
SENATE BILL 5165

State of Washington

67th Legislature

2021 Regular Session

By Senators Hobbs, King, Nobles, Saldaña, and Wilson, C.; by request of Office of Financial Management

Read first time 01/12/21. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.280, 46.68.325,
3 47.56.876, 46.68.370, 46.68.300, 47.60.322, 47.66.120, 46.68.290,
4 82.44.135, 46.68.395, 47.56.864, 47.56.165, 82.21.030, and 47.56.876;
5 creating new sections; making appropriations and authorizing
6 expenditures for capital improvements; providing contingent effective
7 dates; providing an expiration date; and declaring an emergency.

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

9 **2021-2023 FISCAL BIENNIUM**

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

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

- 1 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending
 2 June 30, 2022.
- 3 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending
 4 June 30, 2023.
- 5 (c) "FTE" means full-time equivalent.
- 6 (d) "Lapse" or "revert" means the amount shall return to an
 7 unappropriated status.
- 8 (e) "Provided solely" means the specified amount may be spent
 9 only for the specified purpose. Unless otherwise specifically
 10 authorized in this act, any portion of an amount provided solely for
 11 a specified purpose that is not expended subject to the specified
 12 conditions and limitations to fulfill the specified purpose shall
 13 lapse.
- 14 (f) "Reappropriation" means appropriation and, unless the context
 15 clearly provides otherwise, is subject to the relevant conditions and
 16 limitations applicable to appropriations.

17 **GENERAL GOVERNMENT AGENCIES—OPERATING**

18 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
 19 **HISTORIC PRESERVATION**

20 Motor Vehicle Account—State Appropriation \$525,000

21 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
 22 **COMMISSION**

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

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

25 TOTAL APPROPRIATION. \$654,000

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

27 Motor Vehicle Account—State Appropriation \$1,407,000

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

29 TOTAL APPROPRIATION. \$1,533,000

30 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
 31 **COMMISSION**

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

1 The appropriation in this section is subject to the following
2 conditions and limitations: The appropriation in this section is
3 provided solely for road maintenance purposes.

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

5 Motor Vehicle Account—State Appropriation \$1,334,000

6 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
7 **ACCOUNTABILITY PROGRAM COMMITTEE**

8 Motor Vehicle Account—State Appropriation \$676,000

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

10 Pilotage Account—State Appropriation \$5,758,000

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

13 (1) \$2,926,000 of the pilotage account—state appropriation is
14 provided solely for self-insurance liability premium expenditures;
15 however, this appropriation is contingent upon the board:

16 (a) Annually depositing the first \$150,000 collected through
17 Puget Sound pilotage district pilotage tariffs into the pilotage
18 account; and

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

22 (2) The board of pilotage commissioners shall file the annual
23 report to the governor and chairs of the transportation committees
24 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
25 thereafter. The report must include the continuation of policies and
26 procedures necessary to increase the diversity of pilots, trainees,
27 and applicants, including a diversity action plan. The diversity
28 action plan must articulate a comprehensive vision of the board's
29 diversity goals and the steps it will take to reach those goals.

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

31 Motor Vehicle Account—State Appropriation \$3,213,000

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

33 Motor Vehicle Account—State Appropriation \$3,128,000

1 NEW SECTION. **Sec. 110. FOR THE DEPARTMENT OF ECOLOGY**

2 (1) When distributing funds for litter control the department
3 shall give priority to litter control along state highways.

4 (2) The department shall contract with the department of
5 transportation to schedule litter prevention messaging and
6 coordination of litter emphasis patrols with the Washington state
7 patrol. The department of transportation may coordinate with the
8 department to conduct litter pickup during scheduled maintenance
9 closures as situations allow.

10 **TRANSPORTATION AGENCIES—OPERATING**

11 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
12 **COMMISSION**

13 Highway Safety Account—State Appropriation \$4,560,000
14 Highway Safety Account—Federal Appropriation \$26,993,000
15 Highway Safety Account—Private/Local Appropriation \$60,000
16 School Zone Safety Account—State Appropriation \$850,000
17 TOTAL APPROPRIATION. \$32,463,000

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

19 Rural Arterial Trust Account—State Appropriation \$1,054,000
20 Motor Vehicle Account—State Appropriation \$2,608,000
21 County Arterial Preservation Account—State
22 Appropriation \$1,604,000
23 TOTAL APPROPRIATION. \$5,266,000

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

25 Transportation Improvement Account—State
26 Appropriation \$4,342,000

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

28 Motor Vehicle Account—State Appropriation \$1,579,000

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

30 Motor Vehicle Account—State Appropriation \$2,686,000

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

1	Freight Mobility Investment Account—State	
2	Appropriation	\$776,000
3	<u>NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL</u>	
4	State Patrol Highway Account—State Appropriation	\$538,977,000
5	State Patrol Highway Account—Federal Appropriation	\$15,797,000
6	State Patrol Highway Account—Private/Local	
7	Appropriation	\$4,263,000
8	Highway Safety Account—State Appropriation	\$1,214,000
9	Ignition Interlock Device Revolving Account—State	
10	Appropriation	\$5,045,000
11	Multimodal Transportation Account—State	
12	Appropriation	\$260,000
13	TOTAL APPROPRIATION.	\$565,556,000

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

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

25 (2) \$565,000 of the state patrol highway account—state
26 appropriation is provided solely for aerial criminal investigation
27 tools, including software licensing and maintenance, and annual
28 certification, and is subject to the conditions, limitations, and
29 review requirements of section 701 of this act.

30 (3) The Washington state patrol must report annually to the house
31 and senate transportation committees on the status of recruitment and
32 retention activities as follows:

- 33 (a) A summary of recruitment and retention strategies;
- 34 (b) The number of transportation funded staff vacancies by major
35 category;
- 36 (c) The number of applicants for each of the positions by these
37 categories;
- 38 (d) The composition of workforce; and

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

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

4	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
5	Motorcycle Safety Education Account—State	
6	Appropriation	\$4,884,000
7	Limited Fish and Wildlife Account.	\$919,000
8	Highway Safety Account—State Appropriation	\$240,724,000
9	Highway Safety Account—Federal Appropriation	\$1,294,000
10	Motor Vehicle Account—State Appropriation	\$63,854,000
11	Motor Vehicle Account—Federal Appropriation.	\$150,000
12	Motor Vehicle Account—Private/Local Appropriation	\$15,604,000
13	Ignition Interlock Device Revolving Account—State	
14	Appropriation	\$4,073,000
15	Department of Licensing Services Account—State	
16	Appropriation	\$8,156,000
17	License Plate Technology Account—State	
18	Appropriation	\$4,250,000
19	Abandoned Recreational Vehicle Account—State	
20	Appropriation.	\$3,068,000
21	Limousine Carriers Account—State Appropriation.	\$110,000
22	Electric Vehicle Account—State Appropriation.	\$405,000
23	DOL Technology Improvement & Data Management	
24	Account—State Appropriation.	\$725,000
25	Agency Financial Transaction Account—State	
26	Appropriation.	\$15,870,000
27	TOTAL APPROPRIATION.	\$364,120,000

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

30 (1) (a) The department must implement cost recovery mechanisms to
31 recoup at least a portion of credit card and other financial
32 transaction costs as part of charges imposed for driver and vehicle
33 fee transactions. The department must develop a method of tracking
34 the amount of credit card and other financial cost-recovery revenues.
35 The department must notify the state treasurer of these amounts and
36 the state treasurer must deposit these revenues in the agency
37 financial transaction account on a quarterly basis. If Z-0117.2/21

1 (cost recovery of state agency credit card and transaction fees) is
2 enacted by June 30, 2021, this subsection (1) (a) lapses.

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

11 (2) The appropriations in this section assume full cost recovery
12 for the administration and collection of a motor vehicle excise tax
13 on behalf of any regional transit authority pursuant to section 713
14 of this act.

15 (3) \$32,000 of the motorcycle safety education account—state
16 appropriation, \$3,000 of the limited fish and wildlife account—state
17 appropriation, \$2,000,000 of the highway safety account—state
18 appropriation, \$651,000 of the motor vehicle account—state
19 appropriation, \$29,000 of the ignition interlock device revolving
20 account—state appropriation, and \$29,000 of the department of
21 licensing services account—state appropriation are provided solely
22 for the department to redesign and improve its online services and
23 website, and are subject to the conditions, limitations, and review
24 requirements of section 701 of this act.

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

27	State Route Number 520 Corridor Account—State	
28	Appropriation	\$52,875,000
29	State Route Number 520 Civil Penalties Account—State	
30	Appropriation	\$4,121,000
31	Tacoma Narrows Toll Bridge Account—State	
32	Appropriation	\$30,037,000
33	Alaskan Way Viaduct Replacement Project Account—State	
34	Appropriation.	\$21,393,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation.	\$24,259,000
37	TOTAL APPROPRIATION.	\$132,685,000

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

3 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
4 appropriation and \$12,483,846 of the state route number 520 corridor
5 account—state appropriation are provided solely for the purposes of
6 addressing unforeseen operations and maintenance costs on the Tacoma
7 Narrows bridge and the state route number 520 bridge, respectively.
8 The office of financial management shall place the amounts provided
9 in this subsection, which represent a portion of the required minimum
10 fund balance under the policy of the state treasurer, in unallotted
11 status. The office may release the funds only when it determines that
12 all other funds designated for operations and maintenance purposes
13 have been exhausted.

14 (2) As long as the facility is tolled, the department must
15 provide annual reports to the transportation committees of the
16 legislature on the Interstate 405 express toll lane project
17 performance measures listed in RCW 47.56.880(4). These reports must
18 include:

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

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

31 (3) (a) \$708,000 of the Interstate 405 and state route number 167
32 express toll lanes account—state appropriation, \$1,651,000 of the
33 state route number 520 corridor account—state appropriation, \$709,000
34 of the Tacoma Narrows toll bridge account—state appropriation, and
35 \$932,000 of the Alaskan Way viaduct replacement project account—state
36 appropriation are provided solely for the department to finish
37 implementing a new tolling customer service toll collection system,
38 and are subject to the conditions, limitations, and review provided
39 in section 701 of this act.

1 (b) The department shall continue to work with the office of
2 financial management, office of the chief information officer, and
3 the transportation committees of the legislature on the project
4 management plan that includes a provision for independent
5 verification and validation of contract deliverables from the
6 successful bidder and a provision for quality assurance that includes
7 reporting independently to the office of the chief information
8 officer on an ongoing basis during system implementation.

9 (4) The department shall make detailed annual reports to the
10 transportation committees of the legislature and the public on the
11 department's website on the following:

12 (a) The toll adjudication process, including a summary table for
13 each toll facility that includes:

14 (i) An overview of the toll escalation process from pay by mail
15 to notice of civil penalty;

16 (ii) An overview, by facility, of the number tolls assessed a
17 civil penalty, penalties paid, transactions paid, penalties waived,
18 tolls paid after issuance of notice and number of hearings and
19 related transactions;

20 (iii) A narrative summary providing analysis and highlighting
21 trends of toll enforcement; and

22 (b) A summary of toll revenue by facility on all operating toll
23 facilities and express toll lane systems, and an itemized depiction
24 of the use of that revenue.

25 (5) \$24,735,000 of the Interstate 405 and state route number 167
26 express toll lanes account—state appropriation is provided solely for
27 operational costs related to the express toll lane facility.

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

1 (7) \$18,840,000 of the Alaskan Way viaduct replacement project
 2 account—state appropriation is provided solely for the new state
 3 route number 99 tunnel toll facility's expected share of collecting
 4 toll revenues, operating customer services, and maintaining toll
 5 collection systems. The legislature expects to see appropriate
 6 reductions to the other toll facility accounts once tolling on the
 7 new state route number 99 tunnel toll facility commences and any
 8 previously incurred costs for start-up of the new facility are
 9 charged back to the Alaskan Way viaduct replacement project account.
 10 The office of financial management shall closely monitor the
 11 application of the cost allocation model and ensure that the new
 12 state route number 99 tunnel toll facility is adequately sharing
 13 costs and the other toll facility accounts are not being overspent or
 14 subsidizing the new state route number 99 tunnel toll facility.

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

17	Transportation Partnership Account—State Appropriation . . .	\$1,379,000
18	Motor Vehicle Account—State Appropriation	\$108,163,000
19	Puget Sound Ferry Operations Account—State	
20	Appropriation	\$263,000
21	Multimodal Transportation Account—State	
22	Appropriation	\$2,716,000
23	Transportation 2003 Account (Nickel Account)—State	
24	Appropriation	\$1,392,000
25	TOTAL APPROPRIATION.	\$113,913,000

26 The appropriations in this section are subject to the following
 27 conditions and limitations: \$8,546,000 of the motor vehicle account—
 28 state appropriation is provided solely for the department's cost
 29 related to the one Washington project, and is subject to the
 30 conditions, limitations, and review requirements of section 701 of
 31 this act.

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

35	Motor Vehicle Account—State Appropriation	\$35,785,000
36	State Route Number 520 Corridor Account—State	
37	Appropriation	\$34,000

1 TOTAL APPROPRIATION. \$35,819,000

2 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
3 **TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

4 Motor Vehicle Account—State Appropriation \$10,000,000

5 The appropriations in this section are subject to the following
6 conditions and limitations: \$10,000,000 of the motor vehicle account—
7 state appropriation is provided solely for the department's cost
8 related to preserving transportation equipment.

9 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **AVIATION—PROGRAM F**

11 Aeronautics Account—State Appropriation \$7,485,000

12 Aeronautics Account—Federal Appropriation \$3,916,000

13 Aeronautics Account—Private/Local Appropriation \$60,000

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

15 TOTAL APPROPRIATION. \$12,461,000

16 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

18 Motor Vehicle Account—State Appropriation \$56,043,000

19 Motor Vehicle Account—Federal Appropriation \$500,000

20 Multimodal Transportation Account—State Appropriation . . . \$258,000

21 TOTAL APPROPRIATION. \$56,801,000

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

24 (1) The legislature recognizes that the trail known as the Rocky
25 Reach Trail, and its extensions, serve to separate motor vehicle
26 traffic from pedestrians and bicyclists, increasing motor vehicle
27 safety on state route number 2 and the coincident section of state
28 route number 97. Consistent with chapter 47.30 RCW and pursuant to
29 RCW 47.12.080, the legislature declares that transferring portions of
30 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
31 associated buffer areas to the Washington state parks and recreation
32 commission is consistent with the public interest. The legislature
33 directs the department to transfer the property to the Washington
34 state parks and recreation commission.

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

4 (b) Prior to completing the transfer in this subsection (1), the
5 department must ensure that provisions are made to accommodate
6 private and public utilities and any facilities that predate the
7 department's acquisition of the property, at no cost to those
8 entities. Prior to completing the transfer, the department shall also
9 ensure that provisions, by fair market assessment, are made to
10 accommodate other private and public utilities and any facilities
11 that have been legally allowed by permit or other instrument.

12 (c) The department may sell any adjoining property that is not
13 necessary to support the Rocky Reach Trail and adjacent buffer areas
14 only after the transfer of trail-related property to the Washington
15 state parks and recreation commission is complete. Adjoining property
16 owners must be given the first opportunity to acquire such property
17 that abuts their property, and applicable boundary line or other
18 adjustments must be made to the legal descriptions for recording
19 purposes.

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

28 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

30 Motor Vehicle Account—State Appropriation	\$617,000
31 Electric Vehicle Account—State Appropriation.	\$2,000,000
32 Multimodal Transportation Account—State Appropriation. . .	\$3,900,000
33 TOTAL APPROPRIATION.	\$6,517,000

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

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

1 (2) \$2,000,000 of the electric vehicle account—state
2 appropriation is provided solely for the clean alternative fuel
3 vehicle charging and refueling infrastructure program in chapter 287,
4 Laws of 2019 (advancing green transportation adoption).

5 (3) \$1,200,000 of the multimodal transportation account—state
6 appropriation is provided solely for the pilot program established
7 under chapter 287, Laws of 2019 (advancing green transportation
8 adoption) to provide clean alternative fuel vehicle use opportunities
9 to underserved communities and low to moderate income members of the
10 workforce not readily served by transit or located in transportation
11 corridors with emissions that exceed federal or state emissions
12 standards.

13 (4)(a) \$1,500,000 of the multimodal transportation account—state
14 appropriation is provided solely for an electric vehicle education
15 and promotion program that encourages electric vehicle purchases and
16 raises awareness about electric vehicle incentives. In particular,
17 the department shall provide customized outreach to low-income
18 individuals and low-income communities to increase consumer awareness
19 about electric vehicles and available incentives.

20 (b) For the purposes of this subsection:

21 (i) "Low income" means a resident of the state whose household
22 income is less than or equal to 300 percent of the federal poverty
23 level.

24 (ii) "Low income community" means a community in the state with
25 residents whose household income is less than or equal to 300 percent
26 of the federal poverty level.

27 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**
28 **HIGHWAY MAINTENANCE—PROGRAM M**

29	Motor Vehicle Account—State Appropriation	\$492,791,000
30	Motor Vehicle Account—Federal Appropriation	\$7,000,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation	\$4,097,000
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation	\$1,480,000
35	Alaskan Way Viaduct Replacement Project	
36	Account—State Appropriation	\$8,160,000
37	Interstate 405 and State Route Number 167 Express	
38	Toll Lanes Account—State Appropriation.	\$2,545,000

1	TOTAL APPROPRIATION.	\$516,073,000
2	<u>NEW SECTION.</u> Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—	
3	TRAFFIC OPERATIONS—PROGRAM Q—OPERATING	
4	Motor Vehicle Account—State Appropriation	\$73,172,000
5	Motor Vehicle Account—Federal Appropriation	\$2,050,000
6	Motor Vehicle Account—Private/Local Appropriation	\$250,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation.	\$160,000
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation.	\$1,080,000
11	TOTAL APPROPRIATION.	\$76,712,000

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

14 (1) \$6,000,000 of the motor vehicle account—state appropriation
15 is provided solely for low-cost enhancements. The department shall
16 give priority to low-cost enhancement projects that improve safety or
17 provide congestion relief. By December 15th of each odd-numbered
18 year, the department shall provide a report to the legislature
19 listing all low-cost enhancement projects completed in the prior
20 fiscal biennium.

21 (2) (a) During the 2021-2023 fiscal biennium, the department shall
22 continue a pilot program that expands private transportation
23 providers' access to high occupancy vehicle lanes. Under the pilot
24 program, when the department reserves a portion of a highway based on
25 the number of passengers in a vehicle, the following vehicles must be
26 authorized to use the reserved portion of the highway if the vehicle
27 has the capacity to carry eight or more passengers, regardless of the
28 number of passengers in the vehicle: (i) Auto transportation company
29 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
30 carrier vehicles regulated under chapter 81.70 RCW, except marked or
31 unmarked stretch limousines and stretch sport utility vehicles as
32 defined under department of licensing rules; (iii) private nonprofit
33 transportation provider vehicles regulated under chapter 81.66 RCW;
34 and (iv) private employer transportation service vehicles. For
35 purposes of this subsection, "private employer transportation
36 service" means regularly scheduled, fixed-route transportation
37 service that is offered by an employer for the benefit of its
38 employees. Nothing in this subsection is intended to authorize the

1 conversion of public infrastructure to private, for-profit purposes
2 or to otherwise create an entitlement or other claim by private users
3 to public infrastructure.

4 (b) The department shall expand the high occupancy vehicle lane
5 access pilot program to vehicles that deliver or collect blood,
6 tissue, or blood components for a blood-collecting or distributing
7 establishment regulated under chapter 70.335 RCW. Under the pilot
8 program, when the department reserves a portion of a highway based on
9 the number of passengers in a vehicle, blood-collecting or
10 distributing establishment vehicles that are clearly and identifiably
11 marked as such on all sides of the vehicle are considered emergency
12 vehicles and must be authorized to use the reserved portion of the
13 highway.

14 (c) The department shall expand the high occupancy vehicle lane
15 access pilot program to organ transport vehicles transporting a time
16 urgent organ for an organ procurement organization as defined in RCW
17 68.64.010. Under the pilot program, when the department reserves a
18 portion of a highway based on the number of passengers in a vehicle,
19 organ transport vehicles that are clearly and identifiably marked as
20 such on all sides of the vehicle are considered emergency vehicles
21 and must be authorized to use the reserved portion of the highway.

22 (d) The department shall expand the high occupancy vehicle lane
23 access pilot program to private, for hire vehicles regulated under
24 chapter 81.72 RCW that have been specially manufactured, designed, or
25 modified for the transportation of a person who has a mobility
26 disability and uses a wheelchair or other assistive device. Under the
27 pilot program, when the department reserves a portion of a highway
28 based on the number of passengers in a vehicle, wheelchair-accessible
29 taxicabs that are clearly and identifiably marked as such on all
30 sides of the vehicle are considered public transportation vehicles
31 and must be authorized to use the reserved portion of the highway.

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

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

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

1 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

3	Motor Vehicle Account—State Appropriation	\$35,994,000
4	Motor Vehicle Account—Federal Appropriation	\$780,000
5	Motor Vehicle Account—Private/Local Appropriation	\$500,000
6	Multimodal Transportation Account—State	
7	Appropriation	\$2,129,000
8	TOTAL APPROPRIATION.	\$39,403,000

9 The appropriations in this section are subject to the following
10 conditions and limitations: \$2,000,000 of the motor vehicle account—
11 state appropriation and \$1,000,000 of the multimodal transportation
12 account—state appropriation are provided solely for a grant program
13 that makes awards to nonprofit agencies, churches, and other entities
14 to perform outreach to populations underrepresented in the current
15 apprenticeship programs with an emphasis on outreach and support to
16 the juvenile rehabilitation and foster care communities to: (1)
17 Provide preapprenticeship training in one or more of the highway
18 construction trades; (2) support services that may include assistance
19 with transportation, child care, basic tools, housing, and other
20 barrier reducing support that are needed to help women, minorities,
21 veterans, and other disadvantaged individuals enter and succeed in
22 apprenticeship; (3) provide mentorship and retention training; and
23 (4) provide cultural competency training to foster and encourage a
24 safe and welcoming worksite for every person on all Washington state
25 department of transportation construction projects. This grant
26 program facilitates access to career connected learning
27 opportunities, including career awareness and exploration, career
28 preparation, and career launch programs, as defined in RCW
29 28C.30.020. The department must report on grants that have been
30 awarded and the amount of funds disbursed by December 1st each year.

31 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**

32 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

33	Interstate 405 and State Route Number 167 Express Toll Lanes	
34	Account—State Appropriation.	\$2,879,000
35	Motor Vehicle Account—State Appropriation	\$24,116,000
36	Motor Vehicle Account—Federal Appropriation	\$30,785,000
37	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
38	Multimodal Transportation Account—State Appropriation	\$1,066,000

1	Multimodal Transportation Account—Federal	
2	Appropriation	\$2,809,000
3	Multimodal Transportation Account—Private/Local	
4	Appropriation	\$100,000
5	TOTAL APPROPRIATION.	\$62,155,000

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

8 (1) \$2,879,000 of the high occupancy toll lanes operations
9 account—state appropriation is provided solely for updating the state
10 route number 167 master plan.

11 (2) \$500,000 of the multimodal transportation account—state
12 appropriation is provided for the department to partner with the
13 department of commerce in developing statewide vehicle miles traveled
14 targets and a process for developing geography specific vehicle miles
15 traveled targets based on the statewide vehicle miles traveled
16 targets. Given land use patterns are key factors in travel demand and
17 should be taken into consideration when developing the geography
18 specific targets, the department and the department of commerce shall
19 partner with local jurisdictions, regional transportation planning
20 organizations and other stakeholders to inventory existing laws and
21 rules that promote transportation and land use, identify gaps and
22 make recommendations for changes in laws, rules and agency guidance,
23 and establish a framework for considering underserved and rural
24 communities in the evaluation. The department and the department of
25 commerce shall provide an initial technical report by December 31,
26 2021, an interim report by June 22, 2022, and a final report to the
27 governor and legislature by June 30, 2023, that includes a process
28 for establishing geography specific vehicle miles traveled reduction
29 targets and funding requirements for state and local jurisdictions.

30 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
31 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

32	Motor Vehicle Account—State Appropriation	\$95,716,000
33	Multimodal Transportation Account—State	
34	Appropriation	\$8,119,000
35	TOTAL APPROPRIATION.	\$103,835,000

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

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

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

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

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

32 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
33 **PUBLIC TRANSPORTATION—PROGRAM V**

34 State Vehicle Parking Account—State Appropriation	\$784,000
35 Regional Mobility Grant Program Account—State	
36 Appropriation	\$93,939,000
37 Rural Mobility Grant Program Account—State	
38 Appropriation	\$33,168,000

1	Multimodal Transportation Account—State	
2	Appropriation	\$150,235,000
3	Multimodal Transportation Account—Federal	
4	Appropriation	\$3,574,000
5	Multimodal Transportation Account—Local	
6	Appropriation	\$100,000
7	TOTAL APPROPRIATION.	\$281,800,000

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

10 (1) \$62,821,000 of the multimodal transportation account—state
11 appropriation is provided solely for a grant program for special
12 needs transportation provided by transit agencies and nonprofit
13 providers of transportation. Of this amount:

14 (a) \$14,420,000 of the multimodal transportation account—state
15 appropriation is provided solely for grants to nonprofit providers of
16 special needs transportation. Grants for nonprofit providers must be
17 based on need, including the availability of other providers of
18 service in the area, efforts to coordinate trips among providers and
19 riders, and the cost effectiveness of trips provided.

20 (b) \$48,401,000 of the multimodal transportation account—state
21 appropriation is provided solely for grants to transit agencies to
22 transport persons with special transportation needs. To receive a
23 grant, the transit agency must, to the greatest extent practicable,
24 have a maintenance of effort for special needs transportation that is
25 no less than the previous year's maintenance of effort for special
26 needs transportation. Grants for transit agencies must be prorated
27 based on the amount expended for demand response service and route
28 deviated service in calendar year 2017 as reported in the "Summary of
29 Public Transportation - 2017" published by the department of
30 transportation. No transit agency may receive more than thirty
31 percent of these distributions.

32 (2) \$33,168,000 of the rural mobility grant program account—state
33 appropriation is provided solely for grants to aid small cities in
34 rural areas as prescribed in RCW 47.66.100.

35 (3) (a) \$10,290,000 of the multimodal transportation account—state
36 appropriation is provided solely for a vanpool grant program for: (i)
37 Public transit agencies to add vanpools or replace vans; and (ii)
38 incentives for employers to increase employee vanpool use. The grant
39 program for public transit agencies will cover capital costs only;

1 operating costs for public transit agencies are not eligible for
2 funding under this grant program. Additional employees may not be
3 hired from the funds provided in this section for the vanpool grant
4 program, and supplanting of transit funds currently funding vanpools
5 is not allowed. The department shall encourage grant applicants and
6 recipients to leverage funds other than state funds.

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) \$16,261,000 of the regional mobility grant program account—
10 state appropriation is reappropriated and provided solely for the
11 regional mobility grant projects identified in OFM Transportation
12 Document 21GOV001 as developed December 17, 2020, Program - Public
13 Transportation Program (V).

14 (5) (a) \$77,679,000 of the regional mobility grant program account
15 —state appropriation and \$5,000,000 of the multimodal transportation
16 account—state appropriation are provided solely for the regional
17 mobility grant projects identified in OFM Transportation Document
18 21GOV001 as developed December 17, 2020, Program - Public
19 Transportation Program (V). The department shall review all projects
20 receiving grant awards under this program at least semiannually to
21 determine whether the projects are making satisfactory progress. Any
22 project that has been awarded funds, but does not report activity on
23 the project within one year of the grant award, must be reviewed by
24 the department to determine whether the grant should be terminated.
25 The department shall promptly close out grants when projects have
26 been completed, and any remaining funds must be used only to fund
27 projects identified in the OFM transportation document referenced in
28 this subsection. The department shall provide annual status reports
29 on December 15, 2021, and December 15, 2022, to the office of
30 financial management and the transportation committees of the
31 legislature regarding the projects receiving the grants. It is the
32 intent of the legislature to appropriate funds through the regional
33 mobility grant program only for projects that will be completed on
34 schedule. A grantee may not receive more than 25 percent of the
35 amount appropriated in this subsection. Additionally, when allocating
36 funding for the 2021-2023 biennium, no more than thirty percent of
37 the total grant program may directly benefit or support one grantee.
38 The department shall not approve any increases or changes to the

1 scope of a project for the purpose of a grantee expending remaining
2 funds on an awarded grant.

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

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

20 (7) \$6,500,000 of the multimodal transportation account—state
21 appropriation and \$784,000 of the state vehicle parking account—state
22 appropriation are provided solely for CTR grants and activities. Of
23 this amount:

24 (a) \$30,000 of the state vehicle parking account—state
25 appropriation is provided solely for the STAR pass program for state
26 employees residing in Mason and Grays Harbor counties. Use of the
27 pass is for public transportation between Mason county and Thurston
28 county, and Grays Harbor and Thurston county. The pass may also be
29 used within Grays Harbor county. The STAR pass commute trip reduction
30 program is open to any state employee who expresses intent to commute
31 to his or her assigned state worksite using a public transit system
32 currently participating in the STAR pass program.

33 (b) \$800,000 of the multimodal transportation account—state
34 appropriation is for the continuation of the first mile/last mile
35 connections grant program. Eligible grant recipients include cities,
36 businesses, nonprofits, and transportation network companies with
37 first mile/last mile solution proposals. Transit agencies are not
38 eligible. The commute trip reduction board shall develop grant
39 parameters, evaluation criteria, and evaluate grant proposals. The

1 commute trip reduction board shall provide the transportation
2 committees of the legislature a report on the effectiveness of this
3 grant program and best practices for continuing the program.

4 (8) Except as provided otherwise in this subsection, \$28,263,000
5 of the multimodal transportation account—state appropriation is
6 provided solely for connecting Washington transit projects identified
7 in OFM Transportation Document 21GOV001 as developed December 17,
8 2020. It is the intent of the legislature that entities identified to
9 receive funding in the OFM document referenced in this subsection
10 receive the amounts specified in the time frame specified in that OFM
11 document. If an entity has already completed a project in the OFM
12 document referenced in this subsection before the time frame
13 identified, the entity may substitute another transit project or
14 projects that cost a similar or lesser amount.

15 (9) The department shall not require more than a 10 percent match
16 from nonprofit transportation providers for state grants.

17 (10) \$31,993,000 of the multimodal transportation account—state
18 appropriation is provided solely for the green transportation capital
19 grant program established in chapter 287, Laws of 2019 (advancing
20 green transportation adoption).

21 (11) \$555,000 of the multimodal transportation account—state
22 appropriation is provided solely for an interagency transfer to the
23 Washington State University extension energy program to establish and
24 administer a technical assistance and education program for public
25 agencies on the use of alternative fuel vehicles.

26 (12) \$350,000 of the multimodal fund—state appropriation is
27 provided solely for a telework assistance pilot program. Program
28 objectives include improving transportation system performance,
29 supporting economic vitality, and increasing equity and access to
30 opportunity. This program shall be developed jointly by the
31 transportation demand management executive board and transportation
32 demand management technical committee to provide human resources
33 assistance and management consultation to entities including but not
34 limited to businesses, nonprofits, and local and regional governments
35 on telework best practices. The transportation demand management
36 executive board and transportation demand management technical
37 committee shall jointly report to the transportation committees of
38 the legislature and the office of financial management on the

1 effectiveness of this grant program, lessons learned, and best
2 practices for continuing the program by September 30, 2022.

3 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **MARINE—PROGRAM X**

5	Puget Sound Ferry Operations Account—State	
6	Appropriation	\$517,469,000
7	Puget Sound Ferry Operations Account—Federal	
8	Appropriation	\$12,461,000
9	Puget Sound Ferry Operations Account—Private/Local	
10	Appropriation	\$121,000
11	TOTAL APPROPRIATION.	\$530,051,000

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

14 (1) The office of financial management budget instructions
15 require agencies to recast enacted budgets into activities. The
16 Washington state ferries shall include a greater level of detail in
17 its 2021-2023 supplemental and 2023-2025 omnibus transportation
18 appropriations act requests, as determined jointly by the office of
19 financial management, the Washington state ferries, and the
20 transportation committees of the legislature. This level of detail
21 must include the administrative functions in the operating as well as
22 capital programs.

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

27 (3) \$73,161,000 of the Puget Sound ferry operations account—state
28 appropriation is provided solely for auto ferry vessel operating fuel
29 in the 2021-2023 fiscal biennium, which reflect cost savings from a
30 reduced biodiesel fuel requirement and, therefore, is contingent upon
31 the enactment of section 702 of this act. The amount provided in this
32 subsection represents the fuel budget for the purposes of calculating
33 any ferry fare fuel surcharge. The department shall review future use
34 of alternative fuels and dual fuel configurations, including
35 hydrogen.

36 (4) \$500,000 of the Puget Sound ferry operations account—state
37 appropriation is provided solely for operating costs related to

1 moving vessels for emergency capital repairs. Funds may only be spent
2 after approval by the office of financial management.

3 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **RAIL—PROGRAM Y—OPERATING**

5 Multimodal Transportation Account—State
6 Appropriation \$83,212,000
7 Multimodal Transportation Account—Private/Local
8 Appropriation \$46,000
9 TOTAL APPROPRIATION. \$83,258,000

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

12 (1) The department is directed to continue to pursue efforts to
13 reduce costs, increase ridership, and review Amtrak Cascades fares
14 and fare schedules. Within 30 days of each annual cost/revenue
15 reconciliation under the Amtrak service contract, the department
16 shall report annual credits to the office of financial management and
17 the legislative transportation committees. Annual credits from Amtrak
18 to the department including, but not limited to, credits due to
19 higher ridership, reduced level of service, and fare or fare schedule
20 adjustments, must be used to offset corresponding amounts of the
21 multimodal transportation account—state appropriation, which must be
22 placed in reserve.

23 (2) (a) \$3,250,000 of the multimodal transportation account—state
24 appropriation is provided solely for development of a coordinating
25 entity, integration into regional transportation plans, and public
26 engagement for an ultra high-speed corridor system in Washington,
27 Oregon, and British Columbia. "Ultra high-speed" means a maximum
28 testing speed of at least 250 miles per hour. The work must build on
29 the results of the 2020 Washington state ultra high-speed ground
30 transportation governance and financing analysis.

31 (b) Specifically, the work to develop a coordinating entity must
32 prepare the corridor for project initiation by working with relevant
33 government agencies and private sector entities, identifying and
34 solidifying a common vision and goals for the project, advancing
35 preenvironmental clearance and conceptual engineering, and developing
36 a consistent project approach needed to plan for and advance the
37 development of the corridor and a future development authority. The
38 work to integrate the project into regional transportation plans and

1 the public engagement work must facilitate and inform a future
2 environmental analysis. Funding in this appropriation may be used for
3 matching funds for federal grants and related staff support for the
4 project. The department shall provide a report to the governor and
5 transportation committees of the legislature by June 30, 2023.

6 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

8	Motor Vehicle Account—State Appropriation	\$10,224,000
9	Motor Vehicle Account—Federal Appropriation	\$2,567,000
10	Multiuse Roadway Safety Account—State Appropriation	\$132,000
11	TOTAL APPROPRIATION.	\$12,923,000

12 The appropriations in this section are subject to the following
13 conditions and limitations: The entire multiuse roadway safety
14 account—state appropriation is provided solely for grants under RCW
15 46.09.540, subject to the following limitations:

- 16 (1) 25 percent of the amounts provided are reserved for counties
17 that each have a population of 15,000 persons or less;
- 18 (2)(a) 75 percent of the amounts provided are reserved for
19 counties that each have a population exceeding 15,000 persons; and
- 20 (b) No county that receives a grant or grants under this section
21 may receive more than \$60,000 in total grants.

22 **TRANSPORTATION AGENCIES—CAPITAL**

23 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
24 **INVESTMENT BOARD**

25	Freight Mobility Investment Account—State	
26	Appropriation	\$17,190,000
27	Freight Mobility Multimodal Account—State	
28	Appropriation	\$18,958,000
29	TOTAL APPROPRIATION.	\$36,148,000

30 The appropriations in this section are subject to the following
31 conditions and limitations: The appropriations in this section are
32 for the projects by amount, as listed in the OFM Transportation
33 Document 21GOV002 as developed December 17, 2020.

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

1 State Patrol Highway Account—State Appropriation \$3,456,000

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

4 The entire appropriation in this section is for the following
5 projects:

- 6 (1) \$350,000 for emergency repairs;
- 7 (2) \$695,000 for roof replacements;
- 8 (3) \$350,000 for fuel tank decommissioning;
- 9 (4) \$750,000 for generator and electrical replacement;
- 10 (5) \$195,000 for Yakima office exterior envelope;
- 11 (6) \$466,000 for snow cat equipment shelter; and
- 12 (7) \$650,000 for weatherization at Bow Hill and SeaTac North.

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

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

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

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

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

33 The appropriations in this section are subject to the following
34 conditions and limitations: \$2,500,000 of the transportation
35 improvement account—state appropriation is for the Relight Washington
36 Program. The transportation improvement board shall conduct a survey
37 of all cities that are not currently eligible for the Relight

1 Washington Program to determine demand for the program regardless of
2 the current eligibility criteria.

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

6 Motor Vehicle Account—State Appropriation	\$9,427,000
7 Connecting Washington Account—State Appropriation	\$18,289,000
8 TOTAL APPROPRIATION.	\$27,716,000

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

11 (1) \$3,289,000 of the connecting Washington account—state
12 appropriation is for a new Olympic region maintenance and
13 administration facility to be located on the department-owned site at
14 the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

15 (2) (a) \$2,900,000 of the motor vehicle account—state
16 appropriation is for the department facility located at 15700 Dayton
17 Ave N in Shoreline.

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

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

23 Transportation Partnership Account—State	
24 Appropriation	\$140,768,000
25 Motor Vehicle Account—State Appropriation	\$74,172,000
26 Motor Vehicle Account—Federal Appropriation	\$245,980,000
27 Motor Vehicle Account—Private/Local Appropriation	\$38,703,000
28 State Route Number 520 Corridor Account—State	
29 Appropriation.	\$15,940,000
30 Connecting Washington Account—State	
31 Appropriation	\$2,034,734,000
32 Special Category C Account—State Appropriation	\$119,560,000
33 Multimodal Transportation Account—State	
34 Appropriation	\$984,000
35 Transportation 2003 Account (Nickel Account)—State	
36 Appropriation	\$149,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation.	\$32,308,000
3	TOTAL APPROPRIATION.	\$2,703,298,000

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

6 (1) (a) 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 for the
9 projects and activities as listed by fund, project, and amount in OFM
10 Transportation Document 21GOV001 as developed December 17, 2020,
11 Program - Highway Improvements Program (I). Limited transfers of
12 specific line-item project appropriations may occur between projects
13 for those amounts listed subject to the conditions and limitations in
14 section 601 of this act.

15 (b) The OFM document referenced in (a) of this subsection
16 contains the entirety of projects in Program - Highway Improvements
17 Program (I) that may receive funding during the 2021-2023 biennium.
18 However, the connecting Washington account—state appropriation
19 provided in this section for the projects in the OFM document assumes
20 not all projects will be fully funded during the biennium. The
21 governor and the office of financial management will work with the
22 members and appropriate committees of the legislature to determine
23 which projects will be prioritized so that the appropriation amount
24 is not exceeded.

25 (2) Except as provided otherwise in this section, the entire
26 motor vehicle account—state appropriation and motor vehicle account—
27 federal appropriation are for the projects and activities listed in
28 OFM Transportation Document 21GOV001 as developed December 17, 2020,
29 Program - Highway Improvements Program (I). Any federal funds gained
30 through efficiencies, adjustments to the federal funds forecast,
31 additional congressional action not related to a specific project or
32 purpose, or the federal funds redistribution process must then be
33 applied to highway and bridge preservation activities or fish passage
34 barrier corrections (0BI4001).

35 (3) Within the motor vehicle account—state appropriation, motor
36 vehicle account—federal appropriation, and the connecting Washington
37 account—state appropriation, the department may transfer funds
38 between programs I and P, except for funds that are otherwise
39 restricted in this act. 10 days prior to any transfer, the department

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

6 (4) The connecting Washington account—state appropriation
7 includes up to \$1,834,563,000 in proceeds from the sale of bonds
8 authorized in RCW 47.10.889.

9 (5) The special category C account—state appropriation includes
10 up to \$102,323,000 in proceeds from the sale of bonds authorized in
11 RCW 47.10.812.

12 (6) The transportation partnership account—state appropriation
13 includes up to \$42,204,000 in proceeds from the sale of bonds
14 authorized in RCW 47.10.873.

15 (7) \$60,450,000 of the transportation partnership account—state
16 appropriation, \$2,258,000 of the motor vehicle account—private/local
17 appropriation, and \$984,000 of the multimodal transportation account—
18 state appropriation are for the SR 99/Alaskan Way Viaduct Replacement
19 project (809936Z). It is the intent of the legislature that the
20 \$25,000,000 increase in funding provided in the 2021-2023 fiscal
21 biennium be covered by any legal damages paid to the state as a
22 result of a lawsuit related to contractual provisions for
23 construction and delivery of the Alaskan Way viaduct replacement
24 project. The legislature intends that the \$25,000,000 of the
25 transportation partnership account—state funds be repaid when those
26 damages are recovered.

27 (8) \$205,656,000 of the connecting Washington account—state
28 appropriation is for the US 395 North Spokane Corridor project
29 (M00800R).

30 (9) \$14,827,000 of the Interstate 405 and state route number 167
31 express toll lanes account—state appropriation is for the I-405/SR
32 522 to I-5 Capacity Improvements project (L2000234) for activities
33 related to adding capacity on Interstate 405 between state route
34 number 522 and Interstate 5, with the goals of increasing vehicle
35 throughput and aligning project completion with the implementation of
36 bus rapid transit in the vicinity of the project.

37 (10)(a) \$492,349,000 of the connecting Washington account—state
38 appropriation and \$355,000 of the motor vehicle account—private/local

1 appropriation are for the SR 520 Seattle Corridor Improvements - West
2 End project (M00400R).

3 (b) Upon completion of the Montlake Phase of the West End project
4 (current anticipated contract completion of 2023), WSDOT shall sell
5 that portion of the property not used for permanent transportation
6 improvements and initiate a process to convey that surplus property
7 to a subsequent owner.

8 (11) \$435,783,000 of the connecting Washington account—state
9 appropriation, \$82,165,000 of the motor vehicle account—federal
10 appropriation, \$13,500,000 of the motor vehicle account—private/local
11 appropriation, and \$2,500,000 of the motor vehicle account—state
12 appropriation are for the SR 167/SR 509 Puget Sound Gateway project
13 (M00600R).

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

16 (b) In making budget allocations to the Puget Sound Gateway
17 project, the department shall continue to collaborate with the
18 affected stakeholders as it implements the corridor construction and
19 implementation plan for state route number 167 and state route number
20 509.

21 (c) The department shall explore the development of a multiuse
22 trail for bicyclists, pedestrians, skateboarders, and similar users
23 along the SR 167 right-of-way acquired for the project to connect a
24 network of new and existing trails from Mount Rainier to Point
25 Defiance Park.

26 (12) The department shall itemize all future requests for the
27 construction of buildings on a project list and submit them through
28 the transportation executive information system as part of the
29 department's annual budget submittal.

30 (13) \$22,142,000 of the motor vehicle account—state appropriation
31 and \$7,883,000 of the motor vehicle account—private/local
32 appropriation are to support a project office and the continued work
33 towards replacement of the Interstate 5 bridge across the Columbia
34 river (G2000088).

35 (14) (a) \$672,500,000 of the connecting Washington account—state
36 appropriation, \$52,036,000 of the motor vehicle account—federal
37 appropriation, and \$1,849,000 of the motor vehicle account—state
38 appropriation are provided solely for the Fish Passage Barrier

1 project (OBI4001) with the intent of fully complying with the court
2 injunction by 2030.

3 (b) The Washington state department of transportation is directed
4 to pursue compliance with the *U.S. v. Washington* permanent injunction
5 by delivering culvert corrections within the injunction area guided
6 by the principle of providing the greatest fisheries habitat gain at
7 the earliest time and considering the following factors: Opportunity
8 to bundle projects, tribal priorities, ability to leverage
9 investments by others, presence of other barriers, project readiness,
10 culvert condition, other transportation projects in the area, and
11 transportation impacts.

12 (15) \$7,874,000 of the connecting Washington account—state
13 appropriation is for the I-90/Barker to Harvard - Improve
14 Interchanges & Local Roads project (L2000122). The connecting
15 Washington account appropriation for the improvements that fall
16 within the city of Liberty Lake may only be expended if the city of
17 Liberty Lake agrees to cover any project costs within the city of
18 Liberty Lake above the \$20,900,000 of state appropriation provided
19 for the total project in OFM Transportation Document 21GOV001 as
20 developed December 17, 2020, Program - Highway Improvements (I).

21 (16) \$15,189,000 of the motor vehicle account—federal
22 appropriation, \$259,000 of the motor vehicle account—state
23 appropriation, and \$15,481,000 of the Interstate 405 and state route
24 number 167 express toll lanes account—state appropriation are for the
25 SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

26 (17) \$18,054,000 of the Special Category C account—state
27 appropriation is for the SR 18 Widening - Issaquah/Hobart Rd to
28 Raging River project (L1000199) for improving and widening state
29 route number 18 to four lanes from Issaquah-Hobart Road to Raging
30 River.

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

33	Recreational Vehicle Account—State Appropriation	\$1,520,000
34	Transportation Partnership Account—State	
35	Appropriation	\$16,394,000
36	Motor Vehicle Account—State Appropriation	\$85,444,000
37	Motor Vehicle Account—Federal Appropriation	\$476,447,000
38	Motor Vehicle Account—Private/Local	

1	Appropriation	\$10,792,000
2	State Route Number 520 Corridor Account—State	
3	Appropriation	\$1,891,000
4	Connecting Washington Account—State Appropriation . . .	\$419,095,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation	\$9,730,000
7	Alaskan Way Viaduct Replacement Project Account—State	
8	Appropriation.	\$314,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$26,039,000
11	Transportation 2003 Account (Nickel Account)—State	
12	Appropriation	\$49,105,000
13	TOTAL APPROPRIATION.	\$1,096,771,000

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

16 (1) Except as provided otherwise in this section, the entire
17 connecting Washington account—state appropriation and the entire
18 transportation partnership account—state appropriation are for the
19 projects and activities as listed by fund, project, and amount in OFM
20 Transportation Document 21GOV001 as developed December 17, 2020,
21 Program - Highway Preservation Program (P). Limited transfers of
22 specific line-item project appropriations may occur between projects
23 for those amounts listed subject to the conditions and limitations in
24 section 601 of this act.

25 (2) Except as provided otherwise in this section, the entire
26 motor vehicle account—state appropriation and motor vehicle account—
27 federal appropriation are for the projects and activities listed in
28 OFM Transportation Document 21GOV001 as developed December 17, 2020,
29 Program - Highway Preservation Program (P). Any federal funds gained
30 through efficiencies, adjustments to the federal funds forecast,
31 additional congressional action not related to a specific project or
32 purpose, or the federal funds redistribution process must then be
33 applied to highway and bridge preservation activities or fish passage
34 barrier corrections (0BI4001).

35 (3) Within the motor vehicle account—state appropriation, the
36 motor vehicle account—federal appropriation, and the connecting
37 Washington account—state appropriation the department may transfer
38 funds between programs I and P, except for funds that are otherwise
39 restricted in this act. 10 days prior to any transfer, the department

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

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

20 (5) \$4,000,000 of the motor vehicle account—state appropriation
21 is for extraordinary costs incurred from litigation awards,
22 settlements, or dispute mitigation activities not eligible for
23 funding from the self-insurance fund. The amount provided in this
24 subsection must be held in unallotted status until the department
25 submits a request to the office of financial management that includes
26 documentation detailing litigation-related expenses. The office of
27 financial management may release the funds only when it determines
28 that all other funds designated for litigation awards, settlements,
29 and dispute mitigation activities have been exhausted. No funds
30 provided in this subsection may be expended on any legal fees related
31 to the SR 99/Alaskan Way viaduct replacement project (809936Z).

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

36 (7) The department must consult with the Washington state patrol
37 and the office of financial management during the design phase of any
38 improvement or preservation project that could impact Washington
39 state patrol weigh station operations. During the design phase of any
40 such project, the department must estimate the cost of designing

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

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 OFM
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 (9) The transportation 2003 account (nickel account)—state
11 appropriation includes up to \$21,040,000 in proceeds from the sale of
12 bonds authorized in RCW 47.10.861.

13 (10) The connecting Washington account—state appropriation
14 includes up to \$379,246,000 in proceeds from the sale of bonds
15 authorized in RCW 47.10.889.

16 (11)(a) \$11,679,000 of the motor vehicle account—federal
17 appropriation is for accelerating preservation projects that ensure
18 the reliable movement of freight on the national highway freight
19 system. The department shall give priority to those projects that can
20 be advertised by September 30, 2021.

21 (b) \$1,500,000 of the amount provided in this subsection is
22 provided solely for the department to conduct a truck parking study.
23 The report is due to the office of financial management and the
24 appropriate committees of the legislature by December 1, 2021.

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

27	Motor Vehicle Account—State Appropriation	\$7,694,000
28	Motor Vehicle Account—Federal Appropriation	\$3,354,000
29	Motor Vehicle Account—Private/Local Appropriation	\$500,000
30	Multimodal Transportation Account—State Appropriation. . .	\$1,935,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$900,000
33	TOTAL APPROPRIATION.	\$14,383,000

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

36	Puget Sound Capital Construction Account—State	
37	Appropriation	\$138,791,000

1	Puget Sound Capital Construction Account—Federal	
2	Appropriation	\$119,704,000
3	Puget Sound Capital Construction Account—Private/Local	
4	Appropriation	\$312,000
5	Transportation Partnership Account—State	
6	Appropriation	\$8,410,000
7	Connecting Washington Account—State Appropriation	\$210,640,000
8	Capital Vessel Replacement Account—State	
9	Appropriation.	\$187,953,000
10	Multimodal Transportation Account—State Appropriation. . .	\$190,200,000
11	TOTAL APPROPRIATION.	\$856,010,000

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

14 (1) Except as provided otherwise in this section, the entire
15 appropriations in this section are for the projects and activities as
16 listed in OFM Transportation Document 21GOV001 as developed December
17 17, 2020, Program - Washington State Ferries Capital Program (W).

18 (2) \$22,320,000 of the Puget Sound capital construction account—
19 federal appropriation, \$71,293,000 of the connecting Washington
20 account—state appropriation, and \$811,000 of the Puget Sound capital
21 construction account—state appropriation are for the Seattle Terminal
22 Replacement project (900010L).

23 (3) \$5,000,000 of the Puget Sound capital construction account—
24 state appropriation is for emergency capital repair costs (999910K).
25 Funds may only be spent after approval by the office of financial
26 management.

27 (4) \$1,277,000 of the Puget Sound capital construction account—
28 state appropriation is for the ORCA acceptance project (L2000300).
29 The ferry system shall work with Washington technology solutions and
30 the tolling division on the development of a new, interoperable
31 ticketing system.

32 (5) \$24,750,000 of the Puget Sound capital construction account—
33 state appropriation is for the conversion of up to two Jumbo Mark II
34 vessels to electric hybrid propulsion. \$28,500,000 of the multimodal
35 transportation account—state appropriation is for the conversion of
36 the MV Tacoma state ferry to hybrid electric propulsion (G2000084).
37 The department shall seek additional funds for the purposes of this
38 subsection.

1 (6) \$187,953,000 of the capital vessel replacement account—state
2 appropriation is for the acquisition of a 144-car hybrid-electric
3 vessel (L2000329). \$93,700,000 of the multimodal transportation
4 account—state appropriation is for the acquisition of a second 144-
5 car hybrid-electric vessel (G2000098). The commencement of
6 construction of new vessels for the ferry system is important not
7 only for safety reasons, but also to keep skilled marine construction
8 jobs in the Puget Sound region and to sustain the capacity of the
9 region to meet the ongoing construction and preservation needs of the
10 ferry system fleet of vessels. The legislature has determined that
11 the current vessel procurement process must move forward with all due
12 speed, balancing the interests of both the taxpayers and shipyards.
13 To accomplish construction of vessels in accordance with RCW
14 47.60.810, the prevailing shipbuilder, for vessels initially funded
15 after July 1, 2020, is encouraged to follow the historical practice
16 of subcontracting the construction of ferry superstructures to a
17 separate nonaffiliated contractor located within the Puget Sound
18 region, that is qualified in accordance with RCW 47.60.690.

19 (7) The connecting Washington account—state appropriation
20 includes up to \$101,000,000 in proceeds from the sale of bonds
21 authorized in RCW 47.10.889.

22 (8) \$50,000,000 of the multimodal transportation account—state
23 appropriation is for the acquisition, engineering, and installation
24 of electric charging equipment to support state hybrid electric
25 ferries at Seattle, Bainbridge, and either Mukilteo or Clinton
26 terminals (G2000096).

27 (9) \$18,000,000 of the multimodal transportation account—state
28 appropriation is for the purchase of equipment and materials to
29 contribute to the construction of a third hybrid Olympic class vessel
30 (G2000097).

31 (10) The capital vessel replacement account—state appropriation
32 includes up to \$150,030,000 in proceeds from the sale of bonds
33 authorized in RCW 47.10.873.

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

36	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
37	Transportation Infrastructure Account—State	
38	Appropriation	\$5,456,000

1	Multimodal Transportation Account—State	
2	Appropriation	\$72,867,000
3	Multimodal Transportation Account—Federal	
4	Appropriation	\$41,219,000
5	TOTAL APPROPRIATION.	\$120,092,000

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

8 (1) Except as provided otherwise in this section, the entire
9 appropriations in this section are for the projects and activities as
10 listed by project and amount in OFM Transportation Document 21GOV001
11 as developed December 17, 2020, Program - Rail Program (Y).

12 (2) \$5,089,000 of the transportation infrastructure account—state
13 appropriation is for new low-interest loans approved by the
14 department through the freight rail investment bank (FRIB) program.
15 The department shall issue FRIB program loans with a repayment period
16 of no more than 10 years, and charge only so much interest as is
17 necessary to recoup the department's costs to administer the loans.
18 The department shall report annually to the transportation committees
19 of the legislature and the office of financial management on all FRIB
20 loans issued.

21 (3) \$7,040,000 of the multimodal transportation account—state
22 appropriation is for new statewide emergent freight rail assistance
23 projects identified in the OFM transportation document referenced in
24 subsection (1) of this section.

25 (4) \$367,000 of the transportation infrastructure account—state
26 appropriation and \$1,100,000 of the multimodal transportation account
27 —state appropriation are to reimburse Highline Grain, LLC for
28 approved work completed on Palouse River and Coulee City (PCC)
29 railroad track in Spokane county between the BNSF Railway Interchange
30 at Cheney and Geiger Junction and must be administered in a manner
31 consistent with freight rail assistance program projects. The value
32 of the public benefit of this project is expected to meet or exceed
33 the cost of this project in: Shipper savings on transportation costs;
34 jobs saved in rail-dependent industries; and/or reduced future costs
35 to repair wear and tear on state and local highways due to fewer
36 annual truck trips (reduced vehicle miles traveled). The amounts
37 provided in this subsection are not a commitment for future
38 legislatures, but it is the legislature's intent that future

1 legislatures will work to approve biennial appropriations until the
2 full \$7,337,000 cost of this project is reimbursed.

3 (5) (a) \$550,000 of the essential rail assistance account—state
4 appropriation is for the purpose of the rehabilitation and
5 maintenance of the Palouse river and Coulee City railroad line
6 (F01111B).

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

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

12 (ii) Revenues from trackage rights agreement fees paid by
13 shippers; and

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

18 (6) The department shall issue a call for projects for the
19 freight rail assistance program, and shall evaluate the applications
20 in a manner consistent with past practices as specified in section
21 309, chapter 367, Laws of 2011. By November 15, 2022, the department
22 shall submit a prioritized list of recommended projects to the office
23 of financial management and the transportation committees of the
24 legislature.

25 (7) \$12,077,000 of the multimodal transportation account—state
26 appropriation is for expenditure authority for any insurance proceeds
27 received by the state for Passenger Rail Equipment Replacement
28 (project 700010C.) The department must use this expenditure authority
29 only to purchase replacement equipment that has been competitively
30 procured and for service recovery needs and corrective actions
31 related to the December 2017 derailment.

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

34	Highway Infrastructure Account—State Appropriation	\$793,000
35	Highway Infrastructure Account—Federal Appropriation	\$1,600,000
36	Transportation Partnership Account—State	
37	Appropriation	\$750,000
38	Motor Vehicle Account—State Appropriation	\$13,134,000

1	Motor Vehicle Account—Federal Appropriation	\$76,598,000
2	Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
3	Connecting Washington Account—State Appropriation	\$100,708,000
4	Multimodal Transportation Account—State	
5	Appropriation	\$68,983,000
6	TOTAL APPROPRIATION.	\$269,166,000

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

9 (1) Except as provided otherwise in this section, the entire
10 appropriations in this section are for the projects and activities as
11 listed by project and amount in OFM Transportation Document 21GOV001
12 as developed December 17, 2020, Program - Local Programs Program (Z).

13 (2) The amounts identified in the OFM transportation document
14 referenced under subsection (1) of this section for pedestrian
15 safety/safe routes to schools are as follows:

16 (a) \$33,380,000 of the multimodal transportation account—state
17 appropriation is for newly selected pedestrian and bicycle safety
18 program projects. \$9,233,000 of the multimodal transportation account
19 —state appropriation is reappropriated for pedestrian and bicycle
20 safety program projects selected in the previous biennia (L2000188).

21 (b) \$11,400,000 of the motor vehicle account—federal
22 appropriation and \$12,750,000 of the multimodal transportation
23 account—state appropriation are provided solely for newly selected
24 safe routes to school projects. \$7,944,000 of the motor vehicle
25 account—federal appropriation and \$4,647,000 of the multimodal
26 transportation account—state appropriation are reappropriated for
27 safe routes to school projects selected in the previous biennia
28 (L2000189). The department may consider the special situations facing
29 high-need areas, as defined by schools or project areas in which the
30 percentage of the children eligible to receive free and reduced-price
31 meals under the national school lunch program is equal to, or greater
32 than, the state average as determined by the department, when
33 evaluating project proposals against established funding criteria
34 while ensuring continued compliance with federal eligibility
35 requirements.

36 (c) The Washington state department of transportation is directed
37 to identify locations on state routes that align with local plans and
38 priorities, contribute to connectivity of the active transportation
39 network, and address safety, equity, and demand needs. Funds may be

1 used for improved pedestrian crossings, installation of bike
2 facilities or shared-use paths, speed management measures, and other
3 treatments intended to reduce serious injury and fatal collisions and
4 improve mobility and accessibility, as identified through a statewide
5 approach to planning for active transportation. These funds may be
6 added to funds from other sources, including federal, state, local,
7 and private sources, to enable application of a practical solutions
8 approach that results in cost-effective and efficient projects and
9 programmed activities. The Washington state department of
10 transportation will provide a list of locations improved through this
11 effort as part of the required Pedestrian and Bicyclist Program/Safe
12 Routes to Schools reports.

13 (3) The department shall submit a report to the transportation
14 committees of the legislature by December 1, 2021, and December 1,
15 2022, on the status of projects funded as part of the pedestrian
16 safety/safe routes to school grant program. The report must include,
17 but is not limited to, a list of projects selected and a brief
18 description of each project's status.

19 (4) \$5,030,000 of the multimodal transportation account—state
20 appropriation is for bicycle and pedestrian projects listed in the
21 OFM transportation document referenced in subsection (1) of this
22 section.

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

26 (6) \$45,400,000 of the motor vehicle account—federal
27 appropriation is for national highway freight network projects
28 identified on the project list submitted in accordance with section
29 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016 (L1000169).

30 (7) The department shall convene a Washington freight advisory
31 committee, and in doing so, shall follow the recommendations from the
32 freight stakeholder group contained in the report submitted to the
33 governor and the transportation committees of the legislature on
34 December 1, 2020. In following those recommendations, when the
35 department updates its federally-compliant freight plan, it shall
36 consult the Washington freight advisory committee on the freight plan
37 update and on the investment plan component that describes how the
38 estimated funding allocation for the national highway freight program
39 for federal fiscal years 2021-2025 will be invested and matched. The
40 department shall complete the freight plan update in compliance with

1 federal requirements and deadlines and shall provide a prioritized
2 freight project list when submitting its 2022 supplemental budget
3 request.

4 (8) \$11,679,000 of the motor vehicle account—federal
5 appropriation is for acceleration of local preservation projects that
6 ensure the reliable movement of freight on the national highway
7 freight system (G2000100). The department will identify projects
8 through its current national highway system asset management call for
9 projects with applications due in February 2021. The department shall
10 give priority to those projects that can be obligated by September
11 30, 2021.

12 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
13 **CAPITAL PROGRAM**

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

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

32 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
33 **CAPITAL PROGRAM**

34 On a quarterly basis, the department of transportation shall
35 provide to the office of financial management and the legislative
36 transportation committees the following reports for all capital
37 programs:

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

1 (a) A TEIS version containing actual capital expenditures for all
2 projects consistent with the structure of the most recently enacted
3 budget;

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

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

10 (d) Projected costs and schedule for individual projects that are
11 funded at a programmatic level for projects relating to bridge rail,
12 guard rail, fish passage barrier removal, roadside safety projects,
13 and seismic bridges. Projects within this programmatic level funding
14 must be completed on a priority basis and scoped to be completed
15 within the current programmatic budget;

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

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

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

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

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

25 (a) Compare the costs and operationally complete date for
26 projects with budgets of \$20,000,000 or more that are funded with
27 preexisting funds to the original project cost estimates and
28 schedule; and

29 (b) Provide a list of nickel, TPA, and connecting Washington
30 projects charging to the nickel/TPA/CWA environmental mitigation
31 reserve (OBI4ENV) and the amount each project is charging.

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

33 (a) Identify the estimated advertisement date for all projects
34 consistent with the structure of the most recently enacted
35 transportation budget that are going to advertisement during the
36 current fiscal biennium;

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

1 (c) Identify the estimated cost of completion for all projects
2 consistent with the structure of the most recently enacted
3 transportation budget that are going to advertisement during the
4 current fiscal biennium.

5 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
6 **PROJECT EXPENDITURES**

7 To the greatest extent practicable, the department of
8 transportation shall expend federal funds received for capital
9 project expenditures before state funds.

10 **TRANSFERS AND DISTRIBUTIONS**

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

15	Special Category C Account—State Appropriation.	\$512,000
16	Transportation Partnership Account—State Appropriation. . .	\$961,000
17	Connecting Washington Account—State Appropriation. . . .	\$11,576,000
18	Highway Bond Retirement Account—State	
19	Appropriation.	\$1,857,503,000
20	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
21	Transportation Improvement Board Bond Retirement	
22	Account—State Appropriation.	\$11,770,000
23	Nondebt-Limit Reimbursable Bond Retirement	
24	Account—State Appropriation.	\$32,786,000
25	Toll Facility Bond Retirement Account—State	
26	Appropriation.	\$76,376,000
27	Transportation 2003 Account (Nickel Account)—State	
28	Appropriation.	\$105,000
29	TOTAL APPROPRIATION.	\$2,008,739,000

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

33	Transportation Partnership Account—State	
34	Appropriation.	\$192,000

1 Connecting Washington Account—State Appropriation. . . . \$2,315,000
 2 Special Category C Account—State Appropriation. \$102,000
 3 Transportation 2003 Account (Nickel Account)—State
 4 Appropriation. \$21,000
 5 TOTAL APPROPRIATION. \$2,630,000

6 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**
 7 **FOR DISTRIBUTION**

8 Motor Vehicle Account—State Appropriation:
 9 For motor vehicle fuel tax distributions to
 10 cities and counties. \$501,823,000

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

12 Motor Vehicle Account—State Appropriation:
 13 For motor vehicle fuel tax refunds and
 14 statutory transfers. \$2,138,596,000

15 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
 16 **TRANSFERS**

17 Motor Vehicle Account—State Appropriation:
 18 For motor vehicle fuel tax refunds and
 19 transfers. \$244,235,000

20 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
 21 **TRANSFERS**

22 (1) Transportation Partnership Account—State
 23 Appropriation: For transfer to the Motor Vehicle
 24 Account—State. \$40,000,000

25 (2) Motor Vehicle Account—State Appropriation:
 26 For transfer to the State Patrol Highway
 27 Account—State. \$7,000,000

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

31 (4) Motor Vehicle Account—State Appropriation:
 32 For transfer to the Rural Arterial Trust
 33 Account—State. \$4,844,000

34 (5) Motor Vehicle Account—State Appropriation:

1 For transfer to the Transportation Improvement
 2 Account—State. \$9,688,000
 3 (6) Motor Vehicle Account—State Appropriation:
 4 For transfer to the Puget Sound Capital Construction
 5 Account—State. \$70,000,000
 6 (7) Rural Mobility Grant Program Account—State
 7 Appropriation: For transfer to the Multimodal
 8 Transportation Account—State. \$3,000,000
 9 (8) State Route Number 520 Civil Penalties
 10 Account—State Appropriation: For transfer to
 11 the State Route Number 520 Corridor
 12 Account—State. \$1,532,000
 13 (9) Capital Vessel Replacement Account—State
 14 Appropriation: For transfer to the Connecting
 15 Washington Account—State. \$17,000,000
 16 (10) Multimodal Transportation Account—State
 17 Appropriation: For transfer to the Regional
 18 Mobility Grant Program Account—State. \$27,679,000
 19 (11) Multimodal Transportation Account—State
 20 Appropriation: For transfer to the Rural
 21 Mobility Grant Program Account—State. \$15,223,000
 22 (12)(a) Alaskan Way Viaduct Replacement Project
 23 Account—State Appropriation: For transfer to the
 24 Motor Vehicle Account—State. \$4,000,000
 25 (b) The transfer identified in this subsection is provided solely
 26 to repay in part the motor vehicle account—state appropriation loan
 27 from section 1005(21), chapter 416, Laws of 2019.
 28 (13) Motor Vehicle Account—State Appropriation:
 29 For transfer to the County Arterial Preservation
 30 Account—State. \$4,844,000
 31 (14) General Fund Account—State Appropriation:
 32 For transfer to the State Patrol Highway
 33 Account—State. \$625,000
 34 (15) Capital Vessel Replacement Account—State
 35 Appropriation: For transfer to the Transportation
 36 Partnership Account—State. \$18,333,000
 37 (16)(a) Alaskan Way Viaduct Replacement Project
 38 Account—State Appropriation: For transfer to the

1 Transportation Partnership Account—State. \$24,987,000

2 (b) The amount transferred in this subsection represents

3 repayment of debt service incurred for the construction of the SR 99/
4 Alaskan Way Viaduct Replacement project (809936Z).

5 (17) Tacoma Narrows Toll Bridge Account—State

6 Appropriation: For transfer to the Motor

7 Vehicle Account—State. \$950,000

8 (18) (a) Transportation 2003 Account (Nickel Account)

9 —State Appropriation: For transfer to the Tacoma

10 Narrows Toll Bridge Account—State. \$25,000,000

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

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

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

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

15 construction costs are fully repaid in accordance with chapter 195,
16 Laws of 2018.

17 (19) Multimodal Transportation Account—State

18 Appropriation: For transfer to the Pilotage

19 Account—State. \$2,500,000

20 (20) Motor Vehicle Account—State

21 Appropriation: For transfer to the County Road

22 Administration Board Emergency Loan Account—State. \$5,000,000

23 (21) Multimodal Transportation Account—State

24 Appropriation: For transfer to the Electric Vehicle

25 Charging Infrastructure Account—State. \$1,500,000

26 (22) Multimodal Transportation Account—State

27 Appropriation: For transfer to the Complete Streets

28 Grant Program Account—State. \$14,670,000

29 (23) (a) Transportation Partnership

30 Account—State Appropriation: For transfer to the Capital Vessel

31 Replacement Account—State. \$150,030,000

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

33 from the sale of bonds authorized in RCW 47.10.873.

34 (24) Connecting Washington Account—State

35 Appropriation: For transfer to the Motor Vehicle

36 Account—State. \$100,000,000

37 (25) Multimodal Transportation Account—State

38 Appropriation: For transfer to the Puget Sound

39 Ferry Operations Account—State. \$30,000,000

1 (26) Multimodal Transportation Account—State
 2 Appropriation: For transfer to the Puget Sound
 3 Capital Construction Account—State. \$50,000,000
 4 (27) Multimodal Transportation Account—State
 5 Appropriation: For transfer to the Freight
 6 Mobility Multimodal Account—State. \$8,511,000
 7 (28) Highway Safety Account—State Appropriation:
 8 For transfer to the State Patrol Highway Account—State. . \$47,000,000

9 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—STATE REVENUES**
 10 **FOR DISTRIBUTION**

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

17 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER—BOND RETIREMENT**
 18 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 19 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

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

25 **COMPENSATION**

26 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
 27 **IMPAIRED**

28 Nothing in this act prohibits the expenditure of any funds by an
 29 agency or institution of the state for benefits guaranteed by any
 30 collective bargaining agreement in effect on the effective date of
 31 this section.

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

33 Sections 503 through 520 of this act represent the results of the
 34 2021-2023 collective bargaining process required under chapters

1 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining
2 agreements contained in sections 503 through 520 of this act are
3 described in general terms. Only major economic terms are included in
4 the descriptions. These descriptions do not contain the complete
5 contents of the agreements. The collective bargaining agreements
6 contained in sections 503 through 520 of this act may also be funded
7 by expenditures from nonappropriated accounts. If positions are
8 funded with lidded grants or dedicated fund sources with insufficient
9 revenue, additional funding from other sources is not provided.

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

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

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

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

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

32 An agreement has been reached between the governor and the
33 service employees international union local 6 pursuant to chapter
34 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
35 fund the agreement, which does not include wage increases but does
36 include furloughs. The agreement provides that positions designated

1 by the employer as not requiring backfill take 24 furlough days
2 during the biennium.

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

5 An agreement has been reached between the governor and the
6 Pacific Northwest regional council of carpenters 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. 507. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

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

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

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

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

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

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

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

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

12 An agreement has been reached between the governor and the
13 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
14 the 2021-2023 fiscal biennium. Funding is provided to fund the
15 agreement, which does not include either wage increases or the
16 furlough requirement.

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

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

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

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

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

1 An agreement has been reached between the governor and the
2 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
3 through an interest arbitration award for the 2021-2023 fiscal
4 biennium. Funding is provided to fund the agreement, which does not
5 include either wage increases or the furlough requirement.

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

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

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

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

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

22 An agreement has not been reached between the governor and the
23 Washington public employees association under the provisions of
24 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW
25 41.80.010(6), funding is provided for fiscal year 2022 to fund the
26 terms of the 2019-2021 agreement and for fiscal year 2023 to fund the
27 terms according to law.

28 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
29 **COALITION OF UNIONS**

30 An agreement has been reached for the 2019-2021 biennium between
31 the governor and the coalition of unions under the provisions of
32 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
33 provided to fund the agreement, which includes 24 furlough days for
34 employees in position that do not require the position to be
35 backfilled. The agreement includes and funding is provided for a 2.5

1 percent wage increase for fiscal year 2022 and a 2.5 percent wage
2 increase for fiscal year 2023 for the department of corrections
3 marine vessel operators.

4 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
5 **TROOPERS ASSOCIATION**

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

13 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
14 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

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

22 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
23 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

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

31 The monthly employer funding rate for insurance benefit premiums,
32 public employees' benefits board administration, and the uniform
33 medical plan, shall not exceed \$988 per eligible employee for fiscal
34 year 2022. For fiscal year 2023, the monthly employer funding rate
35 shall not exceed \$1018 per eligible employee.

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

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

13 Appropriations for state agencies in this act are sufficient for
14 represented employees outside the coalition for health benefits, and
15 are subject to the following conditions and limitations: The monthly
16 employer funding rate for insurance benefit premiums, public
17 employees' benefits board administration, and the uniform medical
18 plan, may not exceed \$988 per eligible employee for fiscal year
19 2022. For fiscal year 2023, the monthly employer funding rate may
20 not exceed \$1018 per eligible employee.

21 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
22 **INSURANCE BENEFITS**

23 Appropriations for state agencies in this act are sufficient for
24 nonrepresented state employee health benefits for state agencies,
25 including institutions of higher education, and are subject to the
26 following conditions and limitations: The employer monthly funding
27 rate for insurance benefit premiums, public employees' benefits board
28 administration, and the uniform medical plan, shall not exceed \$988
29 per eligible employee for fiscal year 2022. For fiscal year 2023, the
30 monthly employer funding rate shall not exceed \$1018 per eligible
31 employee.

32 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**
33 **RATES**

34 The appropriations in this act for school districts and state
35 agencies, including institutions of higher education, are subject to
36 the following conditions and limitations: Appropriations are adjusted

1 to reflect changes to agency appropriations to reflect pension
2 contribution rates adopted by the pension funding council and the law
3 enforcement officers' and firefighters' retirement system plan 2
4 board.

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

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

13 **IMPLEMENTING PROVISIONS**

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

15 (1) The 2005 transportation partnership projects or improvements
16 and 2015 connecting Washington projects or improvements are listed in
17 the OFM Transportation Document 21GOV001 as developed December 17,
18 2020, which consists of a list of specific projects by fund source
19 and amount over a 16-year period. Current fiscal biennium funding for
20 each project is a line-item appropriation, while the outer year
21 funding allocations represent a 16-year plan. The department of
22 transportation is expected to use the flexibility provided in this
23 section to assist in the delivery and completion of all
24 transportation partnership account and connecting Washington account
25 projects on the OFM transportation document referenced in this
26 subsection. For the 2021-2023 project appropriations, unless
27 otherwise provided in this act, the director of the office of
28 financial management may provide written authorization for a transfer
29 of appropriation authority between projects funded with
30 transportation partnership account appropriations or connecting
31 Washington account appropriations to manage project spending and
32 efficiently deliver all projects in the respective program under the
33 following conditions and limitations:

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

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

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

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

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

11 (f) Transfers to a project may not be made with funds designated
12 as attributable to practical design savings as described in RCW
13 47.01.480;

14 (g) Each transfer between projects may only occur if the director
15 of the office of financial management finds that any resulting change
16 will not hinder the completion of the projects as approved by the
17 legislature. Until the legislature reconvenes to consider the 2022
18 supplemental omnibus transportation appropriations act, any
19 unexpended 2019-2021 appropriation balance as approved by the office
20 of financial management, in consultation with the chairs and ranking
21 members of the house of representatives and senate transportation
22 committees, may be considered when transferring funds between
23 projects; and

24 (h) Transfers between projects may be made by the department of
25 transportation without the formal written approval provided under
26 this subsection (1), provided that the transfer amount does not
27 exceed \$250,000 or 10 percent of the total project, whichever is
28 less. These transfers must be reported quarterly to the director of
29 the office of financial management and the chairs of the house of
30 representatives and senate transportation committees.

31 (2) The department of transportation must submit quarterly all
32 transfers authorized under this section in the transportation
33 executive information system. The office of financial management must
34 maintain a legislative baseline project list identified in the LEAP
35 transportation documents referenced in this act, and update that
36 project list with all authorized transfers under this section.

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

1 (4) 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 (5) 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 department of any decision
9 regarding project transfers, with copies submitted to the
10 transportation committees of the legislature.

11 (6) The department must submit annually as part of its budget
12 submittal a report detailing all transfers made pursuant to this
13 section.

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

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

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

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

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

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

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

7 (b) Identifies, for each project, the amount of cost savings or
8 increases in funding that have been identified as compared to the
9 2019 enacted omnibus transportation appropriations act.

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

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

15 The department shall provide a web link for each change order
16 that is more than \$500,000 on the affected project web page.

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

19 (1) By November 15th of each year, the department of
20 transportation must report on amounts expended to benefit transit,
21 bicycle, or pedestrian elements within all connecting Washington
22 projects in programs I, P, and Z identified in OFM Transportation
23 Document 21GOV001 as developed December 17, 2020. The report must
24 address each modal category separately and identify if eighteenth
25 amendment protected funds have been used and, if not, the source of
26 funding.

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

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

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

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

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

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

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

18 **NEW SECTION. Sec. 608. FURLOUGHS**

19 Consistent with Z-0136.1/21 (wage freeze and furloughs), capital
20 programs in the department of transportation must track and manage
21 any savings resulting from furloughs and nonimplementation of wage
22 increases. The department must report actual program and project
23 savings for fiscal year 2022 to the office of financial management by
24 September 1, 2022, and must report actual and projected program and
25 project savings for fiscal year 2023 to the office of financial
26 management by June 30, 2023. If Z-0136.1/21 (wage freeze and
27 furloughs) is not enacted by June 30, 2021, this section does not
28 take effect.

29 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

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

31 (1) Agencies must apply to the office of financial management and
32 the office of the chief information officer for approval before
33 beginning a project or proceeding with each discreet stage of a
34 project subject to this section. At each stage, the office of the
35 chief information officer must certify that the project has an
36 approved technology budget and investment plan, complies with state
37 information technology and security requirements, and other policies

1 defined by the office of the chief information officer. The office of
2 financial management must notify the fiscal committees of the
3 legislature of the receipt of each application and may not approve a
4 funding request for 10 business days from the date of notification.

5 (2) (a) Each project must have a technology budget. The technology
6 budget must use a method similar to the state capital budget,
7 identifying project costs, each fund source, and anticipated
8 deliverables through each stage of the entire project investment and
9 across fiscal periods and biennia from project onset through
10 implementation and close out.

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

16 (i) Fund sources;

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

19 (iii) Discreet financial budget codes;

20 (iv) Subobject codes of expenditures; and

21 (v) Anticipated deliverables.

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

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

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

31 (ii) The office of the state chief information officer staff
32 assigned to the project;

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

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

1 (v) Ongoing maintenance and operations cost of the project post
2 implementation and close out delineated by agency staffing,
3 contracted staffing, and service level agreements.

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

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

13 (i) Project changes each fiscal month;

14 (ii) Noting if the project has a completed market requirements
15 document;

16 (iii) Financial status of information technology projects under
17 oversight;

18 (iv) Coordination with agencies;

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

20 (vi) Monthly office of the chief information officer status
21 reports;

22 (vii) Historical project budget and expenditures through fiscal
23 year 2019;

24 (viii) Budget and expenditures each fiscal month; and

25 (ix) Estimated annual maintenance and operations costs by fiscal
26 year.

27 (b) The dashboard must retain a roll up of the entire project
28 cost, including all subprojects, that can display subproject detail.

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

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

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

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

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

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

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

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

12 (e) The agency must consult with the contracting division of the
13 department of enterprise services for a review of all contracts and
14 agreements related to the project's information technology
15 procurements.

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

20 (9) The office of the chief information officer may suspend or
21 terminate a project at any time if it determines that the project is
22 not meeting or not expected to meet anticipated performance and
23 technology outcomes. Once suspension or termination occurs, the
24 agency shall unallot any unused funding and shall not make any
25 expenditure for the project without the approval of the office of
26 financial management. The office of the chief information officer
27 must report on July 1st and December 1st each calendar year any
28 suspension or termination of a project in the previous six month
29 period to the legislative fiscal committees.

30 (10) The office of the chief information officer, in consultation
31 with the office of financial management, may identify additional
32 projects to be subject to this section, including projects that are
33 not separately identified within an agency budget. The office of the
34 chief information officer must report on July 1st and December 1st
35 each calendar year any additional projects to be subjected to this
36 section that were identified in the previous six month period to the
37 legislative fiscal committees.

38 **Sec. 702.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to
39 read as follows:

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

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

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

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

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

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

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

32 **Sec. 703.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to
33 read as follows:

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

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

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

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

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

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

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

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

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

27 **Sec. 704.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to
28 read as follows:

29 There is hereby created in the state treasury a fund to be known
30 as the highway safety fund to the credit of which must be deposited
31 all moneys directed by law to be deposited therein. This fund must be
32 used for carrying out the provisions of law relating to driver
33 licensing, driver improvement, financial responsibility, cost of
34 furnishing abstracts of driving records and maintaining such case
35 records, and to carry out the purposes set forth in RCW 43.59.010,
36 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
37 fiscal biennia, the legislature may transfer from the highway safety
38 fund to the Puget Sound ferry operations account, the motor vehicle
39 fund, and the multimodal transportation account such amounts as

1 reflect the excess fund balance of the highway safety fund. During
2 the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may
3 direct the state treasurer to make transfers of moneys in the highway
4 safety fund to the multimodal transportation account. During the
5 2021-2023 fiscal biennium, the legislature may direct the state
6 treasurer to make transfers of moneys in the highway safety fund to
7 the state patrol highway account.

8 **Sec. 705.** RCW 46.68.280 and 2019 c 416 s 706 are each amended to
9 read as follows:

10 (1) The transportation 2003 account (nickel account) is hereby
11 created in the motor vehicle fund. Money in the account may be spent
12 only after appropriation. Expenditures from the account must be used
13 only for projects or improvements identified as transportation 2003
14 projects or improvements in the omnibus transportation budget and to
15 pay the principal and interest on the bonds authorized for
16 transportation 2003 projects or improvements. Upon completion of the
17 projects or improvements identified as transportation 2003 projects
18 or improvements, moneys deposited in this account must only be used
19 to pay the principal and interest on the bonds authorized for
20 transportation 2003 projects or improvements, and any funds in the
21 account in excess of the amount necessary to make the principal and
22 interest payments may be used for maintenance on the completed
23 projects or improvements.

24 (2) During the 2015-2017 fiscal biennium, the legislature may
25 transfer from the transportation 2003 account (nickel account) to the
26 connecting Washington account such amounts as reflect the excess fund
27 balance of the transportation 2003 account (nickel account).

28 (3) During the 2017-2019 and the 2019-2021 fiscal biennia, the
29 legislature may direct the state treasurer to make transfers of
30 moneys in the transportation 2003 account (nickel account) to the
31 connecting Washington account, the Puget Sound capital construction
32 account, and the Tacoma Narrows toll bridge account. During the
33 2021-2023 fiscal biennium, the legislature may direct the state
34 treasurer to make transfers of moneys in the transportation 2003
35 account (nickel account) to the Tacoma Narrows toll bridge account.

36 (4) The "nickel account" means the transportation 2003 account.

37 **Sec. 706.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to
38 read as follows:

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

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

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

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

18 **Sec. 707.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
19 read as follows:

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

1 **Sec. 708.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to
2 read as follows:

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

19 **Sec. 709.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to
20 read as follows:

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

31 **Sec. 710.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
32 read as follows:

33 (1) The capital vessel replacement account is created in the
34 motor vehicle fund. All revenues generated from the vessel
35 replacement surcharge under RCW 47.60.315(7) and service fees
36 collected by the department of licensing or county auditor or other
37 agent appointed by the director under RCW 46.17.040, 46.17.050, and
38 46.17.060 must be deposited into the account. Moneys in the account

1 may be spent only after appropriation. Expenditures from the account
2 may be used only for the construction or purchase of ferry vessels
3 and to pay the principal and interest on bonds authorized for the
4 construction or purchase of ferry vessels. However, expenditures from
5 the account must first be used to support the construction or
6 purchase, including any applicable financing costs, of a ferry vessel
7 with a carrying capacity of at least one hundred forty-four cars.

8 (2) The state treasurer may transfer moneys from the capital
9 vessel replacement account to the transportation 2003 account (nickel
10 account) for debt service on bonds issued for the construction of
11 144-car class ferry vessels.

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

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

24 **Sec. 711.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to
25 read as follows:

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

1 submit a prioritized list of all projects requesting funding to the
2 legislature by December 1st of each even-numbered year.

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

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

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

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

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

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

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

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

35 **Sec. 712.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to
36 read as follows:

37 (1) The transportation partnership account is hereby created in
38 the state treasury. All distributions to the account from RCW
39 46.68.090 must be deposited into the account. Money in the account

1 may be spent only after appropriation. Expenditures from the account
2 must be used only for projects or improvements identified as 2005
3 transportation partnership projects or improvements in the omnibus
4 transportation appropriations act, including any principal and
5 interest on bonds authorized for the projects or improvements.

6 (2) The legislature finds that:

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

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

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

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

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

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

34 (4) Within the authorities and duties under chapter 43.09 RCW,
35 the state auditor shall establish criteria and protocols for
36 performance audits. Transportation-related agencies shall be audited
37 using criteria that include generally accepted government auditing
38 standards as well as legislative mandates and performance objectives
39 established by state agencies. Mandates include, but are not limited

1 to, agency strategies, timelines, program objectives, and mission and
2 goals as required in RCW 43.88.090.

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

7 (6) The audits may include:

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

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

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

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

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

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

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

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

34 (i) Identification and recognition of best practices;

35 (j) Evaluation of planning, budgeting, and program evaluation
36 policies and practices;

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

38 (l) Evaluation of purchasing operations and management policies
39 and practices;

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

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

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

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

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

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

39 The auditor may request status reports on specific audits or
40 findings.

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

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

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

17 **Sec. 713.** 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. 714.** 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 the 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 **Sec. 715.** RCW 47.56.864 and 2012 c 83 s 3 are each amended to
18 read as follows:

19 A special account to be known as the Alaskan Way viaduct
20 replacement project account is created in the state treasury.

21 (1) Deposits to the account must include:

22 (a) All proceeds of bonds issued for construction of the Alaskan
23 Way viaduct replacement project, including any capitalized interest;

24 (b) All of the tolls and other revenues received from the
25 operation of the Alaskan Way viaduct replacement project as a toll
26 facility, to be deposited at least monthly;

27 (c) Any interest that may be earned from the deposit or
28 investment of those revenues;

29 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any
30 surplus real property acquired for the purpose of building the
31 Alaskan Way viaduct replacement project; and

32 (e) All damages, liquidated or otherwise, collected under any
33 contract involving the construction of the Alaskan Way viaduct
34 replacement project.

35 (2) Subject to the covenants made by the state in the bond
36 proceedings authorizing the issuance and sale of bonds for the
37 construction of the Alaskan Way viaduct replacement project, toll
38 charges, other revenues, and interest received from the operation of

1 the Alaskan Way viaduct replacement project as a toll facility may be
2 used to:

3 (a) Pay any required costs allowed under RCW 47.56.820; and

4 (b) Repay amounts to the motor vehicle fund as required.

5 (3) When repaying the motor vehicle fund, the state treasurer
6 shall transfer funds from the Alaskan Way viaduct replacement project
7 account to the motor vehicle fund on or before each debt service date
8 for bonds issued for the construction of the Alaskan Way viaduct
9 replacement project in an amount sufficient to repay the motor
10 vehicle fund for amounts transferred from that fund to the highway
11 bond retirement fund to provide for any bond principal and interest
12 due on that date. The state treasurer may establish subaccounts for
13 the purpose of segregating toll charges, bond sale proceeds, and
14 other revenues.

15 (4) During the 2021-2023 biennium, the legislature may direct the
16 state treasurer to make transfers of moneys in the Alaskan Way
17 viaduct replacement project account to the transportation partnership
18 account and the motor vehicle fund.

19 **Sec. 716.** RCW 47.56.165 and 2009 c 567 s 1 are each amended to
20 read as follows:

21 A special account to be known as the Tacoma Narrows toll bridge
22 account is created in the motor vehicle fund in the state treasury.

23 (1) Deposits to the account must include:

24 (a) All proceeds of bonds issued for construction of the Tacoma
25 Narrows public-private initiative project, including any capitalized
26 interest;

27 (b) All of the toll charges and other revenues received from the
28 operation of the Tacoma Narrows bridge as a toll facility, to be
29 deposited at least monthly;

30 (c) Any interest that may be earned from the deposit or
31 investment of those revenues;

32 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any
33 surplus real property acquired for the purpose of building the second
34 Tacoma Narrows bridge; and

35 (e) All liquidated damages collected under any contract involving
36 the construction of the second Tacoma Narrows bridge.

37 (2) Proceeds of bonds shall be used consistent with RCW
38 47.46.130, including the reimbursement of expenses and fees incurred

1 under agreements entered into under RCW 47.46.040 as required by
2 those agreements.

3 (3) Toll charges, other revenues, and interest may only be used
4 to:

5 (a) Pay required costs that contribute directly to the financing,
6 operation, maintenance, management, and necessary repairs of the
7 tolled facility, as determined by rule by the transportation
8 commission; and

9 (b) Repay amounts to the motor vehicle fund as required under RCW
10 47.46.140.

11 (4) Toll charges, other revenues, and interest may not be used to
12 pay for costs that do not contribute directly to the financing,
13 operation, maintenance, management, and necessary repairs of the
14 tolled facility, as determined by rule by the transportation
15 commission.

16 (5) The department shall make detailed quarterly expenditure
17 reports available to the transportation commission and to the public
18 on the department's website using current department resources.

19 (6) When repaying the motor vehicle fund under RCW 47.46.140, the
20 state treasurer shall transfer funds from the Tacoma Narrows toll
21 bridge account to the motor vehicle fund on or before each debt
22 service date for bonds issued for the Tacoma Narrows public-private
23 initiative project in an amount sufficient to repay the motor vehicle
24 fund for amounts transferred from that fund to the highway bond
25 retirement fund to provide for any bond principal and interest due on
26 that date. The state treasurer may establish subaccounts for the
27 purpose of segregating toll charges, bond sale proceeds, and other
28 revenues.

29 (7) During the 2021-2023 biennium, the legislature may direct the
30 state treasurer to make transfers of moneys in the Tacoma Narrows
31 toll bridge account to the motor vehicle fund.

32 **Sec. 717.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to
33 read as follows:

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

1 (b) Beginning July 1, 2019, the rate of the tax on petroleum
2 products is one dollar and nine cents per barrel. The tax collected
3 under this subsection (1)(b) on petroleum products must be deposited
4 as follows, after first depositing the tax as provided in (c) of this
5 subsection (~~((1))~~), except that during the 2021-2023 biennium the
6 deposit as provided in (c) of this subsection may be prorated equally
7 across each month of the biennium:

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

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

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

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

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

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

37 (3) Beginning July 1, 2020, and every July 1st thereafter, the
38 rate specified in subsection (1)(b) of this section must be adjusted
39 to reflect the percentage change in the implicit price deflator for
40 nonresidential structures as published by the United States

1 department of commerce, bureau of economic analysis for the most
2 recent twelve-month period ending December 31st of the prior year.

3 **Sec. 718.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
4 read as follows:

5 A special account to be known as the state route number 520 civil
6 penalties account is created in the state treasury. All state route
7 number 520 bridge replacement and HOV program civil penalties
8 generated from the nonpayment of tolls on the state route number 520
9 corridor must be deposited into the account, as provided under RCW
10 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
11 appropriation. Expenditures from the account may be used to fund any
12 project within the state route number 520 bridge replacement and HOV
13 program, including mitigation. During the 2021-2023 fiscal biennium,
14 the legislature may appropriate moneys from the account for
15 activities related to state route number 520 bridge operations and
16 maintenance. During the 2013-2015 and 2015-2017 fiscal biennia, the
17 legislature may transfer from the state route number 520 civil
18 penalties account to the state route number 520 corridor account such
19 amounts as reflect the excess fund balance of the state route number
20 520 civil penalties account. Funds transferred must be used solely
21 for capital expenditures for the state route number 520 bridge
22 replacement and HOV project. During the 2017-2019 and the 2019-2021
23 fiscal biennia, the legislature may direct the state treasurer to
24 make transfers of moneys in the state route number 520 civil
25 penalties account to the state route number 520 corridor account.

26 NEW SECTION. **Sec. 719.** (1) The agency financial transaction
27 account is created in the state treasury. Designated receipts from
28 cost-recovery charges for credit card and other financial transaction
29 fees pursuant to this act must be deposited into the account. Moneys
30 in the account may be spent only after appropriation. Expenditures
31 from the account may be used only for paying credit card and
32 financial transaction fees, and other related costs incurred by state
33 agencies.

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

35 (3) If Z-0117.2/21 (cost recovery of state agency credit card and
36 transaction fees) is enacted by June 30, 2021, this section does not
37 take effect.

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 801.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of Bill)

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