 |
| 32 Motor Vehicle Account—Private/Local Appropriation | \$250,000 |
| 33 State Route Number 520 Corridor Account—State | |
| 34 Appropriation. | \$53,000 |
| 35 Tacoma Narrows Toll Bridge Account—State Appropriation. . . . | \$31,000 |
| 36 Alaskan Way Viaduct Replacement Project Account— | |
| 37 State Appropriation. | \$26,000 |
| 38 Interstate 405 and State Route Number 167 Express | |

| | | |
|---|---|---------------------------|
| 1 | Toll Lanes Account—State Appropriation. | \$32,000 |
| 2 | TOTAL APPROPRIATION. | (\$78,653,000) |
| 3 | | <u>\$75,661,000</u> |

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

6 (1) \$6,000,000 of the motor vehicle account—state appropriation
7 is provided solely for low-cost enhancements. The department shall
8 give priority to low-cost enhancement projects that improve safety or
9 provide congestion relief. By December 15th of each odd-numbered
10 year, the department shall provide a report to the legislature
11 listing all low-cost enhancement projects completed in the prior
12 fiscal biennium.

13 (2) (a) During the 2019-2021 fiscal biennium, the department shall
14 continue a pilot program that expands private transportation
15 providers' access to high occupancy vehicle lanes. Under the pilot
16 program, when the department reserves a portion of a highway based on
17 the number of passengers in a vehicle, the following vehicles must be
18 authorized to use the reserved portion of the highway if the vehicle
19 has the capacity to carry eight or more passengers, regardless of the
20 number of passengers in the vehicle: (i) Auto transportation company
21 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
22 carrier vehicles regulated under chapter 81.70 RCW, except marked or
23 unmarked stretch limousines and stretch sport utility vehicles as
24 defined under department of licensing rules; (iii) private nonprofit
25 transportation provider vehicles regulated under chapter 81.66 RCW;
26 and (iv) private employer transportation service vehicles. For
27 purposes of this subsection, "private employer transportation
28 service" means regularly scheduled, fixed-route transportation
29 service that is offered by an employer for the benefit of its
30 employees. Nothing in this subsection is intended to authorize the
31 conversion of public infrastructure to private, for-profit purposes
32 or to otherwise create an entitlement or other claim by private users
33 to public infrastructure.

34 (b) The department shall expand the high occupancy vehicle lane
35 access pilot program to vehicles that deliver or collect blood,
36 tissue, or blood components for a blood-collecting or distributing
37 establishment regulated under chapter 70.335 RCW. Under the pilot
38 program, when the department reserves a portion of a highway based on
39 the number of passengers in a vehicle, blood-collecting or

1 distributing establishment vehicles that are clearly and identifiably
2 marked as such on all sides of the vehicle are considered emergency
3 vehicles and must be authorized to use the reserved portion of the
4 highway.

5 (c) The department shall expand the high occupancy vehicle lane
6 access pilot program to organ transport vehicles transporting a time
7 urgent organ for an organ procurement organization as defined in RCW
8 68.64.010. Under the pilot program, when the department reserves a
9 portion of a highway based on the number of passengers in a vehicle,
10 organ transport vehicles that are clearly and identifiably marked as
11 such on all sides of the vehicle are considered emergency vehicles
12 and must be authorized to use the reserved portion of the highway.

13 (d) The department shall expand the high occupancy vehicle lane
14 access pilot program to private, for hire vehicles regulated under
15 chapter 81.72 RCW that have been specially manufactured, designed, or
16 modified for the transportation of a person who has a mobility
17 disability and uses a wheelchair or other assistive device. Under the
18 pilot program, when the department reserves a portion of a highway
19 based on the number of passengers in a vehicle, wheelchair-accessible
20 taxicabs that are clearly and identifiably marked as such on all
21 sides of the vehicle are considered public transportation vehicles
22 and must be authorized to use the reserved portion of the highway.

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

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

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

32 (5) \$32,000 of the Interstate 405 and state route number 167
33 express toll lanes account—state appropriation, \$53,000 of the state
34 route number 520 corridor account—state appropriation, \$31,000 of the
35 Tacoma Narrows toll bridge account—state appropriation, and \$26,000
36 of the Alaskan Way viaduct replacement project account—state
37 appropriation are provided solely for the traffic operations
38 program's proportional share of time spent supporting tolling
39 operations for the respective tolling facilities.

1 **Sec. 917.** 2020 c 219 s 217 (uncodified) is amended to read as
 2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
 4 **SUPPORT—PROGRAM S**

| | | |
|----|---|---------------------|
| 5 | Motor Vehicle Account—State Appropriation | ((\$38,251,000)) |
| 6 | | <u>\$35,914,000</u> |
| 7 | Motor Vehicle Account—Federal Appropriation | \$1,380,000 |
| 8 | Motor Vehicle Account—Private/Local Appropriation | \$500,000 |
| 9 | Multimodal Transportation Account—State | |
| 10 | Appropriation | \$1,129,000 |
| 11 | State Route Number 520 Corridor Account—State | |
| 12 | Appropriation. | \$199,000 |
| 13 | Tacoma Narrows Toll Bridge Account—State Appropriation. . . | \$116,000 |
| 14 | Alaskan Way Viaduct Replacement Project Account— | |
| 15 | State Appropriation. | \$100,000 |
| 16 | Interstate 405 and State Route Number 167 Express | |
| 17 | Toll Lanes Account—State Appropriation. | \$119,000 |
| 18 | TOTAL APPROPRIATION. | ((\$41,794,000)) |
| 19 | | <u>\$39,457,000</u> |

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

22 (1) \$2,000,000 of the motor vehicle account—state appropriation
 23 is provided solely for a grant program that makes awards for the
 24 following: (a) Support for nonprofit agencies, churches, and other
 25 entities to help provide outreach to populations underrepresented in
 26 the current apprenticeship programs; (b) preapprenticeship training;
 27 and (c) child care, transportation, and other supports that are
 28 needed to help women, veterans, and minorities enter and succeed in
 29 apprenticeship. The department must report on grants that have been
 30 awarded and the amount of funds disbursed by December 1st each year.
 31 If moneys are provided in the omnibus operating appropriations act
 32 for a career connected learning grant program, defined in
 33 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
 34 otherwise, the amount provided in this subsection lapses.

35 (2) \$150,000 of the motor vehicle account—state appropriation is
 36 provided solely for a user-centered and mobile-compatible web site
 37 redesign using estimated web site ad revenues.

38 (3) From the revenues generated by the five dollar per studded
 39 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—

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. 918.** 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>\$24,053,000</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>\$83,000</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>\$61,584,000</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~~)) \$673,000 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) \$1,050,000 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 ~~((\$3,000,000)) (6) \$121,000 of the Interstate 405 and state route~~
7 ~~number 167 express toll lanes account—state appropriation is provided~~
8 ~~solely for updating the state route number 167 master plan. (~~If~~~~
9 ~~chapter 421, Laws of 2019 (addressing tolling) is not enacted by June~~
10 ~~30, 2019, the amount provided in this subsection lapses.~~

11 ~~(6) \$123,000 of the Interstate 405 and state route number 167~~
12 ~~express toll lanes account—state appropriation, \$207,000 of the state~~
13 ~~route number 520 corridor account—state appropriation, \$121,000 of~~
14 ~~the Tacoma Narrows toll bridge account—state appropriation, and~~
15 ~~\$104,000 of the Alaskan Way viaduct replacement project account—state~~
16 ~~appropriation are provided solely for the transportation planning,~~
17 ~~data, and research program's proportional share of time spent~~
18 ~~supporting tolling operations for the respective tolling~~
19 ~~facilities.))~~

20 (7) By December 31, 2020, the department shall provide to the
21 governor and the transportation committees of the legislature a
22 report examining the feasibility of doing performance-based
23 evaluations for projects. The department must incorporate feedback
24 from stakeholder groups, including traditionally underserved and
25 historically disadvantaged populations, and the report shall include
26 the project evaluation procedures that would be used for the
27 performance-based evaluation.

28 (8) ~~((\$556,000 of the state route number 520 corridor account—~~
29 ~~state appropriation is provided solely for the department to contract~~
30 ~~with the University of Washington—department of mechanical~~
31 ~~engineering, to study measures to reduce noise impacts from the state~~
32 ~~route number 520 bridge expansion joints. The field testing shall be~~
33 ~~scheduled during existing construction, maintenance, or other~~
34 ~~scheduled closures to minimize impacts. The testing must also ensure~~
35 ~~safety of the traveling public. The study shall examine testing~~
36 ~~methodologies and project timelines and costs. A final report must be~~
37 ~~submitted to the transportation committees of the legislature and the~~
38 ~~governor by December 1, 2021.~~

1 ~~(9))~~) \$5,900,000 of the motor vehicle account—federal
 2 appropriation and \$400,000 of the motor vehicle account—private/local
 3 appropriation are provided solely for delivery of the department's
 4 state planning and research work program and pooled fund research
 5 projects, provided that the department may not expend any amounts
 6 provided in this section on a long-range plan or corridor scenario
 7 analysis for I-5 from Tumwater to Marysville. This is not intended to
 8 reference or impact: The existing I-5 corridor from Mounts road to
 9 Tumwater design and operations alternatives analysis; design studies
 10 related to HOV lanes or operations; or where it is necessary to
 11 continue design and operations analysis related to projects already
 12 under development.

13 **Sec. 919.** 2020 c 219 s 219 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
 16 **PROGRAM U**

| | |
|--|-------------------------------|
| 17 Motor Vehicle Account—State Appropriation | ((\$79,474,000)) |
| | <u>\$81,890,000</u> |
| 19 Multimodal Transportation Account—State | |
| 20 Appropriation | \$2,833,000 |
| 21 Interstate 405 and State Route Number 167 Express | |
| 22 Toll Lanes Account—State Appropriation. | \$122,000 |
| 23 State Route Number 520 Corridor Account—State | |
| 24 Appropriation. | \$205,000 |
| 25 Tacoma Narrows Toll Bridge Account—State | |
| 26 Appropriation. | \$120,000 |
| 27 Alaskan Way Viaduct Replacement Project Account—State | |
| 28 Appropriation. | \$102,000 |
| 29 TOTAL APPROPRIATION. | ((\$82,856,000)) |
| 30 | <u>\$85,362,000</u> |

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

33 (1) Consistent with existing protocol and practices, for any
 34 negotiated settlement of a claim against the state for the department
 35 that exceeds five million dollars, the department, in conjunction
 36 with the attorney general and the department of enterprise services,
 37 shall notify the director of the office of financial management and
 38 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. 920.** 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>\$83,834,000</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>\$116,748,000</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>\$237,263,000</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~~)) \$40,327,000 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)~~) \$200,000 of the multimodal transportation
22 account—state appropriation is provided solely for a first mile/last
23 mile connections grant program. Eligible grant recipients include
24 cities, businesses, nonprofits, and transportation network companies
25 with first mile/last mile solution proposals. Transit agencies are
26 not 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,
32 (~~(\$33,370,000)~~) \$32,008,000 of the multimodal transportation account—
33 state appropriation is provided solely for connecting Washington
34 transit projects identified in LEAP Transportation Document ((2020))
35 2021-2 ALL PROJECTS as developed March ((11, 2020)) 22, 2021. It is
36 the intent of the legislature that entities identified to receive
37 funding in the LEAP document referenced in this subsection receive
38 the amounts specified in the time frame specified in that LEAP
39 document. If an entity has already completed a project in the LEAP

1 document referenced in this subsection before the time frame
2 identified, the entity may substitute another transit project or
3 projects that cost a similar or 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)~~) \$7,007,000 of the multimodal transportation
25 account—state appropriation is provided solely for the green
26 transportation capital grant program established in chapter 287, Laws
27 of 2019 (advancing 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. 921.** 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>\$487,367,000</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>\$534,907,000</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. 922.** 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>\$45,883,000</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>\$46,600,000</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. 923.** 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>\$11,404,000</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>\$14,771,000</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) \$280,000 of the motor vehicle account—state appropriation is provided solely for Wahkiakum county for operation of the ferry between Puget Island and Westport, Oregon. These funds are provided outside the existing continuing agreement described in RCW 47.56.720, are not appropriated for that purpose, and therefore do not constitute payments under the agreement.

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 as developed March 11, 2020, Conference FMSIB Project List)~~) 2021-2 ALL PROJECTS as developed March 22, 2021, Freight Mobility Strategic Investment Board (FMSIB).

(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

1 the legislature on alternative proposals to revise its project award
2 and obligation process, which result in lower reappropriations.

3 ((4)) (3) It is the intent of the legislature to continue to
4 make strategic investments in a statewide freight mobility
5 transportation system with the help of the freight mobility strategic
6 investment board, including projects that mitigate the impact of
7 freight movement on local communities.

8 **Sec. 1002.** 2020 c 219 s 302 (uncodified) is amended to read as
9 follows:

10 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | |
|---|--------------------------------|
| 11 Rural Arterial Trust Account—State Appropriation | ((\$62,884,000)) |
| | <u>\$51,184,000</u> |
| 12 | |
| 13 Motor Vehicle Account—State Appropriation | \$1,456,000 |
| 14 County Arterial Preservation Account—State | |
| 15 Appropriation | \$39,590,000 |
| 16 TOTAL APPROPRIATION. | ((\$103,930,000)) |
| 17 | <u>\$92,230,000</u> |

18 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
21 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

| | |
|--|--------------------------------|
| 22 Motor Vehicle Account—State Appropriation | ((\$51,187,000)) |
| 23 | <u>\$51,282,000</u> |
| 24 Connecting Washington Account—State Appropriation | ((\$51,523,000)) |
| 25 | <u>\$50,746,000</u> |
| 26 TOTAL APPROPRIATION. | ((\$102,710,000)) |
| 27 | <u>\$102,028,000</u> |

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

30 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington
31 account—state appropriation is provided solely for a new Olympic
32 region maintenance and administration facility to be located on the
33 department-owned site at the intersection of Marvin Road and 32nd
34 Avenue in Lacey, Washington.

35 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—
36 state appropriation is provided solely for the department facility
37 located at 15700 Dayton Ave N in Shoreline. This appropriation is

1 contingent upon the department of ecology signing a not less than
2 twenty-year agreement to pay a share of any financing contract issued
3 pursuant to chapter 39.94 RCW.

4 (b) Payments from the department of ecology as described in this
5 subsection shall be deposited into the motor vehicle account.

6 (c) Total project costs are not to exceed (~~(\$46,500,000)~~)
7 \$47,930,000.

8 (3) (~~(\$1,565,000)~~) \$3,130,000 from the motor vehicle account—
9 state appropriation is provided solely for furniture for the
10 renovated Northwest Region Headquarters at Dayton Avenue. The
11 department must efficiently furnish the renovated building.

12 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

15 Transportation Partnership Account—State

16 Appropriation (~~(\$385,619,000)~~)

17 \$395,679,000

18 Motor Vehicle Account—State Appropriation (~~(\$102,543,000)~~)

19 \$60,911,000

20 Motor Vehicle Account—Federal Appropriation (~~(\$151,857,000)~~)

21 \$156,148,000

22 Motor Vehicle Account—Private/Local Appropriation (~~(\$70,404,000)~~)

23 \$66,284,000

24 Connecting Washington Account—State

25 Appropriation (~~(\$2,355,205,000)~~)

26 \$1,628,144,000

27 Special Category C Account—State Appropriation (~~(\$36,134,000)~~)

28 \$19,123,000

29 Multimodal Transportation Account—State

30 Appropriation (~~(\$3,853,000)~~)

31 \$3,522,000

32 Alaskan Way Viaduct Replacement Project Account—State

33 Appropriation \$77,956,000

34 Transportation 2003 Account (Nickel Account)—State

35 Appropriation (~~(\$10,429,000)~~)

36 \$9,403,000

37 Interstate 405 and State Route Number 167 Express

38 Toll Lanes Account—State Appropriation. (~~(\$90,027,000)~~)

1 \$33,742,000
 2 TOTAL APPROPRIATION. ((~~\$3,284,027,000~~))
 3 \$2,450,912,000

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 Improvements
 12 Program (I). 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 act.

15 (2) Except as provided otherwise in this section, the entire
 16 motor vehicle account—state appropriation and motor vehicle account—
 17 federal appropriation are provided solely for the projects and
 18 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
 19 PROJECTS as developed March ((11, 2020)) 22, 2021, Program - Highway
 20 Improvements Program (I). Any federal funds gained through
 21 efficiencies, adjustments to the federal funds forecast, ((~~additional~~
 22 ~~congressional action not related to a specific project or purpose,~~))
 23 or the federal funds redistribution process must then be applied to
 24 highway and bridge preservation activities or fish passage barrier
 25 corrections (0BI4001).

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

35 (4) The connecting Washington account—state appropriation
 36 includes up to ((~~\$1,835,325,000~~)) \$1,085,325,000 in proceeds from the
 37 sale of bonds authorized in RCW 47.10.889.

1 (5) The special category C account—state appropriation includes
2 up to (~~(\$24,910,000)~~) \$19,123,000 in proceeds from the sale of bonds
3 authorized in RCW 47.10.812.

4 (6) The transportation partnership account—state appropriation
5 includes up to (~~(\$162,658,000)~~) \$175,140,000 in proceeds from the
6 sale of bonds authorized in RCW 47.10.873.

7 (7) The Alaskan Way viaduct replacement project account—state
8 appropriation includes up to \$77,956,000 in proceeds from the sale of
9 bonds authorized in RCW 47.10.873.

10 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation
11 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000
12 of the motor vehicle account—private/local appropriation, \$3,384,000
13 of the transportation 2003 account (nickel account)—state
14 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
15 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of
16 the multimodal transportation account—state appropriation are
17 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
18 (809936Z). It is the intent of the legislature that the \$25,000,000
19 increase in funding provided in the 2021-2023 fiscal biennium be
20 covered by any legal damages paid to the state as a result of a
21 lawsuit related to contractual provisions for construction and
22 delivery of the Alaskan Way viaduct replacement project. The
23 legislature intends that the \$25,000,000 of the transportation
24 partnership account—state funds be repaid when those damages are
25 recovered.

26 (9) (~~(\$3,000,000)~~) \$2,667,000 of the multimodal transportation
27 account—state appropriation is provided solely for transit mitigation
28 for the SR 99/Viaduct Project - Construction Mitigation project
29 (809940B).

30 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington
31 account—state appropriation, \$1,052,000 of the special category C
32 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor
33 vehicle account—private/local appropriation are provided solely for
34 the US 395 North Spokane Corridor project (M00800R).

35 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state
36 route number 167 express toll lanes account—state appropriation is
37 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
38 project (L2000234) for activities related to adding capacity on
39 Interstate 405 between state route number 522 and Interstate 5, with

1 the goals of increasing vehicle throughput and aligning project
2 completion with the implementation of bus rapid transit in the
3 vicinity of the project.

4 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting
5 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of
6 the motor vehicle account—private/local appropriation are provided
7 solely for the SR 520 Seattle Corridor Improvements - West End
8 project (M00400R).

9 (b) Recognizing that the department of transportation requires
10 full possession of parcel number 1-23190 to complete the Montlake
11 Phase of the West End project, the department is directed to:

12 (i) Work with the operator of the Montlake boulevard market
13 located on parcel number 1-23190 to negotiate a lease allowing
14 continued operations up to January 1, 2020. After that time, the
15 department shall identify an area in the vicinity of the Montlake
16 property for a temporary market or other food service to be provided
17 during the period of project construction. Should the current
18 operator elect not to participate in providing that temporary
19 service, the department shall then develop an outreach plan with the
20 city to solicit community input on the food services provided, and
21 then advertise the opportunity to other potential vendors. Further,
22 the department shall work with the city of Seattle and existing
23 permit processes to facilitate vendor access to and use of the area
24 in the vicinity of the Montlake property.

25 (ii) Upon completion of the Montlake Phase of the West End
26 project (current anticipated contract completion of 2023), WSDOT
27 shall sell that portion of the property not used for permanent
28 transportation improvements and initiate a process to convey that
29 surplus property to a subsequent owner.

30 (c) \$60,000 of the motor vehicle account—state appropriation is
31 provided solely for grants to nonprofit organizations located in a
32 city with a population exceeding six hundred thousand persons and
33 that empower artists through equitable access to vital expertise,
34 opportunities, and business services. Funds may be used only for the
35 purpose of preserving, commemorating, and sharing the history of the
36 city of Seattle's freeway protests and making the history of activism
37 around the promotion of more integrated transportation and land use
38 planning accessible to current and future generations through the
39 preservation of Bent 2 of the R. H. Thompson freeway ramp.

1 (13) It is the intent of the legislature that for the I-5 JBLM
2 Corridor Improvements project (M00100R), the department shall
3 actively pursue \$50,000,000 in federal funds to pay for this project
4 to supplant state funds in the future. \$50,000,000 in connecting
5 Washington account funding must be held in unallotted status during
6 the 2021-2023 fiscal biennium. These funds may only be used after the
7 department has provided notice to the office of financial management
8 that it has exhausted all efforts to secure federal funds from the
9 federal highway administration and the department of defense.

10 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington
11 account—state appropriation (~~(is)~~), \$15,099,000 of the motor vehicle
12 account—private/local appropriation, and \$1,500,000 of the motor
13 vehicle—federal appropriation are provided solely for the SR 167/SR
14 509 Puget Sound Gateway project (M00600R).

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

17 (b) Proceeds from the sale of any surplus real property acquired
18 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
19 (M00600R) project must be deposited into the motor vehicle account
20 for the purpose of constructing the project.

21 (c) In making budget allocations to the Puget Sound Gateway
22 project, the department shall implement the project's construction as
23 a single corridor investment. The department shall develop a
24 coordinated corridor construction and implementation plan for state
25 route number 167 and state route number 509 in collaboration with
26 affected stakeholders. Specific funding allocations must be based on
27 where and when specific project segments are ready for construction
28 to move forward and investments can be best optimized for timely
29 project completion. Emphasis must be placed on avoiding gaps in fund
30 expenditures for either project.

31 (d) It is the legislature's intent that the department shall
32 construct a full single-point urban interchange at the junction of
33 state route number 161 (Meridian avenue) and state route number 167
34 and a full single-point urban interchange at the junction of state
35 route number 509 and 188th Street. If the department receives
36 additional funds from an outside source for this project after the
37 base project is fully funded, the funds must first be applied toward
38 the completion of these two full single-point urban interchanges.

1 (e) In designing the state route number 509/state route number
2 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
3 project (M00600R), the department shall make every effort to utilize
4 the preferred "4B" design.

5 (f) The department shall explore the development of a multiuse
6 trail for bicyclists, pedestrians, skateboarders, and similar users
7 along the SR 167 right-of-way acquired for the project to connect a
8 network of new and existing trails from Mount Rainier to Point
9 Defiance Park.

10 (g) If sufficient bonding authority to complete this project is
11 not provided within chapter 421, Laws of 2019 (addressing tolling),
12 or within a bond authorization act referencing chapter 421, Laws of
13 2019 by June 30, 2019, it is the intent of the legislature to return
14 the Puget Sound Gateway project (M00600R) to its previously
15 identified construction schedule by moving \$128,900,000 in connecting
16 Washington account—state appropriation back to the 2027-2029 biennium
17 from the 2023-2025 biennium on the list referenced in subsection (2)
18 of this section. If sufficient bonding authority is provided, it is
19 the intent of the legislature to advance the project to allow for
20 earlier completion and inflationary savings.

21 (15) It is the intent of the legislature that, for the I-5/North
22 Lewis County Interchange project (L2000204), the department develop
23 and design the project with the objective of significantly improving
24 access to the industrially zoned properties in north Lewis county.
25 The design must consider the county's process of investigating
26 alternatives to improve such access from Interstate 5 that began in
27 March 2015.

28 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership
29 account—state appropriation is provided solely for the U.S. 2 Trestle
30 IJR project (L1000158).

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

37 (18) Any advisory group that the department convenes during the
38 2019-2021 fiscal biennium must consider the interests of the entire
39 state of Washington.

1 (19) The legislature finds that there are sixteen companies
2 involved in wood preserving in the state that employ four hundred
3 workers and have an annual payroll of fifteen million dollars. Before
4 the department's switch to steel guardrails, ninety percent of the
5 twenty-five hundred mile guardrail system was constructed of
6 preserved wood and one hundred ten thousand wood guardrail posts were
7 produced annually for state use. Moreover, the policy of using steel
8 posts requires the state to use imported steel. Given these findings,
9 where practicable, and until June 30, 2021, the department shall
10 include the design option to use wood guardrail posts, in addition to
11 steel posts, in new guardrail installations. The selection of posts
12 must be consistent with the agency design manual policy that existed
13 before December 2009.

14 (20)(a) For connecting Washington projects that have already
15 begun and are eligible for the authority granted in section 601 (~~of~~
16 ~~this act~~), chapter 219, Laws of 2020, the department shall
17 prioritize advancing the following projects if expected
18 reappropriations become available:

- 19 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
20 (ii) SR 305 Construction - Safety Improvements (N30500R);
21 (iii) SR 14/Bingen Underpass (L2220062);
22 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
23 (v) US Hwy 2 Safety (N00200R);
24 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
25 (vii) I-5 JBLM Corridor Improvements (M00100R);
26 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
27 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
28 (x) SR 520/124th St Interchange (Design and Right of Way)
29 (L1000098).

30 (b) To the extent practicable, the department shall use the
31 flexibility and authority granted in this section and in section 601
32 of this act to minimize the amount of reappropriations needed each
33 biennium.

34 (c) The advancement of a project may not hinder the delivery of
35 the projects for which the reappropriations are necessary for the
36 2021-2023 fiscal biennium.

37 (21) The legislature continues to prioritize the replacement of
38 the state's aging infrastructure and recognizes the importance of
39 reusing and recycling construction aggregate and recycled concrete
40 materials in our transportation system. To accomplish Washington

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

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

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

22 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—
23 state appropriation (~~is~~) and \$7,329,000 of the motor vehicle
24 account—private/local appropriation are provided solely for staffing
25 of a project office (~~to replace the Interstate 5 bridge across the~~
26 ~~Columbia river (G2000088))~~) for the I-5 Interstate Bridge Replacement
27 project (L2000370). (~~If at least a \$9,000,000 transfer is not~~
28 ~~authorized in section 406(29), chapter 416, Laws of 2019, then~~
29 ~~\$9,000,000 of the motor vehicle account state appropriation lapses.~~)

30 (b) (~~Of the amount provided in this subsection, \$7,780,000 of~~
31 ~~the motor vehicle account state appropriation must be placed in~~
32 ~~unallotted status by the office of financial management until the~~
33 ~~department develops a detailed plan for the work of this project~~
34 ~~office in consultation with the chairs and ranking members of the~~
35 ~~transportation committees of the legislature. The director of the~~
36 ~~office of financial management shall consult with the chairs and~~
37 ~~ranking members of the transportation committees of the legislature~~
38 ~~prior to making a decision to allot these funds.~~

1 ~~(e)~~) The work of this project office includes, but is not
2 limited to, the reevaluation of the purpose and need identified for
3 the project previously known as the Columbia river crossing, the
4 reevaluation of permits and development of a finance plan, the
5 reengagement of key stakeholders and the public, and the reevaluation
6 of scope, schedule, and budget for a reinvigorated bistate effort for
7 replacement of the Interstate 5 Columbia river bridge. When
8 reevaluating the finance plan for the project, the department shall
9 assume that some costs of the new facility may be covered by tolls.
10 The project office must also study the possible different governance
11 structures for a bridge authority that would provide for the joint
12 administration of the bridges over the Columbia river between Oregon
13 and Washington. As part of this study, the project office must
14 examine the feasibility and necessity of an interstate compact in
15 conjunction with the national center for interstate compacts.

16 ~~((d))~~ (c) Within the amount provided in this subsection, the
17 department must implement chapter 137, Laws of 2019 (projects of
18 statewide significance).

19 ~~((e))~~ (d) The department shall have as a goal to:

20 (i) Reengage project stakeholders and reevaluate the purpose and
21 need and environmental permits by July 1, 2020;

22 (ii) Develop a finance plan by December 1, 2020; and

23 (iii) Have made significant progress toward beginning the
24 supplemental environmental impact statement process by June 30, 2021.
25 The department shall aim to provide a progress report on these
26 activities to the governor and the transportation committees of the
27 legislature by December 1, 2019, and a final report to the governor
28 and the transportation committees of the legislature by December 1,
29 2020.

30 (23) ~~((~~\$17,500,000~~ of the motor vehicle account state
31 appropriation is provided solely to begin the pre-design phase on the
32 I-5/Columbia River Bridge project (G2000088)).~~

33 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state
34 appropriation, \$47,655,000 of the motor vehicle account—federal
35 appropriation, \$11,179,000 of the motor vehicle account—private/local
36 appropriation, \$6,100,000 of the motor vehicle account—state
37 appropriation, and \$18,706,000 of the transportation partnership
38 account—state appropriation are provided solely for the Fish Passage

1 Barrier Removal project (OBI4001) with the intent of fully complying
2 with the court injunction by 2030.

3 (b) Of the amounts provided in this subsection, \$320,000 of the
4 connecting Washington account—state appropriation is provided solely
5 to remove the fish passage barrier on state route number 6 that
6 interfaces with Boistfort Valley water utilities near milepost 46.6.

7 (c) The department shall coordinate with the Brian Abbott fish
8 passage barrier removal board to use a watershed approach to maximize
9 habitat gain by replacing both state and local culverts. The
10 department shall deliver high habitat value fish passage barrier
11 corrections that it has identified, guided by the following factors:
12 Opportunity to bundle projects, ability to leverage investments by
13 others, presence of other barriers, project readiness, other
14 transportation projects in the area, and transportation impacts.

15 (~~(d)~~) (c) The department must keep track of, for each barrier
16 removed: (i) The location; (ii) the amount of fish habitat gain; and
17 (iii) the amount spent to comply with the injunction.

18 (~~(e)~~) (d) It is the intent of the legislature that for the
19 amount listed for the 2021-2023 biennium for the Fish Passage Barrier
20 Removal project (OBI4001) on the LEAP list referenced in subsection
21 (1) of this section, that accrued practical design savings deposited
22 in the transportation future funding program account be used to help
23 fund the cost of fully complying with the court injunction by 2030.

24 (~~(25)~~) (24) (a) The Washington state department of
25 transportation is directed to pursue compliance with the *U.S. v.*
26 *Washington* permanent injunction by delivering culvert corrections
27 within the injunction area guided by the principle of providing the
28 greatest fisheries habitat gain at the earliest time and considering
29 the following factors: Opportunity to bundle projects, tribal
30 priorities, ability to leverage investments by others, presence of
31 other barriers, project readiness, culvert condition, other
32 transportation projects in the area, and transportation impacts.

33 (b) The department and Brian Abbott fish barrier removal board,
34 while providing the opportunity for stakeholders, tribes, and
35 government agencies to give input on a statewide culvert remediation
36 plan, must provide updates on the development of the statewide
37 culvert remediation plan to the capital budget, ways and means, and
38 transportation committees of the legislature by November 1, 2020, and
39 March 15, 2021. The first update must include a project timeline and

1 plan to ensure that all state agencies with culvert correction
2 programs are involved in the creation of the comprehensive plan.

3 ~~((26) \$16,649,000))~~ (25) \$4,880,000 of the connecting Washington
4 account—state appropriation, \$373,000 of the motor vehicle account—
5 state appropriation, and ~~((6,000,000))~~ \$113,000 of the motor vehicle
6 account—private/local appropriation are provided solely for the I-90/
7 Barker to Harvard - Improve Interchanges & Local Roads project
8 (L2000122). The connecting Washington account appropriation for the
9 improvements that fall within the city of Liberty Lake may only be
10 expended if the city of Liberty Lake agrees to cover any project
11 costs within the city of Liberty Lake above the \$20,900,000 of state
12 appropriation provided for the total project in LEAP Transportation
13 Document ~~((2020))~~ 2021-1 as developed March ~~((11, 2020))~~ 22, 2021,
14 Program - Highway Improvements (I).

15 ~~((27))~~ (26) (a) ~~((6,799,000))~~ \$3,901,000 of the motor vehicle
16 account—federal appropriation, ~~((31,000))~~ \$34,000 of the motor
17 vehicle account—state appropriation, ~~((3,812,000 of the~~
18 ~~transportation partnership account state appropriation,))~~ and
19 ~~((7,000,000))~~ \$4,519,000 of the Interstate 405 and state route
20 number 167 express toll lanes account—state appropriation are
21 provided solely for the SR 167/SR 410 to SR 18 - Congestion
22 Management project (316706C).

23 (b) If sufficient bonding authority to complete this project is
24 not provided within chapter 421, Laws of 2019 (addressing tolling),
25 or within a bond authorization act referencing chapter 421, Laws of
26 2019 by June 30, 2019, it is the intent of the legislature to remove
27 the \$100,000,000 in toll funding from this project on the list
28 referenced in subsection (2) of this section.

29 ~~((28))~~ (27) For the I-405/North 8th Street Direct Access Ramp
30 in Renton project (L1000280), if sufficient bonding authority to
31 begin this project is not provided within chapter 421, Laws of 2019
32 (addressing tolling), or within a bond authorization act referencing
33 chapter 421, Laws of 2019, it is the intent of the legislature to
34 remove the project from the list referenced in subsection (2) of this
35 section.

36 ~~((29) \$7,985,000))~~ (28) \$7,071,000 of the Special Category C
37 account—state appropriation ~~((and \$1,000,000 of the motor vehicle~~
38 ~~account private/local appropriation are))~~ is provided solely for the
39 SR 18 Widening - Issaquah/Hobart Rd to Raging River project

1 (L1000199) for improving and widening state route number 18 to four
2 lanes from Issaquah-Hobart Road to Raging River.

3 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state
4 appropriation is provided solely for the I-5 Corridor from Mounts
5 Road to Tumwater project (L1000231) for completing a National and
6 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
7 and long-term environmental impacts associated with future
8 improvements along the I-5 corridor from Tumwater to DuPont.

9 ~~((31) \$622,000)~~ (30) \$200,000 of the motor vehicle account—
10 state appropriation is provided solely for the US 101/East Sequim
11 Corridor Improvements project (L2000343).

12 ~~((32) \$12,916,000)~~ (31) \$777,000 of the motor vehicle account—
13 state appropriation is provided solely for the SR 522/Paradise Lk Rd
14 Interchange & Widening on SR 522 (Design/Engineering) project
15 (NPARADI).

16 ~~((33) \$1,000,000)~~ (32) \$1,001,000 of the motor vehicle account—
17 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle
18 account—federal appropriation are provided solely for the US 101/
19 Morse Creek Safety Barrier project (L1000247).

20 ~~((34) \$1,000,000)~~ (33) \$85,000 of the motor vehicle account—
21 state appropriation is provided solely for the SR 162/410 Interchange
22 Design and Right of Way project (L1000276).

23 ~~((36) The appropriations in this section include savings due to~~
24 ~~anticipated project underruns; however, it is unknown which projects~~
25 ~~will provide savings. The legislature intends to provide sufficient~~
26 ~~flexibility for the department to manage to this savings target. To~~
27 ~~provide this flexibility, the office of financial management may~~
28 ~~authorize, through an allotment modification, reductions in the~~
29 ~~appropriated amounts that are provided solely for a particular~~
30 ~~purpose within this section subject to the following conditions and~~
31 ~~limitations:~~

32 ~~(a) The department must confirm that any modification requested~~
33 ~~under this subsection of amounts provided solely for a specific~~
34 ~~purpose are not expected to be used for that purpose in this~~
35 ~~biennium;~~

36 ~~(b) Allotment modifications authorized under this subsection may~~
37 ~~not result in increased funding for any project beyond the amount~~
38 ~~provided for that project in the 2019-2021 fiscal biennium in LEAP~~

1 ~~Transportation Document 2020-2 ALL PROJECTS as developed March 11,~~
2 ~~2020;~~

3 ~~(c) Allotment modifications authorized under this subsection~~
4 ~~apply only to amounts appropriated in this section from the following~~
5 ~~accounts: Multimodal transportation account state, transportation~~
6 ~~partnership account state, connecting Washington account state, and~~
7 ~~special category C account state; and~~

8 ~~(d) By December 1, 2020, the department must submit a report to~~
9 ~~the transportation committees of the legislature regarding the~~
10 ~~actions taken under this subsection.)~~

11 **Sec. 1005.** 2020 c 219 s 306 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

| | | |
|----|---|----------------------------|
| 14 | Recreational Vehicle Account—State Appropriation | \$2,971,000 |
| 15 | Transportation Partnership Account—State | |
| 16 | Appropriation | ((20,248,000)) |
| 17 | | <u>\$20,181,000</u> |
| 18 | Motor Vehicle Account—State Appropriation | ((82,447,000)) |
| 19 | | <u>\$87,755,000</u> |
| 20 | Motor Vehicle Account—Federal Appropriation | ((490,744,000)) |
| 21 | | <u>\$498,257,000</u> |
| 22 | Motor Vehicle Account—Private/Local | |
| 23 | Appropriation | ((7,408,000)) |
| 24 | | <u>\$7,660,000</u> |
| 25 | State Route Number 520 Corridor Account—State | |
| 26 | Appropriation | ((326,000)) |
| 27 | | <u>\$395,000</u> |
| 28 | Connecting Washington Account—State Appropriation | ((204,630,000)) |
| 29 | | <u>\$178,258,000</u> |
| 30 | Tacoma Narrows Toll Bridge Account—State | |
| 31 | Appropriation | ((8,350,000)) |
| 32 | | <u>\$1,078,000</u> |
| 33 | Alaskan Way Viaduct Replacement Project Account—State | |
| 34 | Appropriation | ((10,000)) |
| 35 | | <u>\$79,000</u> |
| 36 | Interstate 405 and State Route Number 167 Express | |
| 37 | Toll Lanes Account—State Appropriation | ((3,018,000)) |
| 38 | | <u>\$1,457,000</u> |

| | | |
|---|--|----------------------------|
| 1 | Transportation 2003 Account (Nickel Account)—State | |
| 2 | Appropriation | \$17,892,000 |
| 3 | TOTAL APPROPRIATION. | (\$838,044,000) |
| 4 | | <u>\$815,983,000</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 connecting Washington account—state appropriation and the entire
9 transportation partnership account—state appropriation are provided
10 solely for the projects and activities as listed by fund, project,
11 and amount in LEAP Transportation Document ((2020)) 2021-1 as
12 developed March ((11, 2020)) 22, 2021, Program - Highway Preservation
13 Program (P). However, limited transfers of specific line-item project
14 appropriations may occur between projects for those amounts listed
15 subject to the conditions and limitations in section 601 of this act.

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,~~)
24 or 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)) |
| | <u>\$6,296,000</u> |
| 26 Motor Vehicle Account—Federal Appropriation | ((\$6,137,000)) |
| | <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 TOTAL APPROPRIATION. | ((\$14,562,000)) |
| | <u>\$12,014,000</u> |

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

35 ((~~(1) \$700,000~~)) \$121,000 of the motor vehicle account—state
36 appropriation is provided solely for the SR 99 Aurora Bridge ITS
37 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>\$85,281,000</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>\$418,479,000</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~~
33 ~~department may spend from the Puget Sound capital construction~~
34 ~~account state appropriation in this section only as much as the~~
35 ~~department receives in Volkswagen settlement funds for the purposes~~
36 ~~of this subsection.))~~

37 (8) \$400,000 of the Puget Sound capital construction account—
38 state appropriation is provided solely for a request for proposals
39 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)) |
| | <u>\$74,874,000</u> |
| 30 Multimodal Transportation Account—Federal | |
| 31 Appropriation | \$8,601,000 |
| 32 Multimodal Transportation Account—Local | |
| 33 Appropriation | \$336,000 |
| 34 TOTAL APPROPRIATION. | ((\$95,518,000)) |
| | <u>\$94,427,000</u> |

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

1 (1) Except as provided otherwise in this section, the entire
2 appropriations in this section are provided solely for the projects
3 and activities as listed by project and amount in LEAP Transportation
4 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
5 22, 2021, Program - Rail Program (Y).

6 (2) ((~~\$7,136,000~~)) \$7,047,000 of the transportation
7 infrastructure account—state appropriation is provided solely for new
8 low-interest loans approved by the department through the freight
9 rail investment bank (FRIB) program. The department shall issue FRIB
10 program loans with a repayment period of no more than ten years, and
11 charge only so much interest as is necessary to recoup the
12 department's costs to administer the loans. The department shall
13 report annually to the transportation committees of the legislature
14 and the office of financial management on all FRIB loans issued.

15 (3) \$7,782,000 of the multimodal transportation account—state
16 appropriation, \$51,000 of the transportation infrastructure account—
17 state appropriation, and \$135,000 of the essential rail assistance
18 account—state appropriation are provided solely for new statewide
19 emergent freight rail assistance projects identified in the LEAP
20 transportation document referenced in subsection (1) of this section.

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

38 (5) (a) \$716,000 of the essential rail assistance account—state
39 appropriation and \$82,000 of the multimodal transportation account—

1 state appropriation are provided solely for the purpose of the
2 rehabilitation and maintenance of the Palouse river and Coulee City
3 railroad line (F01111B).

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

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

9 (ii) Revenues from trackage rights agreement fees paid by
10 shippers; and

11 (iii) Revenues and transfers transferred from the miscellaneous
12 program account to the essential rail assistance account, pursuant to
13 RCW 47.76.360, for the purpose of sustaining the grain train program
14 by maintaining the Palouse river and Coulee City railroad.

15 (6) The department shall issue a call for projects for the
16 freight rail assistance program, and shall evaluate the applications
17 in a manner consistent with past practices as specified in section
18 309, chapter 367, Laws of 2011. By November 15, 2020, the department
19 shall submit a prioritized list of recommended projects to the office
20 of financial management and the transportation committees of the
21 legislature.

22 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation
23 account—state appropriation is provided solely as expenditure
24 authority for any insurance proceeds received by the state for
25 Passenger Rail Equipment Replacement (project 700010C.) The
26 department must use this expenditure authority only to purchase
27 replacement equipment that has been competitively procured and for
28 service recovery needs and corrective actions related to the December
29 2017 derailment.

30 (8) \$898,000 of the multimodal transportation account—federal
31 appropriation and \$8,000 of the multimodal transportation account—
32 state appropriation are provided solely for the Ridgefield Rail
33 Overpass (project 725910A). Total costs for this project may not
34 exceed \$909,000 across fiscal biennia.

35 (9) (a) For projects funded as part of the 2015 connecting
36 Washington transportation package listed on the LEAP transportation
37 document identified in subsection (1) of this section, if the
38 department expects to have substantial reappropriations for the
39 2021-2023 fiscal biennium, the department may, on a pilot basis,

1 apply funding from a project in this section with an appropriation
2 that cannot be used for the current fiscal biennium to advance the
3 South Kelso Railroad Crossing project (L1000147).

4 (b) At least ten business days before advancing the project
5 pursuant to this subsection, the department must notify the office of
6 financial management and the transportation committees of the
7 legislature. The advancement of the project may not hinder the
8 delivery of the projects for which the reappropriations are necessary
9 for the 2021-2023 fiscal biennium.

10 (c) To the extent practicable, the department shall use the
11 flexibility and authority granted in this section to minimize the
12 amount of reappropriations needed each biennium.

13 ~~((10)) ((The multimodal transportation account—state appropriation
14 includes up to \$25,000,000 in proceeds from the sale of bonds
15 authorized in RCW 47.10.867.~~

16 ~~((11))~~) The department must report to the joint transportation
17 committee on the progress made on freight rail investment bank
18 projects and freight rail assistance projects funded during this
19 biennium by January 1, 2020.

20 ~~((12))~~) (11) \$1,500,000 of the multimodal transportation account
21 —state appropriation is provided solely for the Chelatchie Prairie
22 railroad roadbed rehabilitation project (L1000233).

23 ~~((13))~~) (12) \$250,000 of the multimodal transportation account—
24 state appropriation is provided solely for the Port of Moses Lake
25 Northern Columbia Basin railroad feasibility study (L1000235).

26 ~~((14))~~) (13) \$500,000 of the multimodal transportation account—
27 state appropriation is provided solely for the Spokane airport
28 transload facility project (L1000242).

29 ~~((15)) \$1,000,000 of the motor vehicle account—state
30 appropriation is provided solely for the grade separation at Bell
31 road project (L1000239).~~

32 ~~((16))~~) (14) \$750,000 of the motor vehicle account—state
33 appropriation and \$399,000 of the multimodal transportation account—
34 state appropriation are provided solely for the rail crossing
35 improvements at 6th Ave. and South 19th St. project (L2000289).

36 ~~((18))~~) (15) The appropriations in this section include savings
37 due to anticipated project underruns; however, it is unknown which
38 projects will provide savings. The legislature intends to provide
39 sufficient flexibility for the department to manage to this savings

1 target. To provide this flexibility, the office of financial
2 management may authorize, through an allotment modification,
3 reductions in the appropriated amounts that are provided solely for a
4 particular purpose within this section subject to the following
5 conditions and limitations:

6 (a) The department must confirm that any modification requested
7 under this subsection of amounts provided solely for a specific
8 purpose are not expected to be used for that purpose in this
9 biennium;

10 (b) Allotment modifications authorized under this subsection may
11 not result in increased funding for any project beyond the amount
12 provided for that project in the 2019-2021 fiscal biennium in LEAP
13 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
14 March ((11, 2020)) 22, 2021;

15 (c) Allotment modifications authorized under this subsection
16 apply only to amounts appropriated in this section from the
17 multimodal transportation account—state; and

18 (d) By December 1, 2020, the department must submit a report to
19 the transportation committees of the legislature regarding the
20 actions taken under this subsection.

21 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
24 **CAPITAL**

| | | |
|----|--|--------------------------------|
| 25 | Highway Infrastructure Account—State Appropriation | \$1,276,000 |
| 26 | Highway Infrastructure Account—Federal Appropriation | \$1,337,000 |
| 27 | Transportation Partnership Account—State | |
| 28 | Appropriation | ((\$2,380,000)) |
| 29 | | <u>\$1,630,000</u> |
| 30 | Highway Safety Account—State Appropriation | \$1,314,000 |
| 31 | Motor Vehicle Account—State Appropriation | ((\$35,607,000)) |
| 32 | | <u>\$24,543,000</u> |
| 33 | Motor Vehicle Account—Federal Appropriation | ((\$41,420,000)) |
| 34 | | <u>\$49,588,000</u> |
| 35 | Motor Vehicle Account—Private/Local Appropriation | ((\$24,600,000)) |
| 36 | | <u>\$18,000,000</u> |
| 37 | Connecting Washington Account—State Appropriation | ((\$155,550,000)) |
| 38 | | <u>\$130,708,000</u> |

| | | |
|---|---|--------------------------------|
| 1 | Multimodal Transportation Account—State | |
| 2 | Appropriation | ((\$77,469,000)) |
| 3 | | <u>\$74,351,000</u> |
| 4 | TOTAL APPROPRIATION. | ((\$340,953,000)) |
| 5 | | <u>\$302,747,000</u> |

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 appropriations in this section are provided solely for the projects
10 and activities as listed by project and amount in LEAP Transportation
11 Document ((2020)) 2021-2 ALL PROJECTS as developed March ((11, 2020))
12 22, 2021, Program - Local Programs Program (Z).

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

16 (a) ((~~\$18,380,000~~)) \$8,361,000 of the multimodal transportation
17 account—state appropriation is provided solely for newly selected
18 pedestrian and bicycle safety program projects. ((~~\$18,577,000~~))
19 \$19,363,000 of the multimodal transportation account—state
20 appropriation and \$1,380,000 of the transportation partnership
21 account—state appropriation are reappropriated for pedestrian and
22 bicycle safety program projects selected in the previous biennia
23 (L2000188).

24 (b) ((~~\$11,400,000~~)) \$4,066,000 of the motor vehicle account—
25 federal appropriation and ((~~\$7,750,000~~)) \$4,668,000 of the multimodal
26 transportation account—state appropriation are provided solely for
27 newly selected safe routes to school projects. ((~~\$11,354,000~~))
28 \$10,744,000 of the motor vehicle account—federal appropriation,
29 ((~~\$4,640,000~~)) \$3,075,000 of the multimodal transportation account—
30 state appropriation, and \$1,314,000 of the highway safety account—
31 state appropriation are reappropriated for safe routes to school
32 projects selected in the previous biennia (L2000189). The department
33 may consider the special situations facing high-need areas, as
34 defined by schools or project areas in which the percentage of the
35 children eligible to receive free and reduced-price meals under the
36 national school lunch program is equal to, or greater than, the state
37 average as determined by the department, when evaluating project
38 proposals against established funding criteria while ensuring
39 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
16 transportation account—state appropriation are provided solely for
17 the Bingen Walnut 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) \$9,000,000 of the motor vehicle account—federal
14 appropriation is provided solely for acceleration of local
15 preservation projects that ensure the reliable movement of freight on
16 the national highway freight system (G2000100). The department shall
17 identify projects through its current national highway system asset
18 management call for projects with applications due in February 2021.
19 The department shall give priority to those projects that can be
20 obligated by September 30, 2021.

21 **Sec. 1010.** 2019 c 416 s 302 (uncodified) is amended to read as
22 follows:

23 **FOR THE WASHINGTON STATE PATROL**

24 State Patrol Highway Account—State Appropriation . . . ((\$3,277,000))
25 \$2,437,000

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

28 The entire appropriation in this section is provided solely for
29 the following projects:

- 30 (1) \$250,000 for emergency repairs;
- 31 (2) ((\$468,000)) \$268,000 for roof replacements;
- 32 (3) \$350,000 for fuel tank decommissioning;
- 33 (4) ((\$759,000)) \$119,000 for generator and electrical
34 replacement;
- 35 (5) \$750,000 for water and fire suppression systems; and
- 36 (6) \$700,000 for academy training tank preservation
37 reappropriation.

1 The Washington state patrol may transfer funds between projects
2 specified in this section to address cash flow requirements. If a
3 project specified in this section is completed for less than the
4 amount provided, the remainder may be transferred to another project
5 specified in this section not to exceed the total appropriation
6 provided in this section.

7 **TRANSFERS AND DISTRIBUTIONS**

8 **Sec. 1101.** 2020 c 219 s 401 (uncodified) is amended to read as
9 follows:

10 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
11 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
12 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
13 **REVENUE**

| | | |
|----|---|----------------------------------|
| 14 | Special Category C Account—State Appropriation. | ((\$105,000)) |
| 15 | | <u>\$21,000</u> |
| 16 | ((Multimodal Transportation Account—State Appropriation. | (\$125,000)) |
| 17 | Transportation Partnership Account—State Appropriation ((\$1,407,000)) | |
| 18 | | <u>\$182,000</u> |
| 19 | Connecting Washington Account—State Appropriation. . . ((\$7,723,000)) | |
| 20 | | <u>\$2,455,000</u> |
| 21 | Highway Bond Retirement Account—State | |
| 22 | Appropriation. | ((\$1,378,835,000)) |
| 23 | | <u>\$1,308,311,000</u> |
| 24 | Ferry Bond Retirement Account—State Appropriation. . ((\$25,078,000)) | |
| 25 | | <u>\$25,079,000</u> |
| 26 | Transportation Improvement Board Bond Retirement | |
| 27 | Account—State Appropriation. | ((\$12,452,000)) |
| 28 | | <u>\$12,062,000</u> |
| 29 | Nondebt-Limit Reimbursable Bond Retirement | |
| 30 | Account—State Appropriation. | ((\$31,253,000)) |
| 31 | | <u>\$29,514,000</u> |
| 32 | Toll Facility Bond Retirement Account—State | |
| 33 | Appropriation. | ((\$86,483,000)) |
| 34 | | <u>\$85,563,000</u> |
| 35 | TOTAL APPROPRIATION. | ((\$1,543,461,000)) |
| 36 | | <u>\$1,463,187,000</u> |

1 **Sec. 1102.** 2020 c 219 s 402 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
5 **FISCAL AGENT CHARGES**

| | | |
|----|---|------------------------------|
| 6 | (Multimodal Transportation Account—State Appropriation. | \$25,000) |
| 7 | Transportation Partnership Account—State | |
| 8 | Appropriation. | ((\$281,000)) |
| 9 | | <u>\$68,000</u> |
| 10 | Connecting Washington Account—State Appropriation. | ((\$1,599,000)) |
| 11 | | <u>\$640,000</u> |
| 12 | Special Category C Account—State Appropriation. | ((\$21,000)) |
| 13 | | <u>\$9,000</u> |
| 14 | TOTAL APPROPRIATION. | ((\$1,926,000)) |
| 15 | | <u>\$717,000</u> |

16 **Sec. 1103.** 2020 c 219 s 403 (uncodified) is amended to read as
17 follows:

18 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

| | | |
|----|---|--------------------------------|
| 19 | Motor Vehicle Account—State Appropriation: | |
| 20 | For motor vehicle fuel tax distributions to | |
| 21 | cities and counties. | ((\$508,276,000)) |
| 22 | | <u>\$456,823,000</u> |

23 **Sec. 1104.** 2020 c 219 s 404 (uncodified) is amended to read as
24 follows:

25 **FOR THE STATE TREASURER—TRANSFERS**

| | | |
|----|--|----------------------------------|
| 26 | Motor Vehicle Account—State Appropriation: | |
| 27 | For motor vehicle fuel tax refunds and | |
| 28 | statutory transfers. | ((\$2,146,790,000)) |
| 29 | | <u>\$1,921,901,000</u> |

30 **Sec. 1105.** 2020 c 219 s 405 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

| | | |
|----|--|--------------------------------|
| 33 | Motor Vehicle Account—State Appropriation: | |
| 34 | For motor vehicle fuel tax refunds and | |
| 35 | transfers. | ((\$235,788,000)) |

Sec. 1106. 2020 c 219 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. ((\$54,000,000)) \$24,000,000

~~(2) ((Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State. \$45,000,000~~

~~(3))~~ (3) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State. ((\$57,000,000)) \$25,400,000

~~((4))~~ (3) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State. \$8,070,000

~~((5))~~ (4) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State. \$1,732,000

~~((6))~~ (5) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State. ((\$5,067,000)) \$34,067,000

~~((7))~~ (6) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. ((\$52,000,000)) \$61,000,000

~~((8))~~ (7) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. \$55,000,000

~~((9))~~ (8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. \$3,000,000

~~((10))~~ (9) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor

1 Account—State. (~~(\$1,434,000)~~)
2 \$1,666,000

3 ~~((11))~~ (10) Capital Vessel Replacement Account—State
4 Appropriation: For transfer to the Connecting
5 Washington Account—State. \$60,000,000

6 ~~((12))~~ (11) Multimodal Transportation Account—State
7 Appropriation: For transfer to the Regional
8 Mobility Grant Program Account—State. \$11,215,000

9 ~~((13))~~ (12) Multimodal Transportation Account—State
10 Appropriation: For transfer to the Rural
11 Mobility Grant Program Account—State. \$15,223,000

12 ~~((14) Transportation 2003 Account (Nickel Account)—~~
13 ~~State Appropriation: For transfer to the Puget~~
14 ~~Sound Capital Construction Account—State. \$15,000,000~~
15 ~~(15) (a) Alaskan Way Viaduct Replacement Project~~
16 ~~Account—State Appropriation: For transfer to the~~
17 ~~Motor Vehicle Account—State. \$9,992,000~~
18 ~~(b) The transfer identified in this subsection is provided solely~~
19 ~~to repay in full the motor vehicle account—state appropriation loan~~
20 ~~from section 1005(21), chapter 416, Laws of 2019.~~

21 ~~(16))~~ (13) (a) Transportation Partnership Account—State
22 Appropriation: For transfer to the Alaskan Way Viaduct
23 Replacement Project Account—State. \$77,956,000

24 (b) The amount transferred in this subsection represents that
25 portion of the up to \$200,000,000 in proceeds from the sale of bonds
26 authorized in RCW 47.10.873, intended to be sold through the
27 2021-2023 fiscal biennium, used only for construction of the SR 99/
28 Alaskan Way Viaduct Replacement project (809936Z), and that must be
29 repaid from the Alaskan Way viaduct replacement project account
30 consistent with RCW 47.56.864.

31 ~~((17))~~ (14) Motor Vehicle Account—State Appropriation:
32 For transfer to the County Arterial Preservation
33 Account—State. (~~(\$4,829,000)~~)
34 \$9,902,000

35 ~~((18))~~ (15) (a) General Fund Account—State Appropriation:
36 For transfer to the State Patrol Highway
37 Account—State. \$625,000

1 (b) The state treasurer shall transfer the funds only after
2 receiving notification from the Washington state patrol under section
3 207(7), chapter 416, Laws of 2019.

4 ~~((19) Capital Vessel Replacement Account—State~~
5 ~~Appropriation: For transfer to the Transportation~~
6 ~~Partnership Account—State. \$2,312,000~~

7 ~~(20)) (16)(a) Alaskan Way Viaduct Replacement Project~~
8 ~~Account—State Appropriation: For transfer to the~~
9 ~~Transportation Partnership Account—State. ((\$15,858,000))~~
10 ~~\$15,577,000~~

11 (b) The amount transferred in this subsection represents
12 repayment of debt service incurred for the construction of the SR 99/
13 Alaskan Way Viaduct Replacement project (809936Z).

14 ~~((21)) (17) Tacoma Narrows Toll Bridge Account—State~~
15 ~~Appropriation: For transfer to the Motor~~
16 ~~Vehicle Account—State. \$950,000~~

17 ~~((22)) (18)(a) Tacoma Narrows Toll Bridge Account—State~~
18 ~~Appropriation:~~
19 ~~For transfer to the Motor Vehicle~~
20 ~~Account—State. \$5,000,000~~

21 (b) A transfer in the amount of \$5,000,000 was made from the
22 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
23 April 2019. It is the intent of the legislature that this transfer
24 was to be temporary, for the purpose of minimizing the impact of toll
25 increases, and this is an equivalent reimbursing transfer to occur in
26 November 2019.

27 ~~((23)) (19)(a) Transportation ((2003 Account (Nickel Account))~~
28 ~~Partnership Account—State Appropriation:~~
29 ~~For transfer to the Tacoma~~
30 ~~Narrows Toll Bridge Account—State. \$12,543,000~~

31 (b) It is the intent of the legislature that this transfer is
32 temporary, for the purpose of minimizing the impact of toll
33 increases, and an equivalent reimbursing transfer is to occur after
34 the debt service and deferred sales tax on the Tacoma Narrows bridge
35 construction costs are fully repaid in accordance with chapter 195,
36 Laws of 2018.

37 ~~((24)) (20) Transportation Infrastructure Account—State~~
38 ~~Appropriation: For transfer to the multimodal~~
39 ~~Transportation Account—State. \$9,000,000~~

1 ~~((25))~~ (21) Multimodal Transportation Account—State
2 Appropriation: For transfer to the Pilotage
3 Account—State. \$2,500,000
4 ~~((26))~~ (22) (a) Motor Vehicle Account—State
5 Appropriation: For transfer to the County Road
6 Administration Board Emergency Loan Account—State. \$1,000,000
7 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,
8 the amount provided in this subsection lapses.
9 ~~((27))~~ (23) (a) Advanced Environmental Mitigation
10 Revolving Account—State Appropriation: For transfer
11 to the Motor Vehicle Account—State. \$9,000,000
12 (b) The amount transferred in this subsection is contingent on at
13 least a \$9,000,000 transfer to the advanced environmental mitigation
14 revolving account authorized by June 30, 2019, in the omnibus capital
15 appropriations act.
16 ~~((28) Multimodal Transportation Account—State~~
17 ~~Appropriation: For transfer to the Electric Vehicle~~
18 ~~Charging Infrastructure Account—State. \$1,000,000~~
19 ~~(29))~~ (24) Multimodal Transportation Account—State
20 Appropriation: For transfer to the Complete Streets
21 Grant Program Account—State. \$10,200,000
22 ~~((30))~~ (25) (a) Multimodal Transportation Account—State
23 Appropriation: For transfer to the Connecting
24 Washington Account—State. \$82,080,000
25 (b) The amount transferred in this subsection represents a
26 reversal of the changes made to RCW 82.32.385, in section 703,
27 chapter 219, Laws of 2020, that directed a transfer of \$82,080,000 to
28 the multimodal transportation account rather than the connecting
29 Washington account.
30 (26) (a) Transportation Partnership Account—State
31 Appropriation: For transfer to the Capital Vessel
32 Replacement Account—State. ((\$96,030,000))
33 \$35,547,000
34 (b) The amount transferred in this subsection represents proceeds
35 from the sale of bonds authorized in RCW 47.10.873.
36 ~~((31))~~ (27) Freight Mobility Multimodal Account—State
37 Appropriation: For transfer to the Multimodal Transportation
38 Account—State. \$7,296,000
39 ~~((32))~~ (28) Connecting Washington Account—State

| | | |
|----|---|---------------------|
| 1 | Appropriation: For transfer to the Motor Vehicle | |
| 2 | Account—State. | \$115,000,000 |
| 3 | <u>(29) (a) Motor Vehicle Account—State Appropriation:</u> | |
| 4 | <u>For transfer to the Alaskan Way Viaduct Replacement</u> | |
| 5 | <u>Project Account—State.</u> | <u>\$14,000,000</u> |
| 6 | <u>(b) The funds provided in (a) of this subsection are a loan to</u> | |
| 7 | <u>the Alaskan Way viaduct replacement project account—state, and the</u> | |
| 8 | <u>legislature assumes that these funds will be reimbursed to the motor</u> | |
| 9 | <u>vehicle account—state at a later date when traffic on the toll</u> | |
| 10 | <u>facility has recovered from the COVID-19 pandemic.</u> | |
| 11 | <u>(30) Motor Vehicle Account—State Appropriation:</u> | |
| 12 | <u>For transfer to the Transportation 2003 Account</u> | |
| 13 | <u>(Nickel Account)—State.</u> | <u>\$12,800,000</u> |
| 14 | <u>(31) Multimodal Transportation Account—State</u> | |
| 15 | <u>Appropriation: For transfer to the Puget Sound</u> | |
| 16 | <u>Ferry Operations Account—State.</u> | <u>\$55,000,000</u> |

17 **Sec. 1107.** 2020 c 219 s 407 (uncodified) is amended to read as
18 follows:

19 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

| | | |
|----|--|--------------|
| 20 | Multimodal Transportation Account—State | |
| 21 | Appropriation: For distribution to cities and | |
| 22 | counties. | \$26,786,000 |
| 23 | Motor Vehicle Account—State Appropriation: For | |
| 24 | distribution to cities and counties. | \$23,438,000 |
| 25 | TOTAL APPROPRIATION. | \$50,224,000 |

26 **Sec. 1108.** 2020 c 219 s 408 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
29 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
30 **STATUTORILY PRESCRIBED REVENUE**

| | | |
|----|---|--------------------------------|
| 31 | Toll Facility Bond Retirement Account—Federal | |
| 32 | Appropriation | ((\$199,522,000)) |
| 33 | | <u>\$199,523,000</u> |
| 34 | Toll Facility Bond Retirement Account—State | |
| 35 | Appropriation | \$25,372,000 |
| 36 | TOTAL APPROPRIATION. | ((\$224,894,000)) |
| 37 | | <u>\$224,895,000</u> |

1 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

2 NEW SECTION. **Sec. 1201.** A new section is added to 2019 c 416
3 (uncodified) to read as follows:

4 The appropriations to the department of transportation in chapter
5 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be
6 expended for the programs and in the amounts specified in chapter
7 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However,
8 after May 1, 2021, unless specifically prohibited, the department may
9 transfer state appropriations for the 2019-2021 fiscal biennium among
10 operating programs after approval by the director of the office of
11 financial management. However, the department shall not transfer
12 state moneys that are provided solely for a specific purpose. The
13 department shall not transfer funds, and the director of the office
14 of financial management shall not approve the transfer, unless the
15 transfer is consistent with the objective of conserving, to the
16 maximum extent possible, the expenditure of state funds and not
17 federal funds. The director of the office of financial management
18 shall notify the appropriate transportation committees of the
19 legislature prior to approving any allotment modifications or
20 transfers under this section.

21 **MISCELLANEOUS**

22 NEW SECTION. **Sec. 1301.** Section 709 does not take effect if
23 chapter. . .(Engrossed Substitute House Bill No. 1529), Laws of 2021
24 (SR 520 debt service obligation requirements) is enacted by June 30,
25 2021.

26 NEW SECTION. **Sec. 1302.** If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 remainder of the act or the application of the provision to other
29 persons or circumstances is not affected.

30 NEW SECTION. **Sec. 1303.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of
32 the state government and its existing public institutions, and takes
33 effect immediately.

(End of Bill)

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