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**ENGROSSED SUBSTITUTE SENATE BILL 5689**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

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

READ FIRST TIME 02/24/22.

1       AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 47.01.071, 46.01.385, 47.01.505, 70A.205.415,  
3 81.104.160, and 82.44.200; amending 2021 c 333 ss 101, 103, 105, 106,  
4 107, 109, 110, 111, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209,  
5 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,  
6 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 313, 401, 402, 403,  
7 404, 405, 406, 407, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512,  
8 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 601, and 606  
9 (uncodified); adding new sections to 2021 c 333 (uncodified);  
10 creating a new section; repealing 2021 c 333 ss 526, 527, 528, 529,  
11 530, 531, 532, and 537 (uncodified); making appropriations and  
12 authorizing expenditures for capital improvements; and declaring an  
13 emergency.

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

15       NEW SECTION.   **Sec. 1.** Except as otherwise provided in this act,  
16 it is the intent of the legislature that the funding levels specified  
17 in LEAP Transportation Document 2022-B as developed February 20,  
18 2022, represents a commitment to provide move ahead WA-related  
19 appropriations to the agencies, programs, and activities, at the  
20 amounts identified therein, through fiscal year 2038.

2021-2023 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2021 c 333 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation. . . . . ((~~\$546,000~~))
\$555,000

Sec. 102. 2021 c 333 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation. . . . . ((~~\$1,441,000~~))
\$1,034,000

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

Multimodal Transportation Account—State Appropriation. . . . . \$250,000

TOTAL APPROPRIATION. . . . . ((~~\$1,817,000~~))
\$1,410,000

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

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

- (1) Development of a status quo scenario based on current policy and projections and two alternative scenarios of the number of people and percentage of staff in telework status on a permanent basis with

- 1 one alternative being the minimum feasible level of teleworking and  
 2 one alternative being the maximum feasible level of teleworking;
- 3 (2) Current and projected facility needs by location and function  
 4 for the scenarios in subsection (1) of this section;
- 5 (3) The specific number of employees and percentage of the  
 6 workforce expected to be teleworking by location and function and the  
 7 anticipated impact on facility space needs for the scenarios in  
 8 subsection (1) of this section;
- 9 (4) Analysis of opportunities to colocate with other state,  
 10 local, and other public agencies to reduce costs and improve cost-  
 11 efficiency;
- 12 (5) Detailed information on any increased costs, such as end-user  
 13 devices, software, technology infrastructure, and other types of  
 14 assistance needed to meet the teleworking levels in each of the  
 15 scenarios in subsection (1) of this section;
- 16 (6) Detailed information on any reduced costs, such as leases,  
 17 facility maintenance, and utilities, resulting from the projected  
 18 teleworking levels for the scenarios in subsection (1) of this  
 19 section; and
- 20 (7) Cost-benefit analysis detailing the net impact of teleworking  
 21 on facility and total costs for the scenarios in subsection (1) of  
 22 this section.

23 **Sec. 103.** 2021 c 333 s 105 (uncodified) is amended to read as  
 24 follows:

25 **FOR THE DEPARTMENT OF AGRICULTURE**

26 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$1,346,000</del> ))
27	<u>\$1,373,000</u>

28 **Sec. 104.** 2021 c 333 s 106 (uncodified) is amended to read as  
 29 follows:

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

31 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$668,000</del> ))
32	<u>\$674,000</u>

33 **Sec. 105.** 2021 c 333 s 107 (uncodified) is amended to read as  
 34 follows:

35 **FOR THE EVERGREEN STATE COLLEGE**

36 Motor Vehicle Account—State Appropriation. . . . .	\$150,000
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1 The appropriation in this section is subject to the following  
2 conditions and limitations: The total appropriation in this section  
3 is provided solely for the Washington state institute for public  
4 policy to conduct a cost-benefit analysis for an exclusive or partial  
5 American steel requirement for future transportation contracts and  
6 subcontracts authorized in the transportation budget. This cost-  
7 benefit analysis must, to the extent feasible: (1) Compare existing  
8 types and uses of steel to made in America steel alternatives  
9 including evaluation of quality; (2) examine benefits to Washington  
10 workers and the Washington economy; (3) examine lifecycle and  
11 embodied carbon greenhouse gas emissions; (4) identify requirements  
12 for purchasing American steel that minimize costs and maximize  
13 benefits; and (5) evaluate American steel requirements or preferences  
14 in other states. The Washington state institute for public policy may  
15 solicit input for the analysis from representatives of interested  
16 parties to include, but not be limited to, the construction and  
17 manufacturing sectors, organized labor in the construction and  
18 manufacturing sectors, cities, counties, American steel manufacturing  
19 companies, environmental advocacy organizations, and appropriate  
20 state agencies. A final report is due to the legislature by December  
21 1, (~~2021~~) 2022.

22 **Sec. 106.** 2021 c 333 s 109 (uncodified) is amended to read as  
23 follows:

24 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

25 Pilotage Account—State Appropriation. . . . . (~~\$5,777,000~~)  
26 \$6,269,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations:

29 (1) \$2,926,000 of the pilotage account—state appropriation is  
30 provided solely for self-insurance liability premium expenditures;  
31 however, this appropriation is contingent upon the board:

32 (a) Annually depositing the first \$150,000 collected through  
33 Puget Sound pilotage district pilotage tariffs into the pilotage  
34 account; and

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

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

9 **Sec. 107.** 2021 c 333 s 110 (uncodified) is amended to read as  
10 follows:

11 **FOR THE HOUSE OF REPRESENTATIVES**

12 Motor Vehicle Account—State Appropriation. . . . . (~~(\$3,210,000)~~)  
13 \$1,577,000

14 **Sec. 108.** 2021 c 333 s 111 (uncodified) is amended to read as  
15 follows:

16 **FOR THE SENATE**

17 Motor Vehicle Account—State Appropriation. . . . . (~~(\$3,085,000)~~)  
18 \$1,518,000

19 **Sec. 109.** 2021 c 333 s 113 (uncodified) is amended to read as  
20 follows:

21 **FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

22 Puget Sound (~~Ferry~~) Capital Construction Account  
23 (~~(Puget Sound Capital Construction~~  
24 ~~Account~~))—State Appropriation. . . . . \$300,000  
25 Multimodal Transportation Account—State  
26 Appropriation. . . . . \$200,000  
27 TOTAL APPROPRIATION. . . . . \$500,000

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

30 (1) \$300,000 of the Puget Sound (~~ferry~~) capital construction  
31 account (~~(Puget Sound capital construction account)~~)—state is  
32 provided solely for an independent review of the design-build  
33 contracting process for the hybrid-electric Olympic class vessels.  
34 The review must evaluate, at minimum, the department's cost  
35 estimation and cost management practices relating to the design and  
36 construction of the first hybrid-electric vessel. The review must

1 include recommendations to benefit the full program for the design  
2 and construction of five hybrid-electric vessels. The joint  
3 legislative audit and review committee must report to the legislature  
4 with the findings by October 1, 2022.

5 (2) \$200,000 of the multimodal transportation account—state  
6 appropriation is provided solely for the joint legislative audit and  
7 review committee to conduct a review of the method used to determine  
8 the rates for leasing state-owned lands and air space to a regional  
9 transit authority. As part of this review, the committee must examine  
10 and evaluate the accounting and valuation methodology for debits and  
11 credits used in the land bank accounting program utilized by the  
12 department of transportation and a regional transit authority. The  
13 review must also provide an evaluation of the specific type of lease  
14 agreements used for air space leasing by the department of  
15 transportation with a regional transit authority and the valuation  
16 methodology used to determine the lease rate for the property and the  
17 cost and benefits of long-term leases based on the periodic land  
18 value appraisals under the terms of the land bank agreement. The  
19 committee must identify the full cost to the state transportation  
20 system if the entire plan for land and air rights leases by a  
21 regional transit authority is undertaken at full economic rent, and  
22 the difference in costs to the regional transit authority if the  
23 leases were to be issued at less than economic rent, including a  
24 scenario in which the value of the land and air rights are discounted  
25 by the federal share of the funds that were used to acquire or  
26 improve the property originally. The committee shall complete the  
27 review and provide a report to the transportation committees of the  
28 legislature by December 1, 2022.

29 NEW SECTION. **Sec. 110.** A new section is added to 2021 c 333  
30 (uncodified) to read as follows:

31 **FOR THE DEPARTMENT OF COMMERCE**

32 Multimodal Transportation Account—Federal

33	Appropriation. . . . .	\$1,000,000
34	Move Ahead WA Flexible Account—State Appropriation. . . . .	\$10,000
35	TOTAL APPROPRIATION. . . . .	\$1,010,000

36 The appropriation in this section is subject to the following  
37 conditions and limitations:

1 (1) \$1,000,000 of the multimodal transportation account—federal  
2 appropriation is provided solely for staff support for the  
3 interagency electric vehicle coordinating council created in Senate  
4 Bill No. 5974, in order to help implement the national electric  
5 vehicle program funded in the federal infrastructure investment and  
6 jobs act (P.L. 117-58).

7 (2) \$10,000 of the move ahead WA flexible account—state  
8 appropriation is provided solely for development of a process to  
9 select projects to advance the research, development, or  
10 manufacturing of sustainable aviation technologies. The purpose is to  
11 support adoption of zero emissions aircraft and sustainable aviation  
12 fuels, reduce harmful aviation-related emissions, and reduce the  
13 aviation industry's reliance on fossil fuels. Sustainable aviation  
14 projects may include, but are not limited to, the development of:

- 15 (a) Batteries;
- 16 (b) Electric motors;
- 17 (c) Sustainable fuels;
- 18 (d) Hydrogen electrolyzers and storage; and
- 19 (e) Activities that support the supply chain of (a) through (d)  
20 of this subsection.

21 The department may solicit advice and industry expertise to  
22 identify projects, including consulting the department of  
23 transportation, and may contract for assistance, as necessary. The  
24 department shall submit a report to the transportation committees of  
25 the legislature by December 1, 2022, identifying the selected  
26 sustainable aviation projects for funding by the legislature.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 **Sec. 201.** 2021 c 333 s 201 (uncodified) is amended to read as  
3 follows:

4 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

5 Highway Safety Account—State Appropriation. . . . . (~~(\$4,625,000)~~)  
6 \$4,987,000  
7 Highway Safety Account—Federal Appropriation. . . . . (~~(\$27,202,000)~~)  
8 \$27,818,000  
9 Highway Safety Account—Private/Local Appropriation. . . . . \$60,000  
10 Cooper Jones Active Transportation Safety Account—  
11 State Appropriation. . . . . \$400,000  
12 School Zone Safety Account—State Appropriation. . . . . \$850,000  
13 TOTAL APPROPRIATION. . . . . (~~(\$32,737,000)~~)  
14 \$34,115,000

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

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

34 For purposes of the demonstration project, an automated  
35 enforcement technology device may record an image of a driver and  
36 passenger of a motor vehicle. The county and PTBA must erect signs  
37 marking the locations where the automated enforcement for HOV  
38 passenger requirements is occurring.



1 The PTBA, in consultation with the Washington traffic safety  
2 commission, must provide a report to the transportation committees of  
3 the legislature with the number of violations detected during the  
4 demonstration project, whether the technology used was accurate and  
5 any recommendations for future use of automated enforcement  
6 technology for HOV lane enforcement by June 30, ((2022)) 2023.

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

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

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

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

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

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

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

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

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

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

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

20 (3) The Washington traffic safety commission shall coordinate  
21 with each city that implements a pilot program as authorized in RCW  
22 46.63.170, chapter 224, Laws of 2020 to provide the transportation  
23 committees of the legislature with the following information by June  
24 30, 2023:

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

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

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

32 (4) \$400,000 of the Cooper Jones active transportation safety  
33 account—state appropriation is provided solely for grant projects or  
34 programs for bicycle, pedestrian, and nonmotorist safety improvement  
35 administered by the commission in consultation with the Cooper Jones  
36 active transportation safety council. However, the funds must be held  
37 in unallotted status until the commission submits a spending plan to  
38 the transportation committees of the legislature and the governor.

39 (5) \$535,000 of the highway safety account—federal appropriation  
40 is provided solely for costs related to Substitute Senate Bill No.

1 5907 (roadside safety measures). If Substitute Senate Bill No. 5907  
2 is not enacted by June 30, 2022, then the amount provided in this  
3 subsection lapses.

4 (6) \$350,000 of the highway safety account—state appropriation is  
5 provided solely for the commission to study the illegal use of  
6 personal electronic devices by vehicle drivers in areas of the state  
7 with high collision rates. At least one of the locations studied must  
8 include an area where bicycle and pedestrian safety has been impacted  
9 by motor vehicle collisions. In conducting the study, the commission  
10 shall utilize methodology and technology to determine the percent of  
11 drivers illegally using personal electronic devices and the most  
12 common types of these violations.

13 **Sec. 202.** 2021 c 333 s 202 (uncodified) is amended to read as  
14 follows:

15 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

16 Rural Arterial Trust Account—State Appropriation. . . . .	(( <del>\$1,134,000</del> ))
	<u>\$1,158,000</u>
18 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$4,760,000</del> ))
	<u>\$4,804,000</u>
20 County Arterial Preservation Account—State	
21 Appropriation. . . . .	(( <del>\$1,669,000</del> ))
	<u>\$1,696,000</u>
23 TOTAL APPROPRIATION. . . . .	(( <del>\$7,563,000</del> ))
	<u>\$7,658,000</u>

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

27 (1) \$2,000,000 of the motor vehicle account—state appropriation  
28 is provided solely for deposit into the county road administration  
29 board emergency loan account—state account.

30 (2) Within appropriated funds, the county road administration  
31 board may opt in as provided under RCW 70A.02.030 to assume all of  
32 the substantive and procedural requirements of covered agencies under  
33 chapter 70A.02 RCW. The board shall include in its 2022 annual report  
34 to the legislature a progress report on opting into the healthy  
35 environment for all act and a status report on diversity, equity, and  
36 inclusion within the board's jurisdiction.



1 of a city offering or considering a rebate program for vehicle fees  
2 or taxes due at the time of application for vehicle registration, a  
3 representative of vehicle owners subject to a motor vehicle excise  
4 tax, a representative of vehicle owners subject to an electric car or  
5 transportation electrification fee, and an advocate for multimodal  
6 transportation options. Work group members are eligible for  
7 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

8 (c) The work group must engage with members of the public who are  
9 interested in new options for payment of fees or taxes due at the  
10 time of application for vehicle registration, including persons from  
11 communities of color, low-income households, vulnerable populations,  
12 and displaced communities. Input from members of the public must  
13 inform the work group's recommendations. The work group must notify  
14 members of the public of opportunities to engage through a variety of  
15 communication channels including, but not limited to, the following:  
16 Outreach through community organizations, print and broadcast media,  
17 and social media.

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

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

23 (ii) An agreed upon service fee structure for vehicle  
24 registration payment plans;

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

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

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

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

34 (e) A report of the work group's findings and recommendations is  
35 due to the transportation committees of the legislature by September  
36 30, 2022.

37 (2) \$50,000 of the motor vehicle account—state appropriation is  
38 for the joint transportation committee to contract for a legal  
39 consultant to analyze and recommend options for the formation of a  
40 bistate bridge authority for the purpose of constructing, financing,

1 operating and maintaining a new replacement bridge over the Columbia  
2 River near Hood River connecting Klickitat county in Washington to  
3 Hood River county in Oregon. The consultant may confer with the Hood  
4 River Bistate Working Group to understand the work and analysis that  
5 has been completed.

6 The Washington interlocal cooperation act, chapter 39.34 RCW,  
7 authorizes public agencies to contract with other public agencies via  
8 interlocal agreements that enable cooperation among the agencies to  
9 perform governmental activities and deliver public services,  
10 including agreements with public entities in other states. Such  
11 interstate agreements are deemed interstate compacts. The legal  
12 analysis must identify and recommend alternative and/or additional  
13 statutory authority that would be necessary to allow for the  
14 formation of a local government bistate bridge authority or  
15 governance structure for the Hood River Bridge replacement that at a  
16 minimum may:

- 17 (a) Issue bonds for bridge construction;
- 18 (b) Collect tolls; and
- 19 (c) Secure and administer state or federal grants and loans.

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

22 (3) \$220,000 of the multimodal transportation account—state  
23 appropriation is for overseeing a consultant study to provide  
24 recommendations related to the Washington state department of  
25 transportation's role in broadband service expansion efforts as  
26 directed in chapter 258, Laws of 2021 (broadband along state  
27 highways). If chapter 258, Laws of 2021 (broadband along state  
28 highways) is not enacted by June 30, 2021, the amount provided in  
29 this subsection lapses.

30 (4) \$215,000 of the motor vehicle account—state appropriation is  
31 provided solely for the joint transportation committee, from amounts  
32 set aside out of statewide fuel taxes distributed to cities according  
33 to RCW 46.68.110(2), to convene a study on the impacts of current and  
34 historical city transportation investments on designated populations,  
35 including communities of color, low-income households, vulnerable  
36 populations, and displaced communities. The study must identify and  
37 measure the true costs of underinvestment of accessible  
38 transportation for designated populations, including the secondary  
39 impacts to public health, economic opportunity, educational access,  
40 and environmental risk factors. The assessment must include specific

1 approaches to addressing existing inequities within cities, as well  
2 as recommendations to develop best practices to improve, diversify,  
3 and expand city transportation investments. A report must be provided  
4 to the office of financial management and the transportation  
5 committees of the legislature by December 20, 2022.

6 (5) \$400,000 of the motor vehicle account—state appropriation is  
7 for the development of a workforce plan for the Washington state  
8 ferries which addresses recruitment, retention, diversity, training  
9 needs, leadership development, succession planning and other elements  
10 needed to ensure sufficient and cost-effective crewing and staffing  
11 of the ferry system. In developing the scope of work for the plan and  
12 throughout plan development, the joint transportation committee must  
13 solicit input from representatives of the Washington state ferries  
14 division and the human resources division of the Washington state  
15 department of transportation. Represented employee groups must also  
16 be consulted as part of plan development. The plan must include a  
17 roadmap for Washington state ferries to comprehensively address  
18 persistent staffing challenges and strategically position itself for  
19 its future workforce needs. The joint transportation committee must  
20 issue an interim report identifying short-term strategies to reduce  
21 reliance on overtime for staffing day-to-day ferry service. The  
22 interim report is due to the transportation committees of the  
23 legislature by January 1, 2022. The final report is due to the  
24 transportation committees of the legislature by December 20, 2022.

25 (6) \$200,000 of the multimodal transportation account—state  
26 appropriation is for the joint transportation committee to update the  
27 Washington State Short Line Rail Inventory and Needs Assessment,  
28 prepared in 2015, and to facilitate a stakeholder process to assess  
29 the effectiveness of state support for short line rail infrastructure  
30 based on current and future short line rail infrastructure needs.  
31 This assessment must include consideration of current state grant and  
32 loan programs, including state investment in nonstate owned short  
33 lines, the state's role and investments in the Palouse River and  
34 Coulee City (PCC) rail system, and any other ongoing state activities  
35 related to short line rail infrastructure. The joint transportation  
36 committee must solicit input from all regions of the state from  
37 representatives of: Short line rail infrastructure owners, short line  
38 rail operators, short line rail customers from representative  
39 industries, ports served by short line rail infrastructure, the  
40 Washington state department of transportation, the utilities and

1 transportation commission, and other relevant stakeholders as  
2 identified by the joint transportation committee. A report with  
3 recommendations to enhance the state's support for short line rail  
4 infrastructure is due to the transportation committees of the  
5 legislature by January 1, 2022.

6 (7) (a) \$200,000 of the motor vehicle account—state appropriation  
7 is for the joint transportation committee to develop a truck parking  
8 action plan with recommendations for immediate next steps for near-  
9 term and lasting change in the availability of truck parking for  
10 short-haul and long-distance commercial vehicle drivers who require  
11 reasonable accommodations for parking commercial motor vehicles,  
12 obtaining adequate services, and complying with federal rest  
13 requirements. For each opportunity identified, the action plan must:

14 (i) Assess the magnitude of potential impact;  
15 (ii) Assess the potential difficulty level of implementation; and  
16 (iii) Explain barriers to success and specific steps required to  
17 overcome them.

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

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

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

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

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

30 (d) Outreach for action plan input, including on the feasibility  
31 of each opportunity evaluated, must include outreach to  
32 representatives of: The trucking industry; truck labor organizations;  
33 the shipping industry; truck stop owners; commercial freight delivery  
34 recipients, including warehouse and retail recipients; the  
35 association of Washington cities; the Washington state association of  
36 counties; the Washington state department of transportation; the  
37 Washington state patrol; and an academic or research institution that  
38 can provide input on technical components of the plan.



1 (e) A concise action plan with specific recommended next steps is  
2 due to the transportation committees of the legislature by January 1,  
3 2022.

4 (8) \$400,000 of the multimodal transportation account—state  
5 appropriation is for the joint transportation committee to contract  
6 with Western Washington University to conduct a study to determine  
7 how many nondrivers are in Washington state and the demographics of  
8 this population. Western Washington University is directed to conduct  
9 a survey, conduct research, develop a dataset, and conduct analysis  
10 on the nondriving population of Washington state. The analysis must  
11 include, but is not limited to: (a) Reasons for not driving; (b)  
12 demographics of who is not driving to include age, disability status,  
13 rural or urban residence, and other available demographic  
14 information; and (c) availability of transportation options for  
15 nondrivers and the impact those options have on their access to  
16 services, economic opportunity, recreation, education, and other  
17 aspects of community life. A report must be provided to the  
18 transportation committees of the legislature by February 1, 2023.

19 (9) \$250,000 of multimodal transportation account—state  
20 appropriation is for a comprehensive evaluation of the Washington  
21 state patrol's fleet of Cessna aircraft. The evaluation must include,  
22 but is not limited to, the following: (a) An assessment of the  
23 current use and performance, including outcomes measures, associated  
24 with the aircraft; (b) the timing of any needed replacement of the  
25 aircraft; (c) the feasibility, cost, and benefits associated with  
26 replacing the aircraft with ones powered by alternative fuel; and (d)  
27 a review of innovative technologies, including unmanned aerial  
28 aircraft, to achieve the desired outcomes. The final report must be  
29 submitted by December 1, 2022.

30 (10)(a) \$250,000 of the multimodal transportation account—state  
31 appropriation is for a joint transportation committee study of  
32 statewide transit service benchmarks. Elements of the study include:

33 (i) Development of definitions of frequent fixed route transit  
34 and accessible frequent fixed route transit; and

35 (ii) Identification of, to the extent possible using existing  
36 data, current gaps in frequent fixed route transit and accessible  
37 walking routes to frequent fixed route transit stops.

38 (b) An initial report is due by December 15, 2022, that proposes  
39 a definition of frequent transit and documents how many people in

1 Washington live within one half mile walk of frequent transit. A  
2 final report is due by June 30, 2023, that identifies gaps in  
3 accessible frequent transit, analyzed for disparities in race, age,  
4 and disability, and develops funding scenarios to address the  
5 identified gaps.

6 (11) \$200,000 of the waste tire removal account—state  
7 appropriation is for a comprehensive evaluation of the waste tire  
8 cleanup program. The evaluation must include, but is not limited to,  
9 the following: (a) An inventory of all major tire piles that exist by  
10 county and an identification of whether those tire piles are on  
11 public or private lands; (b) an assessment of the ability to recover  
12 tire cleanup and disposal costs from the responsible parties for each  
13 of those sites; and (c) an inventory of major tire piles that were  
14 previously placed in marine waters in an attempt to establish  
15 artificial reefs, including a review of the environmental and safety  
16 issues associated with those marine tire piles. Based on the  
17 information gathered, the final report must include recommendations  
18 for the highest and best use of approximately \$3,000,000 in time-  
19 limited resources for tire pile cleanup activities and  
20 recommendations to improve the department of ecology's current waste  
21 tire cleanup program in the future.

22 (12) (a) \$300,000 of the motor vehicle account—state appropriation  
23 is for the joint transportation committee to conduct a study of the  
24 options and strategies to construct a third bridge over the Columbia  
25 river between southwest Washington and Oregon. The study must  
26 consider:

27 (i) Anticipated general purpose traffic demand, including general  
28 purpose traffic relief that may be afforded to existing highway  
29 routes by the creation of a third bridge;

30 (ii) Anticipated freight traffic demand, including freight  
31 traffic relief that may be afforded to existing highway routes by the  
32 creation of a third bridge;

33 (iii) A cost-benefit analysis of constructing a third bridge,  
34 which must include analysis on the estimated cost to construct a  
35 third bridge;

36 (iv) Potential locations for a third bridge across the Columbia  
37 river between southwest Washington and Oregon; and

38 (v) Preliminary design options for a third bridge.

39 (b) A final report must be submitted to the transportation  
40 committees of the legislature by June 30, 2023.

1       **Sec. 205.** 2021 c 333 s 205 (uncodified) is amended to read as  
2 follows:

3 **FOR THE TRANSPORTATION COMMISSION**

4	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$2,438,000</del> ))
5		<u>\$2,809,000</u>
6	Interstate 405 and State Route Number 167 Express 7 Toll Lanes Account—State Appropriation. . . . .	(( <del>\$127,000</del> ))
8		<u>\$377,000</u>
9	State Route Number 520 Corridor Account—State 10 Appropriation. . . . .	\$276,000
11	Tacoma Narrows Toll Bridge Account—State 12 Appropriation. . . . .	\$180,000
13	Alaskan Way Viaduct Replacement Project Account— 14 State Appropriation. . . . .	\$172,000
15	TOTAL APPROPRIATION. . . . .	(( <del>\$3,193,000</del> ))
16		<u>\$3,814,000</u>

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

19       (1)(a) The commission shall reconvene the road usage charge  
20 steering committee, with the same membership described in chapter  
21 297, Laws of 2018, and shall periodically report to the steering  
22 committee with updates on activities undertaken in accordance with  
23 the federal grant awarded July 2020 ("Forward Drive"). A year-end  
24 update on the status of any federally-funded project for which  
25 federal funding is secured must be provided to the governor's office  
26 and the transportation committees of the legislature by January 1,  
27 2022, and by January 1, 2023. Any legislative vacancies on the  
28 steering committee must be appointed by the speaker of the house of  
29 representatives for a house of representatives member vacancy, and by  
30 the president of the senate for a senate member vacancy.

31       (b) The commission shall coordinate with the department of  
32 transportation to jointly seek federal funds available through the  
33 federal strategic innovations in revenue collection grant program,  
34 applying toll credits for meeting match requirements. One or more  
35 grant applications may be developed that, at a minimum, propose to:

36       (i) Assess the impact of a road usage charge, incentives, and  
37 other factors on consumer purchase of electric vehicles and conduct a  
38 test with drivers to fully assess impacts;

1 (ii) Assess delivery vehicle fleets and how a road usage charge  
2 may be applied, identifying potential impacts to fleet operations and  
3 costs, and state transportation revenues, and conducting a pilot test  
4 to further inform the identification of potential impacts from a road  
5 usage charge;

6 (iii) Review the process for changing vehicle ownership and  
7 determine the considerations and possible implications with a road  
8 usage charge system, identifying the processes and structure needed  
9 for reconciling a road usage charge owed between sellers and  
10 purchasers of used vehicles; and

11 (iv) Identify opportunities for achieving large-scale data  
12 integration to support road usage charge service provisions that  
13 could be offered by private-sector service providers, conducting a  
14 pilot test to determine the ability of such service providers to  
15 support automated mileage reporting and periodic payment services.

16 ~~((3))~~ (2) \$127,000 of the Interstate 405 and state route number  
17 167 express toll lanes account—state appropriation, \$276,000 of the  
18 state route number 520 corridor account—state appropriation, \$180,000  
19 of the Tacoma Narrows toll bridge account—state appropriation, and  
20 \$172,000 of the Alaskan Way viaduct replacement project account—state  
21 appropriation are provided solely for the transportation commission's  
22 proportional share of time spent supporting tolling operations for  
23 the respective tolling facilities.

24 (3) \$500,000 of the motor vehicle account—state appropriation is  
25 provided solely for the commission to conduct a pilot program in one  
26 or more regions of the state to support reforming electric vehicle  
27 incentives to prioritize getting the largest gasoline users to switch  
28 to electric vehicles first. The purpose of the pilot program is to  
29 significantly advance policymakers' understanding around the dynamics  
30 impacting the consumer decisions to transition from a fossil-fueled  
31 vehicle to an electric vehicle, and the long-term implications and  
32 effectiveness of continued incentivization of expanded adoption. The  
33 commission may determine how best to cost-effectively identify pilot  
34 program participants, which may include recruiting broadly from the  
35 general population, especially in areas with higher concentrations of  
36 low-MPG vehicles in suburban, exurban, and rural areas, and then  
37 screening those who volunteer to validate their gasoline superuser  
38 status with independent data sources. A preliminary report on the  
39 pilot program must be submitted to the transportation committees of

1 the legislature and the governor by July 1, 2023. The legislature  
2 intends the pilot program will result in the collection of data to  
3 determine, at a minimum, the following:

4 (a) Which superusers of gasoline can switch to electric vehicles  
5 for all their driving needs;

6 (b) How much money can superusers save by switching to electric  
7 vehicles;

8 (c) How many gallons of gasoline are displaced by superusers  
9 switching to electric vehicles;

10 (d) What incentive(s) do superusers need to make the switch to  
11 electric vehicles;

12 (e) What are superuser attitudes and perceptions about electric  
13 vehicles, both before and after driving an electric vehicle for two  
14 months;

15 (f) What barriers, concerns, and cultural proclivities are held  
16 by superusers in relation to electric vehicles; and

17 (g) What messages are most effective for transitioning superusers  
18 to electric vehicles.

19 (4) Within the parameters established by RCW 47.56.880, the  
20 commission shall review toll revenue performance on the Interstate  
21 405 and state route number 167 corridor and adjust Interstate 405  
22 tolls as appropriate to increase toll revenue to provide sufficient  
23 funds for payments of future debt pursuant to RCW 47.10.896 and to  
24 support improvements to the corridor. The commission may consider  
25 adjusting maximum toll rates, minimum toll rates, time-of-day rates,  
26 restricting direct access ramps to transit and HOV vehicles only, or  
27 any combination thereof, in setting tolls to increase toll revenue.  
28 The direction in this subsection is deemed consistent with the  
29 general intent of the move ahead WA transportation funding proposal.

30 (5) \$250,000 of the Interstate 405 and state route number 167  
31 express toll lanes account—state appropriation is provided solely for  
32 the transportation commission to develop a design and plan for  
33 carrying out a low-income driver tolling relief pilot, based upon the  
34 findings and recommendations contained in the final low-income  
35 tolling study report issued by the commission in August 2021.

36 (a) Under the pilot program, qualifying drivers of the Interstate  
37 405 and state route number 167 express toll lanes could be eligible  
38 for discounts or other relief related to their usage of express toll  
39 lanes. The transportation commission may secure private sector  
40 expertise to conduct all or a portion of this study. In conducting

1 this study, the transportation commission shall partner with both the  
2 department of transportation and the department of social and health  
3 services. The study shall include, but not be limited to, the  
4 following activities:

5 (i) Developing an implementation plan and timeline for the pilot  
6 program, including identifying next steps following this study, for  
7 launching the pilot program that would be of limited duration, and  
8 establishing approaches to evaluating the pilot program's  
9 performance;

10 (ii) Convening an advisory committee comprising individuals  
11 representing the interests of low-income drivers of the express toll  
12 lanes, to guide the development of concepts and the implementation  
13 plan for the pilot program;

14 (iii) Developing an estimate of the costs related to implementing  
15 a pilot program and the expected revenue impacts of the pilot program  
16 on the express toll lanes during the proposed pilot program period.

17 (b) In addition, the study may include the following activities:

18 (i) Designing a concept of operations for a low-income toll  
19 discount pilot program that would offer up to three concepts for  
20 increasing access and offering toll discounts and/or exemptions to  
21 qualified low-income drivers using the express toll lanes;

22 (ii) Assessing applicability of discounts to other toll  
23 facilities.

24 (c) The transportation commission shall provide a report of  
25 findings and recommendations to the transportation committees of the  
26 legislature by no later than December 31, 2023.

27 **Sec. 206.** 2021 c 333 s 206 (uncodified) is amended to read as  
28 follows:

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

30 Freight Mobility Investment Account—State

31 Appropriation. . . . . ((\$831,000))  
32 \$841,000

33 The appropriations in this section are subject to the following  
34 conditions and limitations: Within appropriated funds, the freight  
35 mobility strategic investment board may opt in as provided under RCW  
36 70A.02.030 to assume all of the substantive and procedural  
37 requirements of covered agencies under chapter 70A.02 RCW. The board  
38 shall include in its 2022 annual report to the legislature a progress

1 report on opting into the healthy environment for all act and a  
2 status report on diversity, equity, and inclusion within the board's  
3 jurisdiction.

4 **Sec. 207.** 2021 c 333 s 207 (uncodified) is amended to read as  
5 follows:

6 **FOR THE WASHINGTON STATE PATROL**

7	State Patrol Highway Account—State Appropriation. . . . .	(( <del>\$517,391,000</del> ))
8		<u>\$520,630,000</u>
9	State Patrol Highway Account—Federal Appropriation. . . . .	(( <del>\$15,838,000</del> ))
10		<u>\$16,145,000</u>
11	State Patrol Highway Account—Private/Local	
12	Appropriation. . . . .	(( <del>\$4,267,000</del> ))
13		<u>\$4,320,000</u>
14	Highway Safety Account—State Appropriation. . . . .	(( <del>\$1,214,000</del> ))
15		<u>\$1,287,000</u>
16	Ignition Interlock Device Revolving Account—State	
17	Appropriation. . . . .	(( <del>\$5,053,000</del> ))
18		<u>\$2,270,000</u>
19	Multimodal Transportation Account—State	
20	Appropriation. . . . .	(( <del>\$288,000</del> ))
21		<u>\$293,000</u>
22	State Route Number 520 Corridor Account—State	
23	Appropriation. . . . .	\$433,000
24	Tacoma Narrows Toll Bridge Account—State	
25	Appropriation. . . . .	\$77,000
26	I-405 and SR 167 Express Toll Lanes Account—State	
27	Appropriation. . . . .	\$1,348,000
28	TOTAL APPROPRIATION. . . . .	(( <del>\$545,909,000</del> ))
29		<u>\$546,803,000</u>

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

32 (1) Washington state patrol officers engaged in off-duty  
33 uniformed employment providing traffic control services to the  
34 department of transportation or other state agencies may use state  
35 patrol vehicles for the purpose of that employment, subject to  
36 guidelines adopted by the chief of the Washington state patrol. The  
37 Washington state patrol must be reimbursed for the use of the vehicle  
38 at the prevailing state employee rate for mileage and hours of usage,

1 subject to guidelines developed by the chief of the Washington state  
2 patrol.

3 (2) \$580,000 of the state patrol highway account—state  
4 appropriation is provided solely for the operation of and  
5 administrative support to the license investigation unit to enforce  
6 vehicle registration laws in southwestern Washington. The Washington  
7 state patrol, in consultation with the department of revenue, shall  
8 maintain a running estimate of the additional vehicle registration  
9 fees, sales and use taxes, and local vehicle fees remitted to the  
10 state pursuant to activity conducted by the license investigation  
11 unit. Beginning October 1, 2021, and quarterly thereafter, the  
12 Washington state patrol shall submit a report detailing the  
13 additional revenue amounts generated since January 1, 2021, to the  
14 director of the office of financial management and the transportation  
15 committees of the legislature. At the end of the calendar quarter in  
16 which it is estimated that more than \$625,000 in state sales and use  
17 taxes have been remitted to the state since January 1, 2021, the  
18 Washington state patrol shall notify the state treasurer and the  
19 state treasurer shall transfer funds pursuant to section 406 (~~of~~  
20 ~~this act~~), chapter 333, Laws of 2021.

21 (3) \$4,000,000 of the state patrol highway account—state  
22 appropriation is provided solely for a third arming and a third  
23 trooper basic training class. The cadet class is expected to graduate  
24 in June 2023.

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

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

30 (b) The number of transportation funded staff vacancies by major  
31 category;

32 (c) The number of applicants for each of the positions by these  
33 categories;

34 (d) The composition of workforce;

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

37 (f) Activities related to the implementation of the agency's  
38 workforce diversity plan, including short-term and long-term,  
39 specific comprehensive outreach and recruitment strategies to



1 increase populations underrepresented within both commissioned and  
2 noncommissioned employee groups.

3 (5) \$493,000 of the state patrol highway account—state  
4 appropriation is provided solely for aerial criminal investigation  
5 tools, including software licensing and maintenance, and annual  
6 certification, and is subject to the conditions, limitations, and  
7 review requirements of section 701 (~~of this act~~), chapter 333, Laws  
8 of 2021.

9 (6) (~~(\$7,962,000)~~) \$6,396,000 of the state patrol highway account  
10 —state appropriation is provided solely for the land mobile radio  
11 system replacement, upgrade, and other related activities. Beginning  
12 January 1, 2022, the Washington state patrol must report semiannually  
13 to the office of the state chief information officer on the progress  
14 related to the projects and activities associated with the land  
15 mobile radio system, including the governance structure, outcomes  
16 achieved in the prior six month time period, and how the activities  
17 are being managed holistically as recommended by the office of the  
18 chief information officer. At the time of submittal to the office of  
19 the state chief information officer, this report shall be transmitted  
20 to the office of financial management and the house and senate  
21 transportation committees.

22 (7) \$510,000 of the ignition interlock device revolving account—  
23 state appropriation is provided solely for the ignition interlock  
24 program at the Washington state patrol to provide funding for two  
25 staff to work and provide support for the program in working with  
26 manufacturers, service centers, technicians, and participants in the  
27 program.

28 (8) \$1,348,000 of the Interstate 405 and state route number 167  
29 express toll lanes account—state appropriation, \$433,000 of the state  
30 route number 520 corridor account—state appropriation, and \$77,000 of  
31 the Tacoma Narrows toll bridge account—state appropriation are  
32 provided solely for the Washington state patrol's proportional share  
33 of time spent supporting tolling operations and enforcement for the  
34 respective tolling facilities.

35 (9) \$289,000 of the state patrol highway account—state  
36 appropriation is provided solely for the replacement of 911  
37 workstations.

1 (10) \$35,000 of the state patrol highway account—state  
2 appropriation is provided solely for the replacement of bomb response  
3 equipment.

4 (11) \$713,000 of the state patrol highway account—state  
5 appropriation is provided solely for information technology  
6 infrastructure maintenance.

7 (12) The Washington state patrol must provide a report to the  
8 office of financial management and the house and senate  
9 transportation committees on its plan for implementing a transition  
10 to cloud computing and storage with its 2023-2025 budget submittal.

11 (13) \$945,000 of the state patrol highway account—state  
12 appropriation is provided solely for implementation of chapter 329,  
13 Laws of 2021 (custodial interrogations). (~~If chapter 329, Laws of~~  
14 ~~2021 (custodial interrogations) is not enacted by June 30, 2021, the~~  
15 ~~amount provided in this subsection lapses.~~)

16 (14) \$46,000 of the state patrol highway account—state  
17 appropriation is provided solely for implementation of chapter 320,  
18 Laws of 2021 (peace officer tactics). (~~If chapter 320, Laws of 2021~~  
19 ~~(peace officer tactics) is not enacted by June 30, 2021, the amount~~  
20 ~~provided in this subsection lapses.~~)

21 (15) \$46,000 of the state patrol highway account—state  
22 appropriation is provided solely for implementation of chapter 324,  
23 Laws of 2021 (use of force by officers). (~~If chapter 324, Laws of~~  
24 ~~2021 (use of force by officers) is not enacted by June 30, 2021, the~~  
25 ~~amount provided in this subsection lapses.~~)

26 (16)(a) The legislature finds that the water connection extension  
27 constructed by the Washington state patrol from the city of Shelton's  
28 water facilities to the Washington state patrol academy was necessary  
29 to meet the water supply needs of the academy. The legislature also  
30 finds that the water connection provides an ongoing water supply that  
31 is necessary to the operation of the training facility, that the  
32 state is making use of the water connection for these public  
33 activities, and that any future incidental use of the municipal  
34 infrastructure put in place to support these activities will not  
35 impede the Washington state patrol's ongoing use of the water  
36 connection extension.

37 (b) \$2,220,000 of the transfer from the waste tire removal  
38 account to the motor vehicle fund, as required under RCW 70A.205.425,  
39 reimburses the motor vehicle fund for the portion of the water

1 project costs assigned by the agreement to properties, other than the  
2 Washington state patrol academy, that make use of the water  
3 connection while the agreement remains in effect. This reimbursement  
4 to the motor vehicle fund is intended to address any possibility that  
5 the termination of this agreement could be determined to result in  
6 the unconstitutional use of 18th amendment designated funds for  
7 nonhighway purposes under the constitution of the state of  
8 Washington; however, this transfer is not intended to indicate that  
9 the incidental use of this infrastructure by these properties  
10 necessarily requires such reimbursement under the state Constitution.  
11 Immediately following the transfer of funds, Washington state patrol  
12 and the city of Shelton shall meet to formally update the terms of  
13 their "Agreement for Utility Connection and Reimbursement of Water  
14 Extension Expenses" executed on June 12, 2017, to reflect the intent  
15 of the proviso.

16 (17) The appropriations in this section provide sufficient  
17 funding for state patrol staffing assuming vacancy savings which may  
18 change over time. Funding for staffing will be monitored and adjusted  
19 in the ((2022)) 2023 supplemental budget to restore funding as  
20 authorized staffing levels are achieved.

21 (18) \$1,000,000 of the state patrol highway account—state  
22 appropriation is provided solely for implementation of chapter . . .  
23 (Substitute House Bill No. 2057), Laws of 2022 (diversity, equity,  
24 and inclusion in the state patrol). If chapter . . . (Substitute  
25 House Bill No. 2057), Laws of 2022 is not enacted by June 30, 2022,  
26 the amount provided in this subsection lapses.

27 (19) \$793,000 of the state patrol highway account—state  
28 appropriation is provided solely for the tenant improvements and  
29 higher than expected equipment costs for the toxicology lab in  
30 Federal Way, and preparing a report on the current cost recovery  
31 mechanisms and opportunities for expanding these cost recovery  
32 mechanisms in the future. The report must be submitted to the  
33 governor and the transportation committees of the legislature by  
34 November 1, 2022.

35 (20) \$14,788,000 of the state patrol highway account—state  
36 appropriation is provided solely for contingency funding to address  
37 emergent issues related to mitigating negative impacts of the high  
38 level of commissioned and noncommissioned staff vacancies. Potential  
39 uses of the funding include, but are not limited to, the following:

1 Operating a miniacademy and training opportunities for lateral  
2 transfers from other agencies; increased overtime, travel, and other  
3 related costs; increased contracting to maintain adequate service  
4 levels; and unanticipated facility and equipment needs. By January 1,  
5 2023, the state patrol must submit a report to the governor and the  
6 transportation committees of the legislature detailing the specific  
7 expenditures made from the contingency funding provided in this  
8 subsection.

9 (21) \$122,000 of the state patrol highway account—state  
10 appropriation, \$1,000 of the highway safety account—state  
11 appropriation, and \$4,000 of the ignition interlock account—state  
12 appropriation are provided solely for implementation of chapter . . .  
13 (Senate Bill No. 5726), Laws of 2022 (interruptive military service  
14 credit for members of the state retirement systems). If chapter . . .  
15 (Senate Bill No. 5726), Laws of 2022 is not enacted by June 30, 2022,  
16 the amount provided in this subsection lapses.

17 **Sec. 208.** 2021 c 333 s 208 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF LICENSING**

20	Marine Fuel Tax Refund Account—State Appropriation. . . . .	\$34,000
21	Motorcycle Safety Education Account—State	
22	Appropriation. . . . .	<del>(\$4,894,000)</del>
23		<u>\$4,968,000</u>
24	Limited Fish and Wildlife Account—State	
25	Appropriation. . . . .	<del>(\$917,000)</del>
26		<u>\$919,000</u>
27	Highway Safety Account—State Appropriation. . . . .	<del>(\$241,868,000)</del>
28		<u>\$235,743,000</u>
29	Highway Safety Account—Federal Appropriation. . . . .	\$1,294,000
30	Motor Vehicle Account—State Appropriation. . . . .	<del>(\$73,327,000)</del>
31		<u>\$77,905,000</u>
32	Motor Vehicle Account—Federal Appropriation. . . . .	<del>(\$150,000)</del>
33		<u>\$400,000</u>
34	Motor Vehicle Account—Private/Local Appropriation. . . . .	<del>(\$6,600,000)</del>
35		<u>\$1,336,000</u>
36	Ignition Interlock Device Revolving Account—State	
37	Appropriation. . . . .	<del>(\$6,071,000)</del>
38		<u>\$6,101,000</u>

1	Department of Licensing Services Account—State	
2	Appropriation. . . . .	(( <del>\$8,157,000</del> ))
3		<u>\$7,828,000</u>
4	License Plate Technology Account—State Appropriation	
5	. . . . .	(( <del>\$4,250,000</del> ))
6		<u>\$4,060,000</u>
7	Abandoned Recreational Vehicle Account—State	
8	Appropriation. . . . .	(( <del>\$3,066,000</del> ))
9		<u>\$3,070,000</u>
10	Limousine Carriers Account—State Appropriation. . . . .	\$110,000
11	Electric Vehicle Account—State Appropriation. . . . .	(( <del>\$405,000</del> ))
12		<u>\$414,000</u>
13	DOL Technology Improvement & Data Management	
14	Account—State Appropriation. . . . .	(( <del>\$748,000</del> ))
15		<u>\$813,000</u>
16	Agency Financial Transaction Account—State	
17	Appropriation. . . . .	(( <del>\$21,257,000</del> ))
18		<u>\$22,257,000</u>
19	<del>((Driver Licensing Technology Support Account—</del>	
20	<del>State Appropriation. . . . .</del>	<del>\$1,373,000))</del>
21	<u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>	<u>\$1,691,000</u>
22	TOTAL APPROPRIATION. . . . .	(( <del>\$374,521,000</del> ))
23		<u>\$368,943,000</u>

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

26 (1) \$1,100,000 of the highway safety account—state appropriation  
27 is provided solely for the department to provide an interagency  
28 transfer to the department of social and health services, children's  
29 administration division for the purpose of providing driver's license  
30 support to a larger population of foster youth than is already served  
31 within existing resources. Support services include reimbursement of  
32 driver's license issuance costs, fees for driver training education,  
33 and motor vehicle liability insurance costs.

34 (2) The appropriations in this section assume implementation by  
35 the department of cost recovery mechanisms to recoup at least  
36 \$21,257,000 during the 2021-2023 biennium in credit card and other  
37 financial transaction costs as part of charges imposed for driver and  
38 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
39 department must report any amounts recovered to the office of

1 financial management and appropriate committees of the legislature on  
2 a quarterly basis.

3 (3) (a) For the 2021-2023 biennium, the department shall charge  
4 \$6,600,000 for the administration and collection of a motor vehicle  
5 excise tax on behalf of a regional transit authority, as authorized  
6 under RCW 82.44.135. The amount in this subsection must be deducted  
7 before distributing any revenues to a regional transit authority.

8 (b) \$100,000 of the motor vehicle account—state appropriation is  
9 provided solely for the department to work with the regional transit  
10 authority imposing a motor vehicle excise tax pursuant to RCW  
11 81.104.160 and transportation benefit districts imposing vehicle fees  
12 pursuant to RCW 82.80.140, and other relevant parties, to determine  
13 cost recovery options for the administration and collection of the  
14 taxes and fees. The options must include:

15 (i) Full cost recovery for the direct and indirect expenses by  
16 the department of licensing, subagents, and counties;

17 (ii) Marginal cost recovery for the direct and indirect expenses  
18 by the department of licensing, subagents, and counties;

19 (iii) The estimated costs if the regional transit authority or  
20 transportation benefit districts had to contract out the entire  
21 collection and administrative activity with a nongovernmental entity.

22 (4) \$12,000 of the motorcycle safety education account—state  
23 appropriation, \$2,000 of the limited fish and wildlife account—state  
24 appropriation, \$728,000 of the highway safety account—state  
25 appropriation, \$238,000 of the motor vehicle account—state  
26 appropriation, \$10,000 of the ignition interlock device revolving  
27 account—state appropriation, and \$10,000 of the department of  
28 licensing services account—state appropriation are provided solely  
29 for the department to redesign and improve its online services and  
30 website, and are subject to the conditions, limitations, and review  
31 requirements of section 701 (~~of this act~~), chapter 333, Laws of  
32 2021.

33 (5) \$28,636,000 of the highway safety account—state appropriation  
34 is provided solely for costs necessary to accommodate increased  
35 demand for enhanced drivers' licenses and enhanced identicards. The  
36 department shall report on a quarterly basis on the use of these  
37 funds, associated workload, and information with comparative  
38 information with recent comparable months in prior years. The report  
39 must include detailed statewide and by licensing service office

1 information on staffing levels, average monthly wait times, the  
2 number of enhanced drivers' licenses and enhanced identicards issued/  
3 renewed, and the number of primary drivers' licenses and identicards  
4 issued/renewed. Within the amounts provided in this subsection, the  
5 department shall implement efficiency measures to reduce the time for  
6 licensing transactions and wait times including, but not limited to,  
7 the installation of additional cameras at licensing service offices  
8 that reduce bottlenecks and align with the "keep your customer"  
9 initiative.

10 (6) \$500,000 of the highway safety account—state appropriation is  
11 provided solely for communication and outreach activities necessary  
12 to inform the public of federally acceptable identification options  
13 including, but not limited to, enhanced drivers' licenses and  
14 enhanced identicards. The department shall continue the outreach plan  
15 that includes informational material that can be effectively  
16 communicated to all communities and populations in Washington. To  
17 accomplish this work, the department shall contract with an external  
18 vendor with demonstrated experience and expertise in outreach and  
19 marketing to underrepresented communities in a culturally responsive  
20 fashion.

21 (7) (~~(\$523,000)~~) \$593,000 of the highway safety account—state  
22 appropriation is provided solely for the implementation of chapter  
23 158, Laws of 2021 (DOL issued documents). (~~If chapter 158, Laws of~~  
24 ~~2021 is not enacted by June 30, 2021, the amount provided in this~~  
25 ~~subsection lapses.~~)

26 (8) (~~(\$1,373,000)~~) \$929,000 of the (~~driver licensing technology~~  
27 ~~support~~) highway safety account—state appropriation is provided  
28 solely for the implementation of chapter 240, Laws of 2021  
29 (suspension of licenses for traffic infractions). (~~If chapter 240,~~  
30 ~~Laws of 2021 is not enacted by June 30, 2021, the amount provided in~~  
31 ~~this subsection lapses.~~)

32 (9) \$23,000 of the highway safety account—state appropriation is  
33 provided solely for the implementation of chapter 10 (~~(Engrossed~~  
34 ~~Substitute House Bill No. 1078)~~), Laws of 2021 (restoring voter  
35 eligibility after felony conviction).

36 (10) \$3,074,000 of the abandoned recreational vehicle disposal  
37 account—state appropriation is provided solely for providing  
38 reimbursements in accordance with the department's abandoned  
39 recreational vehicle disposal reimbursement program. It is the intent

1 of the legislature that the department prioritize this funding for  
2 allowable and approved reimbursements and not to build a reserve of  
3 funds within the account. During the 2021-2023 fiscal biennium, the  
4 department must report any amounts recovered to the office of  
5 financial management and appropriate committees of the legislature on  
6 a quarterly basis.

7 (11)(a) \$54,000 of the motor vehicle account—state appropriation  
8 is provided solely for the issuance of nonemergency medical  
9 transportation vehicle decals to implement the high occupancy vehicle  
10 lane access pilot program established in section 216 (~~of this act~~),  
11 chapter 333, Laws of 2021. A for hire nonemergency medical  
12 transportation vehicle is a vehicle that is a "for hire vehicle"  
13 under RCW 46.04.190 that provides nonemergency medical  
14 transportation, including for life-sustaining transportation  
15 purposes, to meet the medical transportation needs of individuals  
16 traveling to medical practices and clinics, cancer centers, dialysis  
17 facilities, hospitals, and other care providers.

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

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

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

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

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

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

38 (i) The name and address of the person who is the owner of the  
39 vehicle;



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

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

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

13 (v) Other information as required by the department upon  
14 application.

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

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

21 (g) A high occupancy vehicle exempt decal expires June 30, 2023,  
22 and must be marked to indicate its expiration date. The decal may be  
23 renewed if the pilot program is continued past the date of a decal's  
24 expiration. The status as an exempt vehicle continues until the high  
25 occupancy vehicle exempt decal is suspended or revoked for misuse,  
26 the vehicle is no longer used as a for hire nonemergency medical  
27 transportation vehicle, or the pilot program established in section  
28 216 (~~of this act~~), chapter 333, Laws of 2021 is terminated.

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

30 (12) \$434,000 of the highway safety account—state appropriation  
31 is provided solely for the implementation of the Thurston county  
32 superior court order in *Pierce et al. v. Department of Licensing*.

33 (13) \$5,264,000 of the motor vehicle account—state appropriation  
34 is provided solely for the department to reduce the charges to a  
35 regional transit authority for the administration and collection of a  
36 motor vehicle excise tax as authorized under RCW 82.44.135. To be  
37 eligible to receive this funding, the regional transit authority must  
38 have adopted a zero-fare policy by October 1, 2022, that, at a  
39 minimum, allows passengers 18 years of age and younger to ride free  
40 of charge on all modes provided by the authority. If the regional

1 transit authority has not adopted a zero-fare policy that allows  
2 passengers 18 years of age and younger to ride free of charge on all  
3 modes provided by the authority by October 1, 2022, the amount  
4 provided in this subsection lapses and the department shall charge  
5 the regional transit authority a minimum of \$6,600,000 for the  
6 biennium for the administration and collection of a motor vehicle  
7 excise tax, which charges must be deducted before distributing any  
8 revenues to the regional transit authority.

9 (14) The department shall consult with the department of  
10 corrections and state board for community and technical colleges to  
11 develop a pilot program that allows incarcerated individuals to  
12 participate in a prerelease commercial driver training program.

13 (15) \$100,000 of the highway safety account—state appropriation  
14 is provided solely for the department to lead a study on the  
15 potential impacts that current licensing requirements, including  
16 required training hours, and testing requirements may have on the  
17 shortage of commercial drivers, and whether adjustments to these  
18 requirements may be warranted to help alleviate the shortage. In  
19 completing the study, the department must consult with the workforce  
20 training board, state board for community and technical colleges,  
21 organizations representing commercial drivers, and organizations  
22 representing businesses or government entities that rely on  
23 commercial drivers. The report must be submitted to the governor and  
24 the transportation committees of the legislature by December 1, 2022.

25 (16) \$965,000 of the motor vehicle account—state appropriation is  
26 provided solely for the increased costs associated with delays in the  
27 production of license plates, and to provide a report detailing  
28 license plate inventory practices and whether those practices should  
29 be changed to guard against potential future plate production delays.  
30 The report must be submitted to the governor and the transportation  
31 committees of the legislature by December 1, 2022.

32 (17) \$550,000 of the move ahead WA flexible account—state  
33 appropriation is provided solely for an interagency transfer to the  
34 department of children, youth, and families to provide driver's  
35 license support to a larger population of foster youth than is  
36 currently being served. Support services include reimbursement of  
37 driver's license issuance costs, fees for driver training education,  
38 and motor vehicle liability insurance costs.

1 (18) \$1,000,000 of the move ahead WA flexible account—state  
2 appropriation is provided solely for estimated implementation costs  
3 associated with new revenues.

4 (19) \$141,000 of the move ahead WA flexible account—state  
5 appropriation is provided solely for Substitute Senate Bill No. 5815  
6 (homeless identicard). If Substitute Senate Bill No. 5815 is not  
7 enacted by June 30, 2022, then the amount provided in this subsection  
8 lapses.

9 (20) \$251,000 of the highway safety account—state appropriation  
10 is provided solely for costs related to Substitute Senate Bill No.  
11 5907 (roadside safety measures). If Substitute Senate Bill No. 5907  
12 is not enacted by June 30, 2022, then the amount provided in this  
13 subsection lapses.

14 (21) \$28,000 of the motor vehicle account—state appropriation is  
15 provided solely for the implementation of chapter . . . (Senate Bill  
16 No. 5750), Laws of 2022 (state leadership board) and making  
17 improvements to the annual information submitted by special license  
18 plate sponsoring organizations pursuant to RCW 46.18.120(2). The  
19 improvements must include, but are not limited to, the following: An  
20 annual budget for the sponsoring organization's activities in the  
21 preceding year; information regarding private and other governmental  
22 support for the activities of the sponsoring organization; and a  
23 description of the number of people served or services delivered, as  
24 appropriate, by the sponsoring organization in the preceding year. If  
25 chapter . . . (Substitute Senate Bill No. 5750), Laws of 2022 is not  
26 enacted by June 30, 2022, the amount provided in this subsection  
27 lapses.

28 (22) \$268,000 of the highway safety account—state appropriation  
29 is provided solely for the implementation of chapter . . . (Engrossed  
30 Senate Bill No. 5054), Laws of 2022 (impaired driving). If  
31 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not  
32 enacted by June 30, 2022, the amount provided in this subsection  
33 lapses.

34 (23) \$113,000 of the highway safety account—state appropriation  
35 is provided solely for the implementation of chapter . . .  
36 (Substitute Senate Bill No. 5631), Laws of 2022 (human trafficking  
37 disqualification for a commercial driver's license). If chapter . . .  
38 (Substitute Senate Bill No. 5631), Laws of 2022 is not enacted by  
39 June 30, 2022, the amount provided in this subsection lapses.

1 (24) \$18,000 of the motor vehicle account—state appropriation is  
2 provided solely for the implementation of chapter . . . (Substitute  
3 Senate Bill No. 5741), Laws of 2022 (patches pal special license  
4 plates). If chapter . . . (Substitute Senate Bill No. 5741), Laws of  
5 2022 is not enacted by June 30, 2022, the amount provided in this  
6 subsection lapses.

7 (25) \$33,000 of the motor vehicle account—state appropriation is  
8 provided solely for the implementation of chapter . . . (Second  
9 Substitute Senate Bill No. 5085), Laws of 2022 (electric  
10 motorcycles). If chapter . . . (Second Substitute Senate Bill No.  
11 5085), Laws of 2022 is not enacted by June 30, 2022, the amount  
12 provided in this subsection lapses.

13 (26) \$150,000 of the highway safety account—state appropriation  
14 is provided solely for the establishment of a dedicated coordinator  
15 position to improve the accessibility to the department's facilities  
16 and online services for disabled customers and staff. By January 1,  
17 2023, the department shall submit an implementation plan for the  
18 accessibility improvements for the ensuing biennium to the  
19 legislative transportation committees and the office of financial  
20 management.

21 (27) \$350,000 of the highway safety account—state appropriation  
22 is provided solely to expand driver's license assistance and support  
23 services in King county with an existing provider that is already  
24 providing these services to low-income immigrant and refugee women.

25 (28) \$4,594,000 of the highway safety account—state  
26 appropriation, \$1,457,000 of the motor vehicle account—state  
27 appropriation, \$160,000 of the department of licensing services  
28 account—state appropriation, and \$83,000 of the department of  
29 licensing technology improvement and data management account—state  
30 appropriation are provided solely for contingency funding to address  
31 emergent issues related to mitigating negative impacts of the high  
32 level of staff vacancies and agency operations and customer service  
33 levels. Potential uses of the funding include, but are not limited  
34 to, the following: Increased overtime, travel, and other related  
35 costs; increased contracting to maintain adequate service levels; and  
36 unanticipated facility and equipment needs. By January 1, 2023, the  
37 department shall submit a report to the governor and the legislative  
38 transportation committees detailing the specific expenditures made  
39 from the contingency funding provided in this subsection.

1       (29) The department shall contract with a third-party consultant  
2 to convene a work group to review the legal findings and holdings by  
3 the Washington Supreme Court in *City of Seattle v. Long* to make  
4 recommendations in amending provisions concerning the towing and  
5 impound of vehicles under chapter 46.55 RCW. The work group must  
6 include relevant stakeholders including, but not limited to, vehicle  
7 resident advocates, nonprofit legal services organizations, tow truck  
8 operators or associations, municipal court representatives, fire  
9 chiefs and marshals, and representatives from cities and counties.  
10 The work group must meet at least three times and evaluate the  
11 following: The need to identify additional parties authorized to  
12 receive notice of and redeem impounded vehicles used as residences;  
13 the most effective and appropriate methods to identify vehicles used  
14 as residences before and after impound; the need to modify impound  
15 notice periods and forms; the need to modify impound hearing and  
16 public auction procedures and timelines for vehicles used as  
17 residences; the need to modify retention policies and timelines  
18 concerning impounded vehicles used as residences; which factors and  
19 considerations are appropriate for courts to evaluate when  
20 determining if towing and storage fees are excessive; the appropriate  
21 persons or entities and process to reimburse tow truck operators when  
22 excessive towing and storage fees are reduced; any other necessary  
23 procedural modifications or protections required, including homestead  
24 act protections, concerning impounded vehicles used as residences;  
25 and any other technical amendments or policy considerations discussed  
26 by the work group. The third-party consultant must issue a final  
27 report, including any work group findings and recommended legislative  
28 changes, to the appropriate committees of the legislature and the  
29 governor by December 1, 2022.

30       **Sec. 209.** 2021 c 333 s 209 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**  
33 **—PROGRAM B**

34 State Route Number 520 Corridor Account—State	
35     Appropriation. . . . .	(( \$53,689,000 ))
36	<u>\$58,268,000</u>
37 State Route Number 520 Civil Penalties Account—State	
38     Appropriation. . . . .	(( \$4,122,000 ))

1		<u>\$4,136,000</u>
2	Tacoma Narrows Toll Bridge Account—State	
3	Appropriation. . . . .	(( <del>\$29,809,000</del> ))
4		<u>\$34,389,000</u>
5	Alaskan Way Viaduct Replacement Project Account—	
6	State Appropriation. . . . .	(( <del>\$20,840,000</del> ))
7		<u>\$21,699,000</u>
8	Interstate 405 and State Route Number 167 Express	
9	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$23,910,000</del> ))
10		<u>\$21,268,000</u>
11	TOTAL APPROPRIATION. . . . .	(( <del>\$132,370,000</del> ))
12		<u>\$139,760,000</u>

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

15       (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
16 appropriation and \$12,484,000 of the state route number 520 corridor  
17 account—state appropriation are provided solely for the purposes of  
18 addressing unforeseen operations and maintenance costs on the Tacoma  
19 Narrows bridge and the state route number 520 bridge, respectively.  
20 The office of financial management shall place the amounts provided  
21 in this subsection, which represent a portion of the required minimum  
22 fund balance under the policy of the state treasurer, in unallotted  
23 status. The office may release the funds only when it determines that  
24 all other funds designated for operations and maintenance purposes  
25 have been exhausted.

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

31       (a) Information on the travel times and travel time reliability  
32 (at a minimum, average and 90th percentile travel times) maintained  
33 during peak and nonpeak periods in the express toll lanes and general  
34 purpose lanes for both the entire corridor and commonly made trips in  
35 the corridor including, but not limited to, northbound from Bellevue  
36 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at  
37 state route number 522, Bellevue to Bothell (both NE 8th to state  
38 route number 522 and NE 8th to state route number 527), and a trip

1 internal to the corridor (such as NE 85th to NE 160th) and similar  
2 southbound trips;

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

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

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

21 (3) (a) (~~(\$708,000)~~) \$1,189,000 of the Interstate 405 and state  
22 route number 167 express toll lanes account—state appropriation,  
23 (~~(\$1,651,000)~~) \$2,783,000 of the state route number 520 corridor  
24 account—state appropriation, (~~(\$709,000)~~) \$1,218,000 of the Tacoma  
25 Narrows toll bridge account—state appropriation, and (~~(\$932,000)~~)  
26 \$1,568,000 of the Alaskan Way viaduct replacement project account—  
27 state appropriation are provided solely for the reappropriation of  
28 unspent funds on the new tolling back office system from the  
29 2019-2021 biennium, and are subject to the conditions, limitations,  
30 and review provided in section 701 (~~(of this act)~~), chapter 333, Laws  
31 of 2021.

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

1 (c) The office of financial management shall place the amounts  
2 provided in this subsection in unallotted status until the department  
3 submits a detailed progress report on the progress of the new tolling  
4 back office system. The director of the office of financial  
5 management or their designee shall consult with the chairs and  
6 ranking members of the transportation committees of the legislature  
7 prior to making a decision to allot these funds.

8 (4) (~~Out of funding appropriated in this section,~~) \$121,000 of  
9 the Interstate 405 and state route number 167 express toll lanes  
10 account—state appropriation, \$288,000 of the state route number 520  
11 corridor account—state appropriation, \$128,000 of the Tacoma Narrows  
12 toll bridge account—state appropriation, and \$163,000 of the Alaskan  
13 Way viaduct replacement project account—state appropriation are  
14 provided solely for the department (~~shall~~) to contract with the  
15 state auditor's office for a performance audit of the department's  
16 project to replace its electronic toll collection system. The audit  
17 should include an evaluation of the department's project planning,  
18 vendor procurement, contract management and project oversight. The  
19 final report is to be issued by December 31, 2022. The state auditor  
20 will transmit copies of the report to the jurisdictional committees  
21 of the legislature and the department.

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

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

29 (b) The nonvendor costs of administering toll operations,  
30 including the costs of staffing the division, consultants, and other  
31 personal service contracts required for technical oversight and  
32 management assistance, insurance, payments related to credit card  
33 processing, transponder purchases and inventory management, facility  
34 operations and maintenance, and other miscellaneous nonvendor costs;

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



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

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

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

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

8 (iv) Workload costs related to hearings;

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

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

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

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

26 (7) \$19,908,000 of the Alaskan Way viaduct replacement project  
27 account—state appropriation is provided solely for the new state  
28 route number 99 tunnel toll facility's expected share of collecting  
29 toll revenues, operating customer services, and maintaining toll  
30 collection systems. The legislature expects to see appropriate  
31 reductions to the other toll facility accounts once tolling on the  
32 new state route number 99 tunnel toll facility stabilizes and any  
33 previously incurred costs for start-up of the new facility are  
34 charged back to the Alaskan Way viaduct replacement project account.  
35 The office of financial management shall closely monitor the  
36 application of the cost allocation model and ensure that the new  
37 state route number 99 tunnel toll facility is adequately sharing  
38 costs and the other toll facility accounts are not being overspent or  
39 subsidizing the new state route number 99 tunnel toll facility.

1 (8) The department shall submit a plan to the legislature for the  
2 Interstate 405 and state route number 167 express toll lanes account  
3 detailing how bond proceeds can cover the proposed construction plan  
4 on the Interstate 405 and state route number 167 express toll lane  
5 corridor outlined on LEAP Transportation Document 2021-1 as developed  
6 April 23, 2021, by January 1, 2022.

7 (9) (~~(\$1,516,000)~~) \$4,554,000 of the state route number 520  
8 corridor account—state appropriation (~~(is)~~) and \$580,000 of the  
9 Tacoma Narrows toll bridge account—state appropriation are provided  
10 solely for the increased costs of insurance for the state route  
11 number 520 floating bridge and the Tacoma Narrows bridge. The  
12 department shall conduct an evaluation of the short and long-term  
13 costs and benefits including risk mitigation of self-insurance as  
14 compared to the commercial insurance option for the state route  
15 number 520 floating bridge, as allowed under the terms of the state  
16 route number 520 master bond resolution. By December 15, 2021, the  
17 department shall report to the legislature on the results of this  
18 evaluation.

19 (10) As part of the department's 2023-2025 biennial budget  
20 request, the department shall update the cost allocation  
21 recommendations that assign appropriate costs to each of the toll  
22 funds for services provided by relevant Washington state department  
23 of transportation programs, the Washington state patrol, and the  
24 transportation commission. The recommendations shall be based on  
25 updated traffic and toll transaction patterns and other relevant  
26 factors.

27 (11) All amounts provided for operations and maintenance expenses  
28 on the SR 520 facility from the state route number 520 corridor  
29 account during the 2021-2023 fiscal biennium in this act, up to a  
30 maximum of \$59,567,000, are derived from the receipt of federal  
31 American rescue plan act of 2021 funds and not toll revenues.

32 **Sec. 210.** 2021 c 333 s 210 (uncodified) is amended to read as  
33 follows:

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

35 **C**

36 Transportation Partnership Account—State

37 Appropriation. . . . . (~~(\$1,377,000)~~)

38 \$1,404,000

1	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$97,026,000</del> ))
2		<u>\$99,485,000</u>
3	Puget Sound Ferry Operations Account—State	
4	Appropriation. . . . .	(( <del>\$263,000</del> ))
5		<u>\$307,000</u>
6	Multimodal Transportation Account—State	
7	Appropriation. . . . .	(( <del>\$6,986,000</del> ))
8		<u>\$6,888,000</u>
9	Transportation 2003 Account (Nickel Account)—State	
10	Appropriation. . . . .	(( <del>\$1,393,000</del> ))
11		<u>\$1,416,000</u>
12	TOTAL APPROPRIATION. . . . .	(( <del>\$107,045,000</del> ))
13		<u>\$109,500,000</u>

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

16       (1) \$4,273,000 of the multimodal transportation account—state  
17 appropriation and \$4,273,000 of the motor vehicle account—state  
18 appropriation are provided solely for the department's cost related  
19 to the one Washington project, and is subject to the conditions,  
20 limitations, and review requirements of section 701 ((~~of this act~~)),  
21 chapter 333, Laws of 2021.

22       (2) \$1,299,000 of the motor vehicle account—state appropriation  
23 and \$64,000 of the multimodal transportation account—state  
24 appropriation are provided solely for contingency funding to address  
25 emergent issues related to mitigating negative impacts of the high  
26 level of staff vacancies. Potential uses of the funding include, but  
27 are not limited to, the following: Increased overtime, travel, and  
28 other related costs; increased contracting to maintain adequate  
29 service levels; and unanticipated facility and equipment needs. By  
30 January 1, 2023, the department must submit a report to the governor  
31 and the transportation committees of the legislature detailing the  
32 specific expenditures made from the contingency funding provided in  
33 this subsection.

34       **Sec. 211.** 2021 c 333 s 211 (uncodified) is amended to read as  
35 follows:

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

38 Motor Vehicle Account—State Appropriation. . . . . ((~~\$35,574,000~~))

1		<u>\$37,435,000</u>
2	State Route Number 520 Corridor Account—State	
3	Appropriation. . . . .	\$34,000
4	TOTAL APPROPRIATION. . . . .	(( <del>\$35,608,000</del> ))
5		<u>\$37,469,000</u>

6       NEW SECTION.   **Sec. 212.**   A new section is added to 2021 c 333  
7 (uncodified) to read as follows:

8   **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**  
9   **PROGRAM E**

10 Motor Vehicle Account—State Appropriation. . . . . \$9,167,000

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

13       (1) \$7,167,000 of the motor vehicle account—state appropriation  
14 is provided solely for the department's costs related to replacing  
15 obsolete transportation equipment. The appropriations to the  
16 department in this section must be expended to maximize the amount of  
17 obsolete equipment replaced in the 2021-2023 biennium. To accomplish  
18 this, the department may transfer some or all of the motor vehicle  
19 account—state appropriation in this section to the department's other  
20 operating programs for the purpose of maximizing federal or other  
21 indirect cost recovery, and the funding available for the replacement  
22 of the obsolete equipment.

23       (2) \$2,000,000 of the motor vehicle account—state appropriation  
24 is provided solely for the department's costs related to replacing  
25 snow removal equipment. The appropriations to the department in this  
26 section must be expended to maximize the amount of snow removal  
27 equipment replaced in the 2021-2023 biennium. To accomplish this, the  
28 department may transfer some or all of the motor vehicle account—  
29 state appropriation in this section to the department's other  
30 operating programs for the purpose of maximizing federal or other  
31 indirect cost recovery, and the funding available for the replacement  
32 of the obsolete equipment.

33       **Sec. 213.**   2021 c 333 s 212 (uncodified) is amended to read as  
34 follows:

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

36 Aeronautics Account—State Appropriation. . . . . ((~~\$8,055,000~~))  
37 \$9,112,000

1	Aeronautics Account—Federal Appropriation. . . . .	\$3,916,000
2	Aeronautics Account—Private/Local Appropriation. . . . .	\$60,000
3	<u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>	<u>\$10,000</u>
4	TOTAL APPROPRIATION. . . . .	(( <del>\$12,031,000</del> ))
5		<u>\$13,098,000</u>

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

8 (1) \$2,888,000 of the aeronautics account—state appropriation is  
9 provided solely for the airport aid grant program, which provides  
10 competitive grants to public use airports for pavement, safety,  
11 maintenance, planning, and security.

12 (2) \$257,000 of the aeronautics account—state appropriation is  
13 provided solely for supporting the commercial aviation coordinating  
14 commission, pursuant to section 718 (~~of this act~~), chapter 333,  
15 Laws of 2021.

16 (3) \$280,000 of the aeronautics account—state appropriation is  
17 provided solely for the implementation of chapter 131, Laws of 2021  
18 (unpiloted aircraft system state coordinator). If chapter 131, Laws  
19 of 2021 is not enacted by June 30, 2021, the amount provided in this  
20 subsection lapses.

21 (4) \$10,000 of the move ahead WA flexible account—state  
22 appropriation is provided solely for the creation of a sustainable  
23 aviation grant program for airports. The purpose of the grant program  
24 is to support adoption of zero emissions aircraft and sustainable  
25 aviation fuels, reduce harmful aviation-related emissions, and reduce  
26 the aviation industry's reliance on fossil fuels. Sustainable  
27 aviation projects may include, but are not limited to: (a)  
28 Sustainable aviation fuel storage; (b) electrification of ground  
29 support equipment; (c) electric aircraft charging infrastructure; (d)  
30 airport clean power production; or (e) electric vehicle charging  
31 stations whose infrastructure also supports ground support equipment  
32 and electric aircraft charging. The department must select projects,  
33 which may include planning, to propose to the legislature for  
34 funding. The department shall submit a report to the transportation  
35 committees of the legislature by December 1, 2022, identifying the  
36 selected sustainable aviation projects for funding by the  
37 legislature.

38 (5) \$1,000,000 of the aeronautics account—state appropriation is  
39 provided solely for move ahead WA aviation grants.

1       **Sec. 214.** 2021 c 333 s 213 (uncodified) is amended to read as  
2 follows:

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

5	Motor Vehicle Account—State Appropriation. . . . .	(\$59,138,000)
6		<u>\$57,320,000</u>
7	Motor Vehicle Account—Federal Appropriation. . . . .	\$500,000
8	Multimodal Transportation Account—State	
9	Appropriation. . . . .	\$758,000
10	TOTAL APPROPRIATION. . . . .	(\$60,396,000)
11		<u>\$58,578,000</u>

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

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

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

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

36       (c) The department may sell any adjoining property that is not  
37 necessary to support the Rocky Reach Trail and adjacent buffer areas  
38 only after the transfer of trail-related property to the Washington  
39 state parks and recreation commission is complete. Adjoining property

1 owners must be given the first opportunity to acquire such property  
2 that abuts their property, and applicable boundary line or other  
3 adjustments must be made to the legal descriptions for recording  
4 purposes.

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

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

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

24 ~~((5))~~ (4) During the 2021-2023 biennium, if the department  
25 takes possession of the property situated in the city of Edmonds for  
26 which a purchase agreement was executed between Unocal and the  
27 department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the  
28 department confirms that the property is still no longer needed for  
29 transportation purposes, the department shall provide the city of  
30 Edmonds with the right of first purchase at fair market value in  
31 accordance with RCW 47.12.063(3) for the city's intended use of the  
32 property to rehabilitate near-shore habitat for salmon and related  
33 species.

34 ~~((6) \$300,000))~~ (5) \$535,000 of the motor vehicle account—state  
35 appropriation is provided solely for the implementation of chapter  
36 217, Laws of 2021 (noxious weeds). ~~((If chapter 217, Laws of 2021~~  
37 ~~(noxious weeds) is not enacted by June 30, 2021, the amount provided~~  
38 ~~in this subsection lapses.~~

1       ~~(7) \$500,000)) (6) \$1,026,000~~ of the multimodal transportation  
 2 account—state appropriation is provided solely for the implementation  
 3 of chapter 314, Laws of 2021 (environmental justice task force). (~~If~~  
 4 ~~chapter 314, Laws of 2021 (environmental justice task force) is not~~  
 5 ~~enacted by June 30, 2021, the amount provided in this subsection~~  
 6 ~~lapses.))~~)

7       (7) \$1,297,000 of the motor vehicle account—state appropriation  
 8 is provided solely for contingency funding to address emergent issues  
 9 related to mitigating negative impacts of the high level of staff  
 10 vacancies. Potential uses of the funding include, but are not limited  
 11 to, the following: Increased overtime, travel, and other related  
 12 costs; increased contracting to maintain adequate service levels; and  
 13 unanticipated facility and equipment needs. By January 1, 2023, the  
 14 department must submit a report to the governor and the  
 15 transportation committees of the legislature detailing the specific  
 16 expenditures made from the contingency funding provided in this  
 17 subsection.

18       **Sec. 215.** 2021 c 333 s 214 (uncodified) is amended to read as  
 19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**  
 21 **PROGRAM K**

22	Motor Vehicle Account—State Appropriation. . . . .	(\$675,000)
23		<u>\$686,000</u>
24	Electric Vehicle Account—State Appropriation. . . . .	\$9,900,000
25	Multimodal Transportation Account—State	
26	Appropriation. . . . .	\$3,290,000
27	<u>Multimodal Transportation Account—Federal</u>	
28	<u>Appropriation. . . . .</u>	<u>\$13,100,000</u>
29	TOTAL APPROPRIATION. . . . .	(\$13,865,000)
30		<u>\$26,976,000</u>

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

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

36       (2) \$8,900,000 of the electric vehicle account—state  
 37 appropriation is provided solely for the clean alternative fuel



1 vehicle charging and refueling infrastructure program in chapter 287,  
2 Laws of 2019 (advancing green transportation adoption).

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

16 (4) \$1,000,000 of the electric vehicle account—state  
17 appropriation and \$500,000 of the multimodal transportation account—  
18 state appropriation are provided solely for a colocated DC fast  
19 charging and hydrogen fueling station near the Wenatchee or East  
20 Wenatchee area near a state route or near or on a publicly owned  
21 facility to service passenger, light-duty and heavy-duty vehicles.  
22 The hydrogen fueling station must include a DC fast charging station  
23 colocated at the hydrogen fueling station site. Funds may be used for  
24 one or more fuel cell electric vehicles that would utilize the  
25 fueling stations. The department must contract with a public utility  
26 district that produces hydrogen in the area to own and/or manage and  
27 provide technical assistance for the design, planning, permitting,  
28 construction, maintenance and operation of the hydrogen fueling  
29 station. The department and public utility district are encouraged to  
30 collaborate with and seek contributions from additional public and  
31 private partners for the fueling station.

32 (5) \$140,000 of the multimodal transportation account—state  
33 appropriation is provided solely for the purpose of conducting an  
34 assessment of options for the development, including potential  
35 features and costs, for a publicly available mapping and forecasting  
36 tool that provides locations and essential information of charging  
37 and refueling infrastructure to support forecasted levels of electric  
38 vehicle adoption, travel, and usage across Washington state as

1 described in chapter 300, Laws of 2021 (preparedness for a zero  
2 emissions transportation future).

3 (6) \$250,000 of the multimodal transportation account—state  
4 appropriation is provided solely to fund the design of an electric  
5 charging mega-site project at Mount Vernon library commons.

6 (7) \$13,101,000 of the multimodal transportation account—federal  
7 appropriation is provided solely to implement the national electric  
8 vehicle program, established in the federal infrastructure investment  
9 and jobs act (P.L. 117-58), as directed by the interagency electric  
10 vehicle coordinating council created in Engrossed Substitute Senate  
11 Bill No. 5974. \$353,500 of the amount provided in this subsection is  
12 for staff support for the council.

13 **Sec. 216.** 2021 c 333 s 215 (uncodified) is amended to read as  
14 follows:

15	<b>FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M</b>	
16	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$496,925,000</del> ))
17		<u>\$487,698,000</u>
18	Motor Vehicle Account—Federal Appropriation. . . . .	\$7,000,000
19	<u>Motor Vehicle Account—Local Appropriation. . . . .</u>	<u>\$17,000</u>
20	State Route Number 520 Corridor Account—State	
21	Appropriation. . . . .	(( <del>\$4,082,000</del> ))
22		<u>\$4,858,000</u>
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation. . . . .	(( <del>\$1,479,000</del> ))
25		<u>\$1,514,000</u>
26	Alaskan Way Viaduct Replacement Project Account—	
27	State Appropriation. . . . .	(( <del>\$8,157,000</del> ))
28		<u>\$8,347,000</u>
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$2,545,000</del> ))
31		<u>\$2,567,000</u>
32	<u>Move Ahead WA Account—State Appropriation. . . . .</u>	<u>\$47,000,000</u>
33	<u>Waste Tire Removal Account—State Appropriation. . . . .</u>	<u>\$4,000,000</u>
34	TOTAL APPROPRIATION. . . . .	(( <del>\$520,188,000</del> ))
35		<u>\$563,001,000</u>

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

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

9 (2) \$5,000,000 of the motor vehicle account—state appropriation  
10 is provided solely for a contingency pool for snow and ice removal.  
11 The department must notify the office of financial management and the  
12 transportation committees of the legislature when they have spent the  
13 base budget for snow and ice removal and will begin using the  
14 contingency pool funding.

15 (3) \$1,025,000 of the motor vehicle account—state appropriation  
16 is provided solely for the department to implement safety  
17 improvements and debris clean up on department-owned rights-of-way in  
18 the city of Seattle at levels above that being implemented as of  
19 January 1, 2019, to be administered in conjunction with subsection  
20 (9) of this section. The department must maintain a crew dedicated  
21 solely to collecting and disposing of garbage, clearing debris or  
22 hazardous material, and implementing safety improvements where  
23 hazards exist to the traveling public, department employees, or  
24 people encamped upon department-owned rights-of-way. The department  
25 may request assistance from the Washington state patrol as necessary  
26 in order for both agencies to provide enhanced safety-related  
27 activities regarding the emergency hazards along state highway  
28 rights-of-way in the Seattle area.

29 (4) \$1,015,000 of the motor vehicle account—state appropriation  
30 is provided solely for a partnership program between the department  
31 and the city of Tacoma, to be administered in conjunction with  
32 subsection (9) of this section. The program shall address the safety  
33 and public health problems created by homeless encampments on the  
34 department's property along state highways within the city limits.  
35 \$570,000 is for dedicated department maintenance staff and associated  
36 clean-up costs. The department and the city of Tacoma shall enter  
37 into a reimbursable agreement to cover up to \$445,000 of the city's  
38 expenses for clean-up crews and landfill costs.

1 (5) The department must continue a pilot program for the  
2 2021-2023 fiscal biennium at the four highest demand safety rest  
3 areas to create and maintain an online calendar for volunteer groups  
4 to check availability of weekends for the free coffee program. The  
5 calendar must be updated at least weekly and show dates and times  
6 that are, or are not, available to participate in the free coffee  
7 program. The department must submit a report to the legislature on  
8 the ongoing pilot by December 1, 2022, outlining the costs and  
9 benefits of the online calendar pilot, and including surveys from the  
10 volunteer groups and agency staff to determine its effectiveness.

11 (6) \$686,000 of the motor vehicle account—state appropriation is  
12 provided solely for reimbursing the Oregon department of  
13 transportation (ODOT) for the department's share of increased  
14 maintenance costs of six highway bridges over the Columbia River that  
15 are maintained by ODOT.

16 (7) \$8,290,000 of the motor vehicle account—state appropriation  
17 is provided solely for increased costs of highway maintenance  
18 materials.

19 (8) \$5,816,000 of the motor vehicle account—state appropriation  
20 is provided solely for a contingency pool for repairing damages to  
21 highways caused by known and unknown third parties. The department  
22 must notify the office of financial management and the transportation  
23 committees of the legislature when they have spent the base budget  
24 for third-party damage repair and will begin using the contingency  
25 pool funding.

26 (9) (a) \$3,000,000 of the motor vehicle account—state  
27 appropriation (~~is~~) and \$4,000,000 of the waste tire removal account  
28 —state appropriation are provided solely for the department to  
29 address the risks to safety and public health associated with  
30 homeless encampments on department owned rights-of-way and for  
31 implementation of Engrossed Second Substitute Senate Bill No. 5662  
32 (right-of-way camping/housing). The department must coordinate and  
33 work with local government officials and social service organizations  
34 who provide services and direct people to housing alternatives that  
35 are not in highway rights-of-way to help prevent future encampments  
36 from forming on highway rights-of-way, and may reimburse the  
37 organizations doing this outreach assistance who transition people  
38 into treatment or housing that is not on the rights-of-way or for  
39 debris clean up on highway rights-of-way. The department may hire

1 crews specializing in collecting and disposing of garbage, clearing  
2 debris or hazardous material, and implementing safety improvements  
3 where hazards exist to the traveling public and department employees.  
4 The department may use these funds to either reimburse local law  
5 enforcement costs or the Washington state patrol if they are  
6 (~~participating as part of a state or local government agreement to~~  
7 ~~provide~~) providing enhanced safety (~~related activities along~~  
8 ~~state~~) to department staff during debris cleanup or during efforts  
9 to prevent future encampments from forming on highway rights-of-way.

10 (b) Beginning (~~October 1, 2021~~) January 1, 2023, and  
11 semiannually thereafter, the office of intergovernmental coordination  
12 on public right-of-way homeless encampments, assisted by the  
13 Washington state patrol and the department of transportation, must  
14 jointly submit a report to the governor and the house and senate  
15 transportation committees of the legislature on the status of these  
16 efforts, including:

17 (i) A detailed breakout of the size, location, risk level  
18 categorization, and number of encampments on or near department-owned  
19 rights-of-way, compared to the levels during the quarter being  
20 reported;

21 (ii) A summary of the activities in that quarter related to  
22 addressing these encampments, including information on arrangements  
23 with local governments or other entities related to these activities;

24 (iii) A description of the planned activities in the ensuing  
25 quarter to further address the emergency hazards and risks along  
26 state highway rights-of-way; and

27 (iv) Recommendations for executive branch or legislative action  
28 to achieve the desired outcome of reduced emergency hazards and risks  
29 along state highway rights-of-way.

30 (c) If Engrossed Second Substitute Senate Bill No. 5662 (right-  
31 of-way camping/housing) is not enacted by June 30, 2022, then the  
32 waste tire removal account appropriation in this subsection (9)  
33 lapses.

34 (10) \$6,538,000 of the motor vehicle account—state appropriation  
35 is provided solely for contingency funding to address emergent issues  
36 related to mitigating negative impacts of the high level of staff  
37 vacancies. Potential uses of the funding include, but are not limited  
38 to, the following: Increased overtime, travel and other related  
39 costs; increased contracting to maintain adequate service levels; and  
40 unanticipated facility and equipment needs. By January 1, 2023, the

1 department must submit a report to the governor and the  
2 transportation committees of the legislature detailing the specific  
3 expenditures made from the contingency funding provided in this  
4 subsection.

5 (11) \$300,000 of the motor vehicle account—state appropriation is  
6 provided solely for costs related to Substitute Senate Bill No. 5907  
7 (roadside safety measures). If Substitute Senate Bill No. 5907 is not  
8 enacted by June 30, 2022, then the amount provided in this subsection  
9 lapses.

10 (12) \$5,400,000 of the motor vehicle account—state appropriation  
11 is provided solely for replacement of traffic signs and to increase  
12 the visibility of road pavement markings. Investments must replace  
13 traffic signs that do not meet the department's standards or that are  
14 faded, lacking in reflectivity, cracked, illegible, or damaged.  
15 Investments must also increase the visibility of road pavement  
16 markings during periods of low light conditions and during  
17 precipitation with pavement marking products that contain all-weather  
18 optical reflectivity capability. The request for proposals and  
19 subsequent competitive procurement for the signs shall be performed  
20 following state specifications and standards.

21 (13) 17,000 of the motor vehicle account—local appropriation is  
22 provided solely to update existing signs along Interstate 5 in the  
23 vicinity of Seattle center. The department must install new Seattle  
24 center logos with a redesigned logo that recognizes climate pledge  
25 arena.

26 **Sec. 217.** 2021 c 333 s 216 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
29 **OPERATING**

30	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$74,406,000</del> ))
31		\$71,931,000
32	Motor Vehicle Account—Federal Appropriation. . . . .	\$2,050,000
33	Motor Vehicle Account—Private/Local Appropriation. . . . .	(( <del>\$250,000</del> ))
34		<u>\$295,000</u>
35	State Route Number 520 Corridor Account—State	
36	Appropriation. . . . .	\$225,000
37	Tacoma Narrows Toll Bridge Account—State	
38	Appropriation. . . . .	\$40,000

1	Alaskan Way Viaduct Replacement Project Account—	
2	State Appropriation. . . . .	\$1,112,000
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation. . . . .	\$20,000
5	<u>Agency Financial Transaction</u>	
6	<u>Account—State Appropriation. . . . .</u>	<u>\$100,000</u>
7	TOTAL APPROPRIATION. . . . .	(( <del>\$78,103,000</del> ))
8		<u>\$75,773,000</u>

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

11       (1) \$6,000,000 of the motor vehicle account—state appropriation  
12 is provided solely for low-cost enhancements. The department shall  
13 give priority to low-cost enhancement projects that improve safety or  
14 provide congestion relief. By December 15th of each odd-numbered  
15 year, the department shall provide a report to the legislature  
16 listing all low-cost enhancement projects completed in the prior  
17 fiscal biennium.

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

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

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

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

29 (e) The department shall expand the high occupancy vehicle lane  
30 access pilot program to for hire nonemergency medical transportation  
31 vehicles, when in use for medical purposes, as described in section  
32 208 (~~of this act~~), chapter 333, Laws of 2021. Under the pilot  
33 program, when the department reserves a portion of a highway based on  
34 the number of passengers in a vehicle, nonemergency medical  
35 transportation vehicles that meet the requirements identified in  
36 section 208 (~~of this act~~), chapter 333, Laws of 2021 must be  
37 authorized to use the reserved portion of the highway.

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



1       (3) \$1,391,000 of the motor vehicle account—state appropriation  
2 is provided solely for contingency funding to address emergent issues  
3 related to mitigating negative impacts of the high level of staff  
4 vacancies. Potential uses of the funding include, but are not limited  
5 to, the following: Increased overtime, travel, and other related  
6 costs; increased contracting to maintain adequate service levels; and  
7 unanticipated facility and equipment needs. By January 1, 2023, the  
8 department must submit a report to the governor and the  
9 transportation committees of the legislature detailing the specific  
10 expenditures made from the contingency funding provided in this  
11 subsection.

12       (4) The appropriations in this section assume implementation of  
13 additional cost recovery mechanisms to recoup at least \$100,000 in  
14 credit card and other financial transaction costs related to the  
15 collection of fees imposed under RCW 46.44.0941 for driver and  
16 vehicle fee transactions beginning January 1, 2023. The department  
17 may recover transaction fees incurred through credit card  
18 transactions. At the direction of the office of financial management,  
19 the department shall develop a method of tracking the additional  
20 amount of credit card and other financial cost-recovery revenues. In  
21 consultation with the office of financial management, the department  
22 shall notify the office of the state treasurer of these amounts and  
23 the state treasurer must deposit these revenues in the agency  
24 financial transaction account created in RCW 46.01.385 on a quarterly  
25 basis. The department shall also submit, as part of its 2023-2025  
26 budget submittal, an overview of the credit card cost recovery  
27 approach, including fee rates and the amount of revenue expected to  
28 be generated in the 2021-2023 and 2023-2025 biennia.

29       **Sec. 218.** 2021 c 333 s 217 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**  
32 **SUPPORT—PROGRAM S**

33 Motor Vehicle Account—State Appropriation. . . . .	(\$37,361,000)
34	\$36,693,000
35 Motor Vehicle Account—Federal Appropriation. . . . .	\$780,000
36 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$500,000
37 <u>Puget Sound Ferry Operations Account—State</u>	
38 <u>Appropriation. . . . .</u>	\$266,000

1	Multimodal Transportation Account—State	
2	Appropriation. . . . .	\$5,129,000
3	State Route Number 520 Corridor Account—State	
4	Appropriation. . . . .	\$186,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation. . . . .	\$150,000
7	Alaskan Way Viaduct Replacement Project Account—	
8	State Appropriation. . . . .	\$121,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation. . . . .	\$77,000
11	<u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>	<u>\$2,000,000</u>
12	TOTAL APPROPRIATION. . . . .	( <del>(\$44,304,000)</del> )
13		<u>\$45,902,000</u>

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

16       (1) \$4,000,000 of the multimodal transportation account—state  
17 appropriation ((is)) and \$2,000,000 of the move ahead WA flexible  
18 account—state appropriation are provided solely for efforts to  
19 increase diversity in the transportation construction and maritime  
20 workforce. (~~through: (1)~~)

21       (a) \$4,500,000 of the total appropriation in this subsection is  
22 provided solely for: (i) The preapprenticeship support services  
23 (PASS) program, which aims to increase diversity in the highway  
24 construction workforce and prepare individuals interested in entering  
25 the highway construction workforce. In addition to the services  
26 allowed by RCW 47.01.435, the PASS program may provide housing  
27 assistance for youth aging out of the foster care and juvenile  
28 rehabilitation systems in order to support the participation of these  
29 youth in a transportation-related preapprenticeship program; (~~(2)~~)  
30 and (ii) assisting minority and women-owned businesses to perform  
31 work in the highway construction industry. This assistance shall  
32 include technical assistance, business training, counseling,  
33 guidance, prime to subcontractor relationship building, and a  
34 capacity building mentorship program. At a minimum, \$1,000,000 of the  
35 total appropriation in this subsection shall be directed toward the  
36 efforts outlined in (a)(ii) of this subsection (~~(2) of this~~  
37 ~~section)~~).

38       (b) \$1,500,000 of the total appropriation in this subsection is  
39 provided solely for expansion of the PASS program to support

1 apprenticeships and workforce development in the maritime industry  
2 through preapprenticeship training for inland waterways trades and  
3 support services to obtain necessary documents and coast guard  
4 certification.

5 (c) The provider(s) chosen to complete the work in this  
6 subsection shall be selected through a competitive bidding process.  
7 The program shall be administered by the Washington state department  
8 of transportation's office of equal opportunity.

9 (2) \$782,000 of the motor vehicle account—state appropriation is  
10 provided solely for contingency funding to address emergent issues  
11 related to mitigating negative impacts of the high level of staff  
12 vacancies. Potential uses of the funding include, but are not limited  
13 to, the following: Increased overtime, travel, and other related  
14 costs; increased contracting to maintain adequate service levels; and  
15 unanticipated facility and equipment needs. By January 1, 2023, the  
16 department must submit a report to the governor and the  
17 transportation committees of the legislature detailing the specific  
18 expenditures made from the contingency funding provided in this  
19 subsection.

20 (3) \$774,000 of the motor vehicle account—state appropriation and  
21 \$266,000 of the Puget Sound ferry operations account—state  
22 appropriation are provided solely for the department to hire a  
23 workforce development consultant to develop, track, and monitor the  
24 progress of community workforce agreements, and to hire staff to  
25 assist with the development and implementation of internal diversity,  
26 equity, and inclusion efforts and serve as subject matter experts on  
27 federal and state civil rights provisions. The department shall  
28 provide a progress report on the implementation of efforts under this  
29 subsection to the transportation committees of the legislature and  
30 the governor by December 1, 2022.

31 (4) For Washington state department of transportation small works  
32 roster projects under RCW 39.04.155, the department may only allow  
33 firms certified as small business enterprises, under 49 C.F.R. 26.39,  
34 to bid on the contract, unless the department determines there would  
35 be insufficient bidders for a particular project. The department  
36 shall report on the effectiveness of this policy to the  
37 transportation committees of the legislature by January 31, 2023.

1        **Sec. 219.** 2021 c 333 s 218 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**  
4 **AND RESEARCH—PROGRAM T**

5	Motor Vehicle Account—State Appropriation. . . . .	(\$27,057,000)
6		<u>\$25,741,000</u>
7	Motor Vehicle Account—Federal Appropriation. . . . .	\$34,865,000
8	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
9	Multimodal Transportation Account—State	
10	Appropriation. . . . .	(\$919,000)
11		<u>\$2,145,000</u>
12	Multimodal Transportation Account—Federal	
13	Appropriation. . . . .	\$2,809,000
14	Multimodal Transportation Account—Private/Local	
15	Appropriation. . . . .	\$100,000
16	State Route Number 520 Corridor Account—State	
17	Appropriation. . . . .	(\$406,000)
18		<u>\$451,000</u>
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation. . . . .	\$2,879,000
21	<u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>	<u>\$1,500,000</u>
22	<u>Move Ahead WA Flexible Account—Federal Appropriation. . . . .</u>	<u>\$1,000,000</u>
23	TOTAL APPROPRIATION. . . . .	(\$69,435,000)
24		<u>\$71,890,000</u>

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

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

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

4 (3) (~~(\$250,000)~~) \$500,000 of the multimodal transportation  
5 account—state appropriation is provided solely for the department to  
6 partner with the department of commerce in developing vehicle miles  
7 traveled targets for the counties in Washington state with (a) a  
8 population density of at least 100 people per square mile and a  
9 population of at least 200,000; or (b) a population density of at  
10 least 75 people per square mile and an annual growth rate of at least  
11 1.75 percent as determined by the office of financial management.  
12 Given land use patterns are key factors in travel demand and should  
13 be taken into consideration when developing the targets, the  
14 department and the department of commerce shall partner with local  
15 jurisdictions, regional transportation planning organizations and  
16 other stakeholders to inventory existing laws and rules that promote  
17 transportation and land use, identify gaps and make recommendations  
18 for changes in laws, rules and agency guidance, and establish a  
19 framework for considering underserved and rural communities in the  
20 evaluation. The department and the department of commerce shall  
21 provide an initial technical report by December 31, 2021, an interim  
22 report by June 22, 2022, and a final report to the governor and  
23 appropriate committees of the legislature by June 30, 2023, that  
24 includes a process for establishing vehicle miles traveled reduction  
25 targets, a recommended suite of options for local jurisdictions to  
26 achieve the targets, and funding requirements for state and local  
27 jurisdictions.

28 (4) (~~(\$406,000)~~) \$451,000 of the state route number 520 corridor  
29 account—state appropriation is provided solely for the department to  
30 contract with the University of Washington department of mechanical  
31 engineering, to study measures to reduce noise impacts from the state  
32 route number 520 bridge expansion joints. The field testing shall be  
33 scheduled during existing construction, maintenance, or other  
34 scheduled closures to minimize impacts. The testing must also ensure  
35 safety of the traveling public. The study shall examine testing  
36 methodologies and project timelines and costs. A (~~final~~) draft  
37 report must be submitted to the transportation committees of the  
38 legislature and the governor by March 1, 2022. A final report must be

1 submitted to the transportation committees of the legislature and the  
2 governor by June 30, 2022.

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

14 (6) \$800,000 of the motor vehicle account—state appropriation is  
15 provided solely for WSDOT to do a corridor study of SR 302 (Victor  
16 Area) to recommend safety and infrastructure improvements to address  
17 current damage and prevent future roadway collapse and landslides  
18 that have caused road closures.

19 (7) \$1,000,000 of the motor vehicle account—state appropriation  
20 is provided solely for a study on the need for additional  
21 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in  
22 South Pierce County.

23 (8) \$894,000 of the motor vehicle account—state appropriation and  
24 \$58,000 of the multimodal transportation account—state appropriation  
25 are provided solely for contingency funding to address emergent  
26 issues related to mitigating negative impacts of the high level of  
27 staff vacancies. Potential uses of the funding include, but are not  
28 limited to, the following: Increased overtime, travel, and other  
29 related costs; increased contracting to maintain adequate service  
30 levels; and unanticipated facility and equipment needs. By January 1,  
31 2023, the department must submit a report to the governor and the  
32 transportation committees of the legislature detailing the specific  
33 expenditures made from the contingency funding provided in this  
34 subsection.

35 (9) \$1,500,000 of the move ahead WA flexible account—state  
36 appropriation and \$1,000,000 of the move ahead WA flexible account—  
37 federal appropriation are provided solely for an Interstate 5  
38 planning and environmental linkage study, and to advance a central  
39 Seattle Interstate 5 lid. This study will serve as a next step toward

1 a statewide Interstate 5 master plan, building upon existing work  
2 underway in the corridor. It is the intent of the legislature to  
3 direct \$40,000,000 to complete the planning and environmental linkage  
4 study and to advance a central Seattle Interstate 5 lid over the  
5 course of the 16-year move ahead WA funding package.

6 (a) The study must meet planning and environmental linkages  
7 requirements to assess strategies and actions to address preservation  
8 and safety needs; climate change; improve corridor efficiency and  
9 person-throughput; and operate managed lanes effectively in the long-  
10 term. The study must include a robust public engagement program; and  
11 must assess multimodal transportation system impacts as well as  
12 economic, revenue and equity considerations. The outcome of this work  
13 will provide a basis for preliminary project planning, design and  
14 environmental work.

15 (b) The department shall submit a final report on the Interstate  
16 5 planning and environmental linkage study to the joint  
17 transportation committee by June 30, 2023.

18 (c) As an initial element of the study, the department must  
19 identify and prepare an implementation plan for near-term actions to  
20 improve HOV lane system-wide performance until a long-term solution  
21 is in place, including steps required to convert HOV lanes to a  
22 different managed lane operating concept such as express toll lanes.  
23 The implementation plan must include the planning, design,  
24 environmental review, equity considerations, community engagement,  
25 traffic and revenue analysis, rate setting, and related engineering  
26 considerations necessary for a full I-5 HOV system conversion. The  
27 department shall submit an interim report on a recommended near-term  
28 implementation plan to the legislative transportation committees by  
29 December 31, 2022.

30 (d) The department of transportation, in collaboration with city  
31 of Seattle, must perform the next phase of work to advance a central  
32 Seattle Interstate 5 lid. The next phase of the project must include:

33 (i) A downtown Seattle transportation and traffic impact study,  
34 including evaluation of potential changes to the configurations of  
35 I-5 lanes and ramps;

36 (ii) Geotechnical explorations and assessment of site conditions;  
37 equitable community engagement; and

38 (iii) Refinement of scenarios and cost estimating to help support  
39 future department and city decisions on lid design and land use  
40 planning.

1       (10) \$450,000 of the move ahead WA account—state appropriation is  
2 provided solely for the department to continue to develop a  
3 performance-based project evaluation model based on the initial work  
4 done for section 218(7), chapter 219, Laws of 2020, in a way that  
5 operationalizes the six transportation policy goals in RCW 47.04.280.  
6 This work should first include clarification of the transportation  
7 policy goals through development of objectives and criteria that  
8 reflect system priorities based on outcomes of community engagement.  
9 After a framework is established by which goals can be more directly  
10 related to outcomes, the project evaluation model should leverage the  
11 department's existing experts and best practices used for  
12 prioritizing programmatic funds to develop procedures by which  
13 evaluators could consistently score and rank all types of projects.  
14 The department must issue a report by June 30, 2023, summarizing the  
15 new project evaluation model, and provide recommendations for how  
16 this process could be implemented in coordination with the  
17 legislative work cycle.

18       (11)(a) \$500,000 of the multimodal transportation account—state  
19 appropriation is provided solely for Thurston regional planning  
20 council (TRPC) to conduct a study examining:

21       (i) Options for multimodal high capacity transportation (HCT) to  
22 serve travelers on the I-5 corridor between central Thurston county  
23 (Olympia area) and Pierce county; and

24       (ii) The feasibility, need, and potential governance and funding  
25 structures for passenger-only ferry service between the cities of  
26 Olympia and Seattle.

27       (b) The study will include an assessment of travelsheds and  
28 ridership potential and identify and provide an evaluation of options  
29 to enhance connectivity and accessibility for the greater south Puget  
30 Sound region with an emphasis on linking to planned or existing  
31 commuter or regional light rail. The study shall include  
32 consideration of a direct fast passenger-only ferry service and a  
33 slower service with additional limited stops. The study must account  
34 for previous and ongoing efforts by transit agencies and the  
35 department. The study will emphasize collaboration with a diverse  
36 community of interests, including but not limited to transit,  
37 business, public agencies, tribes, and providers and users of  
38 transportation who because of age, income, or ability may face  
39 barriers and challenges. TRPC will provide to the transportation



1 committees of the legislature a study outline and recommendations of  
2 deliverables by December 1, 2022.

3 (12) \$600,000 of the multimodal transportation account—state  
4 appropriation is provided solely for the city of Seattle's office of  
5 planning and community development to support an equitable  
6 development initiative to reconnect the South Park neighborhood,  
7 currently divided by State Route 99.

8 (a) The support work must include:

9 (i) A public engagement and visioning process led by a  
10 neighborhood-based, community organization; and

11 (ii) A feasibility study of decommissioning SR 99 in the South  
12 Park neighborhood to include, but not be limited to, traffic studies,  
13 environmental impact analysis, and development of alternatives,  
14 including the transfer of the land to a neighborhood-led community  
15 land trust.

16 (b) The support work must be conducted in coordination and  
17 partnership with neighborhood residents, neighborhood industrial and  
18 commercial representatives, the state department of transportation,  
19 and other entities and neighborhoods potentially impacted by changes  
20 to the operation of SR 99.

21 (c) The city must provide a report on the plan that includes  
22 recommendations to the Seattle city council, state department of  
23 transportation, and the transportation committees of the legislature  
24 by January 1, 2025.

25 **Sec. 220.** 2021 c 333 s 219 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**  
28 **PROGRAM U**

29	Aeronautics Account—State Appropriation. . . . .	\$1,000
30	Transportation Partnership Account—State	
31	Appropriation. . . . .	<del>(\$23,000)</del>
32		<u>\$25,000</u>
33	Motor Vehicle Account—State Appropriation. . . . .	<del>(\$99,515,000)</del>
34		<u>\$99,711,000</u>
35	Puget Sound Ferry Operations Account—State	
36	Appropriation. . . . .	<del>(\$220,000)</del>
37		<u>\$244,000</u>
38	State Route Number 520 Corridor Account—State	

1	Appropriation. . . . .	\$26,000
2	Connecting Washington Account—State Appropriation. . . . .	<del>(\$184,000)</del>
3		<u>\$203,000</u>
4	Multimodal Transportation Account—State	
5	Appropriation. . . . .	<del>(\$4,795,000)</del>
6		<u>\$4,810,000</u>
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation. . . . .	\$19,000
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation. . . . .	\$14,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation. . . . .	\$15,000
13	<u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>	<u>\$2,000,000</u>
14	TOTAL APPROPRIATION. . . . .	<del>(\$104,812,000)</del>
15		<u>\$107,068,000</u>

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

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

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

35 (3) Beginning October 1, 2021, and semiannually thereafter, the  
36 department, in conjunction with the attorney general and the  
37 department of enterprise services, shall provide a report with  
38 judgments and settlements dealing with the nonferry operations of the  
39 department to the director of the office of financial management and

1 the transportation committees of the legislature. The report must  
2 include information on: (a) The number of claims and settlements by  
3 type; (b) the average claim and settlement by type; and (c) defense  
4 costs associated with those claims and settlements.

5 (4) When the department identifies significant legal issues that  
6 have potential transportation budget implications, the department  
7 must initiate a briefing for appropriate legislative members or staff  
8 through the office of the attorney general and its legislative  
9 briefing protocol.

10 (5) \$2,000,000 of the move ahead WA flexible account—state  
11 appropriation is provided solely for enhanced funding to the office  
12 of minority and women's business enterprises to increase the number  
13 of certified women and minority-owned contractors in the  
14 transportation sector.

15 **Sec. 221.** 2021 c 333 s 220 (uncodified) is amended to read as  
16 follows:

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

18 State Vehicle Parking Account—State Appropriation. . . . .	\$784,000
19 Regional Mobility Grant Program Account—State	
20 Appropriation. . . . .	(( <del>\$104,478,000</del> ))
21	<u>\$115,488,000</u>
22 Rural Mobility Grant Program Account—State	
23 Appropriation. . . . .	(( <del>\$33,168,000</del> ))
24	<u>\$33,283,000</u>
25 Multimodal Transportation Account—State	
26 Appropriation. . . . .	(( <del>\$131,150,000</del> ))
27	<u>\$133,928,000</u>
28 Multimodal Transportation Account—Federal	
29 Appropriation. . . . .	\$3,574,000
30 Multimodal Transportation Account—Local	
31 Appropriation. . . . .	\$100,000
32 TOTAL APPROPRIATION. . . . .	(( <del>\$273,254,000</del> ))
33	<u>\$287,157,000</u>

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

36 (1) \$67,821,000 of the multimodal transportation account—state  
37 appropriation is provided solely for a grant program for special

1 needs transportation provided by transit agencies and nonprofit  
2 providers of transportation. Of this amount:

3 (a) \$15,568,000 of the multimodal transportation account—state  
4 appropriation is provided solely for grants to nonprofit providers of  
5 special needs transportation. Grants for nonprofit providers must be  
6 based on need, including the availability of other providers of  
7 service in the area, efforts to coordinate trips among providers and  
8 riders, and the cost effectiveness of trips provided.

9 (b) \$52,253,000 of the multimodal transportation account—state  
10 appropriation is provided solely for grants to transit agencies to  
11 transport persons with special transportation needs. To receive a  
12 grant, the transit agency must, to the greatest extent practicable,  
13 have a maintenance of effort for special needs transportation that is  
14 no less than the previous year's maintenance of effort for special  
15 needs transportation. Grants for transit agencies must be prorated  
16 based on the amount expended for demand response service and route  
17 deviated service in calendar year 2019 as reported in the "Summary of  
18 Public Transportation - 2019" published by the department of  
19 transportation. No transit agency may receive more than thirty  
20 percent of these distributions.

21 (2) (~~(\$33,168,000)~~) \$33,283,000 of the rural mobility grant  
22 program account—state appropriation is provided solely for grants to  
23 aid small cities in rural areas as prescribed in RCW 47.66.100.

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

37 (4) (~~(\$26,800,000)~~) \$37,809,000 of the regional mobility grant  
38 program account—state appropriation is reappropriated and provided  
39 solely for the regional mobility grant projects identified in LEAP

1 Transportation Document (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed  
2 (~~(April 23, 2021)~~) February 20, 2022, Program - Public Transportation  
3 Program (V).

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

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

1 private employer transportation service provider; and (ii) "private  
2 employer transportation service" means regularly scheduled, fixed-  
3 route transportation service that is offered by an employer for the  
4 benefit of its employees.

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

8 (7) \$6,500,000 of the multimodal transportation account—state  
9 appropriation and \$784,000 of the state vehicle parking account—state  
10 appropriation are provided solely for CTR grants and activities. Of  
11 this amount:

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

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

32 (8) (a) Except as provided otherwise in this subsection,  
33 ~~((\$28,263,000))~~ \$29,030,000 of the multimodal transportation account—  
34 state appropriation is provided solely for connecting Washington  
35 transit projects identified in LEAP Transportation Document  
36 ~~((2021-2))~~ 2022-2 ALL PROJECTS as developed ~~((April 23, 2021))~~  
37 February 20, 2022. It is the intent of the legislature that entities  
38 identified to receive funding in the LEAP document referenced in this  
39 subsection receive the amounts specified in the time frame specified

1 in that LEAP document. If an entity has already completed a project  
2 in the LEAP document referenced in this subsection before the time  
3 frame identified, the entity may substitute another transit project  
4 or projects that cost a similar or lesser amount.

5 (b) Within the amount provided in this subsection, \$900,000 of  
6 the multimodal transportation account—state appropriation is provided  
7 solely to complete work on Martin Luther King Way, Rainier Ave  
8 improvements (G2000040).

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

11 (10) (~~(\$21,858,000)~~) \$23,349,000 of the multimodal transportation  
12 account—state appropriation is provided solely for the green  
13 transportation capital grant program established in chapter 287, Laws  
14 of 2019 (advancing green transportation adoption).

15 (11) \$555,000 of the multimodal transportation account—state  
16 appropriation is provided solely for an interagency transfer to the  
17 Washington State University extension energy program to establish and  
18 administer a technical assistance and education program for public  
19 agencies on the use of alternative fuel vehicles. The Washington  
20 State University extension energy program shall prepare a report  
21 regarding the utilization of the program and provide this report to  
22 the transportation committees of the legislature by November 15,  
23 2021.

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

28 (13) \$150,000 of the multimodal transportation account—state  
29 appropriation is provided solely for Intercity Transit for the Dash  
30 shuttle program.

31 **Sec. 222.** 2021 c 333 s 221 (uncodified) is amended to read as  
32 follows:

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

34 Puget Sound Ferry Operations Account—State	
35 Appropriation. . . . .	(( <del>\$416,614,000</del> ))
36	<u>\$430,964,000</u>
37 Puget Sound Ferry Operations Account—Federal	
38 Appropriation. . . . .	(( <del>\$124,000,000</del> ))

1		<u>\$156,073,000</u>
2	Puget Sound Ferry Operations Account—Private/Local	
3	Appropriation. . . . .	\$121,000
4	TOTAL APPROPRIATION. . . . .	(( <del>\$540,735,000</del> ))
5		<u>\$587,158,000</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 2021-2023 supplemental and 2023-2025 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. The data in the tables in the report must be  
17 supplied in a digital file format.

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

22       (3) (~~(\$17,000,000)~~) \$32,905,000 of the Puget Sound ferry  
23 operations account—federal appropriation and \$53,794,000 of the Puget  
24 Sound ferry operations account—state appropriation are provided  
25 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal  
26 biennium, which reflect cost savings from a reduced biodiesel fuel  
27 requirement and, therefore, is contingent upon the enactment of  
28 section 703 of this act. The amount provided in this subsection  
29 represents the fuel budget for the purposes of calculating any ferry  
30 fare fuel surcharge. The department shall review future use of  
31 alternative fuels and dual fuel configurations, including hydrogen.

32       (4) \$500,000 of the Puget Sound ferry operations account—state  
33 appropriation is provided solely for operating costs related to  
34 moving vessels for emergency capital repairs. Funds may only be spent  
35 after approval by the office of financial management.

36       (5) \$2,400,000 of the Puget Sound ferry operations account—state  
37 appropriation (~~is~~) and \$2,000,000 of the Puget Sound ferry  
38 operations account—federal appropriation are provided solely for  
39 staffing and overtime expenses incurred by engine and deck



1 crewmembers. The department must provide updated staffing cost  
2 estimates for fiscal years 2022 and 2023 with its annual budget  
3 submittal and updated estimates by January 1, 2022.

4 (6) ~~\$688,000 of the Puget Sound ferry operations account—state~~  
5 ~~appropriation ((is)) and \$697,000 of the Puget Sound ferry operations~~  
6 ~~account—federal appropriation are~~ provided solely for new employee  
7 training. The department must work to increase its outreach and  
8 recruitment of populations underrepresented in maritime careers and  
9 continue working to expand apprenticeship and internship programs,  
10 with an emphasis on programs that are shown to improve recruitment  
11 for positions with the state ferry system.

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

15 (8) ~~(((\$1,978,000 of the Puget Sound ferry operations account—~~  
16 ~~state appropriation is provided solely for restoration of service to~~  
17 ~~reflect increased ridership, availability of crewing and available~~  
18 ~~revenues. Expenditures may be made to resume service to Sidney,~~  
19 ~~British Columbia, including any service to the San Juans; to provide~~  
20 ~~Saturday service on the Fauntleroy-Vashon-Southworth route; and to~~  
21 ~~resume late night service on other routes in the system.~~

22 ~~(9) Within amounts provided in this section,)~~ \$484,000 of the  
23 Puget Sound ferry operations account—federal is provided solely for  
24 the department ~~((shall))~~ to contract with uniformed officers for  
25 additional traffic control assistance at the Kingston ferry terminal  
26 during peak ferry travel times, with a particular focus on Sundays  
27 and holiday weekends. Traffic control methods should include, but not  
28 be limited to, holding traffic on the shoulder at Lindvog Road until  
29 space opens for cars at the tollbooths and dock, and management of  
30 traffic on Highway 104 in order to ensure Kingston residents and  
31 business owners have access to businesses, roads, and driveways.

32 ~~((+10))~~ (9) \$336,000 of the Puget Sound ferry operations account  
33 —state appropriation is provided solely for evacuation slide  
34 training.

35 ~~((+11))~~ (10) \$336,000 of the Puget Sound ferry operations  
36 account—state appropriation is provided solely for fall restraint  
37 labor and industries inspections.

38 ~~((+12))~~ (11) \$735,000 of the Puget Sound ferry operations  
39 account—state appropriation ~~((is))~~ and \$410,000 of the Puget Sound

1 ferry operations account—federal appropriation are provided solely  
2 for familiarization for new assignments of engine crew and terminal  
3 staff.

4 ((~~(13)~~)) (12) \$160,000 of the Puget Sound ferry operations  
5 account—state appropriation is provided solely for electronic  
6 navigation training.

7 (13) \$250,000 of the Puget Sound ferry operations account—state  
8 appropriation is provided solely for Washington State Ferries to  
9 conduct a study of passenger demographics. The study must include:

10 (a) Information on age, race, gender, income level of passengers  
11 by route in summer and winter seasons;

12 (b) Composition of passengers by travel purpose, such as commute,  
13 tourism, or commerce; and

14 (c) Frequency of passenger trips by mode and fare products  
15 utilized.

16 The study may be included as part of a larger origin and  
17 destination study. The department shall report study results to the  
18 transportation committees of the legislature by December 1, 2023.

19 (14) \$8,766,000 of the Puget Sound ferry operations account—  
20 federal appropriation is provided solely for Washington state ferries  
21 to:

22 (a) Continuously recruit and hire deck, engine, and terminal  
23 staff;

24 (b) Contract with an external recruitment firm to increase  
25 recruitment efforts both locally and nationally with an emphasis on  
26 attracting maritime workers from communities underrepresented in the  
27 ferry system;

28 (c) Enhance employee retention by standardizing on-call worker  
29 schedules;

30 (d) Increase training and development opportunities for  
31 employees; and

32 (e) Make improvements to hiring processes by establishing  
33 additional positions to support timely hiring of employees.

34 It is the intent of the legislature to continue funding for the  
35 activities outlined in this section as part of the move ahead WA  
36 package.

37 (15) \$248,000 of the Puget Sound ferry operations account—federal  
38 appropriation is provided solely for labor at the Vashon terminal.

1 (16) \$194,000 of the Puget Sound ferry operations account—federal  
2 appropriation is provided solely for operating costs at the Mukilteo  
3 terminal.

4 (17) \$294,000 of the Puget Sound ferry operations account—federal  
5 appropriation is provided solely for deck and engine internships.

6 **Sec. 223.** 2021 c 333 s 222 (uncodified) is amended to read as  
7 follows:

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

9 Multimodal Transportation Account—State

10 Appropriation. . . . . ((~~\$80,704,000~~))  
11 \$68,344,000

12 Multimodal Transportation Account—Private/Local

13 Appropriation. . . . . \$46,000

14 Multimodal Transportation Account—Federal

15 Appropriation. . . . . \$500,000

16 TOTAL APPROPRIATION. . . . . ((~~\$81,250,000~~))  
17 \$68,890,000

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

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

31 (2) Consistent with the ongoing planning and service improvement  
32 for the intercity passenger rail program, \$500,000 of the multimodal  
33 transportation account—state is provided solely for the Cascades  
34 service development plan. This funding is to be used to analyze  
35 current and future market conditions and to develop a structured  
36 assessment of service options and goals based on anticipated demand  
37 and the results of the state and federally required 2019 state rail  
38 plan, including identifying implementation alternatives to meet the

1 future service goals for the Amtrak Cascades route. The work must be  
2 consistent with federal railroad administration guidance and  
3 direction on developing service development plans. It must also  
4 leverage the \$500,000 in federal funding appropriated for development  
5 of a service development plan and comply with the planning and grant  
6 award obligations of the consolidated rail infrastructure and safety  
7 improvements (CRISI) program. A status report must be provided to the  
8 transportation committees of the legislature by June 30, 2022.

9 (3) \$4,000,000 of the multimodal transportation account—state  
10 appropriation is provided solely for the continued coordination,  
11 engagement, and planning for a new ultra high-speed ground  
12 transportation corridor with participation from Washington, Oregon,  
13 and British Columbia. "Ultra high-speed" means a maximum testing  
14 speed of at least 250 miles per hour. These efforts are to support  
15 and advance activities and must abide by the memorandum of  
16 understanding signed by the governors of Washington and Oregon, and  
17 the premier of the province of British Columbia in November 2021. The  
18 department shall establish a policy committee with participation from  
19 Washington, Oregon, and British Columbia and coordinate the  
20 activities of the policy committee to include:

21 (a) Develop an organizational framework that facilitates input in  
22 decision-making from all parties;

23 (b) Develop a public engagement approach with a focus on equity,  
24 inclusion, and meaningful engagement with communities, businesses,  
25 federal, state, provincial, and local governments including  
26 indigenous communities;

27 (c) Develop and lead a collaborative approach to prepare and  
28 apply for potential future federal, state, and provincial funding  
29 opportunities, including development of strategies for incorporating  
30 private sector participation;

31 (d) Begin work on scenario analysis addressing advanced  
32 transportation technologies, land use and growth assumptions, and an  
33 agreed to and defined corridor vision statement; and

34 (e) Develop a recommendation on the structure and membership of a  
35 formal coordinating entity that will be responsible for advancing the  
36 project through the project initiation stage to project development  
37 and pursue establishment of the coordinating entity.

38 By June 30, 2023, the department shall provide to the governor  
39 and the transportation committees of the legislature a report  
40 detailing the work conducted by the policy committee and progress on

1 establishing a coordinating entity. The report must also include an  
2 assessment of current activities and results relating to stakeholder  
3 engagement, planning, and any federal funding application, as well as  
4 recommended next steps and funding needs for project advancement. As  
5 applicable, the assessment should also be sent to the executive and  
6 legislative branches of government in Oregon and appropriate  
7 government bodies in the province of British Columbia.

8 (4) The department shall apply for all eligible federal funding  
9 opportunities to further develop service on the Amtrak Cascades  
10 corridor.

11 **Sec. 224.** 2021 c 333 s 223 (uncodified) is amended to read as  
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
14 **OPERATING**

15 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$11,954,000</del> ))
	<u>\$12,593,000</u>
17 Motor Vehicle Account—Federal Appropriation. . . . .	\$2,567,000
18 Multiuse Roadway Safety Account—State Appropriation. . . . .	\$900,000
19 <u>Multimodal Transportation Account—State</u>	
20 <u>Appropriation. . . . .</u>	<u>\$250,000</u>
21 TOTAL APPROPRIATION. . . . .	(( <del>\$15,421,000</del> ))
	<u>\$16,310,000</u>

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

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

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

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

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

37 (2) \$1,023,000 of the motor vehicle account—state appropriation  
38 is provided solely for the department, from amounts set aside out of

1 statewide fuel taxes distributed to counties according to RCW  
2 46.68.120(3), to contract with the Washington state association of  
3 counties to:

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

7 (b) Streamline and update the county road administration board's  
8 data dashboard, county reporting systems, and program management  
9 software to provide a more detailed, more transparent, and user-  
10 friendly platform for data management, reporting, and research by the  
11 public and other interested parties; and

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

15 (3) (a) (~~By October 1, 2021, the department must report~~)  
16 \$200,000 of the motor vehicle account—state appropriation is provided  
17 solely for the department to complete and submit a report to the  
18 office of financial management by October 21, 2022, and the  
19 transportation committees with recommendations regarding:

20 (i) Modifications to the agreement with Wahkiakum county  
21 regarding future state reimbursement for the Wahkiakum ferry  
22 operating and maintenance deficit; and

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

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

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 301.** 2021 c 333 s 301 (uncodified) is amended to read as  
3 follows:

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

5 Freight Mobility Investment Account—State

6 Appropriation. . . . .	(( <del>\$16,577,000</del> ))
	<u>\$17,769,000</u>

8 Freight Mobility Multimodal Account—State

9 Appropriation. . . . .	(( <del>\$15,195,000</del> ))
	<u>\$14,004,000</u>

11 Multimodal Transportation

12 <u>Account—State Appropriation. . . . .</u>	<u>\$5,000,000</u>
13 TOTAL APPROPRIATION. . . . .	(( <del>\$31,772,000</del> ))
	<u>\$36,773,000</u>

14

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

17 (1) Except as otherwise provided in this section, the entire  
18 appropriations in this section are provided solely for the projects  
19 by amount, as listed in the LEAP Transportation Document ((~~2021-2~~))  
20 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) February 20,  
21 2022, Freight Mobility Strategic Investment Board (FMSIB).

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

24 (3) It is the intent of the legislature to continue to make  
25 strategic investments in a statewide freight mobility transportation  
26 system with the help of the freight mobility strategic investment  
27 board, including projects that mitigate the impact of freight  
28 movement on local communities. To that end, and in coordination with  
29 WSDOT as it updates its federally-compliant freight plan, the board  
30 is directed to identify the highest priority freight investments for  
31 the state, across freight modes, state and local jurisdictions, and  
32 regions of the state. By December 1, 2021, the board must submit a  
33 preliminary report providing a status update on the process and  
34 methodology for identifying and prioritizing investments. By December  
35 1, 2022, the board must submit a prioritized list of freight  
36 investments that are geographically balanced across the state and can  
37 proceed to construction in a timely manner. The prioritized freight  
38 project list for the state portion of national highway freight

1 program funds must first address shortfalls in funding for connecting  
2 Washington act projects.

3 (4) (a) For the 2021-2023 project appropriations, unless otherwise  
4 provided in this act, the director of the office of financial  
5 management may authorize a transfer of appropriation authority  
6 between projects managed by the freight mobility strategic investment  
7 board in order for the board to manage project spending and support  
8 the efficient and timely delivery of all projects in the program. The  
9 office of financial management may authorize a transfer of  
10 appropriation authority between projects under the following  
11 conditions and limitations:

12 (i) Transfers from a project may not be made as a result of the  
13 reduction of the scope of a project or be made to support increases  
14 in the scope of a project;

15 (ii) Each transfer between projects may only occur if the  
16 director of the office of financial management finds that any  
17 resulting change will not hinder the completion of the projects on  
18 ((the)) LEAP Transportation Document ((2021-2)) 2022-2 ALL ((PROJECT  
19 list)) PROJECTS as developed February 20, 2022;

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

27 (iv) Except for transfers made under (a) (iii) of this subsection,  
28 transfers may only be made in fiscal year 2023.

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

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

38 (d) No fewer than 10 days after the receipt of a project transfer  
39 request, the director of the office of financial management must  
40 provide written notification to the board of any decision regarding



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

3 (5) \$5,000,000 of the multimodal transportation account—state  
4 appropriation is provided solely for the freight mobility strategic  
5 investment board to make railroad crossing grant program awards in  
6 the 2021-2023 biennium. The board must develop a prioritization  
7 process to make awards to cities and counties with projects that  
8 eliminate at grade highway-rail crossings.

9 **Sec. 302.** 2021 c 333 s 302 (uncodified) is amended to read as  
10 follows:

11 **FOR THE WASHINGTON STATE PATROL**

12 State Patrol Highway Account—State Appropriation. . . ((~~\$4,196,000~~))  
13 \$4,803,000

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

16 (1) \$695,000 of the state patrol highway account—state  
17 appropriation is provided solely for roof replacement.

18 (2) \$3,501,000 of the state patrol highway account—state  
19 appropriation is provided solely for the following projects:

- 20 (a) \$250,000 for emergency repairs;
- 21 (b) \$350,000 for fuel tank decommissioning;
- 22 (c) \$750,000 for generator and electrical replacement;
- 23 (d) \$195,000 for the exterior envelope of the Yakima office;
- 24 (e) \$466,000 for equipment shelters;
- 25 (f) \$650,000 for the weatherization projects;
- 26 (g) \$200,000 for roof replacements reappropriation; and
- 27 (h) \$640,000 for water and fire suppression systems  
28 reappropriation and \$607,000 for additional water and fire  
29 suppression systems.

30 (3) The Washington state patrol may transfer funds between  
31 projects specified in this subsection to address cash flow  
32 requirements. If a project specified in this subsection is completed  
33 for less than the amount provided, the remainder may be transferred  
34 to another project specified in this subsection not to exceed the  
35 total appropriation provided in this subsection.

36 **Sec. 303.** 2021 c 333 s 303 (uncodified) is amended to read as  
37 follows:

1 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

2	Rural Arterial Trust Account—State Appropriation. . . . .	\$55,028,000
3	Motor Vehicle Account—State Appropriation. . . . .	\$1,456,000
4	County Arterial Preservation Account—State	
5	Appropriation. . . . .	(( <del>\$37,379,000</del> ))
6		<u>\$44,653,000</u>
7	TOTAL APPROPRIATION. . . . .	(( <del>\$93,863,000</del> ))
8		<u>\$101,137,000</u>

9 **Sec. 304.** 2021 c 333 s 305 (uncodified) is amended to read as  
10 follows:

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

13	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$10,852,000</del> ))
14		<u>\$16,076,000</u>
15	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$3,289,000</del> ))
16		<u>\$3,667,000</u>
17	TOTAL APPROPRIATION. . . . .	(( <del>\$14,141,000</del> ))
18		<u>\$19,743,000</u>

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

21 (1) \$3,289,000 of the connecting Washington account—state  
22 appropriation is provided solely for a new Olympic region maintenance  
23 and administration facility to be located on the department-owned  
24 site at the intersection of Marvin Road and 32nd Avenue in Lacey,  
25 Washington.

26 (2) (a) \$4,325,000 of the motor vehicle account—state  
27 appropriation is provided solely for payments of a financing contract  
28 issued pursuant to chapter 39.94 RCW for the department facility  
29 located at 15700 Dayton Ave N in Shoreline.

30 (b) Payments from the department of ecology pursuant to the  
31 agreement with the department to pay a share of the financing  
32 contract in (a) of this subsection must be deposited into the motor  
33 vehicle account.

34 **Sec. 305.** 2021 c 333 s 306 (uncodified) is amended to read as  
35 follows:

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

37 Transportation 2003 Account (Nickel Account)—State

1	Appropriation. . . . .	(( <del>\$149,000</del> ))
2		<u>\$482,000</u>
3	Transportation Partnership Account—State	
4	Appropriation. . . . .	(( <del>\$119,053,000</del> ))
5		<u>\$232,566,000</u>
6	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$89,717,000</del> ))
7		<u>\$103,525,000</u>
8	Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$388,903,000</del> ))
9		<u>\$394,758,000</u>
10	Coronavirus State Fiscal Recovery Fund—Federal	
11	Appropriation. . . . .	\$400,000,000
12	Motor Vehicle Account—Private/Local Appropriation. . . . .	(( <del>\$48,628,000</del> ))
13		<u>\$56,192,000</u>
14	Connecting Washington Account—State Appropriation. (( <del>\$2,881,033,000</del> ))	
15		<u>\$2,062,283,000</u>
16	Special Category C Account—State Appropriation. . . . .	(( <del>\$105,363,000</del> ))
17		<u>\$86,198,000</u>
18	Multimodal Transportation Account—State	
19	Appropriation. . . . .	(( <del>\$10,784,000</del> ))
20		<u>\$10,792,000</u>
21	<u>Puget Sound Gateway Facility Account—State</u>	
22	<u>Appropriation. . . . .</u>	<u>\$8,400,000</u>
23	State Route Number 520 Corridor Account—State	
24	Appropriation. . . . .	(( <del>\$15,940,000</del> ))
25		<u>\$70,786,000</u>
26	Interstate 405 and State Route Number 167 Express	
27	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$30,308,000</del> ))
28		<u>\$217,282,000</u>
29	<u>Move Ahead WA Account—State Appropriation. . . . .</u>	<u>\$49,371,000</u>
30	<u>Move Ahead WA Account—Federal Appropriation. . . . .</u>	<u>\$7,200,000</u>
31	<u>Move Ahead WA Account—Local Appropriation. . . . .</u>	<u>\$13,500,000</u>
32	TOTAL APPROPRIATION. . . . .	(( <del>\$4,089,878,000</del> ))
33		<u>\$3,713,355,000</u>

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

36 (1) Except as provided otherwise in this section, the entire  
37 connecting Washington account—state appropriation and the entire  
38 transportation partnership account—state appropriation are provided  
39 solely for the projects and activities as listed by fund, project,

1 and amount in LEAP Transportation Document (~~(2021-1)~~) 2022-1 as  
2 developed (~~(April 23, 2021)~~) February 20, 2022, Program - Highway  
3 Improvements Program (I). However, limited transfers of specific  
4 line-item project appropriations may occur between projects for those  
5 amounts listed subject to the conditions and limitations in section  
6 601 (~~(of this act)~~), chapter 333, Laws of 2021.

7 (2) Except as provided otherwise in this section, the entire  
8 motor vehicle account—state appropriation and motor vehicle account—  
9 federal appropriation are provided solely for the projects and  
10 activities listed in LEAP Transportation Document (~~(2021-2)~~) 2022-2  
11 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022,  
12 Program - Highway Improvements Program (I). Any federal funds gained  
13 through efficiencies, adjustments to the federal funds forecast, or  
14 the federal funds redistribution process must then be applied to  
15 highway and bridge preservation activities or fish passage barrier  
16 corrections (OBI4001), as long as the application of the funds is not  
17 inconsistent with subsection (26) of this section.

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

27 (4) The connecting Washington account—state appropriation  
28 includes up to (~~(\$2,230,636,000)~~) \$318,333,000 in proceeds from the  
29 sale of bonds authorized in RCW 47.10.889.

30 (5) The special category C account—state appropriation includes  
31 up to (~~(\$82,475,000)~~) \$51,460,000 in proceeds from the sale of bonds  
32 authorized in RCW 47.10.812.

33 (6) The transportation partnership account—state appropriation  
34 includes up to (~~(\$28,411,000)~~) \$124,632,000 in proceeds from the sale  
35 of bonds authorized in RCW 47.10.873.

36 (7) (~~(\$60,450,000)~~) \$161,792,000 of the transportation  
37 partnership account—state appropriation, (~~(\$2,258,000)~~) \$3,882,000 of  
38 the motor vehicle account—private/local appropriation, \$9,000,000 of  
39 the motor vehicle account—state appropriation, \$1,000 of the

1 transportation 2003 account (nickel account)—state appropriation, and  
2 ((~~\$984,000~~)) \$985,000 of the multimodal transportation account—state  
3 appropriation are provided solely for the SR 99/Alaskan Way Viaduct  
4 Replacement project (809936Z). It is the intent of the legislature  
5 that any legal damages paid to the state as a result of a lawsuit  
6 related to contractual provisions for construction and delivery of  
7 the Alaskan Way viaduct replacement project be used to repay project  
8 cost increases paid from the transportation partnership account—state  
9 funds and motor vehicle account—state funds.

10 (8) ((~~\$193,699,000~~)) \$186,820,000 of the connecting Washington  
11 account—state appropriation ((is)) and \$488,000 of the motor vehicle  
12 account—local appropriation are provided solely for the US 395 North  
13 Spokane Corridor project (M00800R). If the department expects the  
14 original scope of this project to be completed under budget when a  
15 final design is approved for the interchange with I-90 and nearby on  
16 ramp access, then the scope of work for this project must also  
17 include constructing a land bridge in the vicinity of Liberty Park in  
18 Spokane, if appropriations are sufficient. It is the intent of the  
19 legislature, consistent with the move ahead WA proposal, to advance  
20 future funding for this project in order to accelerate delivery by up  
21 to two years.

22 (9) (a) ((~~\$14,827,000~~)) \$177,982,000 of the Interstate 405 and  
23 state route number 167 express toll lanes account—state appropriation  
24 is provided solely for the I-405/SR 522 to I-5 Capacity Improvements  
25 project (L2000234) for activities related to adding capacity on  
26 Interstate 405 between state route number 522 and Interstate 5, with  
27 the goals of increasing vehicle throughput and aligning project  
28 completion with the implementation of bus rapid transit in the  
29 vicinity of the project.

30 (b) The department may advance the I-405/SR 522 to I-5 Capacity  
31 Improvements project (L2000234) and construct the project earlier  
32 than is scheduled in the LEAP transportation document referenced in  
33 subsection (2) of this section if additional funding is identified  
34 and submitted through the existing unanticipated receipts process by  
35 September 1, 2021. The department and the state treasurer shall  
36 pursue alternatives to toll revenue funding including but not limited  
37 to federal loan and grant programs. The department shall explore  
38 phasing and modifying the project to attempt to align project  
39 completion with the anticipated deployment of bus rapid transit on

1 the corridor in the 2023-2025 biennium. The department shall report  
2 back to the transportation committees of the legislature on this work  
3 by September 15, 2021.

4 (10) (a) (~~(\$492,349,000)~~) \$329,681,000 of the connecting  
5 Washington account—state appropriation, \$70,786,000 of the state  
6 route number 520 corridor account—state appropriation, \$100,000 of  
7 the move ahead WA—state appropriation, and (~~(\$355,000)~~) \$1,021,000 of  
8 the motor vehicle account—private/local appropriation are provided  
9 solely for the SR 520 Seattle Corridor Improvements - West End  
10 project (M00400R).

11 (b) Upon completion of the Montlake Phase of the West End project  
12 (current anticipated contract completion of 2023), the department  
13 shall sell that portion of the property not used for permanent  
14 transportation improvements and initiate a process to convey that  
15 surplus property to a subsequent owner.

16 (c) Of the amounts provided in this subsection (10), \$100,000 of  
17 the move ahead WA—state appropriation is provided solely for noise  
18 mitigation activities. It is the intent of the legislature, over the  
19 16-year move ahead WA investment program, to provide \$2,000,000 for  
20 noise mitigation in the vicinity of the SR 520 Seattle Corridor  
21 Improvements - West End project.

22 (11) (~~(\$382,880,000)~~) \$361,296,000 of the connecting Washington  
23 account—state appropriation, \$4,800,000 of the multimodal  
24 transportation account—state appropriation, (~~(\$17,869,000)~~)  
25 \$13,725,000 of the motor vehicle account—private/local appropriation,  
26 \$7,200,000 of the move ahead WA account—federal appropriation,  
27 \$8,400,000 of the Puget Sound Gateway facility account—state  
28 appropriation, and (~~(\$82,165,000)~~) \$85,015,000 of the motor vehicle  
29 account—federal appropriation are provided solely for the SR 167/SR  
30 509 Puget Sound Gateway project (M00600R).

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

33 (b) In making budget allocations to the Puget Sound Gateway  
34 project, the department shall implement the project's construction as  
35 a single corridor investment. The department shall continue to  
36 collaborate with the affected stakeholders as it implements the  
37 corridor construction and implementation plan for state route number  
38 167 and state route number 509. Specific funding allocations must be  
39 based on where and when specific project segments are ready for

1 construction to move forward and investments can be best optimized  
2 for timely project completion. Emphasis must be placed on avoiding  
3 gaps in fund expenditures for either project.

4 (c) It is the legislature's intent that the department shall  
5 construct a full (~~(single-point urban)~~) interchange at the junction  
6 of state route number 161 (Meridian avenue) and state route number  
7 167 and a full directional interchange at the junction of state route  
8 number 509 and 188th Street. (~~(If the department receives additional  
9 funds from an outside source for this project after the base project  
10 is fully funded, the funds must first be applied toward the  
11 completion of these two interchanges.)~~)

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

18 (e) Of the amounts provided in this subsection, \$2,500,000 of the  
19 multimodal transportation account—state appropriation is provided  
20 solely for segment 2 of the state route number 167 completion project  
21 shared-use path to provide connections to the interchange of state  
22 route number 167 at 54th to the intersection of state route number  
23 509 and Taylor Way in Tacoma.

24 (12) (a) (~~(\$26,928,000)~~) \$25,378,000 of the motor vehicle account—  
25 state appropriation and (~~(\$1,671,000)~~) \$413,000 of the motor vehicle  
26 account—private/local appropriation are provided solely to support a  
27 project office and the continued work toward the I-5 Interstate  
28 Bridge Replacement project (L2000370).

29 (b) The project office must also study the possible different  
30 governance structures for a bridge authority that would provide for  
31 the joint administration of the bridges over the Columbia river  
32 between Oregon and Washington. As part of this study, the project  
33 office must examine the feasibility and necessity of an interstate  
34 compact in conjunction with the national center for interstate  
35 compacts.

36 (c) During the 2021-2023 biennium, the department shall have as a  
37 goal to:

38 (i) Conduct all work necessary to prepare and publish a draft  
39 SEIS;

- 1 (ii) Coordinate with regulatory agencies to begin the process of  
2 obtaining environmental approvals and permits;  
3 (iii) Identify a locally preferred alternative; and  
4 (iv) Begin preparing a final SEIS.

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

8 (13)(a) ~~\$400,000,000~~ of the coronavirus state fiscal recovery  
9 fund—federal appropriation, ~~((\$529,577,000))~~ \$25,327,000 of the  
10 connecting Washington account—state appropriation, ~~((\$194,959,000))~~  
11 \$178,186,000 of the motor vehicle account—federal appropriation,  
12 \$5,618,000 of the motor vehicle account—local appropriation,  
13 \$9,016,000 of the transportation partnership account—state  
14 appropriation, and ~~((\$1,849,000))~~ \$6,853,000 of the motor vehicle  
15 account—state appropriation are provided solely for the Fish Passage  
16 Barrier Removal project (OBI4001) with the intent of fully complying  
17 with the federal *U.S. v. Washington* court injunction by 2030. ~~((Of~~  
18 ~~the amounts provided in this subsection, \$400,000,000 of the~~  
19 ~~connecting Washington account—state appropriation must be initially~~  
20 ~~placed in unallotted status during the 2021-2023 fiscal biennium, and~~  
21 ~~may only be released by the office of financial management for~~  
22 ~~allotment by the department if it is determined that the Fish Passage~~  
23 ~~Barrier Removal project (OBI4001) is not an eligible use of amounts~~  
24 ~~received by the state pursuant to the federal American rescue plan~~  
25 ~~act of 2021.))~~

26 (b) The department shall coordinate with the Brian Abbott fish  
27 passage barrier removal board to use a watershed approach by  
28 replacing both state and local culverts guided by the principle of  
29 providing the greatest fish habitat gain at the earliest time. The  
30 department shall deliver high habitat value fish passage barrier  
31 corrections that it has identified, guided by the following factors:  
32 Opportunity to bundle projects, tribal priorities, ability to  
33 leverage investments by others, presence of other barriers, project  
34 readiness, culvert conditions, other transportation projects in the  
35 area, and transportation impacts. The department and Brian Abbott  
36 fish barrier removal board must provide updates on the implementation  
37 of the statewide culvert remediation plan to the legislature by  
38 November 1, 2021, and June 1, 2022.



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

4 (d) Of the amount provided in this subsection, \$142,923,000 of  
5 the motor vehicle account—federal appropriation reflects the  
6 department's portion of the unrestricted funds from the coronavirus  
7 response and relief supplemental appropriations act of 2021. If the  
8 final amount from this act changes while the legislature is not in  
9 session, the department shall follow the existing unanticipated  
10 receipt process and adjust the list referenced in subsection (1) of  
11 this section accordingly, supplanting state funds with federal funds  
12 if possible as directed in section 601 (~~(of this act)~~), chapter 333,  
13 Laws of 2021.

14 (14) (~~(\$14,669,000)~~) \$14,367,000 of the connecting Washington  
15 account—state appropriation, \$311,000 of the motor vehicle account—  
16 state appropriation, and (~~(\$3,037,000)~~) \$3,149,000 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 on the list  
24 referenced in subsection (1) of this section.

25 (15) (~~(\$15,189,000)~~) \$16,984,000 of the motor vehicle account—  
26 federal appropriation, (~~(\$259,000)~~) \$269,000 of the motor vehicle  
27 account—state appropriation, and (~~(\$15,481,000)~~) \$17,900,000 of the  
28 Interstate 405 and state route number 167 express toll lanes account—  
29 state appropriation are provided solely for the SR 167/SR 410 to SR  
30 18 - Congestion Management project (316706C).

31 (16) (~~(\$18,914,000)~~) \$18,915,000 of the Special Category C  
32 account—state appropriation is provided solely for the SR 18 Widening  
33 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving  
34 and widening state route number 18 to four lanes from Issaquah-Hobart  
35 Road to Raging River.

36 (17) \$1,000,000 of the connecting Washington account—state  
37 appropriation is provided solely for the North Lewis County  
38 transportation study. The study shall examine new, alternate routes  
39 for vehicular and truck traffic at the Harrison interchange (Exit 82)

1 in North Centralia and shall allow for a site and configuration to be  
2 selected and feasibility to be conducted for final design,  
3 permitting, and construction of the I-5/North Lewis county  
4 Interchange project (L2000204).

5 (18) (~~(\$1,090,000)~~) \$1,237,000 of the motor vehicle account—state  
6 appropriation is provided solely for the US 101/East Sequim Corridor  
7 Improvements project (L2000343).

8 (19) (~~(\$12,139,000)~~) \$2,197,000 of the motor vehicle account—  
9 state appropriation and (~~(\$9,104,000)~~) \$749,000 of the connecting  
10 Washington account—state appropriation are provided solely for the SR  
11 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/  
12 Engineering) project (NPARADI).

13 (20) (~~(\$1,378,000)~~) \$1,455,000 of the motor vehicle account—  
14 federal appropriation is provided solely for the US 101/Morse Creek  
15 Safety Barrier project (L1000247).

16 (21) (~~(\$915,000)~~) \$1,000,000 of the motor vehicle account—state  
17 appropriation is provided solely for the SR 162/410 Interchange  
18 Design and Right of Way project (L1000276).

19 (22) (~~(\$6,581,000)~~) \$7,185,000 of the connecting Washington  
20 account—state appropriation is provided solely for the US Hwy 2  
21 Safety project (N00200R).

22 (23) The department shall itemize all future requests for the  
23 construction of buildings on a project list and submit them through  
24 the transportation executive information system as part of the  
25 department's annual budget submittal. It is the intent of the  
26 legislature that new facility construction must be transparent and  
27 not appropriated within larger highway construction projects.

28 (24) Any advisory group that the department convenes during the  
29 2021-2023 fiscal biennium must consider the interests of the entire  
30 state of Washington.

31 (25) The legislature continues to prioritize the replacement of  
32 the state's aging infrastructure and recognizes the importance of  
33 reusing and recycling construction aggregate and recycled concrete  
34 materials in our transportation system. To accomplish Washington  
35 state's sustainability goals in transportation and in accordance with  
36 RCW 70.95.805, the legislature reaffirms its determination that  
37 recycled concrete aggregate and other transportation building  
38 materials are natural resource construction materials that are too

1 valuable to be wasted and landfilled, and are a commodity as defined  
2 in WAC 173-350-100.

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

13 As these recyclable materials have well established markets, are  
14 substantially a primary or secondary product of necessary  
15 construction processes and production, and are managed as an item of  
16 commercial value, construction aggregate and recycled concrete  
17 materials are exempt from chapter 173-350 WAC.

18 (26) Except as otherwise provided in this section, the entire  
19 move ahead WA account—state appropriation and move ahead WA account—  
20 federal appropriation are provided solely for the state highway  
21 projects and activities as listed by project and amount in LEAP  
22 Transportation Document 2022 NL-1 as developed February 20, 2022.

23 (27) (a) \$10,000,000 of the move ahead WA state—appropriation is  
24 provided solely for the stormwater retrofits and improvements project  
25 (L4000040). It is the intent of the legislature, over the 16-year  
26 move ahead WA investment program, to provide \$500,000,000 for this  
27 project.

28 (b) The department shall ensure that \$6,000,000 is provided to  
29 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot  
30 (Seattle) project from the \$500,000,000 provided from stormwater  
31 retrofits and improvements over the 16-year move ahead WA investment  
32 program.

33 (c) The funding provided for stormwater retrofits and  
34 improvements must enhance stormwater runoff treatment from existing  
35 roads and infrastructure with an emphasis on green infrastructure  
36 retrofits. Projects must be prioritized based on benefits to salmon  
37 recovery and ecosystem health, reducing toxic pollution, addressing  
38 health disparities, and cost-effectiveness. The department of  
39 transportation must submit progress reports on its efforts to reduce  
40 the toxicity of stormwater runoff from existing infrastructure,

1 recommendations for addressing barriers to innovative solutions, and  
2 anticipated demand for funding each biennium.

3 (28) \$2,738,000 of the motor vehicle account—state appropriation  
4 is provided solely for the US 97 Wildlife Crossing Improvements  
5 project (L2021117). It is the intent of the legislature that, to the  
6 extent possible, the department use this funding as match for  
7 competitive federal funding to make additional wildlife crossing  
8 improvements on the corridor. The department must report to the  
9 transportation committees of the legislature with additional  
10 corridors that could benefit from wildlife crossing improvements and  
11 that are likely to successfully compete for federal funding.

12 (29) \$12,635,000 of the connecting Washington account—state  
13 appropriation is provided solely for the SR 3 Freight Corridor  
14 (T30400R) project. The legislature intends to provide a total of  
15 \$78,910,000 for this project, including an increase of \$12,000,000 in  
16 future biennia to safeguard against inflation and supply/labor  
17 interruptions and ensure that:

18 (a) The northern terminus remains at Lake Flora Road and the  
19 southern terminus at the intersection of SR 3/SR 302;

20 (b) Multimodal safety improvements at the southern terminus  
21 remain in the project to provide connections to North Mason school  
22 district and provide safe routes to schools; and

23 (c) Intersections on the freight corridor are constructed at  
24 Romance Hill and Log Yard road.

25 (30) \$1,000,000 of the move ahead WA account—state appropriation  
26 is provided solely for the SR 522 Widening project (L4000031). The  
27 department must consider reserving portions of state route 522,  
28 including designated lanes or ramps, for the exclusive or  
29 preferential use of public transportation vehicles, privately owned  
30 buses, motorcycles, private motor vehicles carrying not less than a  
31 specified number of passengers, or private transportation provider  
32 vehicles pursuant to RCW 47.52.025. The legislature intends to  
33 provide full construction funding for this project in the future.

34 (31) \$1,000,000 of the move ahead WA—state appropriation is  
35 provided solely for the US 2 Trestle Capacity Improvements &  
36 Westbound Trestle Replacement project (L4000056). It is the intent of  
37 the legislature, over the 16-year move ahead WA investment program,  
38 to provide \$210,541,000 for planning, design, right-of-way  
39 acquisition, interim improvements, and initial construction. The

1 legislature intends to provide full construction funding for this  
2 project in the future. It is the further intent of the legislature  
3 that this project enhance multimodal mobility options on the US 2  
4 Trestle. The planning, design and engineering work must consider  
5 options to enhance transit and multimodal mobility, including bus  
6 rapid transit. The department must report to the legislature with its  
7 preliminary analysis of these options by June 30, 2023.

8 (32) It is the intent of the legislature, over the 16-year move  
9 ahead WA investment program, to provide \$74,298,000 for the SR 3/  
10 Gorst Area - Widening project (L4000017). Tribal consultation with  
11 the Suquamish Tribe must begin at the earliest stage of planning,  
12 including without limitation on all funding decisions and funding  
13 programs, to provide a government-to-government mechanism for the  
14 tribe to evaluate, identify, and expressly notify governmental  
15 entities of any potential impacts to tribal cultural resources,  
16 archaeological sites, sacred sites, fisheries, or other rights and  
17 interests in tribal lands and lands within which the tribe possesses  
18 rights reserved or protected by federal treaty, statute, or executive  
19 order. The consultation is independent of, and in addition to, any  
20 public participation process required by state law, or by a state  
21 agency, including the requirements of Executive Order 21-02 related  
22 to archaeological and cultural resources, and regardless of whether  
23 the agency receives a request for consultation from the Suquamish  
24 Tribe. Regularly scheduled tribal consultation meetings with the  
25 Suquamish Tribe must continue throughout the duration of any funding  
26 program and proposed project approval. The legislature intends to  
27 provide full construction funding for this project in the future.

28 (33) \$450,000 of the motor vehicle account—state appropriation is  
29 provided solely for the SR 900 Safety Improvements project  
30 (L2021118). The department must work in collaboration with King  
31 county and Skyway coalition to align community assets, transportation  
32 infrastructure needs, and initial design for safety improvements  
33 along SR 900, including the use of \$200,000 for right of way, and up  
34 to \$100,000 to contract with the Skyway coalition to lead community  
35 planning engagement and active transportation activities.

36 (34) It is the intent of the legislature, over the 16-year move  
37 ahead WA investment program, to provide \$2,435,000,000 for fish  
38 passage barrier removal.

1       (35) \$13,500,000 of the move ahead WA account—state appropriation  
2 and \$13,500,000 of the move ahead WA account—local appropriation are  
3 provided solely for the I-5 Columbia River Bridge (L4000054). The  
4 legislature finds that the replacement of the I-5 Columbia River  
5 Bridge is a project of national significance and is critical for the  
6 movement of freight. One span is now 104 years old, at risk for  
7 collapse in the event of a major earthquake, and no longer satisfies  
8 the needs of commerce and travel. Replacing the aging Interstate  
9 Bridge with a modern, seismically resilient, multimodal structure  
10 that provides improved mobility for people, goods and services is a  
11 high priority. Therefore, the legislature intends to support the  
12 replacement of the I-5 Columbia River Bridge with an investment of  
13 \$1,200,000,000 over the 16-year move ahead WA investment program and  
14 that the respective LEAP Transportation Document(s) be adjusted  
15 accordingly. This commitment is not dependent on any single one of  
16 the revenue sources that are deposited into the move ahead WA  
17 account. The legislature further intends to maintain Washington  
18 state's commitment to the project at \$1,200,000,000 regardless of the  
19 loss of any source of revenue being deposited into the move ahead WA  
20 account.

21       (36) \$5,694,000 of the connecting Washington account—state  
22 appropriation is provided solely for the I-5/Chamber Way Interchange  
23 Vicinity Improvements project. It is the intent of the legislature  
24 that the total amount provided for this project on the lists in  
25 subsections (1) and (2) of this section be reduced in future biennia  
26 by \$1,709,000.

27       (37) \$5,000,000 of the move ahead WA account—state appropriation  
28 is provided solely for safety improvements pursuant to the reducing  
29 rural roadway departures program established in Engrossed Substitute  
30 Senate Bill No. 5974 (transportation resources). If Engrossed  
31 Substitute Senate Bill No. 5974 (transportation resources) is not  
32 enacted by June 30, 2022, then the appropriation in this subsection  
33 lapses.

34       **Sec. 306.** 2021 c 333 s 307 (uncodified) is amended to read as  
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**  
37 **Recreational Vehicle Account—State Appropriation. . . . \$1,520,000**  
38 **Transportation 2003 Account (Nickel Account)—State**

1	Appropriation. . . . .	(( <del>\$49,105,000</del> ))
2		<u>\$53,911,000</u>
3	Transportation Partnership Account—State	
4	Appropriation. . . . .	(( <del>\$15,183,000</del> ))
5		<u>\$21,441,000</u>
6	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$85,444,000</del> ))
7		<u>\$111,174,000</u>
8	Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$489,602,000</del> ))
9		<u>\$545,560,000</u>
10	Motor Vehicle Account—Private/Local Appropriation. . . . .	(( <del>\$10,792,000</del> ))
11		<u>\$13,735,000</u>
12	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$159,043,000</del> ))
13		<u>\$224,342,000</u>
14	State Route Number 520 Corridor Account—State	
15	Appropriation. . . . .	(( <del>\$1,891,000</del> ))
16		<u>\$2,143,000</u>
17	Tacoma Narrows Toll Bridge Account—State	
18	Appropriation. . . . .	(( <del>\$9,730,000</del> ))
19		<u>\$5,676,000</u>
20	Alaskan Way Viaduct Replacement Project Account—	
21	State Appropriation. . . . .	(( <del>\$314,000</del> ))
22		<u>\$391,000</u>
23	Interstate 405 and State Route Number 167 Express	
24	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$26,039,000</del> ))
25		<u>\$12,830,000</u>
26	<u>Move Ahead WA Account—Federal Appropriation. . . . .</u>	<u>\$140,000,000</u>
27	TOTAL APPROPRIATION. . . . .	(( <del>\$848,663,000</del> ))
28		<u>\$1,132,723,000</u>

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

31 (1) Except as provided otherwise in this section, the entire  
32 connecting Washington account—state appropriation and the entire  
33 transportation partnership account—state appropriation are provided  
34 solely for the projects and activities as listed by fund, project,  
35 and amount in LEAP Transportation Document ((2021-1)) 2022-1 as  
36 developed ((~~April 23, 2021~~)) February 20, 2022, Program - Highway  
37 Preservation Program (P). However, limited transfers of specific  
38 line-item project appropriations may occur between projects for those

1 amounts listed subject to the conditions and limitations in section  
2 601 (~~of this act~~), chapter 333, Laws of 2021.

3 (2) Except as provided otherwise in this section, the entire  
4 motor vehicle account—state appropriation and motor vehicle account—  
5 federal appropriation are provided solely for the projects and  
6 activities listed in LEAP Transportation Document (~~(2021-2)~~) 2022-2  
7 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022,  
8 Program - Highway Preservation Program (P). Any federal funds gained  
9 through efficiencies, adjustments to the federal funds forecast, or  
10 the federal funds redistribution process must then be applied to  
11 highway and bridge preservation activities or fish passage barrier  
12 corrections (OBI4001), as long as the application of the funds is not  
13 inconsistent with subsection (10) of this section.

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

23 (4) (~~(\$5,166,000)~~) \$8,531,000 of the connecting Washington  
24 account—state appropriation is provided solely for the land mobile  
25 radio upgrade (G2000055) and is subject to the conditions,  
26 limitations, and review provided in section 701 (~~of this act~~),  
27 chapter 333, Laws of 2021. The land mobile radio project is subject  
28 to technical oversight by the office of the chief information  
29 officer. The department, in collaboration with the office of the  
30 chief information officer, shall identify where existing or proposed  
31 mobile radio technology investments should be consolidated, identify  
32 when existing or proposed mobile radio technology investments can be  
33 reused or leveraged to meet multiagency needs, increase mobile radio  
34 interoperability between agencies, and identify how redundant  
35 investments can be reduced over time. The department shall also  
36 provide quarterly reports to the technology services board on project  
37 progress.

38 (5) \$5,000,000 of the motor vehicle account—state appropriation  
39 is provided solely for extraordinary costs incurred from litigation



1 awards, settlements, or dispute mitigation activities not eligible  
2 for funding from the self-insurance fund (L2000290). The amount  
3 provided in this subsection must be held in unallotted status until  
4 the department submits a request to the office of financial  
5 management that includes documentation detailing litigation-related  
6 expenses. The office of financial management may release the funds  
7 only when it determines that all other funds designated for  
8 litigation awards, settlements, and dispute mitigation activities  
9 have been exhausted. No funds provided in this subsection may be  
10 expended on any legal fees related to the SR 99/Alaskan Way viaduct  
11 replacement project (809936Z).

12 (6) \$11,679,000 of the motor vehicle account—federal  
13 appropriation is provided solely for preservation projects within  
14 project L1100071 that ensure the reliable movement of freight on the  
15 national highway freight system. The department shall give priority  
16 to those projects that can be advertised by September 30, 2021.

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

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

28 (9) \$1,700,000 of the motor vehicle account—state appropriation  
29 is provided solely for the SR 109/88 Corner Roadway project  
30 (G2000106).

31 (10) Except as otherwise provided in this section, the entire  
32 move ahead WA account—federal appropriation is provided solely for  
33 the state highway preservation projects and activities as listed by  
34 project and amount in LEAP Transportation Document 2022 NL-1 as  
35 developed February 20, 2022.

36 (11) \$140,000,000 of the move ahead WA account—federal  
37 appropriation is provided solely for highway preservation (L4000057).  
38 The department must use funding provided in this subsection, along

1 with other funds at its discretion, for the following preservation  
2 projects:

3 (a) I5/SB Denny Way-Lakeview Viaduct;

4 (b) I5/SB&NB Concrete and Joint Replacement;

5 (c) SR 529/NB Snohomish River - Bridge Rehabilitation, and  
6 Painting;

7 (d) I5/SB Snohomish River Bridge Painting.

8 (12) It is the intent of the legislature, over the 16-year move  
9 ahead WA investment program, to provide \$80,000,000 for the Main  
10 Streets Preservation project (L2021113) for preservation work on  
11 state highways that are also main streets.

12 Main streets preservation funding is intended to be a minimum  
13 investment for state highways within city limits. As part of the  
14 department's preservation program, the department must preserve and  
15 maintain all state highways, regardless of speed limit. The  
16 department must provide an annual report to the legislature on  
17 current preservation investments. The report must include a  
18 continuous six-year plan on state highway preservation investments  
19 within city limits.

20 **Sec. 307.** 2021 c 333 s 308 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
23 **CAPITAL**

24 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$8,273,000</del> ))
	<u>\$9,618,000</u>
26 Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$5,289,000</del> ))
	<u>\$11,215,000</u>
28 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$500,000
29 Interstate 405 and State Route Number 167 Express	
30 Toll Lanes Account—State Appropriation. . . . .	\$900,000
31 <u>Move Ahead WA Account—State Appropriation. . . . .</u>	<u>\$3,100,000</u>
32 TOTAL APPROPRIATION. . . . .	(( <del>\$14,962,000</del> ))
	<u>\$25,333,000</u>

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

36 (1) \$579,000 of the motor vehicle account—state appropriation is  
37 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

1 (2) (~~(\$1,000,000)~~) \$1,001,000 of the motor vehicle account—state  
2 appropriation (~~is~~) and \$2,060,000 of the motor vehicle account—  
3 federal appropriation are provided solely for the Challenge Seattle  
4 project (000009Q). The department shall provide a progress report on  
5 this project to the transportation committees of the legislature by  
6 January 15, 2022.

7 (3) \$3,100,000 of the move ahead WA—state appropriation is  
8 provided solely for traffic operations enhancements (L2021115).

9 **Sec. 308.** 2021 c 333 s 309 (uncodified) is amended to read as  
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**  
12 **CONSTRUCTION—PROGRAM W**

13 Puget Sound Capital Construction Account—State	
14 Appropriation. . . . .	(( <del>\$128,759,000</del> ))
15	<u>\$172,802,000</u>
16 Puget Sound Capital Construction Account—Federal	
17 Appropriation. . . . .	(( <del>\$139,188,000</del> ))
18	<u>\$205,493,000</u>
19 Puget Sound Capital Construction Account—	
20 Private/Local Appropriation. . . . .	(( <del>\$312,000</del> ))
21	<u>\$2,181,000</u>
22 Transportation Partnership Account—State	
23 Appropriation. . . . .	(( <del>\$8,410,000</del> ))
24	<u>\$9,432,000</u>
25 Connecting Washington Account—State Appropriation. . . . .	(( <del>\$75,640,000</del> ))
26	<u>\$99,141,000</u>
27 Capital Vessel Replacement Account—State	
28 Appropriation. . . . .	(( <del>\$152,453,000</del> ))
29	<u>\$45,468,000</u>
30 <u>Motor Vehicle Account—State Appropriation. . . . .</u>	<u>\$1,000</u>
31 <u>Transportation 2003 Account (Nickel Account)—State</u>	
32 <u>Appropriation. . . . .</u>	<u>\$987,000</u>
33 TOTAL APPROPRIATION. . . . .	(( <del>\$504,762,000</del> ))
34	<u>\$535,505,000</u>

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

37 (1) Except as provided otherwise in this section, the entire  
38 appropriations in this section are provided solely for the projects

1 and activities as listed in LEAP Transportation Document ((2021-2))  
2 2022-2 ALL PROJECTS as developed ((April 23, 2021)) February 20,  
3 2022, Program - Washington State Ferries Capital Program (W).

4 (2) For the 2021-2023 biennium, the marine division shall provide  
5 to the office of financial management and the legislative  
6 transportation committees the following reports on ferry capital  
7 projects:

8 (a) On a semiannual basis the report must include a status update  
9 on projects with funding provided in subsections (4), (5), (6), and  
10 (8) of this section including, but not limited to, the following:

11 (i) Anticipated cost increases and cost savings;

12 (ii) Anticipated cash flow and schedule changes; and

13 (iii) Explanations for the changes.

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

17 (i) What work has been done;

18 (ii) How have schedules shifted; and

19 (iii) Associated changes in funding among projects, accompanied  
20 by explanations for the changes.

21 (c) On an annual basis the report must include an update on the  
22 implementation of the maintenance management system with  
23 recommendations for using the system to improve the efficiency of  
24 project reporting under this subsection.

25 (3) ((~~\$5,000,000~~)) \$12,785,000 of the Puget Sound capital  
26 construction account—state appropriation is provided solely for  
27 emergency capital repair costs (999910K). Funds may only be spent  
28 after approval by the office of financial management.

29 (4) ((~~\$1,277,000~~)) \$2,385,000 of the Puget Sound capital  
30 construction account—state appropriation is provided solely for the  
31 ORCA card next generation project (L2000300). The ferry system shall  
32 work with Washington technology solutions and the tolling division on  
33 the development of a new, interoperable ticketing system.

34 (5) ((~~\$24,750,000~~)) \$28,134,000 of the Puget Sound capital  
35 construction account—state appropriation is provided solely for the  
36 conversion of up to two Jumbo Mark II vessels to electric hybrid  
37 propulsion (G2000084). The department shall seek additional funds for  
38 the purposes of this subsection. The department may spend from the  
39 Puget Sound capital construction account—state appropriation in this

1 section only as much as the department receives in Volkswagen  
2 settlement funds for the purposes of this subsection.

3 (6) (~~(\$152,453,000)~~) \$45,468,000 of the capital vessel  
4 replacement account—state appropriation is provided solely for the  
5 acquisition of a 144-car hybrid-electric vessel (L2000329). In 2019  
6 the legislature amended RCW 47.60.810 to direct the department to  
7 modify an existing vessel construction contract to provide for an  
8 additional five ferries. As such, it is the intent of the legislature  
9 that the department award the contract for the hybrid electric  
10 Olympic class vessel #5(L2000329) in a timely manner. In addition,  
11 the legislature intends to minimize costs and maximize construction  
12 efficiency by providing sufficient funding for construction of all  
13 five vessels, including funding for long lead time materials procured  
14 at the lowest possible prices. The commencement of construction of  
15 new vessels for the ferry system is important not only for safety  
16 reasons, but also to keep skilled marine construction jobs in the  
17 Puget Sound region and to sustain the capacity of the region to meet  
18 the ongoing construction and preservation needs of the ferry system  
19 fleet of vessels. The legislature has determined that the current  
20 vessel procurement process must move forward with all due speed,  
21 balancing the interests of both the taxpayers and shipyards. To  
22 accomplish construction of vessels in accordance with RCW 47.60.810,  
23 the prevailing shipbuilder, for vessels initially funded after July  
24 1, 2020, is encouraged to follow the historical practice of  
25 subcontracting the construction of ferry superstructures to a  
26 separate nonaffiliated contractor located within the Puget Sound  
27 region, that is qualified in accordance with RCW 47.60.690.

28 (7) The capital vessel replacement account—state appropriation  
29 includes up to (~~(\$152,453,000)~~) \$45,468,000 in proceeds from the sale  
30 of bonds authorized in RCW 47.10.873.

31 (8) \$4,200,000 of the connecting Washington account—state  
32 appropriation (~~(and \$2,200,000 of the Puget Sound operating account~~  
33 ~~{Puget Sound capital construction account} federal appropriation~~  
34 ~~are))~~ is provided solely for ferry vessel and terminal preservation  
35 (L2000110). The funds provided in this subsection must be used for  
36 unplanned preservation needs before shifting funding from other  
37 preservation projects.

38 (9) \$3,500,000 of the Puget Sound capital construction account—  
39 state appropriation is provided solely for the department to initiate

1 a vessel design-build process to replace the next class of hybrid  
2 electric propulsion vessels. Predesign studies may include a  
3 comparison of design build processes internationally as well as  
4 electrification studies of the associated route and terminals at  
5 Southworth, Vashon, and Fauntleroy (G2000104).

6 (10) \$10,000,000 of Puget Sound capital construction account—  
7 state appropriation is provided solely for vessel and terminal  
8 preservation projects as part of the move ahead WA investment program  
9 (L2021072).

10 (11) \$14,623,000 of the Puget Sound capital construction account—  
11 state appropriation is provided solely for the construction of new  
12 hybrid electric vessels as part of the move ahead WA investment  
13 program (L2021073).

14 **Sec. 309.** 2021 c 333 s 310 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

17 Essential Rail Assistance Account—State

18 Appropriation. . . . . ((\$550,000))  
19 \$508,000

20 Transportation Infrastructure Account—State

21 Appropriation. . . . . ((\$5,456,000))  
22 \$6,818,000

23 Multimodal Transportation Account—State

24 Appropriation. . . . . ((\$82,493,000))  
25 \$121,186,000

26 Multimodal Transportation Account—Federal

27 Appropriation. . . . . ((\$41,219,000))  
28 \$6,567,000

29 Multimodal Transportation Account—Private/Local

30 Appropriation. . . . . \$13,000

31 Motor Vehicle Account—State Appropriation. . . . . \$1,810,000

32 Move Ahead WA Flexible Account—State Appropriation. . . . \$10,000,000

33 TOTAL APPROPRIATION. . . . . ((\$129,718,000))  
34 \$146,902,000

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

37 (1) Except as provided otherwise in this section, the entire  
38 appropriations in this section are provided solely for the projects

1 and activities as listed by project and amount in LEAP Transportation  
2 Document ((2021-2)) 2022-2 ALL PROJECTS as developed ((April 23,  
3 2021)) February 20, 2022, Program - Rail Program (Y).

4 (2) ((~~\$5,089,000~~)) \$5,851,000 of the transportation  
5 infrastructure account—state appropriation is provided solely for new  
6 low-interest loans approved by the department through the freight  
7 rail investment bank (FRIB) program. The department shall issue FRIB  
8 program loans with a repayment period of no more than ten years, and  
9 charge only so much interest as is necessary to recoup the  
10 department's costs to administer the loans. The department shall  
11 report annually to the transportation committees of the legislature  
12 and the office of financial management on all FRIB loans issued. FRIB  
13 program loans may be recommended by the department for 2022  
14 supplemental transportation appropriations up to the amount provided  
15 in this appropriation that has not been provided for the projects  
16 listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of  
17 this section. The department shall submit a prioritized list for any  
18 loans recommended to the office of financial management and the  
19 transportation committees of the legislature by November 15, 2021.

20 (3) ((~~\$6,817,000~~)) \$8,360,000 of the multimodal transportation  
21 account—state appropriation is provided solely for new statewide  
22 emergent freight rail assistance projects identified in the LEAP  
23 transportation document referenced in subsection (1) of this section.

24 (4) \$367,000 of the transportation infrastructure account—state  
25 appropriation and \$1,100,000 of the multimodal transportation account  
26 —state appropriation are provided solely to reimburse Highline Grain,  
27 LLC for approved work completed on Palouse River and Coulee City  
28 (PCC) railroad track in Spokane county between the BNSF Railway  
29 Interchange at Cheney and Geiger Junction and must be administered in  
30 a manner consistent with freight rail assistance program projects.  
31 The value of the public benefit of this project is expected to meet  
32 or exceed the cost of this project in: Shipper savings on  
33 transportation costs; jobs saved in rail-dependent industries; and/or  
34 reduced future costs to repair wear and tear on state and local  
35 highways due to fewer annual truck trips (reduced vehicle miles  
36 traveled). The amounts provided in this subsection are not a  
37 commitment for future legislatures, but it is the legislature's  
38 intent that future legislatures will work to approve biennial

1 appropriations until the full \$7,337,000 cost of this project is  
2 reimbursed.

3 (5) (a) (~~(\$550,000)~~) \$408,000 of the essential rail assistance  
4 account—state appropriation is provided solely for the purpose of the  
5 rehabilitation and maintenance of the Palouse river and Coulee City  
6 railroad line (F01111B).

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

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

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

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

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

25 (7) (~~(\$33,964,000)~~) \$32,996,000 of the multimodal transportation  
26 account—state appropriation (~~(and \$37,500,000 of the multimodal~~  
27 ~~transportation account federal appropriation are)~~) is provided solely  
28 for Passenger Rail Equipment Replacement (project 700010C.) The  
29 appropriations in this subsection include insurance proceeds received  
30 by the state. The department must use these funds only to purchase  
31 replacement equipment that has been competitively procured and for  
32 service recovery needs and corrective actions related to the December  
33 2017 derailment.

34 (8) (~~(\$223,000 of the multimodal transportation account—state~~  
35 ~~appropriation is provided solely for contingency funding for emergent~~  
36 ~~freight rail assistance projects funded in subsection (3) of this~~  
37 ~~section. Project sponsors may apply to the department for contingency~~  
38 ~~funds needed due to unforeseeable cost increases. The department~~



1 shall submit a report of any contingency funds provided under this  
2 subsection as part of the department's annual budget submittal.

3 (9)) It is the intent of the legislature to encourage the  
4 department to pursue federal grant opportunities leveraging up to  
5 \$6,696,000 in connecting Washington programmed funds to be used as a  
6 state match to improve the state-owned Palouse river and Coulee City  
7 system. The amount listed in this subsection is not a commitment for  
8 future legislatures, but is the legislature's intent that future  
9 legislatures will work to approve biennial appropriations up to a  
10 state match share not to exceed \$6,696,000 of a grant award.

11 (9) Except as otherwise provided in this section, the entire move  
12 ahead WA flexible account—state appropriation in this section is  
13 provided solely for the rail projects and activities as listed by  
14 project and amount in LEAP Transportation Document 2022 NL-1 as  
15 developed February 20, 2022.

16 **Sec. 310.** 2021 c 333 s 311 (uncodified) is amended to read as  
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
19 **CAPITAL**

20 Highway Infrastructure Account—State Appropriation. . . . .	(( <del>\$793,000</del> ))
	<u>\$1,744,000</u>
22 Highway Infrastructure Account—Federal Appropriation	
23 . . . . .	(( <del>\$1,600,000</del> ))
24	<u>\$2,935,000</u>
25 Transportation Partnership Account—State	
26 Appropriation. . . . .	(( <del>\$750,000</del> ))
27	<u>\$1,000,000</u>
28 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$11,064,000</del> ))
29	<u>\$23,738,000</u>
30 Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$55,751,000</del> ))
31	<u>\$79,306,000</u>
32 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$6,600,000
33 Connecting Washington Account—State Appropriation. . . . .	(( <del>\$123,292,000</del> ))
34	<u>\$173,464,000</u>
35 Multimodal Transportation Account—State	
36 Appropriation. . . . .	(( <del>\$71,615,000</del> ))
37	<u>\$96,225,000</u>
38 <u>Move Ahead WA Account—State Appropriation. . . . .</u>	<u>\$129,900,000</u>

1 TOTAL APPROPRIATION. . . . . ((~~\$271,465,000~~))  
2 \$514,912,000

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

5 (1) Except as provided otherwise in this section, the entire  
6 appropriations in this section are provided solely for the projects  
7 and activities as listed by project and amount in LEAP Transportation  
8 Document ((~~2021-2~~)) 2022-2 ALL PROJECTS as developed ((~~April 23,~~  
9 ~~2021~~)) February 20, 2022, Program - Local Programs Program (Z).

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

13 (a) ((~~\$32,613,000~~)) (i) \$46,163,000 of the multimodal  
14 transportation account—state appropriation is provided solely for  
15 pedestrian and bicycle safety program projects (L2000188).

16 (ii) The state route 99/Aurora Avenue North Planning Study funded  
17 in this subsection (2)(a) must prioritize designs that ensure slow  
18 vehicle speeds and systematic improvement to the quality of  
19 multimodal access, and must be fully completed by October 31, 2022,  
20 in order to ensure construction of improvements begin no later than  
21 June 1, 2023.

22 (b) ((~~\$19,344,000~~)) \$26,086,000 of the motor vehicle account—  
23 federal appropriation and ((~~\$17,397,000~~)) \$21,656,000 of the  
24 multimodal transportation account—state appropriation are provided  
25 solely for safe routes to school projects (L2000189). The department  
26 may consider the special situations facing high-need areas, as  
27 defined by schools or project areas in which the percentage of the  
28 children eligible to receive free and reduced-price meals under the  
29 national school lunch program is equal to, or greater than, the state  
30 average as determined by the department, when evaluating project  
31 proposals against established funding criteria while ensuring  
32 continued compliance with federal eligibility requirements.

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

1 pedestrian safety/safe routes to school grant program application and  
2 selection processes to increase utilization by a greater diversity of  
3 jurisdictions.

4 (4) (~~(\$6,561,000)~~) \$11,987,000 of the multimodal transportation  
5 account—state appropriation is provided solely for bicycle and  
6 pedestrian projects listed in the LEAP transportation document  
7 referenced in subsection (1) of this section.

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

11 (6) (~~(\$12,500,000)~~) \$17,438,000 of the motor vehicle account—  
12 federal appropriation is provided solely for national highway freight  
13 network projects identified on the project list submitted in  
14 accordance with section 218(4)(b), chapter 14, Laws of 2016 on  
15 October 31, 2016 (L1000169).

16 (7) When the department updates its federally-compliant freight  
17 plan, it shall consult the freight mobility strategic investment  
18 board on the freight plan update and on the investment plan component  
19 that describes how the estimated funding allocation for the national  
20 highway freight program for federal fiscal years 2022-2025 will be  
21 invested and matched. The investment plan component for the state  
22 portion of national highway freight program funds must first address  
23 shortfalls in funding for connecting Washington act projects. The  
24 department shall complete the freight plan update in compliance with  
25 federal requirements and deadlines and shall provide an update on the  
26 development of the freight plan, including the investment plan  
27 component, when submitting its 2022 supplemental appropriations  
28 request.

29 (8) (~~(\$11,679,000)~~) \$35,411,000 of the motor vehicle account—  
30 federal appropriation is provided solely for acceleration of local  
31 preservation projects that ensure the reliable movement of freight on  
32 the national highway freight system (G2000100). The department will  
33 identify projects through its current national highway system asset  
34 management call for projects with applications due in February 2021.  
35 The department shall give priority to those projects that can be  
36 obligated by September 30, 2021.

37 (9)(a) The department may transfer funds between projects on the  
38 LEAP transportation document referenced in subsection (1) of this  
39 section, but transfers must be submitted to the office of financial

1 management and the transportation committees of the legislature for  
2 review and comment and must include an explanation of variances from  
3 prior approved lists. Transfers are subject to the following  
4 conditions and limitations:

5 (i) Transfers from a project may not be made as a result of the  
6 reduction of the scope of a project or be made to support increases  
7 in the scope of a project;

8 (ii) Transfers from a project may be made if the funds  
9 appropriated to the project are in excess of the amount needed in the  
10 current fiscal biennium;

11 (iii) Transfers may not occur for projects not identified on the  
12 applicable project list;

13 (iv) Transfers may not be made while the legislature is in  
14 session;

15 (v) Each transfer between projects may only occur if the director  
16 of the office of financial management finds that any resulting change  
17 will not hinder the completion of the projects as approved by the  
18 legislature.

19 (b) Any project list revisions must be reviewed by the office of  
20 financial management and transportation committees of the legislature  
21 within 10 business days of submission and revised project funds may  
22 not be expended until approved by the office of financial management.

23 (10) Except as otherwise provided in this section, the entire  
24 move ahead WA account—state appropriation is provided solely for the  
25 local road projects and activities as listed by project and amount in  
26 LEAP Transportation Document 2022 NL-1 as developed February 20,  
27 2022.

28 (11) It is the intent of the legislature that \$25,000,000 will be  
29 provided as part of the move ahead WA investment package in a future  
30 biennia, as indicated on the list identified in subsection (10) of  
31 this section, for the Ballard and Magnolia bridge project (L4000123).  
32 As part of the project, the Seattle department of transportation must  
33 consult with an independent engineering firm to verify that the costs  
34 for the type, size, and location preliminary design report (TS&L),  
35 environmental impact statement (EIS), and 60 percent design work are  
36 within industry cost range standards in advance of moving forward  
37 with construction. The Seattle department of transportation (SDOT)  
38 must ensure that funds are maximized by limiting the percentage for  
39 TS&L, EIS, and 60 percent design work to 10 percent of the total cost  
40 of the project. Of the \$25,000,000, \$12,500,000 must remain in

1 unallotted status, and may be distributed to SDOT only upon  
2 determination by the office of financial management that SDOT's cost  
3 estimates have been verified by an independent engineering firm as  
4 within industry cost range standards, and SDOT has secured the  
5 additional matching funding needed to complete the TS&L, EIS, and 60  
6 percent design work.

7 (12) \$400,000 of the multimodal transportation account—state  
8 appropriation is provided solely for a grant to the Northwest Seaport  
9 Alliance (NWSA) to lead the creation and coordination of a  
10 multistakeholder zero emissions truck collaborative that will: (a)  
11 Facilitate the development and implementation of one or more zero-  
12 emissions drayage truck demonstration projects in Washington state;  
13 and (b) develop a roadmap for transitioning the entire fleet of  
14 approximately 4,500 drayage trucks that serve the NWSA cargo gateway  
15 to zero-emissions vehicles by 2050 or sooner.

16 (13) \$8,524,000 of the connecting Washington account—state  
17 appropriation is provided solely for the I-5/Mellen Street Connector  
18 project.

19 (14) \$500,000 of the motor vehicle account—state appropriation  
20 designated for the traffic avenue/SR 410 interchange project  
21 (L1000165) in LEAP Transportation Document 2022-2 ALL PROJECTS as  
22 developed February 20, 2022, Local Programs Program (Z) is  
23 redesignated and provided solely for the 166th/SR 410 Interchange -  
24 Sumner.

25 **Sec. 311.** 2021 c 333 s 313 (uncodified) is amended to read as  
26 follows:

27 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

28 On a quarterly basis, the department of transportation shall  
29 provide to the office of financial management and the legislative  
30 transportation committees a report for all capital projects, except  
31 for ferry projects subject to the reporting requirements established  
32 in section 309 (~~of this act~~), chapter 333, Laws of 2021, that must  
33 include:

34 (1) A TEIS version containing actual capital expenditures for all  
35 projects consistent with the structure of the most recently enacted  
36 budget;

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

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

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

9 NEW SECTION. **Sec. 312.** A new section is added to 2021 c 333  
10 (uncodified) to read as follows:

11 **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS**  
12 **MANAGEMENT**

13 (1) As part of the department of transportation's 2023-2025  
14 biennial budget request, the department shall provide an overview of  
15 capital funds management challenges and recommendations for funds  
16 management strategies that would improve the likelihood of increasing  
17 performance associated with the following outcomes:

18 (a) Streamlined delivery of the department's capital program and  
19 local government capital projects;

20 (b) Increased likelihood that federal funds are committed and  
21 used prior to debt backed capital resources;

22 (c) Reduced overall time and cost of administrative efforts of  
23 the department and local governments;

24 (d) Ensured federal government contributions regarding its share  
25 toward overhead costs;

26 (e) Increased disadvantaged business enterprise program  
27 participation and/or funding;

28 (f) Maximized amount of federal redistributed and grant funding  
29 received by the state, including how to position the state for  
30 providing state matching funds for federal grant opportunities;

31 (g) Increased clarity on how federal funds are administered;

32 (h) Identification of opportunities to leverage current and  
33 future toll credits secured by the state; and

34 (i) Minimized risk of audit findings related to federal funds.

35 (2) The department may provide recommendations on the  
36 transportation appropriations act structure and project list  
37 amendments to most efficiently utilize state and federal capital  
38 funds.

1           (3) As part of the department's 2023-2025 biennial budget  
2 request, the department shall also report on:  
3           (a) The federal grant programs it has applied for;  
4           (b) The federal competitive grant programs it could have applied  
5 for but did not and the reason or reasons it did not apply; and  
6           (c) The potential to use a federal fund exchange program to most  
7 efficiently use state and local federal funds.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2021 c 333 s 401 (uncodified) is amended to read as  
3 follows:

4 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING  
5 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND  
6 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND  
7 REVENUE

8	Transportation Partnership Account—State	
9	Appropriation. . . . .	(( <del>\$904,000</del> ))
10		<u>\$794,000</u>
11	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$11,153,000</del> ))
12		<u>\$1,592,000</u>
13	Special Category C Account—State Appropriation. . . . .	(( <del>\$412,000</del> ))
14		<u>\$257,000</u>
15	Highway Bond Retirement Account—State Appropriation (( <del>\$1,483,793,000</del> ))	
16		<u>\$1,408,619,000</u>
17	Ferry Bond Retirement Account—State Appropriation. . . . .	\$17,150,000
18	Transportation Improvement Board Bond Retirement	
19	Account—State Appropriation. . . . .	(( <del>\$11,770,000</del> ))
20		<u>\$18,152,000</u>
21	Nondebt-Limit Reimbursable Bond Retirement Account—	
22	State Appropriation. . . . .	(( <del>\$29,323,000</del> ))
23		<u>\$26,278,000</u>
24	Toll Facility Bond Retirement Account—State	
25	Appropriation. . . . .	\$76,376,000
26	TOTAL APPROPRIATION. . . . .	(( <del>\$1,630,881,000</del> ))
27		<u>\$1,549,218,000</u>

28 The appropriations in this section are subject to the following  
29 conditions and limitations: \$6,451,550 of the transportation  
30 improvement board bond retirement account—state appropriation is  
31 provided solely for the prepayment of certain outstanding bonds and  
32 debt service.

33 Sec. 402. 2021 c 333 s 402 (uncodified) is amended to read as  
34 follows:

35 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING  
36 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND  
37 FISCAL AGENT CHARGES



1	Transportation Partnership Account—State	
2	Appropriation. . . . .	(( <del>\$181,000</del> ))
3		<u>\$150,000</u>
4	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$2,231,000</del> ))
5		<u>\$318,000</u>
6	Special Category C Account—State Appropriation. . . . .	(( <del>\$82,000</del> ))
7		<u>\$51,000</u>
8	<u>Transportation Improvement Account—State</u>	
9	<u>Appropriation. . . . .</u>	<u>\$20,000</u>
10	TOTAL APPROPRIATION. . . . .	(( <del>\$2,494,000</del> ))
11		<u>\$539,000</u>

12       **Sec. 403.** 2021 c 333 s 403 (uncodified) is amended to read as  
13 follows:

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

15	Motor Vehicle Account—State Appropriation: For motor	
16	vehicle fuel tax statutory distributions to	
17	cities and counties. . . . .	(( <del>\$467,390,000</del> ))
18		<u>\$474,003,000</u>
19	Multimodal Transportation Account—State	
20	Appropriation: For distribution to cities and	
21	counties. . . . .	\$26,786,000
22	Motor Vehicle Account—State Appropriation: For	
23	distribution to cities and counties. . . . .	\$23,438,000

24       **Sec. 404.** 2021 c 333 s 404 (uncodified) is amended to read as  
25 follows:

26 **FOR THE STATE TREASURER—TRANSFERS**

27	Motor Vehicle Account—State Appropriation: For motor	
28	vehicle fuel tax refunds and statutory	
29	transfers. . . . .	(( <del>\$1,974,599,000</del> ))
30		<u>\$2,000,419,000</u>

31       **Sec. 405.** 2021 c 333 s 405 (uncodified) is amended to read as  
32 follows:

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

34	Motor Vehicle Account—State Appropriation: For motor	
35	vehicle fuel tax refunds and transfers. . . . .	(( <del>\$235,675,000</del> ))
36		<u>\$240,330,000</u>

1       **Sec. 406.** 2021 c 333 s 406 (uncodified) is amended to read as  
2 follows:

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

4       (1) Highway Safety Account—State Appropriation:  
5 For transfer to the State Patrol Highway  
6 Account—State. . . . . \$47,000,000

7       (2) (a) Transportation Partnership Account—State  
8 Appropriation: For transfer to the Capital Vessel  
9 Replacement Account—State. . . . . (~~(\$152,453,000)~~)  
10 \$45,468,000

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

13       (3) (a) Transportation Partnership Account—State  
14 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account  
15 —State. . . . . \$30,293,000

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

22       (4) (a) Motor Vehicle Account—State Appropriation:  
23 For transfer to Alaskan Way Viaduct Replacement Project  
24 Account—State. . . . . \$6,000,000

25       (b) The funds provided in (a) of this subsection are a loan to  
26 the Alaskan Way viaduct replacement project account—state, and the  
27 legislature assumes that these funds will be reimbursed to the motor  
28 vehicle account—state at a later date when traffic on the toll  
29 facility has recovered from the COVID-19 pandemic.

30       (5) Motor Vehicle Account—State Appropriation:  
31 For transfer to the County Arterial Preservation  
32 Account—State. . . . . \$7,666,000

33       (6) Motor Vehicle Account—State Appropriation:  
34 For transfer to the Freight Mobility Investment  
35 Account—State. . . . . \$5,511,000

36       (7) Motor Vehicle Account—State Appropriation:  
37 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

38       (8) Motor Vehicle Account—State Appropriation:  
39 For transfer to the Transportation Improvement

1 Account—State. . . . . \$9,688,000  
2 (9) Rural Mobility Grant Program Account—State  
3 Appropriation: For transfer to the Multimodal  
4 Transportation Account—State. . . . . \$3,000,000  
5 (10) (a) State Route Number 520 Civil Penalties  
6 Account—State Appropriation: For transfer to the  
7 Motor Vehicle Account—State  
8 . . . . . \$2,000,000  
9 (b) The transfer in this subsection is to repay moneys loaned to  
10 the state route number 520 civil penalties account in the 2019-2021  
11 fiscal biennium.  
12 (11) State Route Number 520 Civil Penalties  
13 Account—State Appropriation: For transfer to the  
14 State Route Number 520 Corridor Account—State. . . . . \$1,532,000  
15 (12) Capital Vessel Replacement Account—State  
16 Appropriation: For transfer to the Connecting  
17 Washington Account—State. . . . . \$35,000,000  
18 (13) (a) Capital Vessel Replacement Account—State  
19 Appropriation: For transfer to the Transportation  
20 Partnership Account—State. . . . . (~~(\$10,305,000)~~)  
21 \$1,542,000  
22 (b) The amount transferred in this subsection represents  
23 repayment of debt service incurred for the construction of the Hybrid  
24 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).  
25 (14) Multimodal Transportation Account—State  
26 Appropriation: For transfer to the Complete Streets  
27 Grant Program Account—State. . . . . \$14,670,000  
28 (15) Multimodal Transportation Account—State  
29 Appropriation: For transfer to the Connecting  
30 Washington Account—State. . . . . \$200,000,000  
31 (16) Multimodal Transportation Account—State  
32 Appropriation: For transfer to the Freight Mobility  
33 Multimodal Account—State. . . . . \$4,011,000  
34 (17) Multimodal Transportation Account—State  
35 Appropriation: For transfer to the Ignition Interlock  
36 Device Revolving Account—State. . . . . \$600,000  
37 (18) Multimodal Transportation Account—State  
38 Appropriation: For transfer to the Pilotage  
39 Account—State. . . . . (~~(\$1,500,000)~~)

1 \$2,000,000

2 (19) Multimodal Transportation Account—State

3 Appropriation: For transfer to the Puget Sound

4 Capital Construction Account—State. . . . . (~~(\$60,000,000)~~)

5 \$816,700,000

6 (20) Multimodal Transportation Account—State

7 Appropriation: For transfer to the Regional Mobility

8 Grant Program Account—State. . . . . \$27,679,000

9 (21) Multimodal Transportation Account—State

10 Appropriation: For transfer to the Rural Mobility

11 Grant Program Account—State. . . . . \$15,223,000

12 (22) (a) Alaskan Way Viaduct Replacement Project

13 Account—State Appropriation: For transfer to the

14 Transportation Partnership Account—State. . . . . \$22,884,000

15 (b) The amount transferred in this subsection represents

16 repayment of debt service incurred for the construction of the SR 99/

17 Alaskan Way Viaduct Replacement project (809936Z).

18 (23) Tacoma Narrows Toll Bridge Account—State

19 Appropriation: For transfer to the Motor Vehicle

20 Account—State. . . . . \$950,000

21 (24) Puget Sound Ferry Operations Account—State

22 Appropriation: For transfer to the Puget Sound

23 Capital Construction Account—State. . . . . \$60,000,000

24 (25) (a) General Fund Account—State

25 Appropriation: For transfer to the State Patrol

26 Highway Account—State. . . . . \$625,000

27 (b) The state treasurer shall transfer the funds only after

28 receiving notification from the Washington state patrol under section

29 207(2) (~~of this act~~), chapter 333, Laws of 2021.

30 (26) Motor Vehicle Account—State

31 Appropriation: For transfer to the Move Ahead WA

32 Account—State. . . . . \$3,689,000

33 (27) Motor Vehicle Account—State

34 Appropriation: For transfer to the Puget Sound

35 Capital Construction Account—State. . . . . \$30,000,000

36 (28) Electric Vehicle Account—State

37 Appropriation: For transfer to the Move Ahead WA

38 Flexible Account—State. . . . . \$16,064,000

39 (29) Multimodal Transportation Account—State

1	<u>Appropriation: For transfer to the I-405 and SR 167</u>	
2	<u>Express Toll Lanes Account—State. . . . .</u>	<u>\$268,433,000</u>
3	<u>(30) Multimodal Transportation Account—State</u>	
4	<u>Appropriation: For transfer to the Move Ahead WA</u>	
5	<u>Account—State. . . . .</u>	<u>\$874,081,000</u>
6	<u>(31) Multimodal Transportation Account—State</u>	
7	<u>Appropriation: For transfer to the State Route</u>	
8	<u>Number 520 Corridor Account—State. . . . .</u>	<u>\$70,786,000</u>
9	<u>(32) Move Ahead WA Flexible Account—State</u>	
10	<u>Appropriation: For transfer to the Move Ahead</u>	
11	<u>WA Account—State. . . . .</u>	<u>\$9,000,000</u>
12	<u>(33) Motor Vehicle Account—State</u>	
13	<u>Appropriation: For transfer to the Connecting Washington</u>	
14	<u>Account—State. . . . .</u>	<u>\$80,000,000</u>
15	<u>(34) Move Ahead WA Account—State</u>	
16	<u>Appropriation: For transfer to the Connecting Washington</u>	
17	<u>Account—State. . . . .</u>	<u>\$600,000,000</u>

18       **Sec. 407.** 2021 c 333 s 407 (uncodified) is amended to read as  
19 follows:

20 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**  
21 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**  
22 **STATUTORILY PRESCRIBED REVENUE**

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

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501.** A new section is added to 2021 c 333  
3 (uncodified) to read as follows:

4 **COLLECTIVE BARGAINING AGREEMENTS**

5 Sections 502 through 519 of this act represent the results of the  
6 collective bargaining process from reopening the 2021-2023 contracts  
7 for the limited purpose of bargaining over compensation, and are  
8 described in general terms. Only major economic terms are included in  
9 the descriptions. These descriptions do not contain the complete  
10 contents of the agreements. The collective bargaining agreements  
11 contained in part V of this act may also be funded by expenditures  
12 from nonappropriated accounts. If positions are funded with lidded  
13 grants or dedicated fund sources with insufficient revenue,  
14 additional funding from other sources is not provided.

15 **Sec. 502.** 2021 c 333 s 503 (uncodified) is amended to read as  
16 follows:

17 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
18 **AGREEMENTS—OPEIU**

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

28 (2) An agreement has been reached between the governor and the  
29 office and professional employees international union local eight  
30 (OPEIU) pursuant to chapter 47.64 RCW for fiscal year 2023. The  
31 agreement includes and funding is provided for a general wage  
32 increase of 3.25 percent for fiscal year 2023 and a lump sum payment  
33 for employees hired before July 1, 2022.

34 **Sec. 503.** 2021 c 333 s 504 (uncodified) is amended to read as  
35 follows:

36 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
37 **AGREEMENTS—FASPAA**

1       (1) An agreement has been reached between the governor and the  
2 ferry agents, supervisors, and project administrators association  
3 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.  
4 Funding is provided to fund the agreement, which does not include  
5 wage increases but does include furloughs. The agreement provides  
6 that positions designated by the employer as not requiring backfill  
7 take 24 furlough days during the biennium.

8       (2) An agreement has been reached between the governor and the  
9 ferry agents, supervisors, and project administrators association  
10 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement  
11 includes and funding is provided for a general wage increase of 3.25  
12 percent for fiscal year 2023 and a lump sum payment for employees  
13 hired before July 1, 2022.

14       **Sec. 504.** 2021 c 333 s 505 (uncodified) is amended to read as  
15 follows:

16 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
17 **AGREEMENTS—SEIU LOCAL 6**

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

25       (2) An agreement has been reached between the governor and the  
26 service employees international union local 6 pursuant to chapter  
27 47.64 RCW for fiscal year 2023. The agreement includes and funding is  
28 provided for a general wage increase of 3.25 percent for fiscal year  
29 2023 and a lump sum payment for employees hired before July 1, 2022.

30       **Sec. 505.** 2021 c 333 s 506 (uncodified) is amended to read as  
31 follows:

32 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
33 **AGREEMENTS—CARPENTERS**

34       (1) An agreement has been reached between the governor and the  
35 Pacific Northwest regional council of carpenters pursuant to chapter  
36 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
37 fund the agreement, which does not include wage increases but does  
38 include furloughs. The agreement provides that positions designated

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

3 (2) An agreement has been reached between the governor and the  
4 Pacific Northwest regional council of carpenters pursuant to chapter  
5 47.64 RCW for fiscal year 2023. The agreement includes and funding is  
6 provided for a general wage increase of 3.25 percent for fiscal year  
7 2023 and a lump sum payment for employees hired before July 1, 2022.

8 **Sec. 506.** 2021 c 333 s 507 (uncodified) is amended to read as  
9 follows:

10 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
11 **AGREEMENTS—METAL TRADES**

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

19 (2) An agreement has been reached between the governor and the  
20 Puget Sound metal trades council pursuant to chapter 47.64 RCW for  
21 fiscal year 2023. The agreement includes and funding is provided for  
22 a general wage increase of 3.25 percent for fiscal year 2023 and a  
23 lump sum payment for employees hired before July 1, 2022.

24 **Sec. 507.** 2021 c 333 s 508 (uncodified) is amended to read as  
25 follows:

26 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
27 **AGREEMENTS—MEBA-UL**

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

33 (2) An agreement has been reached between the governor and the  
34 marine engineers' beneficial association unlicensed engine room  
35 employees pursuant to chapter 47.64 RCW for fiscal year 2023. The  
36 agreement includes and funding is provided for a general wage  
37 increase of 3.25 percent for fiscal year 2023 and a lump sum payment  
38 for employees hired before July 1, 2022.



1       **Sec. 508.** 2021 c 333 s 509 (uncodified) is amended to read as  
2 follows:

3       **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
4 **AGREEMENTS—MEBA-L**

5       (1) An agreement has been reached between the governor and the  
6 marine engineers' beneficial association licensed engineer officers  
7 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.  
8 Funding is provided to fund the agreement, which does not include  
9 either wage increases or the furlough requirement.

10       (2) An agreement has been reached between the governor and the  
11 marine engineers' beneficial association licensed engineer officers  
12 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement  
13 includes and funding is provided for a general wage increase of 3.25  
14 percent for fiscal year 2023 and a lump sum payment for employees  
15 hired before July 1, 2022.

16       **Sec. 509.** 2021 c 333 s 510 (uncodified) is amended to read as  
17 follows:

18       **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
19 **AGREEMENTS—MEBA—PORT ENGINEERS**

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

27       (2) An agreement has been reached between the governor and the  
28 marine engineers' beneficial association port engineers pursuant to  
29 chapter 47.64 RCW for fiscal year 2023. The agreement includes and  
30 funding is provided for a general wage increase of 3.25 percent for  
31 fiscal year 2023 and a lump sum payment for employees hired before  
32 July 1, 2022.

33       **Sec. 510.** 2021 c 333 s 511 (uncodified) is amended to read as  
34 follows:

35       **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
36 **AGREEMENTS—MM&P MATES**

1       (1) An agreement has been reached between the governor and the  
2 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for  
3 the 2021-2023 fiscal biennium. Funding is provided to fund the  
4 agreement, which includes a two percent wage increase for second  
5 mates, and does not include the furlough requirement.

6       (2) An agreement has been reached between the governor and the  
7 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for  
8 fiscal year 2023. The agreement includes and funding is provided for  
9 a general wage increase of 3.25 percent for fiscal year 2023 and a  
10 lump sum payment for employees hired before July 1, 2022.

11       **Sec. 511.** 2021 c 333 s 512 (uncodified) is amended to read as  
12 follows:

13 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
14 **AGREEMENTS—MM&P MASTERS**

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

20       (2) An agreement has been reached between the governor and the  
21 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW  
22 for fiscal year 2023. The agreement includes and funding is provided  
23 for a general wage increase of 3.25 percent for fiscal year 2023 and  
24 a lump sum payment for employees hired before July 1, 2022.

25       **Sec. 512.** 2021 c 333 s 513 (uncodified) is amended to read as  
26 follows:

27 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
28 **AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

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

35       (2) An agreement has been reached between the governor and the  
36 masters, mates, and pilots - watch center supervisors pursuant to  
37 chapter 47.64 RCW for fiscal year 2023. The agreement includes and  
38 funding is provided for a general wage increase of 3.25 percent for

1 fiscal year 2023 and a lump sum payment for employees hired before  
2 July 1, 2022.

3 **Sec. 513.** 2021 c 333 s 514 (uncodified) is amended to read as  
4 follows:

5 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**  
6 **AGREEMENTS—IBU**

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

13 (2) An agreement has been reached between the governor and the  
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW  
15 for fiscal year 2023. The agreement includes and funding is provided  
16 for a general wage increase of 3.25 percent for fiscal year 2023 and  
17 a lump sum payment for employees hired before July 1, 2022.

18 **Sec. 514.** 2021 c 333 s 515 (uncodified) is amended to read as  
19 follows:

20 **COLLECTIVE BARGAINING AGREEMENT—WFSE**

21 (1) An agreement has been reached between the governor and the  
22 Washington federation of state employees under the provisions of  
23 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
24 provided to fund the agreement, which does not include wage  
25 increases, but does include 24 furlough days for employees in  
26 position that do not require the position to be backfilled.

27 (2) An agreement has been reached between the governor and the  
28 Washington federation of state employees under the provisions of  
29 chapter 41.80 RCW for fiscal year 2023. The agreement includes and  
30 funding is provided for a general wage increase of 3.25 percent for  
31 fiscal year 2023 and a lump sum payment for employees who were  
32 employed continuously starting on or before July 1, 2021, through  
33 June 30, 2022.

34 **Sec. 515.** 2021 c 333 s 516 (uncodified) is amended to read as  
35 follows:

36 **COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

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

7       (2) An agreement has been reached between the governor and the  
8 professional and technical employees local 17 under the provisions of  
9 chapter 41.80 RCW for fiscal year 2023. The agreement includes and  
10 funding is provided for a general wage increase of 3.25 percent for  
11 fiscal year 2023 and a lump sum payment for employees who were  
12 employed continuously starting on or before July 1, 2021, through  
13 June 30, 2022.

14       **Sec. 516.** 2021 c 333 s 517 (uncodified) is amended to read as  
15 follows:

16 **COLLECTIVE BARGAINING AGREEMENT—WPEA**

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

23       (2) An agreement has been reached between the governor and the  
24 Washington public employees association general government under the  
25 provisions of chapter 41.80 RCW for fiscal year 2023. The agreement  
26 includes and funding is provided for a general wage increase of 3.25  
27 percent for fiscal year 2023 and a lump sum payment for employees  
28 hired before July 1, 2022.

29       **Sec. 517.** 2021 c 333 s 518 (uncodified) is amended to read as  
30 follows:

31 **COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

32       (1) An agreement has been reached for the 2019-2021 biennium  
33 between the governor and the coalition of unions under the provisions  
34 of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is  
35 provided to fund the agreement, which includes 24 furlough days for  
36 employees in position that do not require the position to be  
37 backfilled. The agreement includes and funding is provided for a 2.5  
38 percent wage increase for fiscal year 2022 and a 2.5 percent wage

1 increase for fiscal year 2023 for the department of corrections  
2 marine vessel operators.

3 (2) An agreement has been reached between the governor and the  
4 coalition of unions under the provisions of chapter 41.80 RCW for  
5 fiscal year 2023. The agreement includes and funding is provided for  
6 a general wage increase of 3.25 percent for fiscal year 2023 and a  
7 lump sum payment for employees hired before July 1, 2022.

8 **Sec. 518.** 2021 c 333 s 519 (uncodified) is amended to read as  
9 follows:

10 **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

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

18 (2) An agreement has been reached between the governor and the  
19 Washington state patrol troopers association under the provisions of  
20 chapter 41.56 RCW for fiscal year 2023. The agreement includes and  
21 funding is provided for a general wage increase of 10 percent for  
22 fiscal year 2023.

23 **Sec. 519.** 2021 c 333 s 520 (uncodified) is amended to read as  
24 follows:

25 **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS**  
26 **ASSOCIATION**

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

34 (2) An agreement has been reached between the governor and the  
35 Washington state patrol lieutenants and captains association under  
36 the provisions of chapter 41.56 RCW for fiscal year 2023. The  
37 agreement includes and funding is provided for a general wage  
38 increase of 10 percent for fiscal year 2023.

1       **Sec. 520.** 2021 c 333 s 521 (uncodified) is amended to read as  
2 follows:

3 **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE**  
4 **BENEFITS**

5       An agreement was reached for the 2021-2023 biennium between the  
6 governor and the health care coalition under the provisions of  
7 chapter 41.80 RCW. Appropriations in this act for state agencies,  
8 including institutions of higher education, are sufficient to  
9 implement the provisions of the 2021-2023 collective bargaining  
10 agreement, which maintains the provisions of the 2019-2021 agreement,  
11 and are subject to the following conditions and limitations:

12       The monthly employer funding rate for insurance benefit premiums,  
13 public employees' benefits board administration, and the uniform  
14 medical plan, shall not exceed \$936 per eligible employee for fiscal  
15 year 2022. For fiscal year 2023, the monthly employer funding rate  
16 shall not exceed (~~(\$1091)~~) \$1,130 per eligible employee.

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

27       **Sec. 521.** 2021 c 333 s 522 (uncodified) is amended to read as  
28 follows:

29 **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—**  
30 **INSURANCE BENEFITS**

31       Appropriations for state agencies in this act are sufficient for  
32 represented employees outside the coalition for health benefits, and  
33 are subject to the following conditions and limitations: The monthly  
34 employer funding rate for insurance benefit premiums, public  
35 employees' benefits board administration, and the uniform medical  
36 plan, may not exceed \$936 per eligible employee for fiscal year 2022.  
37 For fiscal year 2023, the monthly employer funding rate may not  
38 exceed (~~(\$1091)~~) \$1,130 per eligible employee.

1       **Sec. 522.** 2021 c 333 s 523 (uncodified) is amended to read as  
2 follows:

3       **COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

4       Appropriations for state agencies in this act are sufficient for  
5 nonrepresented state employee health benefits for state agencies,  
6 including institutions of higher education, and are subject to the  
7 following conditions and limitations: The employer monthly funding  
8 rate for insurance benefit premiums, public employees' benefits board  
9 administration, and the uniform medical plan, shall not exceed \$936  
10 per eligible employee for fiscal year 2022. For fiscal year 2023, the  
11 monthly employer funding rate shall not exceed (~~(\$1091)~~) \$1,130 per  
12 eligible employee.

13       NEW SECTION.   **Sec. 523.** A new section is added to 2021 c 333  
14 (uncodified) to read as follows:

15       **GENERAL WAGE INCREASES**

16       (1) Appropriations for state agency employee compensation in this  
17 act are sufficient to provide general wage increases to state agency  
18 employees who are not represented or who bargain under statutory  
19 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or  
20 RCW 41.56.475.

21       (2) Funding is provided for a 3.25 percent salary increase  
22 effective July 1, 2022, for all classified employees as specified in  
23 subsection (1) of this section, employees in the Washington  
24 management service, and exempt employees under the jurisdiction of  
25 the office of financial management. The appropriations are also  
26 sufficient to fund a 3.25 percent salary increase effective July 1,  
27 2022 for executive, legislative, and judicial branch employees exempt  
28 from merit system rules whose maximum salaries are not set by the  
29 commission on salaries of elected officials.

30       NEW SECTION.   **Sec. 524.** A new section is added to 2021 c 333  
31 (uncodified) to read as follows:

32       **COMPENSATION—PENSION CONTRIBUTIONS**

33       Appropriations to state agencies include funding for an increase  
34 in pension contribution rates for several state pension systems as  
35 provided in this section.

36       (1) An increase of 0.14 percent is funded for state employer  
37 contributions to the public employees' retirement system, the public  
38 safety employees' retirement systems, and the school employees'

1 retirement system. An increase of 0.27 percent for employer  
2 contributions to the teachers' retirement system is funded. These  
3 increases are provided for the purpose of a one-time, ongoing pension  
4 increase for retirees in the public employees' retirement system plan  
5 1 and teachers' retirement system plan 1, as provided in Senate Bill  
6 No. 5676 (providing a benefit increase to certain retirees of the  
7 public employees' retirement system plan 1 and the teachers'  
8 retirement system plan 1). If Senate Bill No. 5676 is not enacted by  
9 June 30, 2022, this subsection lapses.

10 (2) An increase of 0.13 percent is funded for state employer  
11 contributions to the Washington state patrol retirement system. These  
12 increases are provided for the purpose of expanding no-cost  
13 interruptive military service credit to individuals that were issued  
14 an expeditionary medal, as provided in House Bill No. 1804 and Senate  
15 Bill No. 5726 (military service credit). If neither House Bill No.  
16 1804 nor Senate Bill No. 5726 is enacted by June 30, 2022, this  
17 subsection lapses.

18 (3) An increase of 0.10 percent is funded for state employer  
19 contributions to the public safety employees' retirement system.  
20 These increases are provided for the cost to provide an enhanced  
21 disability benefit to members of this system who experience a  
22 qualifying catastrophic disability on the job, as provided in Senate  
23 Bill No. 5748 (PSERS disability benefits). If Senate Bill No. 5748 is  
24 not enacted by June 30, 2022, this subsection lapses.

25 NEW SECTION. **Sec. 525.** The following acts or parts of acts are  
26 each repealed:

- 27 (1) 2021 c 333 s 526 (uncodified);
- 28 (2) 2021 c 333 s 527 (uncodified);
- 29 (3) 2021 c 333 s 528 (uncodified);
- 30 (4) 2021 c 333 s 529 (uncodified);
- 31 (5) 2021 c 333 s 530 (uncodified);
- 32 (6) 2021 c 333 s 531 (uncodified);
- 33 (7) 2021 c 333 s 532 (uncodified); and
- 34 (8) 2021 c 333 s 537 (uncodified).

(End of part)



1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2021 c 333 s 601 (uncodified) is amended to read as  
3 follows:

4 **MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN**  
5 **SESSION**

6 (1) The 2005 transportation partnership projects or improvements  
7 and 2015 connecting Washington projects or improvements are listed in  
8 the LEAP Transportation Document (~~(2021-1)~~) 2022-1 as developed  
9 (~~(April 23, 2021)~~) February 20, 2022, which consists of a list of  
10 specific projects by fund source and amount over a sixteen-year  
11 period. Current fiscal biennium funding for each project is a line-  
12 item appropriation, while the outer year funding allocations  
13 represent a sixteen-year plan. The department of transportation is  
14 expected to use the flexibility provided in this section to assist in  
15 the delivery and completion of all transportation partnership account  
16 and connecting Washington account projects on the LEAP transportation  
17 document referenced in this subsection. For the 2021-2023 project  
18 appropriations, unless otherwise provided in this act, the director  
19 of the office of financial management may provide written  
20 authorization for a transfer of appropriation authority between  
21 projects funded with transportation partnership account  
22 appropriations or connecting Washington account appropriations to  
23 manage project spending and efficiently deliver all projects in the  
24 respective program under the following conditions and limitations:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (4) Before approval, the office of financial management shall  
38 work with legislative staff of the house of representatives and  
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and  
2 ranking members of the transportation committees.

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

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

12 (7)(a) If the department of transportation receives federal  
13 funding not appropriated in this act, the department shall apply such  
14 funds to any of the following activities in lieu of state funds, if  
15 compliant with federal funding restrictions, and in the order that  
16 most reduces administrative burden and minimizes the use of bond  
17 proceeds:

18 (i) Projects on LEAP Transportation Document (~~(2021-2)~~) 2022-2  
19 ALL PROJECTS as developed (~~(April 23, 2021)~~) February 20, 2022; or

20 (ii) Other department of transportation operating or capital  
21 expenditures funded by appropriations from state accounts in this  
22 act.

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

35 **Sec. 602.** 2021 c 333 s 606 (uncodified) is amended to read as  
36 follows:

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

38 (1) By November 15th of each year, the department of  
39 transportation must report on amounts expended to benefit transit,

1 bicycle, or pedestrian elements within all connecting Washington  
2 projects in programs I, P, and Z identified in LEAP Transportation  
3 Document ((2021-2)) 2022-2 ALL PROJECTS as developed ((April 23,  
4 2021)) February 20, 2022. The report must address each modal category  
5 separately and identify if eighteenth amendment protected funds have  
6 been used and, if not, the source of funding.

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

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

Sec. 701. RCW 47.01.071 and 2016 c 35 s 1 are each amended to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate, the policies shall provide for the use of integrated, intermodal transportation systems. The policies must be aligned with the goals established in RCW 47.04.280. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in transportation planning, and in implementing the state transportation plan;

(c) Establish a procedure for review and revision of the state transportation policy and for submission of proposed changes to the governor and the legislature; and

(d) Integrate the statewide transportation plan with the needs of the elderly and persons with disabilities, and coordinate federal and state programs directed at assisting local governments to answer such needs;

(2) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(3) In conjunction with the provisions under RCW 47.01.075, to provide for public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

1 (4) By December 2010, to prepare a comprehensive and balanced  
2 statewide transportation plan consistent with the state's growth  
3 management goals and based on the transportation policy goals  
4 provided under RCW 47.04.280 and applicable state and federal laws.  
5 The plan must reflect the priorities of government developed by the  
6 office of financial management and address regional needs, including  
7 multimodal transportation planning. The plan must, at a minimum: (a)  
8 Establish a vision for the development of the statewide  
9 transportation system; (b) identify significant statewide  
10 transportation policy issues; and (c) recommend statewide  
11 transportation policies and strategies to the legislature to fulfill  
12 the requirements of subsection (1) of this section. The plan must be  
13 the product of an ongoing process that involves representatives of  
14 significant transportation interests and the general public from  
15 across the state. Every four years, except during the 2021-2023  
16 fiscal biennium, the plan shall be reviewed and revised, and  
17 submitted to the governor and the house of representatives and senate  
18 standing committees on transportation.

19 The plan shall take into account federal law and regulations  
20 relating to the planning, construction, and operation of  
21 transportation facilities;

22 (5) To propose to the governor and the legislature prior to the  
23 convening of each regular session held in an odd-numbered year a  
24 recommended budget for the operations of the commission as required  
25 by RCW 47.01.061;

26 (6) To adopt such rules as may be necessary to carry out  
27 reasonably and properly those functions expressly vested in the  
28 commission by statute;

29 (7) To contract with the office of financial management or other  
30 appropriate state agencies for administrative support, accounting  
31 services, computer services, and other support services necessary to  
32 carry out its other statutory duties;

33 (8) To conduct transportation-related studies and policy analysis  
34 to the extent directed by the legislature or governor in the biennial  
35 transportation budget act, or as otherwise provided in law, and  
36 subject to the availability of amounts appropriated for this specific  
37 purpose; and

38 (9) To exercise such other specific powers and duties as may be  
39 vested in the transportation commission by this or any other  
40 provision of law.

1       **Sec. 702.** RCW 46.01.385 and 2021 c 32 s 2 are each amended to  
2 read as follows:

3       The agency financial transaction account is created in the state  
4 treasury. Receipts directed by law to the account from cost recovery  
5 charges for credit card and other financial transaction fees must be  
6 deposited into the account. Moneys in the account may be spent only  
7 after appropriation. Expenditures from the account may be used only  
8 for paying credit card and financial transaction fees, and other  
9 related costs incurred by state agencies. During the 2021-2023 fiscal  
10 biennium, expenditures from the account may also be used for  
11 additional information technology costs related to supporting the  
12 department of licensing operations and addressing its staffing  
13 shortages.

14       **Sec. 703.** RCW 47.01.505 and 2017 c 288 s 4 are each amended to  
15 read as follows:

16       (1) On behalf of the state, the legislature of the state of  
17 Washington invites the legislature of the state of Oregon to  
18 participate in a joint legislative action committee regarding the  
19 construction of a new Interstate 5 bridge spanning the Columbia river  
20 that achieves the following purposes:

21       (a) Works with both states' departments of transportation and  
22 transportation commissions and stakeholders to begin a process toward  
23 project development. It is assumed that the appropriate local and  
24 bistate entities already tasked with related work will also be  
25 included when the legislative and interagency agreements are ready to  
26 move forward. The legislative action committee must convene its first  
27 meeting by December 15, 2017;

28       (b) Reviews and confirms lead roles related to permitting,  
29 construction, operation, and maintenance of a future Interstate 5  
30 bridge project;

31       (c) Establishes a process to seek public comment on the  
32 Interstate 5 bridge project development plan selected and presents  
33 final recommendations for the process and financing to both states;

34       (d) Works to ensure that there are sufficient resources available  
35 to both states' departments of transportation to inventory and  
36 utilize existing data and any prior relevant work to allow for  
37 nonduplicative and efficient decision making regarding a new project;

38       (e) Examines all of the potential mass transit options available  
39 for a future Interstate 5 bridge project;

1 (f) Utilizes design-build procurement, or an equivalent or better  
2 innovation delivery method, and determines the least costly, most  
3 efficient project management and best practices tools consistent with  
4 work already completed including, but not limited to, height,  
5 navigation needs, transparency, economic development, and other  
6 critical elements, while minimizing the impacts of congestion during  
7 construction;

8 (g) Considers the creation of a Columbia river bridge authority  
9 to review bridge needs for possible repair, maintenance, or new  
10 construction, prioritizing those needs and making recommendations to  
11 both states with regard to financing specific projects, timing,  
12 authorities, and operations; and

13 (h) Provides a report to the legislatures of each state that  
14 details the findings and recommendations of the legislative action  
15 committee by December 15, 2018. The report must also contain a  
16 recommendation as to whether the Interstate 5 project should be  
17 designated by the legislature of the state of Washington as a project  
18 of statewide significance and by the state of Oregon with an  
19 equivalent designation.

20 (2) (a) The joint Oregon-Washington legislative action committee  
21 is established, with sixteen members as provided in this subsection:

22 (i) The speaker and minority leader of the house of  
23 representatives of each state shall jointly appoint four members, two  
24 from each of the two largest caucuses of their state's house of  
25 representatives.

26 (ii) The majority leader and minority leader of the senate of  
27 each state shall jointly appoint four members, two from each of the  
28 two largest caucuses of their state's senate.

29 (b) The legislative action committee shall choose its cochairs  
30 from among its membership, one each from the senate and the house of  
31 representatives of both states.

32 (c) Executive agencies, including the departments of  
33 transportation and the transportation commissions, shall cooperate  
34 with the committee and provide information and other assistance as  
35 the cochairs may reasonably request.

36 (d) Staff support for the legislative action committee must be  
37 provided by the Washington house of representatives office of program  
38 research, Washington senate committee services, and, contingent upon  
39 the acceptance by the legislature of the state of Oregon of the  
40 invitation in subsection (1) of this section to participate in the



1 legislative action committee, the Oregon legislative policy and  
2 research office.

3 (e) Legislative members of the legislative action committee are  
4 reimbursed for travel expenses. For Washington legislative members,  
5 this reimbursement must be in accordance with RCW 44.04.120.

6 (f) The expenses of the legislative action committee must be paid  
7 jointly by both states' senate and house of representatives. In  
8 Washington, committee expenditures are subject to approval by the  
9 senate facilities and operations committee and the house of  
10 representatives executive rules committee, or their successor  
11 committees.

12 (g) Each meeting of the legislative action committee must allow  
13 an opportunity for public comment. Legislative action committee  
14 meetings must be scheduled and conducted in accordance with the  
15 requirements of both the senate and the house of representatives of  
16 both states.

17 (h) The Washington members of the joint Oregon-Washington  
18 legislative action committee shall report back to the Washington  
19 state legislature, by August 1, 2022, regarding the progress of the  
20 committee and its work to advance the project to build a new  
21 Interstate 5 bridge spanning the Columbia river. The report must  
22 include a description of the locally preferred alternative ultimately  
23 identified as part of the interstate bridge replacement project.

24 **Sec. 704.** RCW 70A.205.415 and 2009 c 261 s 3 are each amended to  
25 read as follows:

26 The waste tire removal account is created in the state treasury.  
27 Expenditures from the account may be used for the cleanup of  
28 unauthorized waste tire piles, measures that prevent future  
29 accumulation of unauthorized waste tire piles, and road wear related  
30 maintenance on state and local public highways. During the 2007-2009  
31 fiscal biennium, the legislature may transfer from the waste tire  
32 removal account to the motor vehicle fund such amounts as reflect the  
33 excess fund balance of the waste tire removal account. During the  
34 2021-2023 fiscal biennium, appropriations from the waste tire removal  
35 account may be made for the department of transportation to address  
36 the risks to safety and public health associated with homeless  
37 encampments on department owned rights-of-way.

1       **Sec. 705.** RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each  
2 amended to read as follows:

3       (1) Regional transit authorities that include a county with a  
4 population of more than (~~one million five hundred thousand~~)  
5 1,500,000 may submit an authorizing proposition to the voters, and if  
6 approved, may levy and collect an excise tax, at a rate approved by  
7 the voters, but not exceeding eight-tenths of one percent on the  
8 value, under chapter 82.44 RCW, of every motor vehicle owned by a  
9 resident of the taxing district, solely for the purpose of providing  
10 high capacity transportation service. The maximum tax rate under this  
11 subsection does not include a motor vehicle excise tax approved  
12 before July 15, 2015, if the tax will terminate on the date bond debt  
13 to which the tax is pledged is repaid. This tax does not apply to  
14 vehicles licensed under RCW 46.16A.455 except vehicles with an  
15 unladen weight of (~~six thousand~~) 6,000 pounds or less, RCW  
16 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of  
17 this subsection or chapter 82.44 RCW, a motor vehicle excise tax  
18 imposed by a regional transit authority before or after July 15,  
19 2015, must comply with chapter 82.44 RCW as it existed on January 1,  
20 1996, until December 31st of the year in which the regional transit  
21 authority repays bond debt to which a motor vehicle excise tax was  
22 pledged before July 15, 2015. Motor vehicle taxes collected by  
23 regional transit authorities after December 31st of the year in which  
24 a regional transit authority repays bond debt to which a motor  
25 vehicle excise tax was pledged before July 15, 2015, must comply with  
26 chapter 82.44 RCW as it existed on the date the tax was approved by  
27 voters.

28       (2) An agency and high capacity transportation corridor area may  
29 impose a sales and use tax solely for the purpose of providing high  
30 capacity transportation service, in addition to the tax authorized by  
31 RCW 82.14.030, upon retail car rentals within the applicable  
32 jurisdiction that are taxable by the state under chapters 82.08 and  
33 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of  
34 tax imposed under this subsection must bear the same ratio of the  
35 2.172 percent authorized that the rate imposed under subsection (1)  
36 of this section bears to the rate authorized under subsection (1) of  
37 this section. The base of the tax is the selling price in the case of  
38 a sales tax or the rental value of the vehicle used in the case of a  
39 use tax.

1 (3) Any motor vehicle excise tax previously imposed under the  
2 provisions of ((RCW 81.104.160(1))) subsection (1) of this section  
3 shall be repealed, terminated, and expire on December 5, 2002, except  
4 for a motor vehicle excise tax for which revenues have been  
5 contractually pledged to repay a bonded debt issued before December  
6 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d  
7 16, 148 P.3d 1002 (2006). In the case of bonds that were previously  
8 issued, the motor vehicle excise tax must comply with chapter 82.44  
9 RCW as it existed on January 1, 1996.

10 (4) If a regional transit authority imposes the tax authorized  
11 under subsection (1) of this section, the authority may not receive  
12 any state grant funds provided in an omnibus transportation  
13 appropriations act except transit coordination grants created in  
14 chapter 11, Laws of 2015 3rd sp. sess. However, for the 2023-2025  
15 grant solicitation process, occurring during the 2021-2023 fiscal  
16 biennium, a regional transit authority is eligible for regional  
17 mobility grants but only for project proposals supporting bus service  
18 and operations.

19 **Sec. 706.** RCW 82.44.200 and 2021 c 300 s 5 are each amended to  
20 read as follows:

21 The electric vehicle account is created in the transportation  
22 infrastructure account. Proceeds from the principal and interest  
23 payments made on loans from the account must be deposited into the  
24 account. Expenditures from the account may be used only for the  
25 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and  
26 the support of other transportation electrification and alternative  
27 fuel related purposes, including RCW 47.01.520. Moneys in the account  
28 may be spent only after appropriation. During the 2021-2023 fiscal  
29 biennium, the legislature may direct the state treasurer to make  
30 transfers of moneys in the electric vehicle account to the move ahead  
31 WA flexible account.

(End of part)

1 **MISCELLANEOUS**

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

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

(End of part)

(End of Bill)

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