

SENATE BILL 5166

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 47.60.505; amending 2019 c 416 ss 101 and 106
3 (uncodified); amending 2020 c 219 ss 101, 102, 104, 201-205, 207-223,
4 301, 302, 304-310, 401-406, 601, and 602 (uncodified); adding a new
5 section to 2019 c 416 (uncodified); making appropriations and
6 authorizing expenditures for capital improvements; and declaring an
7 emergency.

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

2019-2021 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

11 **Sec. 101.** 2019 c 416 s 101 (uncodified) is amended to read as
12 follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

14 Motor Vehicle Account—State Appropriation (~~(\$545,000)~~)
15 \$536,000

16 **Sec. 102.** 2020 c 219 s 101 (uncodified) is amended to read as
17 follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

19 Motor Vehicle Account—State Appropriation (~~(\$1,419,000)~~)

1		<u>\$1,388,000</u>
2	Multimodal Transportation Account—State Appropriation. . . .	\$300,000
3	Puget Sound Ferry Operations Account—State Appropriation . .	\$121,000
4	TOTAL APPROPRIATION.	((\$1,840,000))
5		<u>\$1,809,000</u>

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

25 **Sec. 103.** 2020 c 219 s 102 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF AGRICULTURE**

28	Motor Vehicle Account—State Appropriation	((\$1,359,000))
29		<u>\$1,350,000</u>

30 **Sec. 104.** 2019 c 416 s 106 (uncodified) is amended to read as
31 follows:

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

33	Motor Vehicle Account—State Appropriation	((\$652,000))
34		<u>\$647,000</u>

35 **Sec. 105.** 2020 c 219 s 104 (uncodified) is amended to read as
36 follows:

1 **FOR THE HOUSE OF REPRESENTATIVES**

2 Motor Vehicle Account—State Appropriation (~~(\$3,082,000)~~)
3 \$3,052,000

4 **TRANSPORTATION AGENCIES—OPERATING**

5 **Sec. 201.** 2020 c 219 s 201 (uncodified) is amended to read as
6 follows:

7 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

8 Highway Safety Account—State Appropriation (~~(\$4,675,000)~~)
9 \$4,647,000

10 Highway Safety Account—Federal Appropriation (~~(\$27,051,000)~~)
11 \$26,943,000

12 Highway Safety Account—Private/Local Appropriation \$118,000

13 School Zone Safety Account—State Appropriation \$850,000

14 TOTAL APPROPRIATION. (~~(\$32,694,000)~~)
15 \$32,558,000

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

18 (1) \$150,000 of the highway safety account—state appropriation is
19 provided solely for the implementation of chapter 54, Laws of 2019
20 (Cooper Jones Active Transportation Safety Council). (~~If chapter 54,~~
21 ~~Laws of 2019 is not enacted by June 30, 2019, the amount provided in~~
22 ~~this subsection lapses.~~)

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

27 (a) Any programs authorized by the commission must be authorized
28 by December 31, 2020.

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

34 (c) Any city administering a pilot program overseen by the
35 traffic safety commission shall use the following guidelines to
36 administer the program:

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

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

10 (iii) Cities testing the use of automated vehicle noise
11 enforcement cameras must post information on the city web site and
12 notify local media outlets indicating the zones in which the
13 automated vehicle noise enforcement cameras will be used;

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

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

22 (vi) Notwithstanding any other provision of law, all photographs,
23 videos, microphotographs, audio recordings, or electronic images
24 prepared under this section are for the exclusive use of law
25 enforcement in the discharge of duties under this section and are not
26 open to the public and may not be used in a court in a pending action
27 or proceeding. No photograph, microphotograph, audio recording, or
28 electronic image may be used for any purpose other than the issuance
29 of warnings for violations under this section or retained longer than
30 necessary to issue a warning notice as required under this subsection
31 (2); and

32 (vii) By June 30, 2021, the participating cities shall provide a
33 report to the commission and appropriate committees of the
34 legislature regarding the use, public acceptance, outcomes, warnings
35 issued, data retention and use, and other relevant issues regarding
36 automated vehicle noise enforcement cameras demonstrated by the pilot
37 projects.

38 (3) The Washington traffic safety commission may oversee a
39 demonstration project in one county, coordinating with a public
40 transportation benefit area (PTBA) and the department of

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

15 For purposes of the demonstration project, an automated
16 enforcement technology device may record an image of a driver and
17 passenger of a motor vehicle. The county and PTBA must erect signs
18 marking the locations where the automated enforcement for HOV
19 passenger requirements is occurring.

20 The PTBA, in consultation with the Washington traffic safety
21 commission, must provide a report to the transportation committees of
22 the legislature with the number of violations detected during the
23 demonstration project, whether the technology used was accurate and
24 any recommendations for future use of automated enforcement
25 technology for HOV lane enforcement by June 30, 2021.

26 (4) ~~((a))~~ The Washington traffic safety commission shall
27 coordinate with each city that implements a pilot program as
28 authorized in chapter 224, Laws of 2020 (automated traffic safety
29 cameras) ~~((or chapter . . . (Substitute Senate Bill No. 5789), Laws
30 of 2020 (automated traffic safety cameras))~~ to provide the
31 transportation committees of the legislature with the following
32 information by June 30, 2021:

33 ~~((i))~~ (a) The number of warnings and infractions issued to
34 first-time violators under the pilot program;

35 ~~((ii))~~ (b) The number of warnings and infractions issued to the
36 registered owners of vehicles that are not registered with an address
37 located in the city conducting the pilot program; and

38 ~~((iii))~~ (c) The frequency with which warnings and infractions
39 are issued on weekdays versus weekend days.

1 ((b) If neither chapter 224, Laws of 2020 nor chapter . . .
2 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June
3 30, 2020, the conditions of this subsection (4) have no force and
4 effect.)

5 **Sec. 202.** 2020 c 219 s 202 (uncodified) is amended to read as
6 follows:

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation	\$1,137,000
Motor Vehicle Account—State Appropriation	(\$2,920,000)
	<u>\$3,042,000</u>
County Arterial Preservation Account—State Appropriation	\$1,677,000
TOTAL APPROPRIATION.	(\$5,734,000)
	<u>\$5,856,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations: \$58,000 of the motor vehicle account—
17 state appropriation is provided solely for succession planning and
18 training.

19 **Sec. 203.** 2020 c 219 s 203 (uncodified) is amended to read as
20 follows:

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State Appropriation	(\$3,854,000)
	<u>\$3,825,000</u>

25 **Sec. 204.** 2020 c 219 s 204 (uncodified) is amended to read as
26 follows:

27 **FOR THE JOINT TRANSPORTATION COMMITTEE**

Motor Vehicle Account—State Appropriation	(\$2,187,000)
	<u>\$2,173,000</u>
Multimodal Transportation Account—State Appropriation.	(\$917,000)
	<u>\$895,000</u>
Highway Safety Account—State Appropriation.	\$275,000
TOTAL APPROPRIATION.	(\$3,379,000)
	<u>\$3,343,000</u>

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

1 (1) \$400,000 of the motor vehicle account—state appropriation and
2 \$50,000 of the multimodal transportation account—state appropriation
3 is for the joint transportation committee to conduct a comprehensive
4 assessment of statewide transportation needs and priorities, and
5 existing and potential transportation funding mechanisms to address
6 those needs and priorities. The assessment must include: (a)
7 Recommendations on the critical state and local transportation
8 projects, programs, and services needed to achieve an efficient,
9 effective, statewide transportation system over the next ten years;
10 (b) a comprehensive menu of funding options for the legislature to
11 consider to address the identified transportation system investments;
12 (c) recommendations on whether a revision to the statewide
13 transportation policy goals in RCW 47.04.280 is warranted in light of
14 the recommendations and options identified in (a) and (b) of this
15 subsection; and (d) an analysis of the economic impacts of a range of
16 future transportation investments. The assessment must be submitted
17 to the transportation committees of the legislature by June 30, 2020.
18 Starting July 1, 2020, and concluding by December 31, 2020, a
19 committee-appointed commission or panel shall review the assessment
20 and make final recommendations to the legislature for consideration
21 during the 2021 legislative session on a realistic, achievable plan
22 for funding transportation programs, projects, and services over the
23 next ten years including a timeline for legislative action on funding
24 the identified transportation system needs shortfall.

25 (2)(a) \$382,000 of the multimodal transportation account—state
26 appropriation is for the joint transportation committee to conduct an
27 analysis of the electrification of public fleets in Washington state.
28 The study must include the following:

29 (i) An inventory of existing public fleets for the state of
30 Washington, counties, a sampling of cities, and public transit
31 agencies. The inventory must differentiate among battery and fuel
32 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
33 and any other functional categories. Three cities from each of the
34 following population ranges must be selected for the analysis:

35 (A) Population up to and including twenty-five thousand;

36 (B) Population greater than twenty-five thousand and up to and
37 including fifty thousand;

38 (C) Population greater than fifty thousand and up to and
39 including one hundred thousand;

1 (D) Population greater than one hundred thousand;

2 (ii) A review of currently available battery and fuel cell
3 electric vehicle alternatives to the vehicle types most commonly used
4 by the state, counties, cities, and public transit agencies. The
5 review must include:

6 (A) The average vehicle cost differential among the commercially
7 available fuel options;

8 (B) A cost benefit analysis of the conversion of different
9 vehicle classes; and

10 (C) Recommendations for the types of vehicles that should be
11 excluded from consideration due to insufficient alternatives,
12 unreliable technology, or excessive cost;

13 (iii) The projected costs of achieving substantial conversion to
14 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
15 the state, counties, cities, and public transit agencies. This cost
16 estimate must include:

17 (A) Vehicle acquisition costs, charging and refueling
18 infrastructure costs, and other associated costs;

19 (B) Financial constraints of each type of entity to transition to
20 an electric vehicle fleet; and

21 (C) Any other identified barriers to transitioning to a battery
22 and/or fuel cell electric vehicle fleet;

23 (iv) Identification and analysis of financing mechanisms that
24 could be used to finance the transition of publicly owned vehicles to
25 battery and fuel cell electric vehicles. These mechanisms include,
26 but are not limited to: Energy or carbon savings performance
27 contracting, utility grants and rebates, revolving loan funds, state
28 grant programs, private third-party financing, fleet management
29 services, leasing, vehicle use optimization, and vehicle to grid
30 technology; and

31 (v) The predicted number and location profile of electric vehicle
32 fueling stations needed statewide to provide fueling for the fleets
33 of the state, counties, cities, and public transit agencies.

34 (b) In developing and implementing the study, the joint
35 transportation committee must solicit input from representatives of
36 the department of enterprise services, the department of
37 transportation, the department of licensing, the department of
38 commerce, the Washington state association of counties, the
39 association of Washington cities, the Washington state transit
40 association, transit agencies, and others as deemed appropriate.

1 (c) The joint transportation committee must issue a report of its
2 findings and recommendations to the transportation committees of the
3 legislature by September 30, 2020.

4 (3) (a) (~~(\$250,000)~~) \$228,000 of the multimodal transportation
5 account—state appropriation is for the joint transportation committee
6 to conduct a study of the feasibility of an east-west intercity
7 passenger rail system. The study must include the following elements:

8 (i) Projections of potential ridership;

9 (ii) Review of relevant planning studies;

10 (iii) Establishment of an advisory group and associated meetings;

11 (iv) Development of a Stampede Pass corridor alignment to
12 maximize ridership, revenue, and rationale, considering service to
13 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
14 Toppenish, and Spokane;

15 (v) Assessment of current infrastructure conditions, including
16 station stop locations;

17 (vi) Identification of equipment needs; and

18 (vii) Identification of operator options.

19 (b) A report of the study findings and recommendations is due to
20 the transportation committees of the legislature by June 30, 2020.

21 (4) (a) \$275,000 of the highway safety fund—state appropriation is
22 for a study of vehicle subagents in Washington state. The study must
23 consider and include recommendations, as necessary, on the following:

24 (i) The relevant statutes, rules, and/or regulations authorizing
25 vehicle subagents and any changes made to the relevant statutes,
26 rules, and/or regulations;

27 (ii) The current process of selecting and authorizing a vehicle
28 subagent, including the change of ownership process and the
29 identification of any barriers to entry into the vehicle subagent
30 market;

31 (iii) The annual business expenditures borne by each of the
32 vehicle subagent businesses since fiscal year 2010 and identification
33 of any materials, including office equipment and supplies, provided
34 by the department of licensing to each vehicle subagent since fiscal
35 year 2010. To accomplish this task, each vehicle subagent must
36 provide expenditure data to the joint transportation committee for
37 the purposes of this study;

38 (iv) The oversight provided by the county auditors and/or the
39 department of licensing over the vehicle subagent businesses;

1 (v) The history of service fees, how increases to the service fee
2 rate are made, and how the requested fee increase is determined;

3 (vi) The online vehicle registration renewal process and any
4 potential improvements to the online process;

5 (vii) The department of licensing's ability to provide more
6 vehicle licensing services directly, particularly taking into account
7 the increase in online vehicle renewal transactions;

8 (viii) The potential expansion of services that can be performed
9 by vehicle subagents; and

10 (ix) The process by which the geographic locations of vehicle
11 subagents are determined.

12 (b) In conducting the study, the joint transportation committee
13 must consult with the department of licensing, a representative of
14 county auditors, and a representative of vehicle subagents.

15 (c) The joint transportation committee may collect any data from
16 the department of licensing, county auditors, and vehicle subagents
17 that is necessary to conduct the study.

18 (d) The joint transportation committee must issue a report of its
19 findings and recommendations to the transportation committees of the
20 legislature by September 30, 2020.

21 (5) (a) \$235,000 of the multimodal transportation account—state
22 appropriation is for the joint transportation committee to oversee a
23 consultant study on rail safety governance best practices, by class
24 of rail where applicable, and recommendations for the implementation
25 of these best practices in Washington state. The study must assess
26 rail safety governance for passenger and freight rail, including rail
27 transit services, and must consider recommendations made by the
28 national transportation safety board in its 2017 Amtrak passenger
29 train 501 derailment accident report that are relevant to rail safety
30 governance.

31 (b) The study must include the following components:

32 (i) (A) An assessment of rail safety oversight in Washington state
33 that includes: (I) The rail safety oversight roles of federal, state,
34 regional, and local agencies, including the extent to which federal
35 and state laws govern these roles and the extent to which these roles
36 would be modified should the suspended federal rules in 49 C.F.R.
37 Part 270 take effect; (II) federal, state, regional, and local agency
38 organizational structures and processes utilized to conduct rail
39 safety oversight; and (III) coordination activities by federal,

1 state, regional, and local agencies in conducting rail safety
2 oversight;

3 (B) An examination of rail safety governance best practices by
4 other states for the items identified in (a) of this subsection; and

5 (C) Recommendations for the implementation of best practices for
6 rail safety governance in Washington state.

7 (ii) The study must address the extent to which additional safety
8 oversight of rail project design and construction is used in other
9 states and would be a recommended best practice for Washington state.

10 (c) The joint transportation committee shall consult with the
11 Washington state department of transportation, the Washington state
12 utilities and transportation commission, sound transit, the national
13 transportation safety board, Amtrak, the federal railroad
14 administration, BNSF railway company, one or more representatives of
15 short line railroads, one or more representatives of labor, and other
16 entities with rail safety expertise as necessary.

17 (d) The joint transportation committee must issue a report of its
18 findings and recommendations on rail safety governance to the
19 transportation committees of the legislature by January 6, 2021.

20 (6) (a) \$250,000 of the motor vehicle account—state appropriation
21 is for the joint transportation committee to conduct a study of the
22 feasibility of a private auto ferry between the state of Washington
23 and British Columbia, Canada. The study must include the following
24 elements:

25 (i) Expected impacts to ridership, revenue, and expenditures for
26 Washington state ferries;

27 (ii) Expected impacts to ferry service provided to the San Juan
28 Islands;

29 (iii) Possible terminal locations on Fidalgo Island;

30 (iv) Economic impacts to the Anacortes area if ferry service
31 between the area and Vancouver Island ceases;

32 (v) Economic impacts to the San Juan Islands if ferry service or
33 ferry tourism is reduced;

34 (vi) Expected impacts to family wage jobs in the marine industry
35 for Washingtonians;

36 (vii) Expected impacts to ferry fares between the state of
37 Washington and British Columbia, Canada;

38 (viii) Legal analysis of all state, federal, or Canadian laws or
39 rules, including the Jones act and rules of the board of pilotage

1 commissioners, that may apply to initiation of private service or
2 cessation of state service; and

3 (ix) Options for encouraging private auto ferry service between
4 the state of Washington and Vancouver Island, Canada.

5 (b) In conducting the study, the joint transportation committee
6 must consult with the department of transportation, a representative
7 of San Juan county, a representative of the city of Anacortes, a
8 representative of the inland boatman's union, a representative of
9 Puget Sound pilots, a representative of the port of Anacortes, a
10 representative of the economic development alliance of Skagit county,
11 and interested private ferry operators in Washington state.

12 (c) A report of the study findings and options is due to the
13 transportation committees of the legislature by February 15, 2021.

14 **Sec. 205.** 2020 c 219 s 205 (uncodified) is amended to read as
15 follows:

16 **FOR THE TRANSPORTATION COMMISSION**

17	Motor Vehicle Account—State Appropriation	((\$2,324,000))
18		<u>\$2,283,000</u>
19	Interstate 405 and state Route Number 167 Express Toll Lanes	
20	Account—State Appropriation.	\$410,000
21	State Route Number 520 Corridor Account—State	
22	Appropriation.	\$271,000
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation.	\$158,000
25	Alaskan Way Viaduct Replacement Project	
26	Account—State Appropriation.	\$136,000
27	TOTAL APPROPRIATION.	((\$3,299,000))
28		<u>\$3,258,000</u>

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

31 (1)(a) The commission shall reconvene the road usage charge
32 steering committee, with the same membership described in chapter
33 297, Laws of 2018, and shall report at least once every three months
34 to the steering committee with updates on report development for the
35 completed road usage charge pilot project until the final report is
36 submitted. The commission shall also report to the steering committee
37 on any other activities undertaken in accordance with this subsection
38 (1) as necessary to keep it apprised of new developments and to

1 obtain input on its efforts. The final report on the road usage
2 charge pilot project is due to the transportation committees of the
3 legislature by January 1, 2020, and should include recommendations
4 for necessary next steps to consider impacts to communities of color,
5 low-income households, vulnerable populations, and displaced
6 communities. Any legislative vacancies on the steering committee must
7 be appointed by the speaker of the house of representatives for a
8 house of representatives member vacancy, and by the president of the
9 senate for a senate member vacancy.

10 (b) (i) The commission shall coordinate with the department of
11 transportation to jointly seek federal funds available through the
12 federal surface transportation system funding alternatives grant
13 program, applying toll credits for meeting match requirements. One or
14 more grant applications shall be developed that propose to:

15 (A) Create a framework for modeling the effects of a road usage
16 charge on passenger and light-duty vehicles including, but not
17 limited to, plug-in electric vehicles, autonomous vehicles, state
18 fleets, and transportation network companies on a road usage charge
19 system;

20 (B) Identify and measure potential disparate impacts of a road
21 usage charge on designated populations, including communities of
22 color, low-income households, vulnerable populations, and displaced
23 communities;

24 (C) Incorporate emerging approaches to mileage reporting, such as
25 in-vehicle telematics, improved smartphone apps, and use of private
26 businesses to provide odometer verification and mileage reporting
27 services, into a road usage charge system;

28 (D) Conduct a series of facilitated work sessions with other
29 states and private sector firms to identify opportunities to reduce
30 the cost of collections for a road usage charge;

31 (E) Develop a road usage charge phase-in plan that incorporates
32 findings from (b) (i) (A) through (D) of this subsection;

33 (F) Carry out a limited scale demonstration to test new mileage
34 reporting methods; equity policies; cost reduction techniques; and
35 collecting a road usage charge from passenger and light-duty vehicles
36 including, but not limited to, plug-in electric vehicles, autonomous
37 vehicles, state fleets, transportation network companies, and other
38 new mobility services; and

39 (G) Produce a final report with recommendations and a recommended
40 roadmap that details how a road usage charge could be appropriately

1 scaled to fit state circumstances and that includes a framework for
2 evaluating policy choices related to the use of road usage charge
3 revenue.

4 (ii) A year-end report on the status of any federally-funded
5 project for which federal funding is secured must be provided to the
6 governor's office and the transportation committees of the
7 legislature by January 1, 2020, and by January 1, 2021.

8 (c) \$150,000 of the motor vehicle account—state appropriation is
9 provided solely for analysis of potential impacts of a road usage
10 charge on communities of color, low-income households, vulnerable
11 populations, and displaced communities. The analysis must include an
12 assessment of potential mitigation measures to address these
13 potential impacts. These funds must be held in unallotted status
14 during the 2019-2021 fiscal biennium, and may only be used after the
15 commission has provided notice to the office of financial management
16 that it has exhausted all efforts to secure federal funds from the
17 federal surface transportation system funding alternatives grant
18 program under (b) of this subsection without successfully securing
19 federal funding for the further study of a road usage charge. A year-
20 end update on the status of this effort, if undertaken prior to the
21 end of calendar year 2020, must be provided to the governor's office
22 and the transportation committees of the legislature by January 1,
23 2021.

24 (2) (a) \$250,000 of the Interstate 405 and state route number 167
25 express toll lanes account—state appropriation is provided solely for
26 the transportation commission to conduct a study, applicable to the
27 Interstate 405 express toll lanes, of discounted tolls and other
28 similar programs for low-income drivers that are provided by other
29 states, countries, or other entities and how such a program could be
30 implemented in the state of Washington. The transportation commission
31 may contract with a consultant to conduct all or a portion of this
32 study.

33 (b) In conducting this study, the transportation commission shall
34 consult with both the department of transportation and the department
35 of social and health services.

36 (c) The transportation commission shall, at a minimum, consider
37 the following issues when conducting the study of discounted tolls
38 and other similar programs for low-income drivers:

39 (i) The benefits, requirements, and any potential detriments to
40 the users of a program;

1 (ii) The most cost-effective way to implement a program given
2 existing financial commitments, shared cost requirements across
3 facilities, and technical requirements to execute and maintain a
4 program;

5 (iii) The implications of a program for tolling policies,
6 revenues, costs, operations, and enforcement; and

7 (iv) Any implications to tolled facilities based on the type of
8 tolling implemented on a particular facility.

9 (d) The transportation commission shall provide a report
10 detailing the findings of this study and recommendations for
11 implementing a discounted toll or other appropriate program in the
12 state of Washington to the transportation committees of the
13 legislature by June 30, 2021.

14 (3) \$160,000 of the Interstate 405 and state route number 167
15 express toll lanes account—state appropriation, \$271,000 of the state
16 route number 520 corridor account—state appropriation, \$158,000 of
17 the Tacoma Narrows toll bridge account—state appropriation, and
18 \$136,000 of the Alaskan Way viaduct replacement project account—state
19 appropriation are provided solely for the transportation commission's
20 proportional share of time spent supporting tolling operations for
21 the respective tolling facilities.

22 (4) The legislature requests that the commission commence
23 proceedings to name state route number 165 as The Glacier Highway to
24 commemorate the significance of glaciers to the state of Washington.

25 **Sec. 206.** 2020 c 219 s 207 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account—State Appropriation	(\$501,294,000)
	<u>\$499,480,000</u>
30 State Patrol Highway Account—Federal Appropriation	(\$16,081,000)
	<u>\$15,980,000</u>
32 State Patrol Highway Account—Private/Local	
33 Appropriation	(\$4,258,000)
	<u>\$4,257,000</u>
35 Highway Safety Account—State Appropriation	\$1,188,000
36 Ignition Interlock Device Revolving Account—State	
37 Appropriation	\$7,010,000
38 Multimodal Transportation Account—State	

1	Appropriation	((\$286,000))
2		<u>\$274,000</u>
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation.	\$1,182,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation.	\$1,988,000
7	Tacoma Narrows Toll Bridge Account—State Appropriation. .	\$1,158,000
8	Alaskan Way Viaduct Replacement Project	
9	Account—State Appropriation.	\$996,000
10	TOTAL APPROPRIATION.	((\$535,441,000))
11		<u>\$533,513,000</u>

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

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

23 (2) \$510,000 of the ignition interlock device revolving account—
24 state appropriation is provided solely for the ignition interlock
25 program at the Washington state patrol to provide funding for two
26 staff to work and provide support for the program in working with
27 manufacturers, service centers, technicians, and participants in the
28 program.

29 (3) \$1,424,000 of the state patrol highway account—state
30 appropriation is provided solely to enter into an agreement for
31 upgraded land mobile software, hardware, and equipment.

32 (4) \$2,582,000 of the state patrol highway account—state
33 appropriation is provided solely for the replacement of radios and
34 other related equipment.

35 (5) \$343,000 of the state patrol highway account—state
36 appropriation is provided solely for aerial criminal investigation
37 tools, including software licensing and maintenance, and annual
38 certification.

1 (6) \$2,342,000 of the state patrol highway account—state
2 appropriation is provided solely to address the increase in the
3 number of toxicology cases from impaired driving and death
4 investigations.

5 (7) \$580,000 of the state patrol highway account—state
6 appropriation is provided solely for the operation of and
7 administrative support to the license investigation unit to enforce
8 vehicle registration laws in southwestern Washington. The Washington
9 state patrol, in consultation with the department of revenue, shall
10 maintain a running estimate of the additional vehicle registration
11 fees, sales and use taxes, and local vehicle fees remitted to the
12 state pursuant to activity conducted by the license investigation
13 unit. Beginning October 1, 2019, and quarterly thereafter, the
14 Washington state patrol shall submit a report detailing the
15 additional revenue amounts generated since July 1, 2017, to the
16 director of the office of financial management and the transportation
17 committees of the legislature. At the end of the calendar quarter in
18 which it is estimated that more than \$625,000 in state sales and use
19 taxes have been remitted to the state since July 1, 2017, the
20 Washington state patrol shall notify the state treasurer and the
21 state treasurer shall transfer funds pursuant to section 406, chapter
22 416, Laws of 2019.

23 (8) \$18,000 of the state patrol highway account—state
24 appropriation is provided solely for the license investigation unit
25 to procure an additional license plate reader and related costs.

26 (9) The Washington state patrol and the office of financial
27 management must be consulted by the department of transportation
28 during the design phase of any improvement or preservation project
29 that could impact Washington state patrol weigh station operations.
30 During the design phase of any such project, the department of
31 transportation must estimate the cost of designing around the
32 affected weigh station's current operations, as well as the cost of
33 moving the affected weigh station.

34 (10) \$4,210,000 of the state patrol highway account—state
35 appropriation is provided solely for a third arming and a third
36 trooper basic training class. The cadet class is expected to graduate
37 in June 2021.

38 (11) \$65,000 of the state patrol highway account—state
39 appropriation is provided solely for the implementation of chapter

1 440, Laws of 2019 (immigrants in the workplace). (~~If chapter 440,~~
2 ~~Laws of 2019 is not enacted by June 30, 2019, the amount provided in~~
3 ~~this subsection lapses.~~)

4 (12)(a) The Washington state patrol must report quarterly to the
5 house and senate transportation committees on the status of
6 recruitment and retention activities as follows:

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

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

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

12 (iv) The composition of workforce; and

13 (v) Other relevant outcome measures with comparative information
14 with recent comparable months in prior years.

15 (b) By January 1, 2020, the Washington state patrol must submit
16 to the transportation committees of the legislature and the governor
17 a workforce diversity plan. The plan must identify ongoing, and both
18 short-term and long-term, specific comprehensive outreach and
19 recruitment strategies to increase populations underrepresented
20 within both commissioned and noncommissioned employee groups.

21 (13) \$1,182,000 of the Interstate 405 and state route number 167
22 express toll lanes account—state appropriation, \$1,988,000 of the
23 state route number 520 corridor account—state appropriation,
24 \$1,158,000 of the Tacoma Narrows toll bridge account—state
25 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
26 project account—state appropriation are provided solely for the
27 Washington state patrol's proportional share of time spent supporting
28 tolling operations and enforcement for the respective tolling
29 facilities.

30 (14) \$100,000 of the state patrol highway account—state
31 appropriation is provided solely for the implementation of (~~Senate~~
32 ~~Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol
33 retirement definition of salary), which reflects an increase in the
34 Washington state patrol retirement system pension contribution rate
35 of 0.15 percent for changes to the definition of salary. (~~If Senate~~
36 ~~Bill No. 6218, Laws of 2020 is not enacted by June 30, 2020, the~~
37 ~~amount provided in this subsection lapses.~~

1 ~~(16)~~) (15) \$975,000 of the state patrol highway account—state
2 appropriation is provided solely for communications officers at the
3 King county public safety answering point.

4 ~~((17))~~ (16) \$830,000 of the state patrol highway account—state
5 appropriation is provided solely for information technology security
6 enhancements.

7 ~~((18))~~ (17) \$150,000 of the state patrol highway account is
8 provided solely for the Washington state patrol to work with the
9 department of enterprise services and office of minority and women's
10 business enterprises to contract for a workforce diversity strategic
11 action plan. The successful consultant must have demonstrated
12 expertise in workforce diversity research and an established record
13 of assisting organizations in implementing diversity initiatives. The
14 plan must include:

15 (a) Current and past employment data on the composition of the
16 state patrol workforce generally and of its protective service
17 workers;

18 (b) Research into the reasons for underrepresentation of
19 minorities and women in the state patrol workforce;

20 (c) Research on best practices for recruiting across the state
21 and from communities historically underrepresented in the Washington
22 state patrol workforce;

23 (d) Case studies of law enforcement and other agencies that have
24 successfully diversified their workforce; and

25 (e) A strategic plan with recommendations that will address
26 disparities in the Washington state patrol employment ranks in both
27 commissioned and noncommissioned personnel, with a focus on
28 executive, command, and supervisory employees.

29 **Sec. 207.** 2020 c 219 s 208 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF LICENSING**

32	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
33	Motorcycle Safety Education Account—State	
34	Appropriation	(\$5,052,000)
35		<u>\$5,023,000</u>
36	State Wildlife Account—State Appropriation	(\$511,000)
37		<u>\$510,000</u>
38	Highway Safety Account—State Appropriation	(\$242,965,000)

1		<u>\$240,453,000</u>
2	Highway Safety Account—Federal Appropriation	\$1,294,000
3	Motor Vehicle Account—State Appropriation	((\$71,447,000))
4		<u>\$70,601,000</u>
5	Motor Vehicle Account—Federal Appropriation.	\$186,000
6	Motor Vehicle Account—Private/Local Appropriation	\$10,008,000
7	Ignition Interlock Device Revolving Account—State	
8	Appropriation	((\$5,779,000))
9		<u>\$5,761,000</u>
10	Department of Licensing Services Account—State	
11	Appropriation	((\$7,696,000))
12		<u>\$7,685,000</u>
13	License Plate Technology Account—State	
14	Appropriation	\$4,250,000
15	Abandoned Recreational Vehicle Account—State	
16	Appropriation.	\$2,925,000
17	Limousine Carriers Account—State Appropriation.	\$113,000
18	Electric Vehicle Account—State Appropriation.	\$264,000
19	DOL Technology Improvement & Data Management	
20	Account—State Appropriation.	\$2,250,000
21	Agency Financial Transaction Account—State	
22	Appropriation.	\$11,903,000
23	TOTAL APPROPRIATION.	((\$366,677,000))
24		<u>\$363,260,000</u>

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

27 (1) \$139,000 of the motorcycle safety education account—state
28 appropriation is provided solely for the implementation of chapter
29 65, Laws of 2019 (motorcycle safety). ((If chapter 65, Laws of 2019
30 is not enacted by June 30, 2019, the amount provided in this
31 subsection lapses.))

32 (2) \$25,000 of the motorcycle safety education account—state
33 appropriation, \$4,000 of the state wildlife account—state
34 appropriation, \$1,708,000 of the highway safety account—state
35 appropriation, \$576,000 of the motor vehicle account—state
36 appropriation, \$22,000 of the ignition interlock device revolving
37 account—state appropriation, and \$28,000 of the department of
38 licensing services account—state appropriation are provided solely

1 for the department to fund the appropriate staff and necessary
2 equipment and software for data management, data analytics, and data
3 compliance activities. The department must, in consultation with the
4 office of the chief information officer, construct a framework with
5 goals for providing better data stewardship and a plan to achieve
6 those goals. The department must provide the framework and plan to
7 the transportation committees of the legislature by December 31,
8 2019, and an update by May 1, 2020.

9 (3) Appropriations provided for the cloud continuity of
10 operations project in this section are subject to the conditions,
11 limitations, and review provided in section 701 of this act.

12 (4) \$24,028,000 of the highway safety account—state appropriation
13 is provided solely for costs necessary to accommodate increased
14 demand for enhanced drivers' licenses and enhanced identicards. The
15 department shall report on a quarterly basis on the use of these
16 funds, associated workload, and information with comparative
17 information with recent comparable months in prior years. The report
18 must include detailed statewide and by licensing service office
19 information on staffing levels, average monthly wait times, the
20 number of enhanced drivers' licenses and enhanced identicards issued/
21 renewed, and the number of primary drivers' licenses and identicards
22 issued/renewed. Within the amounts provided in this subsection, the
23 department shall implement efficiency measures to reduce the time for
24 licensing transactions and wait times including, but not limited to,
25 the installation of additional cameras at licensing service offices
26 that reduce bottlenecks and align with the "keep your customer"
27 initiative.

28 (5) \$507,000 of the motor vehicle account—state appropriation is
29 provided solely for the implementation of ~~((chapter . . . (Substitute~~
30 ~~Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or))~~
31 ~~chapter 417, Laws of 2019 (vehicle service fees). ((If neither~~
32 ~~chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or~~
33 ~~chapter 417, Laws of 2019 are enacted by June 30, 2019, the amount~~
34 ~~provided in this subsection lapses.))~~

35 (6) \$25,000 of the motor vehicle account—state appropriation is
36 provided solely for the implementation of chapter 177, Laws of 2019
37 (San Juan Islands license plate). ~~((If chapter 177, Laws of 2019 is~~
38 ~~not enacted by June 30, 2019, the amount provided in this subsection~~
39 ~~lapses.))~~

1 (7) \$24,000 of the motor vehicle account—state appropriation is
2 provided solely for the implementation of chapter 384, Laws of 2019
3 (Seattle Storm license plate). (~~If chapter 384, Laws of 2019 is not~~
4 ~~enacted by June 30, 2019, the amount provided in this subsection~~
5 ~~lapses.~~)

6 (8) \$65,000 of the highway safety account—state appropriation is
7 provided solely for the implementation of chapter 440, Laws of 2019
8 (immigrants in the workplace). (~~If chapter 440, Laws of 2019 is not~~
9 ~~enacted by June 30, 2019, the amount provided in this subsection~~
10 ~~lapses.~~)

11 (9) The appropriations in this section assume implementation of
12 additional cost recovery mechanisms to recoup at least \$11,903,000 in
13 credit card and other financial transaction costs as part of charges
14 imposed for driver and vehicle fee transactions beginning January 1,
15 2020. At the direction of the office of financial management, the
16 department must develop a method of tracking the additional amount of
17 credit card and other financial cost-recovery revenues. In
18 consultation with the office of financial management, the department
19 must notify the state treasurer of these amounts and the state
20 treasurer must deposit these revenues in the agency financial
21 transaction account created in section 717, chapter 416, Laws of 2019
22 on a quarterly basis.

23 (10) \$1,281,000 of the department of licensing service account—
24 state appropriation is provided solely for savings from the
25 implementation of chapter 417, Laws of 2019 (vehicle service fees).
26 (~~If chapter 417, Laws of 2019 is enacted by June 30, 2019, the~~
27 ~~amount provided in this subsection lapses.~~)

28 (11) \$2,650,000 of the abandoned recreational vehicle disposal
29 account—state appropriation is provided solely for providing
30 reimbursements in accordance with the department's abandoned
31 recreational vehicle disposal reimbursement program. It is the intent
32 of the legislature that the department prioritize this funding for
33 allowable and approved reimbursements and not to build a reserve of
34 funds within the account.

35 (12) \$20,000 of the motor vehicle account—state appropriation is
36 provided solely for the implementation of chapter 210, Laws of 2019
37 (Gold Star license plate). (~~If chapter 210, Laws of 2019 is not~~
38 ~~enacted by June 30, 2019, the amount provided in this subsection~~
39 ~~lapses.~~)

1 (13) \$31,000 of the motor vehicle account—state appropriation is
2 provided solely for the implementation of chapter 262, Laws of 2019
3 (snow bikes). ~~((If chapter 262, Laws of 2019 is not enacted by June
4 30, 2019, the amount provided in this subsection lapses.))~~

5 (14) \$24,000 of the motor vehicle account—state appropriation is
6 provided solely for the implementation of chapter 139, Laws of 2019
7 (Purple Heart license plate). ~~((If chapter 139, Laws of 2019 is not
8 enacted by June 30, 2019, the amount provided in this subsection
9 lapses.))~~

10 (15) \$24,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter 278, Laws of 2019
12 (vehicle and vessel owner information). ~~((If chapter 278, Laws of
13 2019 is not enacted by June 30, 2019, the amount provided in this
14 subsection lapses.))~~

15 (16) \$600,000 of the highway safety account—state appropriation
16 is provided solely for the department to provide an interagency
17 transfer to the department of social and health services, children's
18 administration division for the purpose of providing driver's license
19 support to a larger population of foster youth than is already served
20 within existing resources. Support services include reimbursement of
21 driver's license issuance costs, fees for driver training education,
22 and motor vehicle liability insurance costs.

23 (17) The department must place personal and company data elements
24 in separate data fields to allow the department to select discrete
25 data elements when providing information or data to persons or
26 entities outside the department. Pursuant to the restrictions in
27 federal and state law, a person's photo, social security number, or
28 medical information must not be made available through public
29 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

30 (18) \$91,000 of the highway safety account—state appropriation is
31 provided solely for the department's costs related to the one
32 Washington project.

33 (19) \$1,674,000 of the highway safety account—state appropriation
34 is provided solely for communication and outreach activities
35 necessary to inform the public of federally acceptable identification
36 options including, but not limited to, enhanced drivers' licenses and
37 enhanced identicards. The department shall continue the outreach plan
38 that includes informational material that can be effectively
39 communicated to all communities and populations in Washington. To

1 accomplish this work, the department shall contract with an external
2 vendor with demonstrated experience and expertise in outreach and
3 marketing to underrepresented communities in a culturally-responsive
4 fashion.

5 (20) Due to the passage of chapter 1 (Initiative Measure No.
6 976), Laws of 2020, the department, working with the office of
7 financial management, shall provide a monthly report on the number of
8 registrations involved and differences between actual collections and
9 collections if the initiative was not subject to a temporary
10 injunction as of December 5, 2019.

11 (21) 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 706
14 of this act.

15 ~~((26))~~ (22) \$107,000 of the highway safety account—state
16 appropriation is provided solely for the implementation of chapter
17 78, Laws of 2020 (military veterans commercial driver's license
18 waivers) ~~((or chapter . . . (Second Substitute Senate Bill No. 5544),
19 Laws of 2020 (military veterans commercial driver's license waivers).
20 If neither chapter 78, Laws of 2020 nor chapter . . . (Second
21 Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30,
22 2020, the amount provided in this subsection lapses))~~.

23 ~~((28))~~ (23) \$114,000 of the highway safety account—state
24 appropriation is provided solely for the implementation of chapter
25 124, Laws of 2020 (homeless youth identicards) ~~((or chapter . . .
26 (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If
27 neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No.
28 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided
29 in this subsection lapses))~~.

30 ~~((29))~~ (24) \$24,000 of the motor vehicle account—state
31 appropriation is provided solely for the implementation of chapter
32 129, Laws of 2020 (Seattle national hockey league special license
33 plate) ~~((or chapter . . . (Senate Bill No. 6562), Laws of 2020
34 (Seattle national hockey league special license plate). If neither
35 chapter 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562),
36 Laws of 2020 is enacted by June 30, 2020, the amount provided in this
37 subsection lapses))~~.

38 ~~((30))~~ (25) \$14,000 of the motor vehicle account—state
39 appropriation is provided solely for the implementation of

1 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
2 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No.
3 6115), Laws of 2020 (off-road vehicle enforcement). If neither
4 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
5 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is
6 enacted by June 30, 2020, the amount provided in this subsection
7 lapses.

8 ~~((31))~~ (26) \$105,000 of the motor vehicle account—state
9 appropriation is provided solely for the implementation of chapter
10 118, Laws of 2020 (tribal vehicles compact) ~~((or chapter . . .
11 (Senate Bill No. 6251), Laws of 2020 (tribal vehicles compact). If
12 neither chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No.
13 6251), Laws of 2020 (tribal vehicles compact) is enacted by June 30,
14 2020, the amount provided in this subsection lapses))~~.

15 ~~((32))~~ (27) \$57,000 of the state wildlife account—state
16 appropriation is provided solely for the implementation of chapter
17 148, Laws of 2020 (state wildlife account). ~~((If chapter 148, Laws of
18 2020 is not enacted by June 30, 2020, the amount provided in this
19 subsection lapses.~~

20 ~~(33))~~ (28) \$19,000 of the motor vehicle account—state
21 appropriation is provided solely for the implementation of chapter
22 93, Laws of 2020 (apples special license plate). ~~((If chapter 93,
23 Laws of 2020 is not enacted by June 30, 2020, the amount provided in
24 this subsection lapses.~~

25 ~~(34))~~ (29) \$19,000 of the motor vehicle account—state
26 appropriation is provided solely for the implementation of chapter
27 239, Laws of 2020 (stolen vehicle check). ~~((If chapter 239, Laws of
28 2020 is not enacted by June 30, 2020, the amount provided in this
29 subsection lapses.~~

30 ~~(36))~~ (30) \$40,000 of the department of licensing services
31 account—state appropriation is provided solely for the department to
32 report to the governor and chairs of the transportation committees of
33 the legislature by December 1, 2020, with a proposed plan to allow
34 the registered owner of a vehicle, or the registered owner's
35 authorized representative, to voluntarily enter into either a
36 quarterly or monthly payment plan with the department to pay vehicle
37 fees or taxes due at the time of application for renewal vehicle
38 registration. The plan must include: (a) An analysis of the
39 administrative costs associated with allowing the payment plans; (b)

1 the estimated revenue impact by fund or account, including impacts to
2 local governments; and (c) the recommended method to achieve the
3 greatest level of customer payment compliance.

4 ~~((37)(a))~~ (31) Within available resources, and in collaboration
5 with the department of revenue, the department of licensing shall
6 evaluate the effectiveness of chapter 218, Laws of 2017, in improving
7 compliance with state laws relating to the registration of off-road
8 vehicles, including the payment of retail sales and use tax. The
9 department of licensing shall recommend any statutory,
10 administrative, or other changes needed to optimize and further
11 strengthen the compliance, including an implementation timeline and
12 corresponding resource requirements. Among its recommendations, the
13 department of licensing must address potential changes to the process
14 under RCW 46.93.210 by which the department notifies persons whose
15 vehicles may not be properly registered in the state. The department
16 shall submit a report to the governor and the transportation
17 committees of the legislature by December 15, 2020.

18 ~~((b) If chapter (Engrossed Substitute House Bill No.
19 2723), Laws of 2020 is enacted by June 30, 2020, this subsection has
20 no force and effect.)~~

21 **Sec. 208.** 2020 c 219 s 209 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
24 **—PROGRAM B**

25	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$5,000,000</u>
26	State Route Number 520 Corridor Account—State	
27	Appropriation	(\$59,059,000)
28		<u>\$40,689,000</u>
29	State Route Number 520 Civil Penalties Account—State	
30	Appropriation	(\$4,145,000)
31		<u>\$13,901,000</u>
32	Tacoma Narrows Toll Bridge Account—State	
33	Appropriation	(\$33,806,000)
34		<u>\$34,785,000</u>
35	Alaskan Way Viaduct Replacement Project Account—State	
36	Appropriation.	(\$21,616,000)
37		<u>\$20,790,000</u>
38	Interstate 405 and State Route Number 167 Express	

1	Toll Lanes Account—State Appropriation.	(\$27,457,000)
2		<u>\$24,347,000</u>
3	TOTAL APPROPRIATION.	(\$146,083,000)
4		<u>\$139,512,000</u>

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

7 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
8 appropriation and \$11,034,000 of the state route number 520 corridor
9 account—state appropriation are provided solely for the purposes of
10 addressing unforeseen operations and maintenance costs on the Tacoma
11 Narrows bridge and the state route number 520 bridge, respectively.
12 The office of financial management shall place the amounts provided
13 in this subsection, which represent a portion of the required minimum
14 fund balance under the policy of the state treasurer, in unallotted
15 status. The office may release the funds only when it determines that
16 all other funds designated for operations and maintenance purposes
17 have been exhausted.

18 (2) As long as the facility is tolled, the department must
19 provide quarterly reports to the transportation committees of the
20 legislature on the Interstate 405 express toll lane project
21 performance measures listed in RCW 47.56.880(4). These reports must
22 include:

23 (a) Information on the travel times and travel time reliability
24 (at a minimum, average and 90th percentile travel times) maintained
25 during peak and nonpeak periods in the express toll lanes and general
26 purpose lanes for both the entire corridor and commonly made trips in
27 the corridor including, but not limited to, northbound from Bellevue
28 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
29 state route number 522, Bellevue to Bothell (both NE 8th to state
30 route number 522 and NE 8th to state route number 527), and a trip
31 internal to the corridor (such as NE 85th to NE 160th) and similar
32 southbound trips;

33 (b) A month-to-month comparison of travel times and travel time
34 reliability for the entire corridor and commonly made trips in the
35 corridor as specified in (a) of this subsection since implementation
36 of the express toll lanes and, to the extent available, a comparison
37 to the travel times and travel time reliability prior to
38 implementation of the express toll lanes;

1 (c) Total express toll lane and total general purpose lane
2 traffic volumes, as well as per lane traffic volumes for each type of
3 lane (i) compared to total express toll lane and total general
4 purpose lane traffic volumes, as well as per lane traffic volumes for
5 each type of lane, on this segment of Interstate 405 prior to
6 implementation of the express toll lanes and (ii) compared to total
7 express toll lane and total general purpose lane traffic volumes, as
8 well as per lane traffic volumes for each type of lane, from month to
9 month since implementation of the express toll lanes; and

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

13 (3) (a) \$2,114,000 of the Interstate 405 and state route number
14 167 express toll lanes account—state appropriation, \$4,920,000 of the
15 state route number 520 corridor account—state appropriation,
16 \$2,116,000 of the Tacoma Narrows toll bridge account—state
17 appropriation, and \$2,776,000 of the Alaskan Way viaduct replacement
18 project account—state appropriation are provided solely for the
19 department to finish implementing a new tolling customer service toll
20 collection system, and are subject to the conditions, limitations,
21 and review provided in section 701 of this act.

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

30 (4) The department shall make detailed quarterly reports to the
31 transportation committees of the legislature and the public on the
32 department's web site on the following:

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

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

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

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

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

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

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

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

15 (iv) Workload costs related to hearings;

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

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

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

21 (5) \$24,735,000 of the Interstate 405 and state route number 167
22 express toll lanes account—state appropriation is provided solely for
23 operational costs related to the express toll lane facility.

24 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
25 Bridge will have reached the end of its operational life. During the
26 2019-2021 fiscal biennium, the department plans to issue a request
27 for proposals as the first stage of a competitive procurement process
28 that will replace the toll equipment and select a new tolling
29 operator for the Tacoma Narrows Bridge. The request for proposals and
30 subsequent competitive procurement must incorporate elements that
31 prioritize the overall goal of lowering costs per transaction for the
32 facility, such as incentives for innovative approaches which result
33 in lower transactional costs, requests for efficiencies on the part
34 of the bidder that lower operational costs, and incorporation of
35 technologies such as self-serve credit card machines or other point-
36 of-payment technologies that lower costs or improve operational
37 efficiencies.

38 (7) \$18,840,000 of the Alaskan Way viaduct replacement project
39 account—state appropriation is provided solely for the new state
40 route number 99 tunnel toll facility's expected share of collecting

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

12 (8) \$608,000 of the Interstate 405 and state route number 167
13 express toll lanes account—state appropriation are provided solely
14 for increased levels of service from the Washington state patrol for
15 enforcement of toll lane violations on the Interstate 405 and state
16 route number 167 express toll lanes. The department shall compile
17 monthly data on the number of Washington state patrol enforcement
18 hours on each facility and the percentage of time during peak hours
19 that speeds are at or above forty-five miles per hour on each
20 facility. The department shall provide this data in a report to the
21 transportation committees of the legislature on at least a calendar
22 quarterly basis.

23 (9) The department shall develop an ongoing cost allocation
24 method to assign appropriate costs to each of the toll funds for
25 services provided by each Washington state department of
26 transportation program and all relevant transportation agencies,
27 including the Washington state patrol and the transportation
28 commission. This method should update the toll cost allocation method
29 used in the 2020 supplemental transportation appropriations act. By
30 December 1, 2020, a report with the recommended method and any
31 changes or potential impacts to toll rates shall be submitted to the
32 transportation committees of the legislature and the office of
33 financial management.

34 **Sec. 209.** 2020 c 219 s 210 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**

37 **C**

38 Transportation Partnership Account—State Appropriation . . \$1,460,000

1	Motor Vehicle Account—State Appropriation	((\$96,331,000))
2		<u>\$93,066,000</u>
3	Puget Sound Ferry Operations Account—State	
4	Appropriation	\$263,000
5	Multimodal Transportation Account—State	
6	Appropriation	((\$2,878,000))
7		<u>\$2,667,000</u>
8	Transportation 2003 Account (Nickel Account)—State	
9	Appropriation	\$1,460,000
10	TOTAL APPROPRIATION.	((\$102,392,000))
11		<u>\$98,916,000</u>

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

14 (1) \$8,114,000 of the motor vehicle account—state appropriation
15 is provided solely for the development of the labor system
16 replacement project and is subject to the conditions, limitations,
17 and review provided in section 701 of this act. It is the intent of
18 the legislature that if any portion of the labor system replacement
19 project is leveraged in the future for the time, leave, and labor
20 distribution of any other agencies, the motor vehicle account will be
21 reimbursed proportionally for the development of the system since
22 amounts expended from the motor vehicle account must be used
23 exclusively for highway purposes in conformance with Article II,
24 section 40 of the state Constitution. This must be accomplished
25 through a loan arrangement with the current interest rate under the
26 terms set by the office of the state treasurer at the time the system
27 is deployed to additional agencies. If the motor vehicle account is
28 not reimbursed for future use of the system, it is further the intent
29 of the legislature that reductions will be made to central service
30 agency charges accordingly. The department shall provide a report to
31 the transportation committees of the legislature by December 31,
32 2019, detailing the project timeline as of July 1, 2019, an updated
33 project timeline if necessary, expenditures made to date for the
34 purposes of this project, and expenditures projected through the
35 remainder of the project timeline.

36 (2) \$1,375,000 of the motor vehicle account—state appropriation
37 is provided solely for the department's cost related to the one
38 Washington project.

1 (3) \$21,500,000 of the motor vehicle account—state appropriation
 2 is provided solely for the activities of the information technology
 3 program in developing and maintaining information systems that
 4 support the operations and program delivery of the department,
 5 ensuring compliance with section 701 of this act, and the
 6 requirements of the office of the chief information officer under RCW
 7 43.88.092 to evaluate and prioritize any new financial and capital
 8 systems replacement or modernization project and any other
 9 information technology project. During the 2019-2021 fiscal biennium,
 10 the department may use the distributed direct program support or
 11 other cost allocation method to fund a new capital systems
 12 replacement or modernization project. The department shall submit a
 13 decision package for implementation of a new capital systems
 14 replacement project to the governor and the transportation committees
 15 of the legislature as part of the normal budget process for the
 16 2021-2023 biennium.

17 **Sec. 210.** 2020 c 219 s 211 (uncodified) is amended to read as
 18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
 20 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

21 Motor Vehicle Account—State Appropriation	((\$34,807,000))
22	<u>\$33,901,000</u>
23 State Route Number 520 Corridor Account—State	
24 Appropriation	\$34,000
25 TOTAL APPROPRIATION.	((\$34,841,000))
26	<u>\$33,935,000</u>

27 **Sec. 211.** 2020 c 219 s 212 (uncodified) is amended to read as
 28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

30 Aeronautics Account—State Appropriation	((\$7,743,000))
31	<u>\$6,846,000</u>
32 Aeronautics Account—Federal Appropriation	\$3,043,000
33 Aeronautics Account—Private/Local Appropriation	\$60,000
34 TOTAL APPROPRIATION.	((\$10,846,000))
35	<u>\$9,949,000</u>

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

1 (1) \$2,862,000 of the aeronautics account—state appropriation is
2 provided solely for the airport aid grant program, which provides
3 competitive grants to public use airports for pavement, safety,
4 maintenance, planning, and security.

5 (2) \$268,000 of the aeronautics account—state appropriation is
6 provided solely for one FTE dedicated to planning aviation emergency
7 services and addressing emerging aeronautics requirements.

8 (3) \$200,000 of the aeronautics account—state appropriation is
9 provided solely for the department to convene an electric aircraft
10 work group to study the state of the electrically powered aircraft
11 industry and assess infrastructure needs related to the deployment of
12 electric or hybrid-electric aircraft for commercial air travel in
13 Washington state.

14 (a) The chair of the work group may be a consultant specializing
15 in aeronautics. The work group must include, but is not limited to,
16 representation from the electric aircraft industry, the aircraft
17 manufacturing industry, electric utility districts, the battery
18 industry, the department of commerce, the department of
19 transportation aviation division, the airline pilots association, a
20 primary airport representing an airport association, and the airline
21 industry.

22 (b) The study must include, but is not limited to:

23 (i) Infrastructure requirements necessary to facilitate electric
24 aircraft operations at airports;

25 (ii) Potential economic and public benefits including, but not
26 limited to, the direct and indirect impact on the number of
27 manufacturing and service jobs and the wages from those jobs in
28 Washington state;

29 (iii) Potential incentives for industry in the manufacturing and
30 operation of electric aircraft for regional air travel;

31 (iv) Educational and workforce requirements for manufacturing and
32 maintaining electric aircraft;

33 (v) Demand and forecast for electric aircraft use to include
34 expected timeline of the aircraft entering the market given federal
35 aviation administration certification requirements;

36 (vi) Identification of up to six airports in Washington state
37 that may benefit from a pilot program once an electrically propelled
38 aircraft for commercial use becomes available; and

1 (vii) Recommendations to further the advancement of the
2 electrification of aircraft for regional commercial use within
3 Washington state, including specific, measurable goals for the years
4 2030, 2040, and 2050 that reflect progressive and substantial
5 increases in the utilization of electric and hybrid-electric
6 commercial aircraft.

7 (c) The work group must submit a report and accompanying
8 recommendations to the transportation committees of the legislature
9 by November 15, 2020.

10 (4) \$350,000 of the aeronautics account—state appropriation is
11 provided solely for the implementation of chapter 396, Laws of 2019
12 (aviation coordinating commission).

13 (5) Within amounts appropriated in this section, the aviation
14 division of the department shall assist and consult with the
15 department of revenue in their efforts to update the document titled
16 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
17 reflect changes to Washington tax code regarding hazardous
18 substances. The department of revenue, in consultation with the
19 aviation division of the Washington state department of
20 transportation, is tasked with developing and recommending a
21 methodology to segregate and track actual amounts collected from the
22 hazardous substance tax under chapter 82.21 RCW and the petroleum
23 products tax under chapter 82.23A RCW as imposed on aviation fuel.
24 The department of revenue is directed to submit a report, including
25 the recommended methodology, to the fiscal committees of the house of
26 representatives and the senate by January 11, 2021.

27 **Sec. 212.** 2020 c 219 s 213 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
30 **SUPPORT—PROGRAM H**

31 Motor Vehicle Account—State Appropriation	((\$59,788,000))
	<u>\$55,609,000</u>
32 Motor Vehicle Account—Federal Appropriation	\$500,000
33 Multimodal Transportation Account—State Appropriation . . .	\$258,000
34 TOTAL APPROPRIATION.	((\$60,546,000))
	<u>\$56,367,000</u>

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

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

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

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

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

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

39 (3) \$1,600,000 of the motor vehicle account—state appropriation
40 is provided solely for real estate services activities. Consistent

1 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
2 initiating, extending, or renewing any rent or lease agreements with
3 a regional transit authority, consideration of value must be
4 equivalent to one hundred percent of economic or market rent.

5 (4) (a) \$100,000 of the motor vehicle account—state appropriation
6 is provided solely for the department to:

7 (i) Determine the real property owned by the state of Washington
8 and under the jurisdiction of the department in King county that is
9 surplus property located in an area encompassing south of Dearborn
10 Street in Seattle, south of Newcastle, west of SR 515, and north of
11 South 216th to SR 515; and

12 (ii) Use any remaining funds after (a) (i) of this subsection is
13 completed to identify additional real property across the state owned
14 by the state of Washington and under the jurisdiction of the
15 department that is surplus property.

16 (b) The department shall provide a report to the transportation
17 committees of the legislature describing the properties it has
18 identified as surplus property under (a) of this subsection by
19 October 1, 2020.

20 **Sec. 213.** 2020 c 219 s 214 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
23 **PROGRAM K**

24	Motor Vehicle Account—State Appropriation	((\$670,000))
25		<u>\$654,000</u>
26	Electric Vehicle Account—State Appropriation.	\$2,000,000
27	Multimodal Transportation Account—State Appropriation. ((\$1,634,000))	
28		<u>\$434,000</u>
29	TOTAL APPROPRIATION.	((\$4,304,000))
30		<u>\$3,088,000</u>

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

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

36 (2) \$350,000 of the multimodal transportation account—state
37 appropriation is provided solely for the department to execute a
38 transit oriented development pilot project at Kingsgate park and ride

1 in Kirkland intended to be completed by December 31, 2023. The
2 purpose of the pilot project is to demonstrate how appropriate
3 department properties may be used to provide multiple public benefits
4 such as affordable and market rate housing, commercial development,
5 and institutional facilities in addition to transportation purposes.
6 To accomplish the pilot project, the department is authorized to
7 exercise all legal and administrative powers authorized in statute
8 that may include, but is not limited to, the transfer, lease, or sale
9 of some or all of the property to another governmental agency, public
10 development authority, or nonprofit developer approved by the
11 department and partner agencies. The department may also partner with
12 sound transit, King county, the city of Kirkland, and any other
13 federal, regional, or local jurisdiction on any policy changes
14 necessary from those jurisdictions to facilitate the pilot project.
15 By December 1, 2019, the department must report to the legislature on
16 any legislative actions necessary to facilitate the pilot project and
17 future transit oriented development projects.

18 (3) \$2,000,000 of the electric vehicle account—state
19 appropriation is provided solely for the clean alternative fuel
20 vehicle charging and refueling infrastructure program in chapter 287,
21 Laws of 2019 (advancing green transportation adoption).

22 ~~(4) ((\$1,200,000 of the multimodal transportation account—state~~
23 ~~appropriation is provided solely for the pilot program established~~
24 ~~under chapter 287, Laws of 2019 (advancing green transportation~~
25 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~
26 ~~to underserved communities and low to moderate income members of the~~
27 ~~workforce not readily served by transit or located in transportation~~
28 ~~corridors with emissions that exceed federal or state emissions~~
29 ~~standards.~~

30 ~~(5))~~ \$84,000 of the multimodal transportation account—state
31 appropriation is provided solely for an interagency transfer to the
32 department of commerce for the purpose of conducting a study as
33 described in chapter 287, Laws of 2019 (advancing green
34 transportation adoption) to identify opportunities to reduce barriers
35 to electric vehicle adoption by lower income residents of the state
36 through the use of vehicle and infrastructure financing assistance.

37 ~~((+6))~~ (5) Building on the information and experience gained
38 from the transit oriented development project at the Kingsgate park
39 and ride, the department must identify a pilot park and ride with

1 future public-private partnership development potential in Pierce
2 county and report back to the transportation committees of the
3 legislature by June 30, 2021, with a proposal for moving forward with
4 a pilot project.

5 **Sec. 214.** 2020 c 219 s 215 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

8 Motor Vehicle Account—State Appropriation	((\$486,514,000))
9	<u>\$468,063,000</u>
10 Motor Vehicle Account—Federal Appropriation	\$7,000,000
11 State Route Number 520 Corridor Account—State	
12 Appropriation	\$4,447,000
13 Tacoma Narrows Toll Bridge Account—State	
14 Appropriation	\$1,549,000
15 Alaskan Way Viaduct Replacement Project	
16 Account—State Appropriation	((\$9,537,000))
17	<u>\$8,846,000</u>
18 Interstate 405 and State Route Number 167 Express	
19 Toll Lanes Account—State Appropriation.	\$4,528,000
20 TOTAL APPROPRIATION.	((\$513,575,000))
21	<u>\$494,433,000</u>

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

24 (1) (a) ((~~\$6,170,000~~)) \$8,570,000 of the motor vehicle account—
25 state appropriation is provided solely for utility fees assessed by
26 local governments as authorized under RCW 90.03.525 for the
27 mitigation of stormwater runoff from state highways. Plan and
28 reporting requirements as required in chapter 435, Laws of 2019
29 (Local Stormwater Charges) shall be consistent with the January 2012
30 findings of the Joint Transportation Committee Report for Effective
31 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in
32 Stormwater Management.

33 (b) Pursuant to RCW 90.03.525(3), the department and the
34 utilities imposing charges to the department shall negotiate with the
35 goal of agreeing to rates such that the total charges to the
36 department for the 2019-2021 fiscal biennium do not exceed the amount
37 provided in this subsection. The department shall report to the
38 transportation committees of the legislature on the amount of funds

1 requested, the funds granted, and the strategies used to keep costs
2 down, by January 17, 2021. If chapter 435, Laws of 2019 (local
3 stormwater charges) is enacted by June 30, 2019, this subsection
4 (1)(b) does not take effect.

5 (2) \$4,447,000 of the state route number 520 corridor account—
6 state appropriation is provided solely to maintain the state route
7 number 520 floating bridge. These funds must be used in accordance
8 with RCW 47.56.830(3).

9 (3) \$1,549,000 of the Tacoma Narrows toll bridge account—state
10 appropriation is provided solely to maintain the new Tacoma Narrows
11 bridge. These funds must be used in accordance with RCW 47.56.830(3).

12 (4) \$2,050,000 of the Interstate 405 and state route number 167
13 express toll lanes account—state appropriation is provided solely to
14 maintain the Interstate 405 and state route number 167 express toll
15 lanes between Lynnwood and Bellevue, and Renton and the southernmost
16 point of the express toll lanes. These funds must be used in
17 accordance with RCW 47.56.830(3).

18 (5) \$2,478,000 of the Interstate 405 and state route number 167
19 express toll lanes account—state appropriation is provided solely for
20 maintenance for the 2019-2021 fiscal biennium only on the Interstate
21 405 roadway between Renton and Bellevue.

22 (6) \$5,000,000 of the motor vehicle account—state appropriation
23 is provided solely for a contingency pool for snow and ice removal.
24 The department must notify the office of financial management and the
25 transportation committees of the legislature when they have spent the
26 base budget for snow and ice removal and will begin using the
27 contingency pool funding.

28 (7) \$1,025,000 of the motor vehicle account—state appropriation
29 is provided solely for the department to implement safety
30 improvements and debris clean up on department-owned rights-of-way in
31 the city of Seattle at levels above that being implemented as of
32 January 1, 2019. The department must contract out or hire a crew
33 dedicated solely to collecting and disposing of garbage, clearing
34 debris or hazardous material, and implementing safety improvements
35 where hazards exist to the traveling public, department employees, or
36 people encamped upon department-owned rights-of-way. The department
37 may request assistance from the Washington state patrol as necessary
38 in order for both agencies to provide enhanced safety-related

1 activities regarding the emergency hazards along state highway
2 rights-of-way in the Seattle area.

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

12 (9) The department must commence a pilot program for the
13 2019-2021 fiscal biennium at the four highest demand safety rest
14 areas to create and maintain an online calendar for volunteer groups
15 to check availability of weekends for the free coffee program. The
16 calendar must be updated at least weekly and show dates and times
17 that are, or are not, available to participate in the free coffee
18 program. The department must submit a report to the legislature on
19 the ongoing pilot by December 1, 2020, outlining the costs and
20 benefits of the online calendar pilot, and including surveys from the
21 volunteer groups and agency staff to determine its effectiveness.

22 **Sec. 215.** 2020 c 219 s 216 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
25 **OPERATING**

26	Motor Vehicle Account—State Appropriation	((\$76,211,000))
27		<u>\$73,586,000</u>
28	Motor Vehicle Account—Federal Appropriation	\$2,050,000
29	Motor Vehicle Account—Private/Local Appropriation	\$250,000
30	State Route Number 520 Corridor Account—State	
31	Appropriation.	\$53,000
32	Tacoma Narrows Toll Bridge Account—State Appropriation.	\$31,000
33	Alaskan Way Viaduct Replacement Project Account—	
34	State Appropriation.	\$26,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation.	\$32,000
37	TOTAL APPROPRIATION.	((\$78,653,000))
38		<u>\$76,028,000</u>

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

3 (1) \$6,000,000 of the motor vehicle account—state appropriation
4 is provided solely for low-cost enhancements. The department shall
5 give priority to low-cost enhancement projects that improve safety or
6 provide congestion relief. By December 15th of each odd-numbered
7 year, the department shall provide a report to the legislature
8 listing all low-cost enhancement projects completed in the prior
9 fiscal biennium.

10 (2) (a) During the 2019-2021 fiscal biennium, the department shall
11 continue a pilot program that expands private transportation
12 providers' access to high occupancy vehicle lanes. Under the pilot
13 program, when the department reserves a portion of a highway based on
14 the number of passengers in a vehicle, the following vehicles must be
15 authorized to use the reserved portion of the highway if the vehicle
16 has the capacity to carry eight or more passengers, regardless of the
17 number of passengers in the vehicle: (i) Auto transportation company
18 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
19 carrier vehicles regulated under chapter 81.70 RCW, except marked or
20 unmarked stretch limousines and stretch sport utility vehicles as
21 defined under department of licensing rules; (iii) private nonprofit
22 transportation provider vehicles regulated under chapter 81.66 RCW;
23 and (iv) private employer transportation service vehicles. For
24 purposes of this subsection, "private employer transportation
25 service" means regularly scheduled, fixed-route transportation
26 service that is offered by an employer for the benefit of its
27 employees. Nothing in this subsection is intended to authorize the
28 conversion of public infrastructure to private, for-profit purposes
29 or to otherwise create an entitlement or other claim by private users
30 to public infrastructure.

31 (b) The department shall expand the high occupancy vehicle lane
32 access pilot program to vehicles that deliver or collect blood,
33 tissue, or blood components for a blood-collecting or distributing
34 establishment regulated under chapter 70.335 RCW. Under the pilot
35 program, when the department reserves a portion of a highway based on
36 the number of passengers in a vehicle, blood-collecting or
37 distributing establishment vehicles that are clearly and identifiably
38 marked as such on all sides of the vehicle are considered emergency

1 vehicles and must be authorized to use the reserved portion of the
2 highway.

3 (c) The department shall expand the high occupancy vehicle lane
4 access pilot program to organ transport vehicles transporting a time
5 urgent organ for an organ procurement organization as defined in RCW
6 68.64.010. Under the pilot program, when the department reserves a
7 portion of a highway based on the number of passengers in a vehicle,
8 organ transport vehicles that are clearly and identifiably marked as
9 such on all sides of the vehicle are considered emergency vehicles
10 and must be authorized to use the reserved portion of the highway.

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

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

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

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

30 (5) \$32,000 of the Interstate 405 and state route number 167
31 express toll lanes account—state appropriation, \$53,000 of the state
32 route number 520 corridor account—state appropriation, \$31,000 of the
33 Tacoma Narrows toll bridge account—state appropriation, and \$26,000
34 of the Alaskan Way viaduct replacement project account—state
35 appropriation are provided solely for the traffic operations
36 program's proportional share of time spent supporting tolling
37 operations for the respective tolling facilities.

1 **Sec. 216.** 2020 c 219 s 217 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
4 **SUPPORT—PROGRAM S**

5	Motor Vehicle Account—State Appropriation	((\$38,251,000))
6		<u>\$35,931,000</u>
7	Motor Vehicle Account—Federal Appropriation	\$1,380,000
8	Motor Vehicle Account—Private/Local Appropriation	\$500,000
9	Multimodal Transportation Account—State	
10	Appropriation	\$1,129,000
11	State Route Number 520 Corridor Account—State	
12	Appropriation.	\$199,000
13	Tacoma Narrows Toll Bridge Account—State Appropriation. . .	\$116,000
14	Alaskan Way Viaduct Replacement Project Account—	
15	State Appropriation.	\$100,000
16	Interstate 405 and State Route Number 167 Express	
17	Toll Lanes Account—State Appropriation.	\$119,000
18	TOTAL APPROPRIATION.	((\$41,794,000))
19		<u>\$39,474,000</u>

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

22 (1) \$2,000,000 of the motor vehicle account—state appropriation
23 is provided solely for a grant program that makes awards for the
24 following: (a) Support for nonprofit agencies, churches, and other
25 entities to help provide outreach to populations underrepresented in
26 the current apprenticeship programs; (b) preapprenticeship training;
27 and (c) child care, transportation, and other supports that are
28 needed to help women, veterans, and minorities enter and succeed in
29 apprenticeship. The department must report on grants that have been
30 awarded and the amount of funds disbursed by December 1st each year.
31 If moneys are provided in the omnibus operating appropriations act
32 for a career connected learning grant program, defined in
33 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
34 otherwise, the amount provided in this subsection lapses.

35 (2) \$150,000 of the motor vehicle account—state appropriation is
36 provided solely for a user-centered and mobile-compatible web site
37 redesign using estimated web site ad revenues.

38 (3) From the revenues generated by the five dollar per studded
39 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—

1 state appropriation is provided solely for the department, in
 2 consultation with the appropriate local jurisdictions and relevant
 3 stakeholder groups, to establish a pilot media-based public
 4 information campaign regarding the damage of studded tire use on
 5 state and local roadways in Whatcom county, and to continue the
 6 existing pilot information campaign in Spokane county. The reason for
 7 the geographic selection of Spokane and Whatcom counties is based on
 8 the high utilization of studded tires in these jurisdictions. The
 9 public information campaigns must primarily focus on making the
 10 consumer aware of the safety implications for other drivers, road
 11 deterioration, financial impact for taxpayers, and, secondarily, the
 12 alternatives to studded tires. The Whatcom county pilot media-based
 13 public information campaign must begin by September 1, 2020. By
 14 January 14, 2021, the department must provide the transportation
 15 committees of the legislature an update on the Spokane and Whatcom
 16 county pilot media-based public information campaigns.

17 (4) \$119,000 of the Interstate 405 and state route number 167
 18 express toll lanes account—state appropriation, \$199,000 of the state
 19 route number 520 corridor account—state appropriation, \$116,000 of
 20 the Tacoma Narrows toll bridge account—state appropriation, and
 21 \$100,000 of the Alaskan Way viaduct replacement project account—state
 22 appropriation are provided solely for the transportation management
 23 and support program's proportional share of time spent supporting
 24 tolling operations for the respective tolling facilities.

25 **Sec. 217.** 2020 c 219 s 218 (uncodified) is amended to read as
 26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
 28 **AND RESEARCH—PROGRAM T**

29 Interstate 405 and State Route Number 167 Express Toll Lanes

30	Account—State Appropriation	((\$3,123,000))
31		<u>\$121,000</u>
32	Motor Vehicle Account—State Appropriation	((\$26,587,000))
33		<u>\$24,122,000</u>
34	Motor Vehicle Account—Federal Appropriation	\$35,385,000
35	Motor Vehicle Account—Private/Local Appropriation	\$1,200,000
36	Multimodal Transportation Account—State Appropriation	\$710,000
37	Multimodal Transportation Account—Federal	
38	Appropriation	\$2,809,000

1	Multimodal Transportation Account—Private/Local	
2	Appropriation	\$100,000
3	State Route Number 520 Corridor Account—State	
4	Appropriation.	((\$763,000))
5		<u>\$556,000</u>
6	((Tacoma Narrows Toll Bridge Account—State Appropriation.	\$121,000
7	Alaskan Way Viaduct Replacement Project Account—	
8	 State Appropriation.	\$104,000))
9	TOTAL APPROPRIATION.	((\$70,902,000))
10		<u>\$65,003,000</u>

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

13 (1) \$130,000 of the motor vehicle account—state appropriation is
14 provided solely for completion of a corridor study to identify
15 potential improvements between exit 116 and exit 99 of Interstate 5.
16 The study should further develop mid- and long-term strategies from
17 the corridor sketch, and identify potential US 101/I-5 interchange
18 improvements, a strategic plan for the Nisqually River bridges,
19 regional congestion relief options, and ecosystem benefits to the
20 Nisqually River estuary for salmon productivity and flood control.

21 (2) The study on state route number 518 referenced in section
22 218(5), chapter 297, Laws of 2018 must be submitted to the
23 transportation committees of the legislature by November 30, 2019.

24 (3) \$100,000 of the motor vehicle account—state appropriation is
25 provided solely to complete the Tacoma mall direct access feasibility
26 study.

27 (4) \$4,600,000 of the motor vehicle account—federal appropriation
28 is provided solely to complete the road usage charge pilot project
29 overseen by the transportation commission using the remaining unspent
30 amount of the federal grant award. The purpose of the road usage
31 charge pilot project is to explore the viability of a road usage
32 charge as a possible replacement for the gas tax.

33 (5) ~~((~~\$3,000,000~~))~~ \$121,000 of the Interstate 405 and state route
34 number 167 express toll lanes account—state appropriation is provided
35 solely for updating the state route number 167 master plan. ~~((If~~
36 ~~chapter 421, Laws of 2019 (addressing tolling) is not enacted by June~~
37 ~~30, 2019, the amount provided in this subsection lapses.))~~

38 (6) ~~((~~\$123,000~~ of the Interstate 405 and state route number 167~~
39 ~~express toll lanes account—state appropriation, \$207,000 of the state~~

1 ~~route number 520 corridor account state appropriation, \$121,000 of~~
2 ~~the Tacoma Narrows toll bridge account state appropriation, and~~
3 ~~\$104,000 of the Alaskan Way viaduct replacement project account state~~
4 ~~appropriation are provided solely for the transportation planning,~~
5 ~~data, and research program's proportional share of time spent~~
6 ~~supporting tolling operations for the respective tolling facilities.~~

7 ~~(7))~~ By December 31, 2020, the department shall provide to the
8 governor and the transportation committees of the legislature a
9 report examining the feasibility of doing performance-based
10 evaluations for projects. The department must incorporate feedback
11 from stakeholder groups, including traditionally underserved and
12 historically disadvantaged populations, and the report shall include
13 the project evaluation procedures that would be used for the
14 performance-based evaluation.

15 ~~((8))~~ (7) \$556,000 of the state route number 520 corridor
16 account—state appropriation is provided solely for the department to
17 contract with the University of Washington department of mechanical
18 engineering, to study measures to reduce noise impacts from the state
19 route number 520 bridge expansion joints. The field testing shall be
20 scheduled during existing construction, maintenance, or other
21 scheduled closures to minimize impacts. The testing must also ensure
22 safety of the traveling public. The study shall examine testing
23 methodologies and project timelines and costs. A final report must be
24 submitted to the transportation committees of the legislature and the
25 governor by December 1, 2021.

26 ~~((9))~~ (8) \$5,900,000 of the motor vehicle account—federal
27 appropriation and \$400,000 of the motor vehicle account—private/local
28 appropriation are provided solely for delivery of the department's
29 state planning and research work program and pooled fund research
30 projects, provided that the department may not expend any amounts
31 provided in this section on a long-range plan or corridor scenario
32 analysis for I-5 from Tumwater to Marysville. This is not intended to
33 reference or impact: The existing I-5 corridor from Mounts road to
34 Tumwater design and operations alternatives analysis; design studies
35 related to HOV lanes or operations; or where it is necessary to
36 continue design and operations analysis related to projects already
37 under development.

1 **Sec. 218.** 2020 c 219 s 219 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
4 **PROGRAM U**

5	Motor Vehicle Account—State Appropriation	((\$79,474,000))
6		<u>\$86,974,000</u>
7	Multimodal Transportation Account—State	
8	Appropriation	\$2,833,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$122,000
11	State Route Number 520 Corridor Account—State	
12	Appropriation.	\$205,000
13	Tacoma Narrows Toll Bridge Account—State	
14	Appropriation.	\$120,000
15	Alaskan Way Viaduct Replacement Project Account—State	
16	Appropriation.	\$102,000
17	TOTAL APPROPRIATION.	((\$82,856,000))
18		<u>\$90,356,000</u>

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

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

27 (2) Beginning October 1, 2019, and quarterly thereafter, the
28 department, in conjunction with the attorney general and the
29 department of enterprise services, shall provide a report with
30 judgments and settlements dealing with the Washington state ferry
31 system to the director of the office of financial management and the
32 transportation committees of the legislature. The report must include
33 information on: (a) The number of claims and settlements by type; (b)
34 the average claim and settlement by type; (c) defense costs
35 associated with those claims and settlements; and (d) information on
36 the impacts of moving legal costs associated with the Washington
37 state ferry system into the statewide self-insurance pool.

38 (3) Beginning October 1, 2019, and quarterly thereafter, the
39 department, in conjunction with the attorney general and the

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

8 (4) \$122,000 of the Interstate 405 and state route number 167
9 express toll lanes account—state appropriation, \$205,000 of the state
10 route number 520 corridor account—state appropriation, \$120,000 of
11 the Tacoma Narrows toll bridge account—state appropriation, and
12 \$102,000 of the Alaskan Way viaduct replacement project account—state
13 appropriation are provided solely for the charges from other
14 agencies' program's proportional share of supporting tolling
15 operations for the respective tolling facilities.

16 (5) When the department identifies significant legal issues that
17 have potential transportation budget implications, the department
18 must initiate a briefing for appropriate legislative members or staff
19 through the office of the attorney general and its legislative
20 briefing protocol.

21 (6) \$7,500,000 of the motor vehicle account—state appropriation
22 is provided solely for awards for legal and lawsuit claims against
23 the Washington state ferry system that existed at the time the ferry
24 system began participating in the statewide self-insurance pool but
25 are not eligible for funding from the self-insurance fund.

26 **Sec. 219.** 2020 c 219 s 220 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

29 State Vehicle Parking Account—State Appropriation	\$784,000
30 Regional Mobility Grant Program Account—State	
31 Appropriation	\$88,698,000
32 Rural Mobility Grant Program Account—State	
33 Appropriation	\$32,223,000
34 Multimodal Transportation Account—State	
35 Appropriation	(\$122,355,000)
36	<u>\$116,756,000</u>
37 Multimodal Transportation Account—Federal	
38 Appropriation	\$3,574,000

1	Multimodal Transportation Account—Local	
2	Appropriation	\$100,000
3	TOTAL APPROPRIATION.	((\$247,734,000))
4		<u>\$242,135,000</u>

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

7 (1) \$62,698,000 of the multimodal transportation account—state
8 appropriation is provided solely for a grant program for special
9 needs transportation provided by transit agencies and nonprofit
10 providers of transportation. Of this amount:

11 (a) \$14,297,000 of the multimodal transportation account—state
12 appropriation is provided solely for grants to nonprofit providers of
13 special needs transportation. Grants for nonprofit providers must be
14 based on need, including the availability of other providers of
15 service in the area, efforts to coordinate trips among providers and
16 riders, and the cost effectiveness of trips provided.

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

29 (2) \$32,223,000 of the rural mobility grant program account—state
30 appropriation is provided solely for grants to aid small cities in
31 rural areas as prescribed in RCW 47.66.100.

32 (3) (a) \$10,539,000 of the multimodal transportation account—state
33 appropriation is provided solely for a vanpool grant program for: (i)
34 Public transit agencies to add vanpools or replace vans; and (ii)
35 incentives for employers to increase employee vanpool use. The grant
36 program for public transit agencies will cover capital costs only;
37 operating costs for public transit agencies are not eligible for
38 funding under this grant program. Additional employees may not be
39 hired from the funds provided in this section for the vanpool grant

1 program, and supplanting of transit funds currently funding vanpools
2 is not allowed. The department shall encourage grant applicants and
3 recipients to leverage funds other than state funds.

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

6 (4) \$27,483,000 of the regional mobility grant program account—
7 state appropriation is reappropriated and provided solely for the
8 regional mobility grant projects identified in ((LEAP)) OFM
9 Transportation Document ((2020-2-ALL-PROJECTS)) 21GOV001 as developed
10 ((March-11)) December 17, 2020, Program - Public Transportation
11 Program (V).

12 (5) (a) \$61,215,000 of the regional mobility grant program account
13 —state appropriation is provided solely for the regional mobility
14 grant projects identified in ((LEAP)) OFM Transportation Document
15 ((2020-2-ALL-PROJECTS)) 21GOV001 as developed ((March-11)) December
16 17, 2020, Program - Public Transportation Program (V). The department
17 shall review all projects receiving grant awards under this program
18 at least semiannually to determine whether the projects are making
19 satisfactory progress. Any project that has been awarded funds, but
20 does not report activity on the project within one year of the grant
21 award, must be reviewed by the department to determine whether the
22 grant should be terminated. The department shall promptly close out
23 grants when projects have been completed, and any remaining funds
24 must be used only to fund projects identified in the ((LEAP)) OFM
25 transportation document referenced in this subsection. The department
26 shall provide annual status reports on December 15, 2019, and
27 December 15, 2020, to the office of financial management and the
28 transportation committees of the legislature regarding the projects
29 receiving the grants. It is the intent of the legislature to
30 appropriate funds through the regional mobility grant program only
31 for projects that will be completed on schedule. A grantee may not
32 receive more than twenty-five percent of the amount appropriated in
33 this subsection. Additionally, when allocating funding for the
34 2021-2023 biennium, no more than thirty percent of the total grant
35 program may directly benefit or support one grantee. The department
36 shall not approve any increases or changes to the scope of a project
37 for the purpose of a grantee expending remaining funds on an awarded
38 grant.

39 (b) In order to be eligible to receive a grant under (a) of this
40 subsection during the 2019-2021 fiscal biennium, a transit agency

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

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

16 (7) \$7,670,000 of the multimodal transportation account—state
17 appropriation and \$784,000 of the state vehicle parking account—state
18 appropriation are provided solely for CTR grants and activities. Of
19 this amount:

20 (a) \$1,000,000 of the multimodal transportation account—state
21 appropriation is provided solely for the department to continue a
22 pilot transit pass incentive program. Businesses and nonprofit
23 organizations located in a county adjacent to Puget Sound with a
24 population of more than seven hundred thousand that have never
25 offered transit subsidies to employees are eligible to apply to the
26 program for a fifty percent rebate on the cost of employee transit
27 subsidies provided through the regional ORCA fare collection system.
28 No single business or nonprofit organization may receive more than
29 ten thousand dollars from the program.

30 (i) Businesses and nonprofit organizations may apply and be
31 awarded funds prior to purchasing a transit subsidy, but the
32 department may not provide reimbursement until proof of purchase or a
33 contract has been provided to the department.

34 (ii) The department shall update the transportation committees of
35 the legislature on the impact of the program by January 31, 2020, and
36 may adopt rules to administer the program.

37 (b) \$30,000 of the state vehicle parking account—state
38 appropriation is provided solely for the STAR pass program for state
39 employees residing in Mason and Grays Harbor Counties. Use of the

1 pass is for public transportation between Mason County and Thurston
2 County, and Grays Harbor and Thurston County. The pass may also be
3 used within Grays Harbor County. The STAR pass commute trip reduction
4 program is open to any state employee who expresses intent to commute
5 to his or her assigned state worksite using a public transit system
6 currently participating in the STAR pass program.

7 (c) \$1,000,000 of the multimodal transportation account—state
8 appropriation is provided solely for a first mile/last mile
9 connections grant program. Eligible grant recipients include cities,
10 businesses, nonprofits, and transportation network companies with
11 first mile/last mile solution proposals. Transit agencies are not
12 eligible. The commute trip reduction board shall develop grant
13 parameters, evaluation criteria, and evaluate grant proposals. The
14 commute trip reduction board shall provide the transportation
15 committees of the legislature a report on the effectiveness of this
16 grant program and best practices for continuing the program.

17 (8) Except as provided otherwise in this subsection, \$33,370,000
18 of the multimodal transportation account—state appropriation is
19 provided solely for connecting Washington transit projects identified
20 in ((LEAP)) OFM Transportation Document ((2020-2-ALL-PROJECTS))
21 21GOV001 as developed ((March-11)) December 17, 2020. It is the
22 intent of the legislature that entities identified to receive funding
23 in the ((LEAP)) OFM document referenced in this subsection receive
24 the amounts specified in the time frame specified in that ((LEAP))
25 OFM document. If an entity has already completed a project in the
26 ((LEAP)) OFM document referenced in this subsection before the time
27 frame identified, the entity may substitute another transit project
28 or projects that cost a similar or lesser amount.

29 (9) \$1,000,000 of the multimodal transportation account—state
30 appropriation is provided solely for transit coordination grants.

31 (10) The department shall not require more than a ten percent
32 match from nonprofit transportation providers for state grants.

33 (11)(a) For projects funded as part of the 2015 connecting
34 Washington transportation package listed on the ((LEAP)) OFM
35 transportation document identified in subsection (4) of this section,
36 if the department expects to have substantial reappropriations for
37 the 2021-2023 fiscal biennium, the department may, on a pilot basis,
38 apply funding from a project with an appropriation that cannot be

1 used for the current fiscal biennium to advance one or more of the
2 following projects:

3 (i) King County Metro - RapidRide Expansion, Burien-Delridge
4 (G2000031);

5 (ii) King County Metro - Route 40 Northgate to Downtown
6 (G2000032);

7 (iii) Mason Transit Park & Ride Development (G2000042); or

8 (iv) Pierce Transit - SR 7 Express Service (G2000045).

9 (b) At least ten business days before advancing a project
10 pursuant to this subsection, the department must notify the office of
11 financial management and the transportation committees of the
12 legislature. The advancement of a project may not hinder the delivery
13 of the projects for which the reappropriations are necessary for the
14 2021-2023 fiscal biennium.

15 (c) To the extent practicable, the department shall use the
16 flexibility and authority granted in this section to minimize the
17 amount of reappropriations needed each biennium.

18 (12) \$750,000 of the multimodal transportation account—state
19 appropriation is provided solely for Intercity Transit for the Dash
20 shuttle program.

21 (13)(a) \$485,000 of the multimodal transportation account—state
22 appropriation is provided solely for King county for:

23 (i) An expanded pilot program to provide certain students in the
24 Highline, Tukwila, and Lake Washington school districts with an ORCA
25 card during these school districts' summer vacations. In order to be
26 eligible for an ORCA card under this program, a student must also be
27 in high school, be eligible for free and reduced-price lunches, and
28 have a job or other responsibility during the summer; and

29 (ii) Providing administrative support to other interested school
30 districts in King county to prepare for implementing similar programs
31 for their students.

32 (b) King county must provide a report to the department and the
33 transportation committees of the legislature by December 15, 2021,
34 regarding:

35 (i) The annual student usage of the pilot program;

36 (ii) Available ridership data;

37 (iii) A cost estimate, including a detailed description of the
38 various expenses leading to the cost estimate, and any other factors
39 relevant to expanding the program to other King county school
40 districts;

1 (iv) A cost estimate, including a detailed description of the
2 various expenses leading to the cost estimate, and any other factors
3 relevant to expanding the program to student populations other than
4 high school or eligible for free and reduced-price lunches;

5 (v) Opportunities for subsidized ORCA cards or local grant or
6 matching funds; and

7 (vi) Any additional information that would help determine if the
8 pilot program should be extended or expanded.

9 (14) \$12,000,000 of the multimodal transportation account—state
10 appropriation is provided solely for the green transportation capital
11 grant program established in chapter 287, Laws of 2019 (advancing
12 green transportation adoption).

13 (15) \$555,000 of the multimodal transportation account—state
14 appropriation is provided solely for an interagency transfer to the
15 Washington State University extension energy program to establish and
16 administer a technical assistance and education program for public
17 agencies on the use of alternative fuel vehicles.

18 ((~~17~~)) (16) The appropriations in this section include savings
19 due to anticipated project underruns; however, it is unknown which
20 projects will provide savings. The legislature intends to provide
21 sufficient flexibility for the department to manage to this savings
22 target. To provide this flexibility, the office of financial
23 management may authorize, through an allotment modification,
24 reductions in the appropriated amounts that are provided solely for a
25 particular purpose within this section subject to the following
26 conditions and limitations:

27 (a) No allotment modifications may be made to amounts provided
28 solely for the special needs transportation grant program;

29 (b) The department must confirm that any modification requested
30 under this subsection of amounts provided solely for a specific
31 purpose are not expected to be used for that purpose in this
32 biennium;

33 (c) Allotment modifications authorized under this subsection may
34 not result in increased funding for any project beyond the amount
35 provided for that project in the 2019-2021 fiscal biennium in
36 ((LEAP)) OFM Transportation Document ((~~2020-2 ALL PROJECTS~~)) 21GOV001
37 as developed ((~~March 11~~)) December 17, 2020;

1 (d) Allotment modifications authorized under this subsection
2 apply only to amounts appropriated in this section from the
3 multimodal transportation account—state; and

4 (e) By December 1, 2020, the department must submit a report to
5 the transportation committees of the legislature regarding the
6 actions taken under this subsection.

7 ~~((18))~~ (17) (a) The Washington state department of
8 transportation public transportation division, working with the
9 Thurston regional planning council, shall provide state agency
10 management, the office of financial management, and the
11 transportation committees of the legislature with results of their
12 regional mobility grant program demonstration project I-5/US 101
13 Practical Solutions: State Capitol Campus Transportation Demand
14 Management - Mobile Work. This includes reporting after the 2020
15 legislative session on the measurable results of an early pilot
16 initiative, "Telework Tuesday," beginning in January 2020.

17 (b) Capitol campus state agency management is directed to fully
18 participate in this work, which aims to reduce greenhouse gases,
19 require less office space and parking investments; provide low cost
20 congestion relief on I-5 during peak periods, US 101, and the local
21 transportation network; and improve retention and recruitment of
22 public employees. The agencies should actively: Encourage employees
23 qualified to telework to participate in this program and increase the
24 number of employees who qualify for mobile work and schedule shifts.

25 (c) If measurable success is achieved, the capitol campus state
26 agencies shall provide options to expand the project to other
27 jurisdictions concentrated with large employers. Expansion and
28 encouragement of telework will help reduce demand on the
29 transportation system, reduce traffic during peak hours, and reduce
30 greenhouse gas emissions.

31 **Sec. 220.** 2020 c 219 s 221 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

34 Motor Vehicle Account—State Appropriation.	\$250,000
35 Puget Sound Ferry Operations Account—State	
36 Appropriation	(\$545,997,000)
37	<u>\$484,449,000</u>
38 Puget Sound Ferry Operations Account—Federal	

1	Appropriation	\$7,932,000
2	Puget Sound Ferry Operations Account—Private/Local	
3	Appropriation	\$121,000
4	TOTAL APPROPRIATION.	(\$554,300,000)
5		<u>\$492,752,000</u>

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

8 (1) The office of financial management budget instructions
9 require agencies to recast enacted budgets into activities. The
10 Washington state ferries shall include a greater level of detail in
11 its 2019-2021 supplemental and 2021-2023 omnibus transportation
12 appropriations act requests, as determined jointly by the office of
13 financial management, the Washington state ferries, and the
14 transportation committees of the legislature. This level of detail
15 must include the administrative functions in the operating as well as
16 capital programs.

17 (2) For the 2019-2021 fiscal biennium, the department may enter
18 into a distributor controlled fuel hedging program and other methods
19 of hedging approved by the fuel hedging committee, which must include
20 a representative of the department of enterprise services.

21 (3) ~~(\$73,161,000)~~ \$65,533,000 of the Puget Sound ferry
22 operations account—state appropriation is provided solely for auto
23 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
24 reflect cost savings from a reduced biodiesel fuel requirement and,
25 therefore, is contingent upon the enactment of section 703, chapter
26 416, Laws of 2019. The amount provided in this subsection represents
27 the fuel budget for the purposes of calculating any ferry fare fuel
28 surcharge. The department shall review future use of alternative
29 fuels and dual fuel configurations, including hydrogen.

30 (4) \$650,000 of the Puget sound ferry operations account—state
31 appropriation is provided solely for increased staffing at Washington
32 ferry terminals to meet increased workload and customer expectations.
33 Within the amount provided in this subsection, the department shall
34 contract with uniformed officers for additional traffic control
35 assistance at the Kingston ferry terminal during peak ferry travel
36 times, with a particular focus on Sundays and holiday weekends.
37 Traffic control methods should include, but not be limited to,
38 holding traffic on the shoulder at Lindvog Road until space opens for
39 cars at the tollbooths and dock, and management of traffic on Highway

1 104 in order to ensure Kingston residents and business owners have
2 access to businesses, roads, and driveways.

3 (5) \$254,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for a dedicated inventory logistics
5 manager on a one-time basis.

6 (6) \$500,000 of the Puget Sound ferry operations account—state
7 appropriation is provided solely for operating costs related to
8 moving vessels for emergency capital repairs. Funds may only be spent
9 after approval by the office of financial management.

10 (7) By January 1, 2020, the ferries division must submit a
11 workforce plan for reducing overtime due to shortages of staff
12 available to fill vacant crew positions. The plan must include
13 numbers of crew positions being filled by staff working overtime,
14 strategies for filling these positions with straight time employees,
15 progress toward implementing those strategies, and a forecast for
16 when overtime expenditures will return to historical averages.

17 (8) \$160,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for a ferry fleet baseline noise
19 study, conducted by a consultant, for the purpose of establishing
20 plans and data-driven goals to reduce ferry noise when Southern
21 resident orca whales are present. In addition, the study must
22 establish prioritized strategies to address vessels serving routes
23 with the greatest exposure to orca whale movements.

24 (9)(a) \$250,000 of the motor vehicle account—state appropriation
25 is provided solely for the department, in consultation with the
26 Washington state transportation center, to develop a plan for service
27 on the triangle route with a goal of providing maximum sailings
28 moving the most passengers to all stops in the least travel time,
29 including waits between sailings, within budget and resource
30 constraints.

31 (b) The Washington state transportation center must use new
32 traffic management models and scheduling tools to examine proposed
33 improvements for the triangle route. The department shall report to
34 the standing transportation committees of the legislature by January
35 15, 2021. The report must include:

36 (i) Implementation and status of data collection, modeling,
37 scheduling, capital investments, and procedural improvements to allow
38 Washington state ferries to schedule more sailings to and from all
39 stops on the triangle route with minimum time between sailings;

1 (ii) Recommendations for emergency boat allocations, regular
2 schedule policies, and emergency schedule policies based on all
3 customers alternative travel options to ensure that any dock with no
4 road access is prioritized in scheduling and scheduled service is
5 provided based on population size, demographics, and local medical
6 services;

7 (iii) Triangle route pilot economic analysis of Washington state
8 ferries fare revenue and fuel cost impact of offering additional,
9 better spaced sailings;

10 (iv) Results of an economic analysis of the return on investment
11 of potentially acquiring and using traffic control infrastructure,
12 technology, walk on loading bridges, and Good-to-Go and ORCA
13 replacement of current fare sales, validation, collections,
14 accounting, and all associated labor and benefits costs that can be
15 saved via those capital investments; and

16 (v) Recommendation on policies, procedures, or agency
17 interpretations of statute that may be adopted to mitigate any delays
18 or disruptions to scheduled sailings.

19 (10) \$15,139,000 of the Puget Sound ferry operations account—
20 state appropriation is provided solely for training. Of the amount
21 provided in this subsection:

22 (a) \$2,500,000 is for training for new employees.

23 (b) \$160,000 is for electronic chart display and information
24 system training.

25 (c) \$379,000 is for marine evacuation slide training.

26 (11) \$1,600,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for naval architecture staff support
28 for the marine maintenance program.

29 (12) \$336,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for inspections of fall restraint
31 systems.

32 (13) \$4,361,000 of the Puget Sound ferry operations account—state
33 appropriation is provided solely for overtime expenses incurred by
34 engine and deck crew members.

35 (14) \$1,200,000 of the Puget Sound ferry operations account—state
36 appropriation is provided solely for familiarization for new
37 assignments of engine crew and terminal staff.

38 (15) \$100,000 of the Puget Sound ferry operations account—state
39 appropriation is provided solely to develop a plan for upgrading a

1 second vessel to meet the international convention for the safety of
2 life at sea standards. The plan must identify the option with the
3 lowest impacts to sailing schedules.

4 **Sec. 221.** 2020 c 219 s 222 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

7 Multimodal Transportation Account—State

8 Appropriation ((~~\$70,244,000~~))

9 \$55,385,000

10 Multimodal Transportation Account—Private/Local

11 Appropriation \$717,000

12 Multimodal Transportation Account—Federal

13 Appropriation \$500,000

14 TOTAL APPROPRIATION. ((~~\$71,461,000~~))

15 \$56,602,000

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

18 (1) (a) (i) \$224,000 of the multimodal transportation account—state
19 appropriation and \$671,000 of the multimodal transportation account—
20 private/local appropriation are provided solely for continued
21 analysis of the ultra high-speed ground transportation corridor in a
22 new study, with participation from Washington, Oregon, and British
23 Columbia. No funds may be expended until the department is in receipt
24 of \$671,000 in private/local funding provided solely for this
25 purpose.

26 (ii) The ultra high-speed ground transportation corridor advisory
27 group must include legislative membership.

28 (iii) "Ultra high-speed" means a maximum testing speed of at
29 least two hundred fifty miles per hour.

30 (b) The study must consist of the following:

31 (i) Development of proposed corridor governance, general powers,
32 operating structure, legal instruments, and contracting requirements,
33 in the context of the roles of relevant jurisdictions, including
34 federal, state, provincial, and local governments;

35 (ii) Development of a long-term funding and financing strategy
36 for project initiation, development, construction, and program
37 administration of the high-speed corridor, building on the funding

1 and financing chapter of the 2019 business case analysis and aligned
2 with the recommendations of (b) (i) of this subsection; and

3 (iii) Development of recommendations for a department-led ultra-
4 high speed corridor engagement plan for policy leadership from
5 elected officials.

6 (c) This study must build on the results of the 2018 Washington
7 state ultra high-speed ground transportation business case analysis
8 and the 2019 Washington state ultra high-speed ground transportation
9 study findings report. The department shall consult with the
10 transportation committees of the legislature regarding all issues
11 related to proposed corridor governance.

12 (d) The development work referenced in (b) of this subsection is
13 intended to identify and make recommendations related to specific
14 entities, including interjurisdictional entities, policies, and
15 processes required for the purposes of furthering preliminary
16 analysis efforts for the ultra high-speed ground transportation
17 corridor. This development work is not intended to authorize one or
18 more entities to assume decision making authority for the design,
19 construction, or operation of an ultra high-speed rail corridor.

20 (e) By December 1, 2020, the department shall provide to the
21 governor and the transportation committees of the legislature a
22 report of the study's findings regarding the three elements noted in
23 this subsection. As applicable, the report should also be sent to the
24 executive and legislative branches of government in the state of
25 Oregon and appropriate government bodies in the province of British
26 Columbia.

27 (2) The department is directed to continue to pursue efforts to
28 reduce costs, increase ridership, and review Amtrak Cascades fares
29 and fare schedules. Within thirty days of each annual cost/revenue
30 reconciliation under the Amtrak service contract, the department
31 shall report annual credits to the office of financial management and
32 the legislative transportation committees. Annual credits from Amtrak
33 to the department including, but not limited to, credits due to
34 higher ridership, reduced level of service, and fare or fare schedule
35 adjustments, must be used to offset corresponding amounts of the
36 multimodal transportation account—state appropriation, which must be
37 placed in reserve.

38 **Sec. 222.** 2020 c 219 s 223 (uncodified) is amended to read as
39 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**

2 **OPERATING**

3 Motor Vehicle Account—State Appropriation (~~(\$12,187,000)~~)
4 \$11,142,000
5 Motor Vehicle Account—Federal Appropriation \$2,567,000
6 Multiuse Roadway Safety Account—State Appropriation \$450,000
7 Multimodal Transportation Account—State
8 Appropriation \$350,000
9 TOTAL APPROPRIATION. (~~(\$15,554,000)~~)
10 \$14,509,000

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

13 (1) \$350,000 of the multimodal transportation account—state
14 appropriation is provided solely for a study by the Puget Sound
15 regional council of new passenger ferry service to better connect
16 communities throughout the twelve county Puget Sound region. The
17 study must assess potential new routes, identify future terminal
18 locations, and provide recommendations to accelerate the
19 electrification of the ferry fleet. The study must identify future
20 passenger only demand throughout Western Washington, analyze
21 potential routes and terminal locations on Puget Sound, Lake
22 Washington, and Lake Union with an emphasis on preserving waterfront
23 opportunities in public ownership and opportunities for partnership.
24 The study must determine whether and when the passenger ferry service
25 achieves a net reduction in carbon emissions including an analysis of
26 the emissions of modes that passengers would otherwise have used. The
27 study must estimate capital and operating costs for routes and
28 terminals. The study must include early and continuous outreach with
29 all interested stakeholders and a report to the legislature and all
30 interested parties by January 31, 2021.

31 (2) \$1,142,000 of the motor vehicle account—state appropriation
32 is provided solely for the department, from amounts set aside out of
33 statewide fuel taxes distributed to counties according to RCW
34 46.68.120(3), to contract with the Washington state association of
35 counties to:

36 (a) In coordination with stakeholders, identify county-owned fish
37 passage barriers, with priority given to barriers that share the same
38 stream system as state-owned fish passage barriers. The study must
39 identify, map, and provide a preliminary assessment of county-owned

1 barriers that need correction, and provide, where possible,
2 preliminary costs estimates for each barrier correction. The study
3 must provide recommendations on:

4 (i) How to prioritize county-owned barriers within the same
5 stream system of state-owned barriers in the current six-year
6 construction plan to maximize state investment; and

7 (ii) How future state six-year construction plans should
8 incorporate county-owned barriers;

9 (b) Update the local agency guidelines manual, including
10 exploring alternatives within the local agency guidelines manual on
11 county priorities;

12 (c) Study the current state of county transportation funding,
13 identify emerging issues, and identify potential future alternative
14 transportation fuel funding sources to meet current and future needs.

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

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

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

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

27 **TRANSPORTATION AGENCIES—CAPITAL**

28 **Sec. 301.** 2020 c 219 s 301 (uncodified) is amended to read as
29 follows:

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

31 Freight Mobility Investment Account—State

32	Appropriation	((\$23,015,000))
33		<u>\$18,731,000</u>
34	Highway Safety Account—State Appropriation.	\$81,000
35	Motor Vehicle Account—State Appropriation.	\$4,907,000
36	Freight Mobility Multimodal Account—State	
37	Appropriation	((\$4,992,000))

1		<u>\$4,694,000</u>
2	Motor Vehicle Account—Federal Appropriation	\$1,899,000
3	Freight Mobility Multimodal Account—Private/Local	
4	Appropriation	\$1,250,000
5	TOTAL APPROPRIATION.	((\$36,144,000))
6		<u>\$31,562,000</u>

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

9 (1) Except as otherwise provided in this section, the entire
10 appropriations in this section are provided solely for the projects
11 by amount, as listed in the ((LEAP)) OFM Transportation Document
12 ((2020-3)) 21GOV002 as developed ((March-11)) December 17, 2020,
13 Conference FMSIB Project List.

14 (2) Until directed by the legislature, the board may not initiate
15 a new call for projects. By January 1, 2020, the board must report to
16 the legislature on alternative proposals to revise its project award
17 and obligation process, which result in lower reappropriations.

18 ((4)) (3) It is the intent of the legislature to continue to
19 make strategic investments in a statewide freight mobility
20 transportation system with the help of the freight mobility strategic
21 investment board, including projects that mitigate the impact of
22 freight movement on local communities.

23 **Sec. 302.** 2020 c 219 s 302 (uncodified) is amended to read as
24 follows:

25 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

26	Rural Arterial Trust Account—State Appropriation	((\$62,884,000))
27		<u>\$51,184,000</u>
28	Motor Vehicle Account—State Appropriation	\$1,456,000
29	County Arterial Preservation Account—State	
30	Appropriation	\$39,590,000
31	TOTAL APPROPRIATION.	((\$103,930,000))
32		<u>\$92,230,000</u>

33 **Sec. 303.** 2020 c 219 s 304 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
36 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

37	Motor Vehicle Account—State Appropriation	((\$51,187,000))
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1		<u>\$50,812,000</u>
2	Connecting Washington Account—State Appropriation	((\$51,523,000))
3		<u>\$50,746,000</u>
4	TOTAL APPROPRIATION.	((\$102,710,000))
5		<u>\$101,558,000</u>

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

8 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington
9 account—state appropriation is provided solely for a new Olympic
10 region maintenance and administration facility to be located on the
11 department-owned site at the intersection of Marvin Road and 32nd
12 Avenue in Lacey, Washington.

13 (2) (a) ((~~\$43,297,000~~)) \$41,357,000 of the motor vehicle account—
14 state appropriation is provided solely for the department facility
15 located at 15700 Dayton Ave N in Shoreline. This appropriation is
16 contingent upon the department of ecology signing a not less than
17 twenty-year agreement to pay a share of any financing contract issued
18 pursuant to chapter 39.94 RCW.

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

21 (c) Total project costs are not to exceed \$46,500,000.

22 (3) ((~~\$1,565,000~~)) \$3,130,000 from the motor vehicle account—
23 state appropriation is provided solely for furniture for the
24 renovated Northwest Region Headquarters at Dayton Avenue. The
25 department must efficiently furnish the renovated building.

26 **Sec. 304.** 2020 c 219 s 305 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

29	Transportation Partnership Account—State	
30	Appropriation	((\$385,619,000))
31		<u>\$377,001,000</u>
32	Motor Vehicle Account—State Appropriation	((\$102,543,000))
33		<u>\$80,779,000</u>
34	Motor Vehicle Account—Federal Appropriation	((\$151,857,000))
35		<u>\$156,187,000</u>
36	Motor Vehicle Account—Private/Local Appropriation	((\$70,404,000))
37		<u>\$74,295,000</u>
38	<u>State Route Number 520 Corridor Account—State</u>	

1	<u>Appropriation.</u>	<u>\$1,000</u>
2	<u>State Route Number 520 Corridor Account—Federal</u>	
3	<u>Appropriation.</u>	<u>\$1,000</u>
4	Connecting Washington Account—State	
5	Appropriation	((\$2,355,205,000))
6		<u>\$1,897,014,000</u>
7	Special Category C Account—State Appropriation . . .	((\$36,134,000))
8		<u>\$32,939,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation	((\$3,853,000))
11		<u>\$3,860,000</u>
12	Alaskan Way Viaduct Replacement Project Account—State	
13	Appropriation	\$77,956,000
14	Transportation 2003 Account (Nickel Account)—State	
15	Appropriation	((\$10,429,000))
16		<u>\$10,406,000</u>
17	Interstate 405 and State Route Number 167 Express	
18	Toll Lanes Account—State Appropriation.	((\$90,027,000))
19		<u>\$33,742,000</u>
20	TOTAL APPROPRIATION.	((\$3,284,027,000))
21		<u>\$2,744,181,000</u>

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

24 (1) Except as provided otherwise in this section, the entire
25 connecting Washington account—state appropriation and the entire
26 transportation partnership account—state appropriation are provided
27 solely for the projects and activities as listed by fund, project,
28 and amount in ((LEAP)) OFM Transportation Document ((2020-1))
29 21GOV001 as developed ((March-11)) December 17, 2020, Program -
30 Highway Improvements Program (I). However, limited transfers of
31 specific line-item project appropriations may occur between projects
32 for those amounts listed subject to the conditions and limitations in
33 section 601 of this act.

34 (2) Except as provided otherwise in this section, the entire
35 motor vehicle account—state appropriation and motor vehicle account—
36 federal appropriation are provided solely for the projects and
37 activities listed in ((LEAP)) OFM Transportation Document ((2020-2
38 ~~ALL PROJECTS~~)) 21GOV001 as developed ((March-11)) December 17, 2020,
39 Program - Highway Improvements Program (I). Any federal funds gained

1 through efficiencies, adjustments to the federal funds forecast,
2 additional congressional action not related to a specific project or
3 purpose, or the federal funds redistribution process must then be
4 applied to highway and bridge preservation activities or fish passage
5 barrier corrections (0BI4001).

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

15 (4) The connecting Washington account—state appropriation
16 includes up to (~~(\$1,835,325,000)~~) \$1,459,579,000 in proceeds from the
17 sale of bonds authorized in RCW 47.10.889.

18 (5) The special category C account—state appropriation includes
19 up to \$24,910,000 in proceeds from the sale of bonds authorized in
20 RCW 47.10.812.

21 (6) The transportation partnership account—state appropriation
22 includes up to (~~(\$162,658,000)~~) \$215,687,000 in proceeds from the
23 sale of bonds authorized in RCW 47.10.873.

24 (7) The Alaskan Way viaduct replacement project account—state
25 appropriation includes up to \$77,956,000 in proceeds from the sale of
26 bonds authorized in RCW 47.10.873.

27 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation
28 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000
29 of the motor vehicle account—private/local appropriation, \$3,384,000
30 of the transportation 2003 account (nickel account)—state
31 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
32 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of
33 the multimodal transportation account—state appropriation are
34 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
35 (809936Z). It is the intent of the legislature that the \$25,000,000
36 increase in funding provided in the 2021-2023 fiscal biennium be
37 covered by any legal damages paid to the state as a result of a
38 lawsuit related to contractual provisions for construction and
39 delivery of the Alaskan Way viaduct replacement project. The

1 legislature intends that the \$25,000,000 of the transportation
2 partnership account—state funds be repaid when those damages are
3 recovered.

4 (9) \$3,000,000 of the multimodal transportation account—state
5 appropriation is provided solely for transit mitigation for the SR
6 99/Viaduct Project - Construction Mitigation project (809940B).

7 (10) (~~(\$168,655,000)~~) \$150,556,000 of the connecting Washington
8 account—state appropriation, \$1,052,000 of the special category C
9 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor
10 vehicle account—private/local appropriation are provided solely for
11 the US 395 North Spokane Corridor project (M00800R).

12 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state
13 route number 167 express toll lanes account—state appropriation is
14 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
15 project (L2000234) for activities related to adding capacity on
16 Interstate 405 between state route number 522 and Interstate 5, with
17 the goals of increasing vehicle throughput and aligning project
18 completion with the implementation of bus rapid transit in the
19 vicinity of the project.

20 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting
21 Washington account—state appropriation (~~(and \$456,000)~~), \$400,000 of
22 the motor vehicle account—private/local appropriation, and \$60,000 of
23 the motor vehicle account—state appropriation are provided solely for
24 the SR 520 Seattle Corridor Improvements - West End project
25 (M00400R).

26 (b) Recognizing that the department of transportation requires
27 full possession of parcel number 1-23190 to complete the Montlake
28 Phase of the West End project, the department is directed to:

29 (i) Work with the operator of the Montlake boulevard market
30 located on parcel number 1-23190 to negotiate a lease allowing
31 continued operations up to January 1, 2020. After that time, the
32 department shall identify an area in the vicinity of the Montlake
33 property for a temporary market or other food service to be provided
34 during the period of project construction. Should the current
35 operator elect not to participate in providing that temporary
36 service, the department shall then develop an outreach plan with the
37 city to solicit community input on the food services provided, and
38 then advertise the opportunity to other potential vendors. Further,
39 the department shall work with the city of Seattle and existing

1 permit processes to facilitate vendor access to and use of the area
2 in the vicinity of the Montlake property.

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

8 (c) \$60,000 of the motor vehicle account—state appropriation is
9 provided solely for grants to nonprofit organizations located in a
10 city with a population exceeding six hundred thousand persons and
11 that empower artists through equitable access to vital expertise,
12 opportunities, and business services. Funds may be used only for the
13 purpose of preserving, commemorating, and sharing the history of the
14 city of Seattle's freeway protests and making the history of activism
15 around the promotion of more integrated transportation and land use
16 planning accessible to current and future generations through the
17 preservation of Bent 2 of the R. H. Thompson freeway ramp.

18 (13) It is the intent of the legislature that for the I-5 JBLM
19 Corridor Improvements project (M00100R), the department shall
20 actively pursue \$50,000,000 in federal funds to pay for this project
21 to supplant state funds in the future. \$50,000,000 in connecting
22 Washington account funding must be held in unallotted status during
23 the 2021-2023 fiscal biennium. These funds may only be used after the
24 department has provided notice to the office of financial management
25 that it has exhausted all efforts to secure federal funds from the
26 federal highway administration and the department of defense.

27 (14) (~~(\$310,469,000)~~) \$182,682,000 of the connecting Washington
28 account—state appropriation (~~(is)~~), \$1,500,000 of the motor vehicle
29 account—federal appropriation, \$14,170,000 of the motor vehicle
30 account—private/local appropriation, and \$2,500,000 of the motor
31 vehicle account—state appropriation are provided solely for the SR
32 167/SR 509 Puget Sound Gateway project (M00600R).

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

35 (b) Proceeds from the sale of any surplus real property acquired
36 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
37 (M00600R) project must be deposited into the motor vehicle account
38 for the purpose of constructing the project.

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

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

19 (e) In designing the state route number 509/state route number
20 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
21 project (M00600R), the department shall make every effort to utilize
22 the preferred "4B" design.

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

28 (g) If sufficient bonding authority to complete this project is
29 not provided within chapter 421, Laws of 2019 (addressing tolling),
30 or within a bond authorization act referencing chapter 421, Laws of
31 2019 by June 30, 2019, it is the intent of the legislature to return
32 the Puget Sound Gateway project (M00600R) to its previously
33 identified construction schedule by moving \$128,900,000 in connecting
34 Washington account—state appropriation back to the 2027-2029 biennium
35 from the 2023-2025 biennium on the list referenced in subsection (2)
36 of this section. If sufficient bonding authority is provided, it is
37 the intent of the legislature to advance the project to allow for
38 earlier completion and inflationary savings.

39 (15) It is the intent of the legislature that, for the I-5/North
40 Lewis County Interchange project (L2000204), the department develop

1 and design the project with the objective of significantly improving
2 access to the industrially zoned properties in north Lewis county.
3 The design must consider the county's process of investigating
4 alternatives to improve such access from Interstate 5 that began in
5 March 2015.

6 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership
7 account—state appropriation is provided solely for the U.S. 2 Trestle
8 IJR project (L1000158).

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

15 (18) Any advisory group that the department convenes during the
16 2019-2021 fiscal biennium must consider the interests of the entire
17 state of Washington.

18 (19) The legislature finds that there are sixteen companies
19 involved in wood preserving in the state that employ four hundred
20 workers and have an annual payroll of fifteen million dollars. Before
21 the department's switch to steel guardrails, ninety percent of the
22 twenty-five hundred mile guardrail system was constructed of
23 preserved wood and one hundred ten thousand wood guardrail posts were
24 produced annually for state use. Moreover, the policy of using steel
25 posts requires the state to use imported steel. Given these findings,
26 where practicable, and until June 30, 2021, the department shall
27 include the design option to use wood guardrail posts, in addition to
28 steel posts, in new guardrail installations. The selection of posts
29 must be consistent with the agency design manual policy that existed
30 before December 2009.

31 (20) (a) For connecting Washington projects that have already
32 begun and are eligible for the authority granted in section 601 of
33 this act, the department shall prioritize advancing the following
34 projects if expected reappropriations become available:

- 35 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- 36 (ii) SR 305 Construction - Safety Improvements (N30500R);
- 37 (iii) SR 14/Bingen Underpass (L2220062);
- 38 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- 39 (v) US Hwy 2 Safety (N00200R);
- 40 (vi) US-12/Walla Walla Corridor Improvements (T20900R);

- 1 (vii) I-5 JBLM Corridor Improvements (M00100R);
- 2 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
- 3 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
- 4 (x) SR 520/124th St Interchange (Design and Right of Way)
- 5 (L1000098).

6 (b) To the extent practicable, the department shall use the
7 flexibility and authority granted in this section and in section 601
8 of this act to minimize the amount of reappropriations needed each
9 biennium.

10 (c) The advancement of a project may not hinder the delivery of
11 the projects for which the reappropriations are necessary for the
12 2021-2023 fiscal biennium.

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

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

33 As these recyclable materials have well established markets, are
34 substantially a primary or secondary product of necessary
35 construction processes and production, and are managed as an item of
36 commercial value, construction aggregate and recycled concrete
37 materials are exempt from chapter 173-350 WAC.

38 (22) (a) (~~(\$17,500,000)~~) \$12,858,000 of the motor vehicle account—
39 state appropriation is provided solely for staffing of a project
40 office to replace the Interstate 5 bridge across the Columbia river

1 (G2000088). If at least a \$9,000,000 transfer is not authorized in
2 section 406(29), chapter 416, Laws of 2019, then \$9,000,000 of the
3 motor vehicle account—state appropriation lapses.

4 (b) Of the amount provided in this subsection, \$7,780,000 of the
5 motor vehicle account—state appropriation must be placed in
6 unallotted status by the office of financial management until the
7 department develops a detailed plan for the work of this project
8 office in consultation with the chairs and ranking members of the
9 transportation committees of the legislature. The director of the
10 office of financial management shall consult with the chairs and
11 ranking members of the transportation committees of the legislature
12 prior to making a decision to allot these funds.

13 (c) The work of this project office includes, but is not limited
14 to, the reevaluation of the purpose and need identified for the
15 project previously known as the Columbia river crossing, the
16 reevaluation of permits and development of a finance plan, the
17 reengagement of key stakeholders and the public, and the reevaluation
18 of scope, schedule, and budget for a reinvigorated bistate effort for
19 replacement of the Interstate 5 Columbia river bridge. When
20 reevaluating the finance plan for the project, the department shall
21 assume that some costs of the new facility may be covered by tolls.
22 The project office must also study the possible different governance
23 structures for a bridge authority that would provide for the joint
24 administration of the bridges over the Columbia river between Oregon
25 and Washington. As part of this study, the project office must
26 examine the feasibility and necessity of an interstate compact in
27 conjunction with the national center for interstate compacts.

28 (d) Within the amount provided in this subsection, the department
29 must implement chapter 137, Laws of 2019 (projects of statewide
30 significance).

31 (e) The department shall have as a goal to:

32 (i) Reengage project stakeholders and reevaluate the purpose and
33 need and environmental permits by July 1, 2020;

34 (ii) Develop a finance plan by December 1, 2020; and

35 (iii) Have made significant progress toward beginning the
36 supplemental environmental impact statement process by June 30, 2021.
37 The department shall aim to provide a progress report on these
38 activities to the governor and the transportation committees of the
39 legislature by December 1, 2019, and a final report to the governor

1 and the transportation committees of the legislature by December 1,
2 2020.

3 ~~(((\$17,500,000 of the motor vehicle account state~~
4 ~~appropriation is provided solely to begin the pre-design phase on the~~
5 ~~I-5/Columbia River Bridge project (G2000088).~~

6 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state
7 appropriation, \$47,655,000 of the motor vehicle account—federal
8 appropriation, \$11,179,000 of the motor vehicle account—private/local
9 appropriation, \$6,100,000 of the motor vehicle account—state
10 appropriation, and \$18,706,000 of the transportation partnership
11 account—state appropriation are provided solely for the Fish Passage
12 Barrier project (OBI4001) with the intent of fully complying with the
13 court injunction by 2030.

14 (b) Of the amounts provided in this subsection, \$320,000 of the
15 connecting Washington account—state appropriation is provided solely
16 to remove the fish passage barrier on state route number 6 that
17 interfaces with Boistfort Valley water utilities near milepost 46.6.

18 (c) The department shall coordinate with the Brian Abbott fish
19 passage barrier removal board to use a watershed approach to maximize
20 habitat gain by replacing both state and local culverts. The
21 department shall deliver high habitat value fish passage barrier
22 corrections that it has identified, guided by the following factors:
23 Opportunity to bundle projects, ability to leverage investments by
24 others, presence of other barriers, project readiness, other
25 transportation projects in the area, and transportation impacts.

26 (d) The department must keep track of, for each barrier removed:
27 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
28 amount spent to comply with the injunction.

29 (e) It is the intent of the legislature that for the amount
30 listed for the 2021-2023 biennium for the Fish Passage Barrier
31 project (OBI4001) on the ~~((LEAP))~~ OFM list referenced in subsection
32 (1) of this section, that accrued practical design savings deposited
33 in the transportation future funding program account be used to help
34 fund the cost of fully complying with the court injunction by 2030.

35 ~~((25))~~ (24) (a) The Washington state department of
36 transportation is directed to pursue compliance with the *U.S. v.*
37 *Washington* permanent injunction by delivering culvert corrections
38 within the injunction area guided by the principle of providing the
39 greatest fisheries habitat gain at the earliest time and considering

1 the following factors: Opportunity to bundle projects, tribal
2 priorities, ability to leverage investments by others, presence of
3 other barriers, project readiness, culvert condition, other
4 transportation projects in the area, and transportation impacts.

5 (b) The department and Brian Abbott fish barrier removal board,
6 while providing the opportunity for stakeholders, tribes, and
7 government agencies to give input on a statewide culvert remediation
8 plan, must provide updates on the development of the statewide
9 culvert remediation plan to the capital budget, ways and means, and
10 transportation committees of the legislature by November 1, 2020, and
11 March 15, 2021. The first update must include a project timeline and
12 plan to ensure that all state agencies with culvert correction
13 programs are involved in the creation of the comprehensive plan.

14 (~~((26) \$16,649,000)~~) (25) \$11,675,000 of the connecting
15 Washington account—state appropriation, \$373,000 of the motor vehicle
16 account—state appropriation, and (~~(\$6,000,000)~~) \$150,000 of the motor
17 vehicle account—private/local appropriation are provided solely for
18 the I-90/Barker to Harvard - Improve Interchanges & Local Roads
19 project (L2000122). The connecting Washington account appropriation
20 for the improvements that fall within the city of Liberty Lake may
21 only be expended if the city of Liberty Lake agrees to cover any
22 project costs within the city of Liberty Lake above the \$20,900,000
23 of state appropriation provided for the total project in (~~(LEAP)~~) OFM
24 Transportation Document ((2020-1)) 21GOV001 as developed (~~(March 11)~~)
25 December 17, 2020, Program - Highway Improvements (I).

26 (~~((27))~~) (26) (a) (\$6,799,000) \$3,901,000 of the motor vehicle
27 account—federal appropriation, (~~(\$31,000)~~) \$34,000 of the motor
28 vehicle account—state appropriation, (~~(\$3,812,000 of the~~
29 ~~transportation partnership account state appropriation,))~~) and
30 (~~(\$7,000,000)~~) \$4,519,000 of the Interstate 405 and state route
31 number 167 express toll lanes account—state appropriation are
32 provided solely for the SR 167/SR 410 to SR 18 - Congestion
33 Management project (316706C).

34 (b) If sufficient bonding authority to complete this project is
35 not provided within chapter 421, Laws of 2019 (addressing tolling),
36 or within a bond authorization act referencing chapter 421, Laws of
37 2019 by June 30, 2019, it is the intent of the legislature to remove
38 the \$100,000,000 in toll funding from this project on the list
39 referenced in subsection (2) of this section.

1 ~~((28))~~ (27) For the I-405/North 8th Street Direct Access Ramp
2 in Renton project (L1000280), if sufficient bonding authority to
3 begin this project is not provided within chapter 421, Laws of 2019
4 (addressing tolling), or within a bond authorization act referencing
5 chapter 421, Laws of 2019, it is the intent of the legislature to
6 remove the project from the list referenced in subsection (2) of this
7 section.

8 ~~((29) \$7,985,000)~~ (28) \$8,931,000 of the Special Category C
9 account—state appropriation ~~((and \$1,000,000 of the motor vehicle~~
10 ~~account—private/local appropriation are))~~ is provided solely for the
11 SR 18 Widening - Issaquah/Hobart Rd to Raging River project
12 (L1000199) for improving and widening state route number 18 to four
13 lanes from Issaquah-Hobart Road to Raging River.

14 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state
15 appropriation is provided solely for the I-5 Corridor from Mounts
16 Road to Tumwater project (L1000231) for completing a National and
17 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
18 and long-term environmental impacts associated with future
19 improvements along the I-5 corridor from Tumwater to DuPont.

20 ~~((31) \$622,000)~~ (30) \$200,000 of the motor vehicle account—
21 state appropriation is provided solely for the US 101/East Sequim
22 Corridor Improvements project (L2000343).

23 ~~((32))~~ (31) \$12,916,000 of the motor vehicle account—state
24 appropriation ~~((is))~~ and \$2,000,000 of the connecting Washington
25 account—state appropriation are provided solely for the SR 522/
26 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
27 project (NPARADI).

28 ~~((33) \$1,000,000)~~ (32) \$505,000 of the motor vehicle account—
29 state appropriation is provided solely for the ~~((US 101/Morse Creek~~
30 ~~Safety Barrier project (L1000247))~~ SR 162/410 Interchange Design and
31 Right of Way project (L1000276).

32 ~~((34) \$1,000,000)~~ (33) \$1,001,000 of the motor vehicle account—
33 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle
34 account—federal appropriation are provided solely for the ~~((SR~~
35 ~~162/410 Interchange Design and Right of Way project (L1000276))~~ US
36 101/Morse Creek Safety Barrier project (L1000247).

37 ~~((36))~~ (34) The appropriations in this section include savings
38 due to anticipated project underruns; however, it is unknown which
39 projects will provide savings. The legislature intends to provide

1 sufficient flexibility for the department to manage to this savings
2 target. To provide this flexibility, the office of financial
3 management may authorize, through an allotment modification,
4 reductions in the appropriated amounts that are provided solely for a
5 particular purpose within this section subject to the following
6 conditions and limitations:

7 (a) The department must confirm that any modification requested
8 under this subsection of amounts provided solely for a specific
9 purpose are not expected to be used for that purpose in this
10 biennium;

11 (b) Allotment modifications authorized under this subsection may
12 not result in increased funding for any project beyond the amount
13 provided for that project in the 2019-2021 fiscal biennium in
14 ((LEAP)) OFM Transportation Document ((2020-2 ALL PROJECTS)) 21GOV001
15 as developed ((March 11)) December 17, 2020;

16 (c) Allotment modifications authorized under this subsection
17 apply only to amounts appropriated in this section from the following
18 accounts: Multimodal transportation account—state, transportation
19 partnership account—state, connecting Washington account—state, and
20 special category C account—state; and

21 (d) By December 1, 2020, the department must submit a report to
22 the transportation committees of the legislature regarding the
23 actions taken under this subsection.

24 **Sec. 305.** 2020 c 219 s 306 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

27 Recreational Vehicle Account—State Appropriation	\$2,971,000
28 Transportation Partnership Account—State	
29 Appropriation	((\$20,248,000))
30	<u>\$20,566,000</u>
31 <u>Highway Safety Account—State Appropriation.</u>	<u>\$1,000</u>
32 Motor Vehicle Account—State Appropriation	((\$82,447,000))
33	<u>\$87,866,000</u>
34 Motor Vehicle Account—Federal Appropriation	((\$490,744,000))
35	<u>\$494,295,000</u>
36 Motor Vehicle Account—Private/Local	
37 Appropriation	((\$7,408,000))
38	<u>\$7,660,000</u>

1	State Route Number 520 Corridor Account—State	
2	Appropriation	((\$326,000))
3		<u>\$395,000</u>
4	Connecting Washington Account—State Appropriation	((\$204,630,000))
5		<u>\$179,756,000</u>
6	Tacoma Narrows Toll Bridge Account—State	
7	Appropriation	((\$8,350,000))
8		<u>\$1,078,000</u>
9	Alaskan Way Viaduct Replacement Project Account—State	
10	Appropriation.	((\$10,000))
11		<u>\$79,000</u>
12	Interstate 405 and State Route Number 167 Express	
13	Toll Lanes Account—State Appropriation.	((\$3,018,000))
14		<u>\$1,457,000</u>
15	Transportation 2003 Account (Nickel Account)—State	
16	Appropriation	\$17,892,000
17	TOTAL APPROPRIATION.	((\$838,044,000))
18		<u>\$814,016,000</u>

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

21 (1) Except as provided otherwise in this section, the entire
22 connecting Washington account—state appropriation and the entire
23 transportation partnership account—state appropriation are provided
24 solely for the projects and activities as listed by fund, project,
25 and amount in ((LEAP)) OFM Transportation Document ((~~2020-1~~)
26 21GOV001 as developed ((~~March-11~~)) December 17, 2020, Program -
27 Highway Preservation Program (P). However, limited transfers of
28 specific line-item project appropriations may occur between projects
29 for those amounts listed subject to the conditions and limitations in
30 section 601 of this act.

31 (2) Except as provided otherwise in this section, the entire
32 motor vehicle account—state appropriation and motor vehicle account—
33 federal appropriation are provided solely for the projects and
34 activities listed in ((LEAP)) OFM Transportation Document ((~~2020-2~~
35 ~~ALL PROJECTS~~)) 21GOV001 as developed ((~~March-11~~)) December 17, 2020,
36 Program - Highway Preservation Program (P). Any federal funds gained
37 through efficiencies, adjustments to the federal funds forecast,
38 additional congressional action not related to a specific project or
39 purpose, or the federal funds redistribution process must then be

1 applied to highway and bridge preservation activities or fish passage
2 barrier corrections (0BI4001).

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

12 (4) (~~(\$26,683,000)~~) \$21,517,000 of the connecting Washington
13 account—state appropriation is provided solely for the land mobile
14 radio upgrade (G2000055) and is subject to the conditions,
15 limitations, and review provided in section 701 of this act. The land
16 mobile radio project is subject to technical oversight by the office
17 of the chief information officer. The department, in collaboration
18 with the office of the chief information officer, shall identify
19 where existing or proposed mobile radio technology investments should
20 be consolidated, identify when existing or proposed mobile radio
21 technology investments can be reused or leveraged to meet multiagency
22 needs, increase mobile radio interoperability between agencies, and
23 identify how redundant investments can be reduced over time. The
24 department shall also provide quarterly reports to the technology
25 services board on project progress.

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

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

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

3 (7) \$21,289,000 of the motor vehicle account—federal
4 appropriation and \$840,000 of the motor vehicle account—state
5 appropriation are provided solely for the preservation of
6 structurally deficient bridges or bridges that are at risk of
7 becoming structurally deficient (L1000068). These funds must be used
8 widely around the state of Washington. When practicable, the
9 department shall pursue design-build contracts for these bridge
10 projects to expedite delivery. The department shall provide a report
11 that identifies the progress of each project funded in this
12 subsection as part of its annual agency budget request.

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

20 (9) During the course of any planned resurfacing or other
21 preservation activity on state route number 26 between Colfax and
22 Othello in the 2019-2021 fiscal biennium, the department must add
23 dug-in reflectors.

24 (10) Within the connecting Washington account—state
25 appropriation, the department may transfer funds from Highway System
26 Preservation (L1100071) to other preservation projects listed in the
27 ((LEAP)) OFM transportation document identified in subsection (1) of
28 this section, if it is determined necessary for completion of these
29 high priority preservation projects. The department's next budget
30 submittal after using this subsection must appropriately reflect the
31 transfer.

32 **Sec. 306.** 2020 c 219 s 307 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
35 **CAPITAL**

36 Motor Vehicle Account—State Appropriation	((\$7,746,000))
	<u>\$6,875,000</u>
38 Motor Vehicle Account—Federal Appropriation	((\$6,137,000))

1		<u>\$262,000</u>
2	Motor Vehicle Account—Private/Local Appropriation	\$579,000
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation.	((\$100,000))
5		<u>\$189,000</u>
6	<u>Multimodal Transportation Account—Federal</u>	
7	<u>Appropriation.</u>	<u>\$4,777,000</u>
8	TOTAL APPROPRIATION.	((\$14,562,000))
9		<u>\$12,682,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: ((~~1~~)) \$700,000 of the motor vehicle
12 account—state appropriation is provided solely for the SR 99 Aurora
13 Bridge ITS project (L2000338).

14 **Sec. 307.** 2020 c 219 s 308 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
17 **CONSTRUCTION—PROGRAM W**

18	Puget Sound Capital Construction Account—State	
19	Appropriation	((\$116,253,000))
20		<u>\$88,051,000</u>
21	Puget Sound Capital Construction Account—Federal	
22	Appropriation	((\$198,688,000))
23		<u>\$186,598,000</u>
24	Puget Sound Capital Construction Account—Private/Local	
25	Appropriation	((\$4,779,000))
26		<u>\$4,575,000</u>
27	Transportation Partnership Account—State	
28	Appropriation	((\$6,582,000))
29		<u>\$2,312,000</u>
30	Connecting Washington Account—State Appropriation	\$112,426,000
31	Capital Vessel Replacement Account—State	
32	Appropriation.	((\$96,030,000))
33		<u>\$35,547,000</u>
34	Transportation 2003 Account (Nickel Account)—State	
35	Appropriation.	\$986,000
36	TOTAL APPROPRIATION.	((\$535,744,000))
37		<u>\$430,495,000</u>

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

3 (1) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects
5 and activities as listed in (~~LEAP~~) OFM Transportation Document
6 (~~(2020-2 ALL PROJECTS)~~) 21GOV001 as developed (~~(March 11)~~) December
7 17, 2020, Program - Washington State Ferries Capital Program (W).

8 (2) \$2,857,000 of the Puget Sound capital construction account—
9 state appropriation, (~~(\$17,832,000)~~) \$18,818,000 of the Puget Sound
10 capital construction account—federal appropriation, and \$63,789,000
11 of the connecting Washington account—state appropriation, are
12 provided solely for the Mukilteo ferry terminal (952515P). To the
13 extent practicable, the department shall avoid the closure of, or
14 disruption to, any existing public access walkways in the vicinity of
15 the terminal project during construction.

16 (3) (~~(\$102,641,000)~~) \$102,643,000 of the Puget Sound capital
17 construction account—federal appropriation, \$47,819,000 of the
18 connecting Washington account—state appropriation, and \$4,355,000 of
19 the Puget Sound capital construction account—local appropriation are
20 provided solely for the Seattle Terminal Replacement project
21 (900010L).

22 (4) \$5,357,000 of the Puget Sound capital construction account—
23 state appropriation is provided solely for emergency capital repair
24 costs (999910K). Funds may only be spent after approval by the office
25 of financial management.

26 (5) (~~(\$2,300,000)~~) \$2,224,000 of the Puget Sound capital
27 construction account—state appropriation is provided solely for the
28 ORCA acceptance project (L2000300). The ferry system shall work with
29 Washington technology solutions and the tolling division on the
30 development of a new, interoperable ticketing system.

31 (6) \$495,000 of the Puget Sound capital construction account—
32 state appropriation is provided solely for an electric ferry planning
33 team (G2000087) to develop ten-year and twenty-year implementation
34 plans to efficiently deploy hybrid-electric vessels, including a
35 cost-benefit analysis of construction and operation of hybrid-
36 electric vessels with and without charging infrastructure. The plan
37 includes, but is not limited to, vessel technology and feasibility,
38 vessel and terminal deployment schedules, project financing, and
39 workforce requirements. The plan shall be submitted to the office of

1 financial management and the transportation committees of the
2 legislature by June 30, 2020.

3 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital
4 construction account—state appropriation and \$8,000,000 of the Puget
5 Sound capital construction account—federal appropriation are provided
6 solely for the conversion of up to two Jumbo Mark II vessels to
7 electric hybrid propulsion (G2000084). The department shall seek
8 additional funds for the purposes of this subsection. The department
9 may spend from the Puget Sound capital construction account—state
10 appropriation in this section only as much as the department receives
11 in Volkswagen settlement funds for the purposes of this subsection.

12 (8) \$400,000 of the Puget Sound capital construction account—
13 state appropriation is provided solely for a request for proposals
14 for a new maintenance management system (project L2000301) and is
15 subject to the conditions, limitations, and review provided in
16 section 701 of this act.

17 (9) (~~(\$96,030,000)~~) \$35,547,000 of the capital vessel replacement
18 account—state appropriation is provided solely for the acquisition of
19 a 144-car hybrid-electric vessel. The vendor must present to the
20 joint transportation committee and the office of financial
21 management, by September 15, 2019, a list of options that will result
22 in significant cost savings changes in terms of construction or the
23 long-term maintenance and operations of the vessel. The vendor must
24 allow for exercising the options without a penalty. It is the intent
25 of the legislature to provide an additional \$88,000,000 in funding in
26 the 2021-23 biennium. The reduction provided in this subsection is an
27 assumed underrun pursuant to subsection (11) of this section. The
28 commencement of construction of new vessels for the ferry system is
29 important not only for safety reasons, but also to keep skilled
30 marine construction jobs in the Puget Sound region and to sustain the
31 capacity of the region to meet the ongoing construction and
32 preservation needs of the ferry system fleet of vessels. The
33 legislature has determined that the current vessel procurement
34 process must move forward with all due speed, balancing the interests
35 of both the taxpayers and shipyards. To accomplish construction of
36 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
37 for vessels initially funded after July 1, 2020, is encouraged to
38 follow the historical practice of subcontracting the construction of
39 ferry superstructures to a separate nonaffiliated contractor located

1 within the Puget Sound region, that is qualified in accordance with
2 RCW 47.60.690.

3 (10) The capital vessel replacement account—state appropriation
4 includes up to (~~(\$96,030,000)~~) \$35,000,000 in proceeds from the sale
5 of bonds authorized in RCW 47.10.873.

6 (~~(12)~~) (11) The appropriations in this section include savings
7 due to anticipated project underruns; however, it is unknown which
8 projects will provide savings. The legislature intends to provide
9 sufficient flexibility for the department to manage to this savings
10 target. To provide this flexibility, the office of financial
11 management may authorize, through an allotment modification,
12 reductions in the appropriated amounts that are provided solely for a
13 particular purpose within this section subject to the following
14 conditions and limitations:

15 (a) The department must confirm that any modification requested
16 under this subsection of amounts provided solely for a specific
17 purpose are not expected to be used for that purpose in this
18 biennium;

19 (b) Allotment modifications authorized under this subsection may
20 not result in increased funding for any project beyond the amount
21 provided for that project in the 2019-2021 fiscal biennium in
22 (~~(LEAP)~~) OFM Transportation Document (~~(2020-2 ALL PROJECTS)~~) 21GOV001
23 as developed (~~(March 11)~~) December 17, 2020;

24 (c) Allotment modifications authorized under this subsection
25 apply only to amounts appropriated in this section from the following
26 accounts: Puget Sound capital construction account—state,
27 transportation partnership account—state, and capital vessel
28 replacement account—state; and

29 (d) By December 1, 2020, the department must submit a report to
30 the transportation committees of the legislature regarding the
31 actions taken under this subsection.

32 **Sec. 308.** 2020 c 219 s 309 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**
35 Motor Vehicle Account—State Appropriation. (~~(\$3,300,000)~~)
36 \$2,300,000
37 Essential Rail Assistance Account—State Appropriation . . . \$851,000
38 Transportation Infrastructure Account—State

1	Appropriation	((\$7,554,000))
2		<u>\$7,465,000</u>
3	Multimodal Transportation Account—State	
4	Appropriation	((\$74,876,000))
5		<u>\$70,876,000</u>
6	Multimodal Transportation Account—Federal	
7	Appropriation	\$8,601,000
8	Multimodal Transportation Account—Local	
9	Appropriation	\$336,000
10	TOTAL APPROPRIATION.	((\$95,518,000))
11		<u>\$90,429,000</u>

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

14 (1) Except as provided otherwise in this section, the entire
15 appropriations in this section are provided solely for the projects
16 and activities as listed by project and amount in ((LEAP)) OFM
17 Transportation Document ((2020-2-ALL-PROJECTS)) 21GOV001 as developed
18 ((March 11)) December 17, 2020, Program - Rail Program (Y).

19 (2) \$7,136,000 of the transportation infrastructure account—state
20 appropriation is provided solely for new low-interest loans approved
21 by the department through the freight rail investment bank (FRIB)
22 program. The department shall issue FRIB program loans with a
23 repayment period of no more than ten years, and charge only so much
24 interest as is necessary to recoup the department's costs to
25 administer the loans. The department shall report annually to the
26 transportation committees of the legislature and the office of
27 financial management on all FRIB loans issued.

28 (3) \$7,782,000 of the multimodal transportation account—state
29 appropriation, \$51,000 of the transportation infrastructure account—
30 state appropriation, and \$135,000 of the essential rail assistance
31 account—state appropriation are provided solely for new statewide
32 emergent freight rail assistance projects identified in the ((LEAP))
33 OFM transportation document referenced in subsection (1) of this
34 section.

35 (4) \$367,000 of the transportation infrastructure account—state
36 appropriation and \$1,100,000 of the multimodal transportation account
37 —state appropriation are provided solely to reimburse Highline Grain,
38 LLC for approved work completed on Palouse River and Coulee City
39 (PCC) railroad track in Spokane county between the BNSF Railway

1 Interchange at Cheney and Geiger Junction and must be administered in
2 a manner consistent with freight rail assistance program projects.
3 The value of the public benefit of this project is expected to meet
4 or exceed the cost of this project in: Shipper savings on
5 transportation costs; jobs saved in rail-dependent industries; and/or
6 reduced future costs to repair wear and tear on state and local
7 highways due to fewer annual truck trips (reduced vehicle miles
8 traveled). The amounts provided in this subsection are not a
9 commitment for future legislatures, but it is the legislature's
10 intent that future legislatures will work to approve biennial
11 appropriations until the full \$7,337,000 cost of this project is
12 reimbursed.

13 (5) (a) \$716,000 of the essential rail assistance account—state
14 appropriation and \$82,000 of the multimodal transportation account—
15 state appropriation are provided solely for the purpose of the
16 rehabilitation and maintenance of the Palouse river and Coulee City
17 railroad line (F01111B).

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

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

23 (ii) Revenues from trackage rights agreement fees paid by
24 shippers; and

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

29 (6) The department shall issue a call for projects for the
30 freight rail assistance program, and shall evaluate the applications
31 in a manner consistent with past practices as specified in section
32 309, chapter 367, Laws of 2011. By November 15, 2020, the department
33 shall submit a prioritized list of recommended projects to the office
34 of financial management and the transportation committees of the
35 legislature.

36 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation
37 account—state appropriation is provided solely as expenditure
38 authority for any insurance proceeds received by the state for
39 Passenger Rail Equipment Replacement (project 700010C.) The

1 department must use this expenditure authority only to purchase
2 replacement equipment that has been competitively procured and for
3 service recovery needs and corrective actions related to the December
4 2017 derailment.

5 (8) \$898,000 of the multimodal transportation account—federal
6 appropriation and \$8,000 of the multimodal transportation account—
7 state appropriation are provided solely for the Ridgefield Rail
8 Overpass (project 725910A). Total costs for this project may not
9 exceed \$909,000 across fiscal biennia.

10 (9) (a) For projects funded as part of the 2015 connecting
11 Washington transportation package listed on the ~~((LEAP))~~ OFM
12 transportation document identified in subsection (1) of this section,
13 if the department expects to have substantial reappropriations for
14 the 2021-2023 fiscal biennium, the department may, on a pilot basis,
15 apply funding from a project in this section with an appropriation
16 that cannot be used for the current fiscal biennium to advance the
17 South Kelso Railroad Crossing project (L1000147).

18 (b) At least ten business days before advancing the project
19 pursuant to this subsection, the department must notify the office of
20 financial management and the transportation committees of the
21 legislature. The advancement of the project may not hinder the
22 delivery of the projects for which the reappropriations are necessary
23 for the 2021-2023 fiscal biennium.

24 (c) To the extent practicable, the department shall use the
25 flexibility and authority granted in this section to minimize the
26 amount of reappropriations needed each biennium.

27 ~~((10) ((The multimodal transportation account—state appropriation
28 includes up to \$25,000,000 in proceeds from the sale of bonds
29 authorized in RCW 47.10.867.~~

30 ~~((11))~~) The department must report to the joint transportation
31 committee on the progress made on freight rail investment bank
32 projects and freight rail assistance projects funded during this
33 biennium by January 1, 2020.

34 ~~((12))~~ (11) \$1,500,000 of the multimodal transportation account
35 —state appropriation is provided solely for the Chelatchie Prairie
36 railroad roadbed rehabilitation project (L1000233).

37 ~~((13))~~ (12) \$250,000 of the multimodal transportation account—
38 state appropriation is provided solely for the Port of Moses Lake
39 Northern Columbia Basin railroad feasibility study (L1000235).

1 ~~((14))~~ (13) \$500,000 of the multimodal transportation account—
2 state appropriation is provided solely for the Spokane airport
3 transload facility project (L1000242).

4 ~~((15) — \$1,000,000 — of the motor vehicle account—state
5 appropriation is provided solely for the grade separation at Bell
6 road project (L1000239)).~~

7 ~~(16))~~ (14) \$750,000 of the motor vehicle account—state
8 appropriation and \$399,000 of the multimodal transportation account—
9 state appropriation are provided solely for the rail crossing
10 improvements at 6th Ave. and South 19th St. project (L2000289).

11 ~~((18))~~ (15) The appropriations in this section include savings
12 due to anticipated project underruns; however, it is unknown which
13 projects will provide savings. The legislature intends to provide
14 sufficient flexibility for the department to manage to this savings
15 target. To provide this flexibility, the office of financial
16 management may authorize, through an allotment modification,
17 reductions in the appropriated amounts that are provided solely for a
18 particular purpose within this section subject to the following
19 conditions and limitations:

20 (a) The department must confirm that any modification requested
21 under this subsection of amounts provided solely for a specific
22 purpose are not expected to be used for that purpose in this
23 biennium;

24 (b) Allotment modifications authorized under this subsection may
25 not result in increased funding for any project beyond the amount
26 provided for that project in the 2019-2021 fiscal biennium in
27 ~~((LEAP))~~ OFM Transportation Document ~~((2020-2 ALL PROJECTS))~~ 21GOV001
28 as developed ~~((March 11))~~ December 17, 2020;

29 (c) Allotment modifications authorized under this subsection
30 apply only to amounts appropriated in this section from the
31 multimodal transportation account—state; and

32 (d) By December 1, 2020, the department must submit a report to
33 the transportation committees of the legislature regarding the
34 actions taken under this subsection.

35 **Sec. 309.** 2020 c 219 s 310 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
38 **CAPITAL**

1	Highway Infrastructure Account—State Appropriation	\$1,276,000
2	Highway Infrastructure Account—Federal Appropriation	\$1,337,000
3	Transportation Partnership Account—State	
4	Appropriation	(\$2,380,000)
5		<u>\$1,630,000</u>
6	Highway Safety Account—State Appropriation	\$1,314,000
7	Motor Vehicle Account—State Appropriation	(\$35,607,000)
8		<u>\$22,473,000</u>
9	Motor Vehicle Account—Federal Appropriation	(\$41,420,000)
10		<u>\$44,980,000</u>
11	Motor Vehicle Account—Private/Local Appropriation	(\$24,600,000)
12		<u>\$18,000,000</u>
13	Connecting Washington Account—State Appropriation	(\$155,550,000)
14		<u>\$146,792,000</u>
15	Multimodal Transportation Account—State	
16	Appropriation	(\$77,469,000)
17		<u>\$75,983,000</u>
18	TOTAL APPROPRIATION.	(\$340,953,000)
19		<u>\$313,785,000</u>

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

22 (1) Except as provided otherwise in this section, the entire
23 appropriations in this section are provided solely for the projects
24 and activities as listed by project and amount in ((LEAP)) OFM
25 Transportation Document ((2020-2-ALL-PROJECTS)) 21GOV001 as developed
26 ((March 11)) December 17, 2020, Program - Local Programs Program (Z).

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

30 (a) (~~(\$18,380,000)~~) \$8,361,000 of the multimodal transportation
31 account—state appropriation is provided solely for newly selected
32 pedestrian and bicycle safety program projects. (~~(\$18,577,000)~~)
33 \$19,363,000 of the multimodal transportation account—state
34 appropriation and \$1,380,000 of the transportation partnership
35 account—state appropriation are reappropriated for pedestrian and
36 bicycle safety program projects selected in the previous biennia
37 (L2000188).

38 (b) (~~(\$11,400,000)~~) \$4,066,000 of the motor vehicle account—
39 federal appropriation and (~~(\$7,750,000)~~) \$4,668,000 of the multimodal

1 transportation account—state appropriation are provided solely for
2 newly selected safe routes to school projects. (~~(\$11,354,000)~~)
3 \$10,744,000 of the motor vehicle account—federal appropriation,
4 (~~(\$4,640,000)~~) \$3,075,000 of the multimodal transportation account—
5 state appropriation, and \$1,314,000 of the highway safety account—
6 state appropriation are reappropriated for safe routes to school
7 projects selected in the previous biennia (L2000189). The department
8 may consider the special situations facing high-need areas, as
9 defined by schools or project areas in which the percentage of the
10 children eligible to receive free and reduced-price meals under the
11 national school lunch program is equal to, or greater than, the state
12 average as determined by the department, when evaluating project
13 proposals against established funding criteria while ensuring
14 continued compliance with federal eligibility requirements.

15 (3) The department shall submit a report to the transportation
16 committees of the legislature by December 1, 2019, and December 1,
17 2020, on the status of projects funded as part of the pedestrian
18 safety/safe routes to school grant program. The report must include,
19 but is not limited to, a list of projects selected and a brief
20 description of each project's status.

21 (4) (~~(\$37,537,000)~~) \$34,507,000 of the multimodal transportation
22 account—state appropriation is provided solely for bicycle and
23 pedestrian projects listed in the (~~LEAP~~) OFM transportation
24 document referenced in subsection (1) of this section.

25 (5) (~~(\$23,926,000)~~) \$18,829,000 of the connecting Washington
26 account—state appropriation is provided solely for the Covington
27 Connector (L2000104). The amounts described in the (~~LEAP~~) OFM
28 transportation document referenced in subsection (1) of this section
29 are not a commitment by future legislatures, but it is the
30 legislature's intent that future legislatures will work to approve
31 appropriations in the 2019-2021 fiscal biennium to reimburse the city
32 of Covington for approved work completed on the project up to the
33 full \$24,000,000 cost of this project.

34 (6)(a) For projects funded as part of the 2015 connecting
35 Washington transportation package listed on the (~~LEAP~~) OFM
36 transportation document identified in subsection (1) of this section,
37 if the department expects to have substantial reappropriations for
38 the 2021-2023 fiscal biennium, the department may, on a pilot basis,
39 apply funding from a project in this section with an appropriation

1 that cannot be used for the current fiscal biennium to advance one or
2 more of the following projects:

3 (i) I-5/Port of Tacoma Road Interchange (L1000087);

4 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or

5 (iii) SR 523 145th Street (L1000148);

6 (b) At least ten business days before advancing a project
7 pursuant to this subsection, the department must notify the office of
8 financial management and the transportation committees of the
9 legislature. The advancement of a project may not hinder the delivery
10 of the projects for which the reappropriations are necessary for the
11 2021-2023 fiscal biennium.

12 (c) To the extent practicable, the department shall use the
13 flexibility and authority granted in this section to minimize the
14 amount of reappropriations needed each biennium.

15 (7) It is the expectation of the legislature that the department
16 will be administering a local railroad crossing safety grant program
17 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

18 (8) (a) \$15,213,000 of the motor vehicle account—federal
19 appropriation is provided solely for national highway freight network
20 projects identified on the project list submitted in accordance with
21 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

22 (b) The department shall convene a stakeholder group for the
23 purpose of developing a recommendation for a Washington freight
24 advisory committee. The recommendations must include, but are not
25 limited to, defining the committee's purpose and goals, roles and
26 responsibilities, reporting structure, and proposed activities.
27 Stakeholders must include representation from, but not limited to,
28 the trucking industry, the maritime industry, the rail industry,
29 cities, tribal governments, counties, ports, and representatives from
30 key industrial associations important to the state's economic
31 vitality and other relevant public and private interests. In
32 developing the recommendation, the stakeholder group must review
33 practices used by other states. The proposed committee must conform
34 with requirements of the fixing America's surface transportation act
35 and other relevant federal legislation. The recommendations must
36 include how the committee can address improving freight mobility
37 including, but not limited to, addressing insufficient truck parking
38 in Washington state, examining the link between preservation
39 investments and freight mobility, and enhancing freight logistics
40 through the application of technology. The stakeholder group shall

1 make recommendations to the governor and the transportation
2 committees of the legislature by December 1, 2020.

3 (9) \$1,000,000 of the motor vehicle account—state appropriation
4 is provided solely for the Beech Street Extension project (L1000222).

5 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state
6 appropriation is provided solely for the Dupont-Steilacoom road
7 improvements project (L1000224).

8 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state
9 appropriation is provided solely for the SR 104/40th place northeast
10 roundabout project (L1000244).

11 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation
12 account—state appropriation is provided solely for the Clinton to
13 Ken's corner trail project (L1000249).

14 (~~(13) (~~(\$210,000 of the motor vehicle account—state appropriation~~~~
15 ~~is provided solely for the I-405/44th gateway signage and green-~~
16 ~~scaping improvements project (L1000250).~~

17 ~~(14) (~~(\$650,000)~~)~~ \$250,000 of the motor vehicle account—state
18 appropriation is provided solely for the Wallace Kneeland and Shelton
19 springs road intersection improvements project (L1000260).

20 ~~((15))~~ (14) \$1,000,000 of the motor vehicle account—state
21 appropriation and \$500,000 of the multimodal transportation account—
22 state appropriation are provided solely for the complete 224th Phase
23 two project (L1000270).

24 ~~((16))~~ (15) \$60,000 of the multimodal transportation account—
25 state appropriation is provided solely for the installation of an
26 updated meteorological station at the Colville airport (L1000279).

27 ~~((17))~~ (16)(a) \$700,000 of the motor vehicle account—state
28 appropriation is provided solely for the Ballard-Interbay Regional
29 Transportation system plan project (L1000281).

30 (b) Funding in this subsection is provided solely for the city of
31 Seattle to develop a plan and report for the Ballard-Interbay
32 Regional Transportation System project to improve mobility for people
33 and freight. The plan must be developed in coordination and
34 partnership with entities including but not limited to the city of
35 Seattle, King county, the Port of Seattle, Sound Transit, the
36 Washington state military department for the Seattle armory, and the
37 Washington state department of transportation. The plan must examine
38 replacement of the Ballard bridge and the Magnolia bridge, which was
39 damaged in the 2001 Nisqually earthquake. The city must provide a

1 report on the plan that includes recommendations to the Seattle city
2 council, King county council, and the transportation committees of
3 the legislature by November 1, 2020. The report must include
4 recommendations on how to maintain the current and future capacities
5 of the Magnolia and Ballard bridges, an overview and analysis of all
6 plans between 2010 and 2020 that examine how to replace the Magnolia
7 bridge, and recommendations on a timeline for constructing new
8 Magnolia and Ballard bridges.

9 ~~((18))~~ (17) \$750,000 of the motor vehicle account—state
10 appropriation is provided solely for the Mickelson Parkway project
11 (L1000282).

12 ~~((19)—\$300,000))~~ (18) \$250,000 of the motor vehicle account—
13 state appropriation is provided solely for the South 314th Street
14 Improvements project (L1000283).

15 ~~((20)—\$250,000))~~ (19) \$200,000 of the motor vehicle account—
16 state appropriation is provided solely for the Ridgefield South I-5
17 Access Planning project (L1000284).

18 ~~((21)—\$300,000))~~ (20) \$150,000 of the motor vehicle account—
19 state appropriation is provided solely for the Washougal 32nd Street
20 Underpass Design and Permitting project (L1000285).

21 ~~((22)—\$600,000))~~ (21) \$100,000 of the connecting Washington
22 account—state appropriation ~~((, —\$150,000 of the motor vehicle account—
23 —state appropriation,))~~ and \$267,000 of the multimodal transportation
24 account—state appropriation are provided solely for the Bingen Walnut
25 Creek and Maple Railroad Crossing (L2000328).

26 ~~((23)—\$1,500,000))~~ (22) \$780,000 of the motor vehicle account—
27 state appropriation is provided solely for the SR 303 Warren Avenue
28 Bridge Pedestrian Improvements project (L2000339).

29 ~~((24)—\$1,000,000))~~ (23) \$90,000 of the motor vehicle account—
30 state appropriation is provided solely for the 72nd/Washington
31 Improvements in Yakima project (L2000341).

32 ~~((25)—\$650,000))~~ (24) \$50,000 of the motor vehicle account—state
33 appropriation is provided solely for the 48th/Washington Improvements
34 in Yakima project (L2000342).

35 ~~((27))~~ (25) The appropriations in this section include savings
36 due to anticipated project underruns; however, it is unknown which
37 projects will provide savings. The legislature intends to provide
38 sufficient flexibility for the department to manage to this savings
39 target. To provide this flexibility, the office of financial

1 management may authorize, through an allotment modification,
2 reductions in the appropriated amounts that are provided solely for a
3 particular purpose within this section subject to the following
4 conditions and limitations:

5 (a) The department must confirm that any modification requested
6 under this subsection of amounts provided solely for a specific
7 purpose are not expected to be used for that purpose in this
8 biennium;

9 (b) Allotment modifications authorized under this subsection may
10 not result in increased funding for any project beyond the amount
11 provided for that project in the 2019-2021 fiscal biennium in
12 ((LEAP)) OFM Transportation Document ((2020-2 ALL PROJECTS)) 21GOV001
13 as developed ((March 11)) December 17, 2020;

14 (c) Allotment modifications authorized under this subsection
15 apply only to amounts appropriated in this section from the following
16 accounts: Connecting Washington account—state and multimodal
17 transportation account—state; and

18 (d) By December 1, 2020, the department must submit a report to
19 the transportation committees of the legislature regarding the
20 actions taken under this subsection.

21 (26) \$11,679,000 of the motor vehicle account—federal
22 appropriation is provided to accelerate local preservation projects
23 that ensure the reliable movement of freight on the national highway
24 freight system. The department will identify projects through its
25 current national highway system asset management call for projects
26 with applications due in February 2021.

27 **TRANSFERS AND DISTRIBUTIONS**

28 **Sec. 401.** 2020 c 219 s 401 (uncodified) is amended to read as
29 follows:

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

34 Special Category C Account—State Appropriation. . . . ((\$105,000))
35 \$109,000

36 ((Multimodal Transportation Account—State

1	Appropriation.	(\$125,000)
2	Transportation Partnership Account—State	
3	Appropriation.	(\$1,407,000)
4		<u>\$1,376,000</u>
5	Connecting Washington Account—State Appropriation.	\$7,723,000
6	Highway Bond Retirement Account—State	
7	Appropriation.	(\$1,378,835,000)
8		<u>\$1,323,835,000</u>
9	Ferry Bond Retirement Account—State Appropriation.	\$25,078,000
10	Transportation Improvement Board Bond Retirement	
11	Account—State Appropriation.	\$12,452,000
12	Nondebt-Limit Reimbursable Bond Retirement	
13	Account—State Appropriation.	(\$31,253,000)
14		<u>\$29,913,000</u>
15	Toll Facility Bond Retirement Account—State	
16	Appropriation.	\$86,483,000
17	TOTAL APPROPRIATION.	(\$1,543,461,000)
18		<u>\$1,486,969,000</u>

19 **Sec. 402.** 2020 c 219 s 402 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
22 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
23 **FISCAL AGENT CHARGES**

24	(Multimodal Transportation Account—State Appropriation.	\$25,000)
25	Transportation Partnership Account—State	
26	Appropriation.	(\$281,000)
27		<u>\$290,000</u>
28	Connecting Washington Account—State Appropriation.	\$1,599,000
29	Special Category C Account—State Appropriation.	(\$21,000)
30		<u>\$23,000</u>
31	TOTAL APPROPRIATION.	(\$1,926,000)
32		<u>\$1,912,000</u>

33 **Sec. 403.** 2020 c 219 s 403 (uncodified) is amended to read as
34 follows:

35 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

1 Motor Vehicle Account—State Appropriation:
2 For motor vehicle fuel tax distributions to
3 cities and counties. (~~(\$508,276,000)~~)
4 \$471,085,000

5 **Sec. 404.** 2020 c 219 s 404 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE TREASURER—TRANSFERS**

8 Motor Vehicle Account—State Appropriation:
9 For motor vehicle fuel tax refunds and
10 statutory transfers. (~~(\$2,146,790,000)~~)
11 \$2,006,612,000

12 **Sec. 405.** 2020 c 219 s 405 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

15 Motor Vehicle Account—State Appropriation:
16 For motor vehicle fuel tax refunds and
17 transfers. (~~(\$235,788,000)~~)
18 \$243,066,000

19 **Sec. 406.** 2020 c 219 s 406 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

22 (1) Highway Safety Account—State Appropriation:
23 For transfer to the Multimodal Transportation
24 Account—State. (~~(\$54,000,000)~~)
25 \$46,300,000

26 (2) Transportation Partnership Account—State
27 Appropriation: For transfer to the Motor Vehicle
28 Account—State. \$45,000,000

29 (3) Motor Vehicle Account—State Appropriation:
30 For transfer to the State Patrol Highway
31 Account—State. (~~(\$57,000,000)~~)
32 \$41,000,000

33 (4) Motor Vehicle Account—State Appropriation:
34 For transfer to the Freight Mobility Investment
35 Account—State. \$8,070,000

1 (5) Motor Vehicle Account—State Appropriation:
 2 For transfer to the Rural Arterial Trust
 3 Account—State. (~~(\$1,732,000)~~)
 4 \$4,367,000

5 (6) Motor Vehicle Account—State Appropriation:
 6 For transfer to the Transportation Improvement
 7 Account—State. (~~(\$5,067,000)~~)
 8 \$28,067,000

9 (7) Motor Vehicle Account—State Appropriation:
 10 For transfer to the Puget Sound Capital Construction
 11 Account—State. (~~(\$52,000,000)~~)
 12 \$39,000,000

13 (8) Motor Vehicle Account—State Appropriation: For transfer to
 14 the Puget Sound Ferry Operations Account—State. \$55,000,000

15 (9) Rural Mobility Grant Program Account—State
 16 Appropriation: For transfer to the Multimodal
 17 Transportation Account—State. \$3,000,000

18 (10) State Route Number 520 Civil Penalties
 19 Account—State Appropriation: For transfer to
 20 the State Route Number 520 Corridor
 21 Account—State. (~~(\$1,434,000)~~)
 22 \$1,666,000

23 (11) Capital Vessel Replacement Account—State
 24 Appropriation: For transfer to the Connecting
 25 Washington Account—State. \$60,000,000

26 (12) Multimodal Transportation Account—State
 27 Appropriation: For transfer to the Regional
 28 Mobility Grant Program Account—State. \$11,215,000

29 (13) Multimodal Transportation Account—State
 30 Appropriation: For transfer to the Rural
 31 Mobility Grant Program Account—State. \$15,223,000

32 ~~(14) ((Transportation 2003 Account (Nickel Account)—~~
 33 ~~State Appropriation: For transfer to the Puget~~
 34 ~~Sound Capital Construction Account—State. \$15,000,000~~

35 ~~(15)(a) Alaskan Way Viaduct Replacement Project~~
 36 ~~Account—State Appropriation: For transfer to the~~
 37 ~~Motor Vehicle Account—State. \$9,992,000~~

1 ~~(b) The transfer identified in this subsection is provided solely~~
2 ~~to repay in full the motor vehicle account state appropriation loan~~
3 ~~from section 1005(21), chapter 416, Laws of 2019.~~

4 ~~(16))~~ (a) Transportation Partnership Account—State
5 Appropriation: For transfer to the Alaskan Way Viaduct
6 Replacement Project Account—State. \$77,956,000

7 (b) The amount transferred in this subsection represents that
8 portion of the up to \$200,000,000 in proceeds from the sale of bonds
9 authorized in RCW 47.10.873, intended to be sold through the
10 2021-2023 fiscal biennium, used only for construction of the SR 99/
11 Alaskan Way Viaduct Replacement project (809936Z), and that must be
12 repaid from the Alaskan Way viaduct replacement project account
13 consistent with RCW 47.56.864.

14 ~~((17))~~ (15) Motor Vehicle Account—State Appropriation:
15 For transfer to the County Arterial Preservation
16 Account—State. ~~(\$4,829,000)~~
17 \$9,829,000

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

21 (b) The state treasurer shall transfer the funds only after
22 receiving notification from the Washington state patrol under section
23 207(7), chapter 416, Laws of 2019.

24 ~~((19))~~ (17) Capital Vessel Replacement Account—State
25 Appropriation: For transfer to the Transportation
26 Partnership Account—State. ~~(\$2,312,000)~~
27 \$1,323,000

28 ~~((20))~~ (18) (a) Alaskan Way Viaduct Replacement Project
29 Account—State Appropriation: For transfer to the
30 Transportation Partnership Account—State. ~~(\$15,858,000)~~
31 \$16,237,000

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

35 ~~((21))~~ (19) Tacoma Narrows Toll Bridge Account—State
36 Appropriation: For transfer to the Motor
37 Vehicle Account—State. \$950,000

38 ~~((22))~~ (20) (a) Tacoma Narrows Toll Bridge Account—State
39 Appropriation:

1 For transfer to the Motor Vehicle
2 Account—State. \$5,000,000
3 (b) A transfer in the amount of \$5,000,000 was made from the
4 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
5 April 2019. It is the intent of the legislature that this transfer
6 was to be temporary, for the purpose of minimizing the impact of toll
7 increases, and this is an equivalent reimbursing transfer to occur in
8 November 2019.

9 (~~(23)~~) (21) (a) Transportation 2003 Account (Nickel Account)
10 —State Appropriation: For transfer to the Tacoma
11 Narrows Toll Bridge Account—State. \$12,543,000
12 (b) It is the intent of the legislature that this transfer is
13 temporary, for the purpose of minimizing the impact of toll
14 increases, and an equivalent reimbursing transfer is to occur after
15 the debt service and deferred sales tax on the Tacoma Narrows bridge
16 construction costs are fully repaid in accordance with chapter 195,
17 Laws of 2018.

18 (~~(24)~~) (22) Transportation Infrastructure Account—State
19 Appropriation: For transfer to the multimodal
20 Transportation Account—State. \$9,000,000
21 (~~(25)~~) (23) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Pilotage
23 Account—State. \$2,500,000
24 (~~(26)~~) (24) (a) Motor Vehicle Account—State
25 Appropriation: For transfer to the County Road
26 Administration Board Emergency Loan Account—State. \$1,000,000
27 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,
28 the amount provided in this subsection lapses.

29 (~~(27)~~) (25) (a) Advanced Environmental Mitigation
30 Revolving Account—State Appropriation: For transfer
31 to the Motor Vehicle Account—State. \$9,000,000
32 (b) The amount transferred in this subsection is contingent on at
33 least a \$9,000,000 transfer to the advanced environmental mitigation
34 revolving account authorized by June 30, 2019, in the omnibus capital
35 appropriations act.

36 (~~(28)~~) (26) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Electric Vehicle
38 Charging Infrastructure Account—State. \$1,000,000
39 (~~(29)~~) (27) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Complete Streets
2 Grant Program Account—State. \$10,200,000
3 ((~~30~~)) (28) (a) Transportation Partnership
4 Account—State Appropriation: For transfer to the Capital Vessel
5 Replacement Account—State. (~~(\$96,030,000)~~)
6 \$35,000,000
7 (b) The amount transferred in this subsection represents proceeds
8 from the sale of bonds authorized in RCW 47.10.873.
9 ((~~31~~)) (29) Freight Mobility Multimodal Account—State
10 Appropriation: For transfer to the Multimodal Transportation
11 Account—State. \$7,296,000
12 ((~~32~~)) (30) Connecting Washington Account—State
13 Appropriation: For transfer to the Motor Vehicle
14 Account—State. \$115,000,000
15 (31) Motor Vehicle Account—State Appropriation:
16 For transfer to the Transportation 2003 Account (Nickel
17 Account)—State Appropriation. \$23,000,000
18 (32) Motor Vehicle Account—State Appropriation:
19 For transfer to the Special Category C Account—State
20 Appropriation. \$2,000,000
21 (33) Puget Sound Capital Construction Account—State
22 Appropriation: For transfer to the Transportation
23 Partnership Account—State Appropriation. \$11,000,000
24 (34) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Puget Sound Ferry
26 Operation Account—State Appropriation. \$40,000,000
27 (35) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Puget Sound
29 Capital Construction Account—State Appropriation. \$13,000,000
30 (36) Motor Vehicle Account—State Appropriation:
31 For transfer to the Alaskan Way Viaduct Replacement
32 Project Account—State Appropriation. \$14,000,000

33 **IMPLEMENTING PROVISIONS**

34 **Sec. 501.** 2020 c 219 s 601 (uncodified) is amended to read as
35 follows:

36 **FUND TRANSFERS**

1 (1) The 2005 transportation partnership projects or improvements
2 and 2015 connecting Washington projects or improvements are listed in
3 the ((LEAP)) OFM Transportation Document ((2020-1)) 21GOV001 as
4 developed ((March 11)) December 17, 2020, which consists of a list of
5 specific projects by fund source and amount over a sixteen-year
6 period. Current fiscal biennium funding for each project is a line-
7 item appropriation, while the outer year funding allocations
8 represent a sixteen-year plan. The department of transportation is
9 expected to use the flexibility provided in this section to assist in
10 the delivery and completion of all transportation partnership account
11 and connecting Washington account projects on the ((LEAP)) OFM
12 transportation document referenced in this subsection. For the
13 2019-2021 project appropriations, unless otherwise provided in this
14 act, the director of the office of financial management may provide
15 written authorization for a transfer of appropriation authority
16 between projects funded with transportation partnership account
17 appropriations or connecting Washington account appropriations to
18 manage project spending and efficiently deliver all projects in the
19 respective program under the following conditions and limitations:

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

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

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

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

30 (e) Transfers may not be made while the legislature is in
31 session;

32 (f) Transfers to a project may not be made with funds designated
33 as attributable to practical design savings as described in RCW
34 47.01.480;

35 (g) Each transfer between projects may only occur if the director
36 of the office of financial management finds that any resulting change
37 will not hinder the completion of the projects as approved by the
38 legislature. Until the legislature reconvenes to consider the 2020
39 supplemental omnibus transportation appropriations act, any
40 unexpended 2017-2019 appropriation balance as approved by the office

1 of financial management, in consultation with the chairs and ranking
2 members of the house of representatives and senate transportation
3 committees, may be considered when transferring funds between
4 projects; and

5 (h) Transfers between projects may be made by the department of
6 transportation without the formal written approval provided under
7 this subsection (1), provided that the transfer amount does not
8 exceed two hundred fifty thousand dollars or ten percent of the total
9 project, whichever is less. These transfers must be reported
10 quarterly to the director of the office of financial management and
11 the chairs of the house of representatives and senate transportation
12 committees.

13 (2) The department of transportation must submit quarterly all
14 transfers authorized under this section in the transportation
15 executive information system. The office of financial management must
16 maintain a legislative baseline project list identified in the
17 ((LEAP)) OFM transportation documents referenced in this act, and
18 update that project list with all authorized transfers under this
19 section.

20 (3) At the time the department submits a request to transfer
21 funds under this section, a copy of the request must be submitted to
22 the chairs and ranking members of the transportation committees of
23 the legislature.

24 (4) Before approval, the office of financial management shall
25 work with legislative staff of the house of representatives and
26 senate transportation committees to review the requested transfers in
27 a timely manner and consider any concerns raised by the chairs and
28 ranking members of the transportation committees.

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

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

37 **Sec. 502.** 2020 c 219 s 602 (uncodified) is amended to read as
38 follows:

39 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

1 (1) By November 15th of each year, the department of
2 transportation must report on amounts expended to benefit transit,
3 bicycle, or pedestrian elements within all connecting Washington
4 projects in programs I, P, and Z identified in ((LEAP)) OFM
5 Transportation Document ((2020-2-ALL-PROJECTS)) 21GOV001 as developed
6 ((March-11)) December 17, 2020. The report must address each modal
7 category separately and identify if eighteenth amendment protected
8 funds have been used and, if not, the source of funding.

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

13 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

14 **Sec. 601.** RCW 47.60.505 and 1986 c 66 s 9 are each amended to
15 read as follows:

16 There is hereby created in the motor vehicle fund the Puget Sound
17 capital construction account. All moneys hereafter deposited in said
18 account shall be used by the department of transportation for:

19 (1) Reimbursing the motor vehicle fund for all transfers
20 therefrom made in accordance with RCW 47.60.620; and

21 (2) Improving the Washington state ferry system including, but
22 not limited to, vessel acquisition, vessel construction, major and
23 minor vessel improvements, terminal construction and improvements,
24 and reconstruction or replacement of, and improvements to, the Hood
25 Canal bridge, reimbursement of the motor vehicle fund for any state
26 funds, other than insurance proceeds, expended therefrom for
27 reconstruction or replacement of and improvements to the Hood Canal
28 bridge, pursuant to proper appropriations: PROVIDED, That any funds
29 accruing to the Puget Sound capital construction account after June
30 30, 1979, which are not required to reimburse the motor vehicle fund
31 pursuant to RCW 47.60.620 as such obligations come due nor are
32 required for capital improvements of the Washington state ferries
33 pursuant to appropriations therefor shall from time to time as shall
34 be determined by the department of transportation be transferred by
35 the state treasurer to the Puget Sound ferry operations account in
36 the motor vehicle fund.

37 (3) The department may pledge any moneys in the Puget Sound
38 capital construction account or to be deposited in that account to

1 guarantee the payment of principal or interest on bonds issued to
2 refund the outstanding 1955 Washington state ferry system refunding
3 bonds and the 1957 ferry and Hood Canal bridge revenue bonds.

4 The department may further pledge moneys in the Puget Sound
5 capital construction account to meet any sinking fund requirements or
6 reserves established by the department with respect to any bond
7 issues provided for in this section.

8 To the extent of any pledge authorized in this section, the
9 department shall use the first moneys available in the Puget Sound
10 capital construction account to meet such obligations as they arise,
11 and shall maintain a balance of not less than one million dollars in
12 the account for this purpose.

13 (4) The treasurer shall never transfer any moneys from the Puget
14 Sound capital construction account for use by the department for
15 state highway purposes so long as there is due and unpaid any
16 obligations for payment of principal, interest, sinking funds, or
17 reserves as required by any pledge of the Puget Sound capital
18 construction account. Whenever the department has pledged any moneys
19 in the account for the purposes authorized in this section, the state
20 agrees to continue to deposit in the Puget Sound capital construction
21 account the motor vehicle fuel taxes and special fuel taxes as
22 provided in RCW 82.36.020 and 82.38.290 and further agrees that, so
23 long as there exists any outstanding obligations pursuant to such
24 pledge, to continue to impose such taxes.

25 (5) Funds in the Puget Sound capital construction account of the
26 motor vehicle fund that are not required by the department for
27 payment of principal or interest on bond issues or for any of the
28 other purposes authorized in this chapter may be invested by the
29 department in bonds and obligations of the nature eligible for the
30 investment of current state funds as provided in RCW 43.84.080.

31 (6) During the 2019-2021 fiscal biennium, the legislature may
32 direct the state treasurer to make transfers of moneys in the Puget
33 Sound capital construction account to the transportation partnership
34 account.

35 NEW SECTION. Sec. 602. A new section is added to 2019 c 416
36 (uncodified) to read as follows:

37 The appropriations to the department of transportation in chapter
38 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be
39 expended for the programs and in the amounts specified in chapter

1 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However,
2 after May 1, 2021, unless specifically prohibited, the department may
3 transfer state appropriations for the 2019-2021 fiscal biennium among
4 operating programs after approval by the director of the office of
5 financial management. However, the department shall not transfer
6 state moneys that are provided solely for a specific purpose. The
7 department shall not transfer funds, and the director of the office
8 of financial management shall not approve the transfer, unless the
9 transfer is consistent with the objective of conserving, to the
10 maximum extent possible, the expenditure of state funds and not
11 federal funds. The director of the office of financial management
12 shall notify the appropriate transportation committees of the
13 legislature prior to approving any allotment modifications or
14 transfers under this section.

15 **MISCELLANEOUS**

16 NEW SECTION. **Sec. 701.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 702.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of
22 the state government and its existing public institutions, and takes
23 effect immediately.

(End of Bill)

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