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ENGROSSED SUBSTITUTE HOUSE BILL 1125

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State of Washington

68th Legislature

2023 Regular Session

**By** House Transportation (originally sponsored by Representatives Fey, Lekanoff, Timmons, Paul, Wylie, and Donaghy; by request of Office of Financial Management)

READ FIRST TIME 03/31/23.

1 AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 43.19.642, 82.21.030, 46.68.060, 46.68.300, 47.60.322,  
3 46.68.290, 46.68.063, 47.60.530, 47.60.315, 34.05.350, 46.09.540,  
4 47.66.120, 70A.205.415, 46.68.410, 47.12.063, 46.68.500, 46.68.490,  
5 46.68.280, 46.68.395, 82.44.200, and 47.56.864; amending 2021 c 333  
6 ss 110, 111, 103, and 407; amending 2022 c 186 ss 205-224, 301-310,  
7 312, and 401-406 (uncodified); adding new sections to 2022 c 186  
8 (uncodified); creating new sections; repealing 2022 c 187 ss 1,  
9 101-104, 201-211, 301-308, 401, 501, 502, and 503 (uncodified);  
10 making appropriations and authorizing expenditures for capital  
11 improvements; providing a contingent effective date; and declaring an  
12 emergency.

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

14 **2023-2025 FISCAL BIENNIUM**

15 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state  
16 is hereby adopted and, subject to the provisions set forth, the  
17 several amounts specified, or as much thereof as may be necessary to  
18 accomplish the purposes designated, are hereby appropriated from the  
19 several accounts and funds named to the designated state agencies and  
20 offices for employee compensation and other expenses, for capital

1 projects, and for other specified purposes, including the payment of  
2 any final judgments arising out of such activities, for the period  
3 ending June 30, 2025.

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

6 (a) "Fiscal year 2024" or "FY 2024" means the fiscal year ending  
7 June 30, 2024.

8 (b) "Fiscal year 2025" or "FY 2025" means the fiscal year ending  
9 June 30, 2025.

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

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

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

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

22 (g) "LEAP" means the legislative evaluation and accountability  
23 program committee.

24 **GENERAL GOVERNMENT AGENCIES—OPERATING**

25 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**  
26 **HISTORIC PRESERVATION**

27 Motor Vehicle Account—State Appropriation. . . . . \$588,000

28 NEW SECTION. **Sec. 102. FOR THE DEPARTMENT OF ENTERPRISE**  
29 **SERVICES**

30 Carbon Emissions Reduction Account—State  
31 Appropriation. . . . . \$12,000,000

32 The appropriations in this section are subject to the following  
33 conditions and limitations: \$12,000,000 of the carbon emissions  
34 reduction account—state appropriation is provided solely for zero  
35 emissions electric vehicle supply equipment infrastructure at  
36 facilities to accommodate charging station installations. The

1 electric vehicle charging equipment must allow for the collection of  
2 usage data and must be coordinated with the state efficiency and  
3 environmental performance program. The department must prioritize  
4 locations based on state efficiency and environmental performance  
5 location priorities and where zero emissions fleet vehicles are  
6 located or are scheduled to be purchased. The department must report  
7 when and where the equipment was installed, usage data at each  
8 charging station, and the state agencies and facilities that benefit  
9 from the installation of the charging station to the fiscal  
10 committees of the legislature by June 30, 2025, with an interim  
11 report due January 2, 2024. The department shall collaborate with the  
12 interagency electric vehicle coordinating council to implement this  
13 subsection and must work to meet benchmarks established in chapter  
14 182, Laws of 2022 (transportation resources). In carrying out this  
15 subsection, the department shall cooperate and provide assistance, as  
16 requested, in the joint transportation committee's development of  
17 program delivery evaluation tools and methodologies provided under  
18 section 204 of this act for programs that receive funding from the  
19 carbon emissions reduction account.

20 NEW SECTION. **Sec. 103. FOR THE DEPARTMENT OF NATURAL RESOURCES**

21 Carbon Emissions Reduction Account—State

22 Appropriation. . . . . \$2,200,000

23 The appropriations in this section are subject to the following  
24 conditions and limitations: \$2,200,000 of the carbon emissions  
25 reduction account—state appropriation is provided solely for a fleet  
26 charging infrastructure expansion assessment, to develop a charger  
27 installation plan by location with cost estimates, and to procure and  
28 deploy electric pickup trucks to gather practical information to  
29 support planning efforts and future large-scale electric vehicle  
30 adoption. In carrying out this subsection, the department shall  
31 cooperate and provide assistance, as requested, in the joint  
32 transportation committee's development of program delivery evaluation  
33 tools and methodologies provided under section 204 of this act for  
34 programs that receive funding from the carbon emissions reduction  
35 account.

36 NEW SECTION. **Sec. 104. FOR THE UTILITIES AND TRANSPORTATION**  
37 **COMMISSION**



1 must display the rate of each tax, in cents per gallon, for each type  
2 of fuel.

3 (2) The department of agriculture shall provide notice of federal  
4 and state fuel tax rates, in the form of a fuel tax sticker, to be  
5 displayed on motor fuel pumps.

6 (3) The department of agriculture shall distribute fuel tax  
7 stickers to all individuals who conduct fuel pump inspections,  
8 including department employees and local government employees.  
9 Government employees who conduct fuel pump inspections shall display  
10 a fuel tax sticker on each motor fuel pump or shall verify that such  
11 a sticker is being displayed at the time of inspection as required  
12 under this subsection. Fuel tax stickers must:

13 (a) Be displayed on each face of the motor fuel pump on which the  
14 price of the fuel sold from the pump is displayed; and

15 (b) Be displayed in a clear, conspicuous, and prominent manner.

16 (4) The department of agriculture shall provide fuel tax stickers  
17 by mail to fuel pump owners who request them for the face of each  
18 motor fuel pump for which a sticker is requested.

19 (5) The department of agriculture shall produce updated fuel tax  
20 stickers on an annual basis when one or more fuel tax rates have  
21 changed. Fuel tax stickers must be replaced at the time of motor fuel  
22 pump inspection if the sticker has been updated with any new fuel tax  
23 rates.

24 NEW SECTION. **Sec. 108. FOR THE LEGISLATIVE EVALUATION AND**  
25 **ACCOUNTABILITY PROGRAM COMMITTEE**

26 Motor Vehicle Account—State Appropriation. . . . . \$744,000

27 NEW SECTION. **Sec. 109. FOR THE OFFICE OF MINORITY AND WOMEN'S**  
28 **BUSINESS ENTERPRISES**

29 Move Ahead WA Flexible Account—State Appropriation. . . . . \$3,000,000

30 The appropriation in this section is subject to the following  
31 conditions and limitations: The entire appropriation in this section  
32 is provided solely for increasing the number of certified women and  
33 minority-owned contractors outside of the Puget Sound area in the  
34 transportation sector and supporting these contractors to  
35 successfully compete and earn more transportation contracting  
36 opportunities. This shall be done through various programs including  
37 but not limited to: (1) Outreach to women and minority business

1 communities and individuals; (2) technical assistance, mentorship,  
2 and consultation as needed in areas such as financing, accounting,  
3 contracting, procurement, and resolution of disputes and grievances;  
4 (3) language access programs for those with limited English  
5 proficiency; (4) developing a truck rotation program to allow smaller  
6 minority and women-owned trucking companies to pool their resources  
7 and compete with larger scale trucking operations; and (5) other  
8 programs that aim to increase the number of women and minority  
9 contractors that are successful in obtaining contracts in the  
10 transportation sector either directly with state agencies such as the  
11 department, with local jurisdictions, or as subcontractors for prime  
12 contractors.

13 NEW SECTION. **Sec. 110. FOR THE BOARD OF PILOTAGE COMMISSIONERS**  
14 Pilotage Account—State Appropriation. . . . . \$3,554,000

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

17 (1) The board of pilotage commissioners shall continue to file  
18 the annual report to the governor and chairs of the transportation  
19 committees required under RCW 88.16.035(1)(f) by September of each  
20 year of the biennium. The report must include the continuation of  
21 policies and procedures necessary to increase the diversity of  
22 pilots, trainees, and applicants, including a diversity action plan.

23 (2) \$232,000 is provided to fund a temporary environmental  
24 planner position to support rulemaking to fulfill the requirements of  
25 chapter 289, Laws of 2019.

26 NEW SECTION. **Sec. 111. FOR THE OFFICE OF THE GOVERNOR**  
27 Motor Vehicle Fund—State Appropriation. . . . . \$457,000  
28 State Patrol Highway Account—State Appropriation. . . . . \$750,000  
29 TOTAL APPROPRIATION. . . . . \$1,207,000

30 The appropriation in this section is subject to the following  
31 conditions and limitations: \$750,000 of the state patrol highway  
32 account—state appropriation is provided solely to the state office of  
33 equity solely to achieve equity in Washington state patrol  
34 recruitment and retention practices and to conduct the studies,  
35 evaluations, and reporting functions required in chapter 146, Laws of  
36 2022.

1        NEW SECTION.    **Sec. 112.    FOR THE ECONOMIC AND REVENUE FORECAST**  
2 **COUNCIL**

3 Motor Vehicle Account—State Appropriation. . . . . \$674,000

4        The appropriation in this section is subject to the following  
5 conditions and limitations: The entire motor vehicle account—state  
6 appropriation is provided solely for the implementation of  
7 chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of  
8 2023 (transportation revenue forecast). If chapter . . . (Engrossed  
9 Substitute House Bill No. 1838), Laws of 2023 is not enacted by June  
10 30, 2023, the amount provided in this subsection lapses.

11        NEW SECTION.    **Sec. 113.    FOR THE UNIVERSITY OF WASHINGTON**

12 Multimodal Transportation Account—State  
13 Appropriation. . . . . \$2,000,000

14        The appropriation in this section is subject to the following  
15 conditions and limitations: \$2,000,000 of the multimodal  
16 transportation account—state appropriation is provided solely for the  
17 creation of data for a sidewalk inventory and accessibility mapping  
18 project. The University of Washington shall publish collected data  
19 under an open license in a manner suitable for use by the Washington  
20 department of transportation, local and regional agencies, tribal  
21 governments, and the general public. In gathering data, the  
22 university shall prioritize communities identified by the department  
23 of ecology as overburdened and highly impacted by criteria air  
24 pollution. A report shall be submitted to the transportation  
25 committees of the legislature and the office of the governor by  
26 December 1, 2024, describing progress and selected areas for  
27 inventory and mapping. Data shall be available publicly and a final  
28 report shall be submitted to the transportation committees of the  
29 legislature and the office of the governor by December 1, 2025.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**  
3 **COMMISSION**

|                                                               |              |
|---------------------------------------------------------------|--------------|
| 4 Highway Safety Account—State Appropriation. . . . .         | \$5,156,000  |
| 5 Highway Safety Account—Federal Appropriation. . . . .       | \$27,699,000 |
| 6 Highway Safety Account—Private/Local Appropriation. . . . . | \$60,000     |
| 7 Cooper Jones Active Transportation Safety Account—          |              |
| 8 State Appropriation. . . . .                                | \$400,000    |
| 9 School Zone Safety Account—State Appropriation. . . . .     | \$850,000    |
| 10 TOTAL APPROPRIATION. . . . .                               | \$34,165,000 |

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

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

17 (a) Any programs authorized by the commission must be authorized  
18 by December 31, 2024.

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

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

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

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

36 (iii) Cities testing the use of automated vehicle noise  
37 enforcement cameras must post information on the city website and



1 notify local media outlets indicating the zones in which the  
2 automated vehicle noise enforcement cameras will be used;

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

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

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

21 (vii) By June 30, 2025, the participating cities shall provide a  
22 report to the commission and appropriate committees of the  
23 legislature regarding the use, public acceptance, outcomes, warnings  
24 issued, data retention and use, and other relevant issues regarding  
25 automated vehicle noise enforcement cameras demonstrated by the pilot  
26 projects.

27 (2) The Washington traffic safety commission shall coordinate  
28 with each city that implements a pilot program as authorized in RCW  
29 46.63.170, chapter 224, Laws of 2020 to provide the transportation  
30 committees of the legislature with the following information by June  
31 30, 2025:

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

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

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

|   |                                                           |             |
|---|-----------------------------------------------------------|-------------|
| 1 | Rural Arterial Trust Account—State Appropriation. . . . . | \$1,282,000 |
| 2 | Motor Vehicle Account—State Appropriation. . . . .        | \$3,545,000 |
| 3 | County Arterial Preservation Account—State                |             |
| 4 | Appropriation. . . . .                                    | \$2,052,000 |
| 5 | TOTAL APPROPRIATION. . . . .                              | \$6,879,000 |

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

|   |                                          |             |
|---|------------------------------------------|-------------|
| 7 | Transportation Improvement Account—State |             |
| 8 | Appropriation. . . . .                   | \$4,808,000 |

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

|    |                                                    |             |
|----|----------------------------------------------------|-------------|
| 10 | Carbon Emissions Reduction Account—State           |             |
| 11 | Appropriation. . . . .                             | \$3,000,000 |
| 12 | Motor Vehicle Account—State Appropriation. . . . . | \$3,869,000 |
| 13 | Multimodal Transportation Account—State            |             |
| 14 | Appropriation. . . . .                             | \$375,000   |
| 15 | TOTAL APPROPRIATION. . . . .                       | \$7,244,000 |

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

18       (1) \$125,000 of the motor vehicle account—state appropriation and  
19 \$125,000 of the multimodal transportation account—state appropriation  
20 are for the joint transportation committee to evaluate potential  
21 options and make recommendations for a statewide household travel  
22 survey and additional analytical capacity regarding transportation  
23 research.

24       (a) The recommendation on the statewide household travel survey  
25 must be based on how well a statewide survey investment would:  
26 Address policy questions related to household travel; address gaps  
27 between separate regional and local transportation models; and create  
28 a dataset to allow both for analysis and response to policymakers'  
29 questions relating to household travel and for transportation  
30 modeling and development. In evaluating potential survey options, the  
31 committee shall consider opportunities for the state to partner and  
32 expand on developed established household travel surveys, including  
33 surveys conducted at both the Puget Sound regional council and the  
34 federal highway administration. In its recommendation, the committee  
35 shall outline the process required for a statewide survey, including  
36 the costs and timing of each option.

1 (b) The committee shall recommend an agency or agencies to  
2 perform ongoing analysis of a statewide household travel survey and  
3 other transportation research. The committee shall consider the  
4 ability of an agency or agencies to meet shorter timeline policy  
5 needs, as well as longer timeline research projects. The  
6 recommendation must include the timing and costs associated with the  
7 development of such analytical capacity.

8 (2) \$420,000 of the motor vehicle account—state appropriation is  
9 for the joint transportation committee to continue to provide  
10 consultant resources to assist Washington state ferries in  
11 implementing its workforce plan including addressing recruitment,  
12 retention, diversity, training needs, leadership development, and  
13 succession planning.

14 (3) \$450,000 of the motor vehicle account—state appropriation is  
15 for the joint transportation committee to provide oversight over the  
16 procurement of the hybrid-electric Olympic class vessels. The  
17 committee must hire an expert consultant to review Washington state  
18 ferries documents and procedures relating to the procurement and  
19 identify opportunities to improve the process for the benefit of the  
20 state of Washington. The consultant must be familiar with vessel  
21 procurement best practices, the technologies and propulsion systems  
22 planned for use in the new vessels, and Washington state ferries  
23 operations and procurement procedures. A report on the status and  
24 assessment of the procurement is due by December 15th of each year.

25 (4) \$250,000 of the motor vehicle account—state appropriation is  
26 for the joint transportation committee, from amounts set aside out of  
27 statewide fuel taxes distributed to cities according to RCW  
28 46.68.110(2), to convene a study of a statewide retail delivery fee  
29 on orders of taxable retail items delivered by motor vehicles within  
30 the state. The study must: Determine the annual revenue generation  
31 potential of a range of fee amounts; examine options for revenue  
32 distributions to state and local governments based upon total  
33 deliveries, lane miles, or other factors; and estimate total  
34 implementation costs including start-up and ongoing administrative  
35 costs. The study should document and evaluate similar programs  
36 adopted in other states. The joint transportation committee must  
37 issue a final report to the transportation committees of the  
38 legislature by June 30, 2024.

1 (5) (a) \$2,000,000 of the carbon emissions reduction account—state  
2 appropriation is for the joint transportation committee to oversee:

3 (i) The design of an infrastructure and incentive strategy to  
4 drive the purchase and use of zero-emission medium and heavy duty  
5 vehicles in the state including, but not limited to, programs for  
6 drayage trucks and school buses; and

7 (ii) A review of the passenger vehicle tax incentive in current  
8 law and evaluation of its utility, to include possible modification  
9 of the criteria for eligibility and tax incentive amount maximums, as  
10 applicable.

11 (b) Design development must include recommendations for  
12 encouraging vehicle conversions for smaller commercial vehicle fleets  
13 and owner-operators of commercial vehicles, as well as tools for  
14 facilitating carbon emission reductions to benefit vulnerable  
15 populations and overburdened communities. Infrastructure and  
16 incentive programs recommended may include, but are not limited to,  
17 grant, rebate, tax incentive, and financing assistance programs.

18 (c) Consultation with legislative members identified by the chair  
19 and ranking members of the transportation committees of the  
20 legislature throughout design of the infrastructure and incentive  
21 strategy is required. A report is due to the transportation  
22 committees of the legislature by January 2, 2024.

23 (6) \$1,000,000 of the carbon emissions reduction account—state  
24 appropriation is for the joint transportation committee to oversee  
25 the development of tools and methodologies to assist in program  
26 delivery evaluation for programs that receive appropriations from the  
27 carbon emissions reduction account, the climate active transportation  
28 account, and the climate transit programs account. Program delivery  
29 evaluation must include carbon emissions reduction estimates by  
30 program and by unit of time, program cost per unit of emission  
31 reduction, quantified benefits to vulnerable populations and  
32 overburdened communities by program cost, any additional appropriate  
33 qualitative and quantitative metrics, and actionable recommendations  
34 for improvements in program delivery. A report is due to the  
35 transportation committees of the legislature by October 1, 2024.

36 (7) \$250,000 of the multimodal transportation account—state  
37 appropriation is for the joint transportation committee to conduct a  
38 benefit-cost analysis of electrification of class 1 rail yards in  
39 Washington state to study the feasibility of rail yard

1 electrification by working in consultation with class 1 rail carriers  
2 operating in the state to:

3 (a) Create an inventory of switcher locomotives operating in  
4 class 1 rail yards in the state, including the tier status of  
5 switchers;

6 (b) Estimate the annual emissions generated from current  
7 switching operations;

8 (c) Determine the approximate replacement cost of identified  
9 switchers using tier-5 battery-electric switcher locomotives and the  
10 necessary charging infrastructure; and

11 (d) Present the findings to the transportation committees of the  
12 legislature by December 1, 2023.

13 (8) \$500,000 of the motor vehicle account—state appropriation is  
14 for the joint transportation committee to engage an independent  
15 review team to work in coordination with the Washington state  
16 department of transportation's analysis, funded in section 223 of  
17 this act, of highway, road, and freight rail transportation needs,  
18 options, and impacts from shifting the movement of freight and goods  
19 that currently move by barge through the lower Snake River dams to  
20 highways, other roads, and rail, to ensure greater confidence in the  
21 results of the analysis.

22 (a) The department shall include the independent review team in  
23 all phases of the analysis to enable the team to develop an  
24 independent assessment of the analysis, assumptions, stakeholder  
25 engagement, and cost and impact estimates. Summary findings from the  
26 independent assessment must be provided to the department, the  
27 governor's office, and the transportation committees of the  
28 legislature on a quarterly basis, with a final report due to the  
29 governor and the transportation committees of the legislature by June  
30 30, 2025.

31 (b) The independent review team is required to conduct an  
32 independent stakeholder engagement effort. The river transportation  
33 work group shall be formed to provide data and guidance to the  
34 independent review team for the independent stakeholder engagement  
35 effort. The river transportation work group shall be made up of  
36 stakeholders including farming and agricultural production, federally  
37 recognized tribes and fishing industry, tug and barge operators,  
38 shippers and receivers, public ports, railroad operators, cruise  
39 lines, and the army corps of engineers.

1 (c) The independent review team shall make regular presentations  
2 to the joint transportation committee and, by request, to the  
3 legislature's transportation committees.

4 (9) (a) \$250,000 of the motor vehicle account—state appropriation  
5 is for the joint transportation committee to convene a WSDOT local  
6 partnership work group to create a procedure whereby the department  
7 of transportation can partner with a local jurisdiction to perform  
8 preservation and maintenance and construct projects on state  
9 highways.

10 (b) The work group must consist of, but is not limited to, the  
11 following members: At least three representatives from the department  
12 of transportation with an understanding of the construction process  
13 and contractual legal process used when partnering with other  
14 jurisdictions and at least four representatives that are a city or  
15 county transportation project managers. Work group members are  
16 eligible for reimbursement or allowance for expenses pursuant to RCW  
17 43.03.220.

18 (c) The work group must make recommendations of how the  
19 department could better work in partnership with local jurisdictions  
20 to ensure that roadway construction projects can be performed when  
21 money is made available in the transportation budget even if the  
22 department of transportation does not have the capacity to be the  
23 project manager on a project and a local jurisdiction is ready,  
24 willing, and able to implement the project within the time frames  
25 envisioned in the budget.

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

|    |                                                    |             |
|----|----------------------------------------------------|-------------|
| 27 | Motor Vehicle Account—State Appropriation. . . . . | \$2,539,000 |
| 28 | Interstate 405 and State Route Number 167 Express  |             |
| 29 | Toll Lanes Account—State Appropriation. . . . .    | \$127,000   |
| 30 | Multimodal Transportation Account—State            |             |
| 31 | Appropriation. . . . .                             | \$200,000   |
| 32 | State Route Number 520 Corridor Account—State      |             |
| 33 | Appropriation. . . . .                             | \$276,000   |
| 34 | Tacoma Narrows Toll Bridge Account—State           |             |
| 35 | Appropriation. . . . .                             | \$180,000   |
| 36 | Alaskan Way Viaduct Replacement Project Account—   |             |
| 37 | State Appropriation. . . . .                       | \$172,000   |
| 38 | TOTAL APPROPRIATION. . . . .                       | \$3,494,000 |

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

3 (1) \$127,000 of the Interstate 405 and state route number 167  
4 express toll lanes account—state appropriation, \$276,000 of the state  
5 route number 520 corridor account—state appropriation, \$180,000 of  
6 the Tacoma Narrows toll bridge account—state appropriation, and  
7 \$172,000 of the Alaskan Way viaduct replacement project account—state  
8 appropriation are provided solely for the transportation commission's  
9 time spent supporting tolling operations for the respective tolling  
10 facilities.

11 (2) Within the parameters established by RCW 47.56.880, the  
12 commission shall review toll revenue performance on the Interstate  
13 405 and state route number 167 corridor and adjust Interstate 405  
14 tolls as appropriate to increase toll revenue to provide sufficient  
15 funds for payments of future debt pursuant to RCW 47.10.896 and to  
16 support improvements to the corridor. The commission may consider  
17 adjusting maximum toll rates, minimum toll rates, time-of-day rates,  
18 restricting direct access ramps to transit and HOV vehicles only, or  
19 any combination thereof, in setting tolls to increase toll revenue.

20 (3) \$125,000 of the motor vehicle account—state appropriation and  
21 \$125,000 of the multimodal transportation account—state appropriation  
22 are provided solely for the commission to update the Washington state  
23 transportation plan.

24 (4) The transportation commission shall conduct an assessment  
25 aimed at identifying approaches to streamlining the current  
26 rulemaking process for setting toll rates and policies for eligible  
27 toll facilities, while maintaining public access and providing  
28 opportunities to give input on proposals. The intent of the  
29 assessment shall be to identify rulemaking approaches that support  
30 the state's ability to set toll rates and policies in a timely and  
31 efficient manner, so that the state can meet anticipated funding  
32 obligations. This assessment should include a review of rate-setting  
33 processes used by toll authorities in other states. The  
34 transportation commission shall provide recommendations to the senate  
35 and house transportation committees by July 31, 2024.

36 (5) The commission shall reconvene the road usage charge steering  
37 committee, with the same membership described in chapter 297, Laws of  
38 2018. Any legislative vacancies on the steering committee must be  
39 appointed by the speaker of the house of representatives for a house

1 of representatives member vacancy, and by the president of the senate  
2 for a senate member vacancy.

3 (a) The commission shall report to the steering committee on the  
4 results of the activities undertaken in accordance with the federal  
5 grant awarded July 2020 ("Forward Drive") by December 31, 2023. A  
6 final report on the status of Forward Drive must be provided to the  
7 governor's office and the transportation committees of the  
8 legislature by January 5, 2024.

9 (b) The commission shall coordinate with the department of  
10 transportation to jointly seek federal funds available through the  
11 federal strategic innovations in revenue collection grant program,  
12 applying toll credits for meeting match requirements. The commission  
13 must provide draft applications for federal grant opportunities to  
14 the chairs and ranking members of the transportation committees of  
15 the legislature for review and comment prior to submission.

16 (c) Subject to the award of federal funding under the federal  
17 strategic innovations in revenue collection grant program, the  
18 commission shall convene a road usage charge technical committee  
19 comprising representatives of state agencies involved in the research  
20 and administration of a road usage charging including, at minimum,  
21 the commission and the department of licensing, and with  
22 participation from partner states who have road usage charge  
23 programs. The technical committee shall facilitate information  
24 sharing among participating agencies about road usage charging,  
25 prioritize operational and policy issues for further analysis and  
26 resolution, and identify topics to explore through federally-funded  
27 research. The commission must report on the activities of the  
28 technical committee to the governor's office and the transportation  
29 committees of the legislature annually by January 5th of each year.

30 (6) \$75,000 of the multimodal transportation account—state  
31 appropriation is provided solely for the commission to carry out an  
32 initial assessment and scoping effort to determine the feasibility of  
33 creating a future west coast transportation network plan. This plan  
34 would serve to proactively identify and coordinate improvements and  
35 investments across the west coast states to freight rail, passenger  
36 rail, highways, and air transportation. The intent for the plan is to  
37 leverage and align west coast efforts to reduce our collective carbon  
38 footprint, improve freight and passenger mobility, and strengthen  
39 west coast resiliency. This effort must be carried out in partnership  
40 with the Oregon and California transportation commissions and the





1 (1) Within appropriated funds, the freight mobility strategic  
2 investment board may opt in as provided under RCW 70A.02.030 to  
3 assume all of the substantive and procedural requirements of covered  
4 agencies under chapter 70A.02 RCW. The board shall include in its  
5 2022 annual report to the legislature a progress report on opting  
6 into the healthy environment for all act and a status report on  
7 diversity, equity, and inclusion within the board's jurisdiction.

8 (2) The board shall on an annual basis provide status reports to  
9 the office of financial management and the transportation committees  
10 of the legislature on the delivery of the freight mobility strategic  
11 investment projects on LEAP Transportation Document 2023-2 ALL  
12 PROJECTS as developed on March 26, 2023.

13 (3) \$743,000 of the freight mobility investment account—state is  
14 provided solely for the implementation of chapter . . . (Substitute  
15 House Bill No. 1084), Laws of 2023 (freight mobility priorities). If  
16 chapter . . . (Substitute House Bill No. 1084), Laws of 2023 is not  
17 enacted by June 30, 2023, the amount provided in this subsection  
18 lapses.

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

|    |                                                             |               |
|----|-------------------------------------------------------------|---------------|
| 20 | Alaskan Way Viaduct Replacement Project Account—            |               |
| 21 | State Appropriation. . . . .                                | \$42,000      |
| 22 | State Patrol Highway Account—State Appropriation. . . . .   | \$605,474,000 |
| 23 | State Patrol Highway Account—Federal Appropriation. . . . . | \$20,314,000  |
| 24 | State Patrol Highway Account—Private/Local                  |               |
| 25 | Appropriation. . . . .                                      | \$4,592,000   |
| 26 | Highway Safety Account—State Appropriation. . . . .         | \$3,378,000   |
| 27 | Ignition Interlock Device Revolving Account—State           |               |
| 28 | Appropriation. . . . .                                      | \$1,954,000   |
| 29 | Multimodal Transportation Account—State                     |               |
| 30 | Appropriation. . . . .                                      | \$315,000     |
| 31 | State Route Number 520 Corridor Account—State               |               |
| 32 | Appropriation. . . . .                                      | \$88,000      |
| 33 | Tacoma Narrows Toll Bridge Account—State                    |               |
| 34 | Appropriation. . . . .                                      | \$272,000     |
| 35 | Interstate 405 and State Route Number 167 Express           |               |
| 36 | Toll Lanes Account—State Appropriation. . . . .             | \$2,860,000   |
| 37 | TOTAL APPROPRIATION. . . . .                                | \$639,289,000 |

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

3 (1) Washington state patrol officers engaged in off-duty  
4 uniformed employment providing traffic control services to the  
5 department of transportation or other state agencies may use state  
6 patrol vehicles for the purpose of that employment, subject to  
7 guidelines adopted by the chief of the Washington state patrol. The  
8 Washington state patrol must be reimbursed for the use of the vehicle  
9 at the prevailing state employee rate for mileage and hours of usage,  
10 subject to guidelines developed by the chief of the Washington state  
11 patrol.

12 (2) \$580,000 of the state patrol highway account—state  
13 appropriation is provided solely for the operation of and  
14 administrative support to the license investigation unit to enforce  
15 vehicle registration laws in southwestern Washington. The Washington  
16 state patrol, in consultation with the department of revenue, shall  
17 maintain a running estimate of the additional vehicle registration  
18 fees, sales and use taxes, and local vehicle fees remitted to the  
19 state pursuant to activity conducted by the license investigation  
20 unit. Beginning October 1, 2023, and semiannually thereafter, the  
21 Washington state patrol shall submit a report detailing the  
22 additional revenue amounts generated since January 1, 2023, to the  
23 director of the office of financial management and the transportation  
24 committees of the legislature. At the end of the calendar quarter in  
25 which it is estimated that more than \$625,000 in state sales and use  
26 taxes have been remitted to the state since January 1, 2023, the  
27 Washington state patrol shall notify the state treasurer and the  
28 state treasurer shall transfer funds pursuant to section 406 of this  
29 act.

30 (3) By December 1st of each year during the 2023-2025 biennium,  
31 the Washington state patrol must report to the house and senate  
32 transportation committees on the status of recruitment and retention  
33 activities as follows:

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

35 (b) The number of transportation funded staff vacancies by major  
36 category;

37 (c) The number of applicants for each of the positions by these  
38 categories;

39 (d) The composition of workforce;

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

3 (f) Activities related to the implementation of the agency's  
4 workforce diversity plan, including short-term and long-term,  
5 specific comprehensive outreach and recruitment strategies to  
6 increase populations underrepresented within both commissioned and  
7 noncommissioned employee groups.

8 (4) (a) \$5,825,000 of the state patrol highway account—state  
9 appropriation is provided solely for the land mobile radio system  
10 replacement, upgrade, and other related activities.

11 (b) Funding is not provided for the six-year replacement of  
12 individual portable radios and mobile car radios at this time. Prior  
13 to requesting funding as part of future agency budget submittals for  
14 this component of the land mobile radio project, the Washington state  
15 patrol, in consultation with the office of the state chief  
16 information officer, must conduct a technical feasibility analysis  
17 and cost comparison between potential project vendors in order to  
18 determine that the recommended vendor will result in the most cost  
19 effective project delivery, while maintaining interoperability with  
20 other radio systems and ensure maximum radio coverage. A report  
21 detailing the results and recommendations from these requirements  
22 must be submitted to the office of financial management and the house  
23 and senate transportation committees by November 1, 2023.

24 (c) Beginning January 1, 2024, the Washington state patrol must  
25 report semiannually to the office of the state chief information  
26 officer on the progress related to the projects and activities  
27 associated with the land mobile radio system, including the  
28 governance structure, outcomes achieved in the prior six month time  
29 period, and how the activities are being managed holistically as  
30 recommended by the office of the chief information officer. At the  
31 time of submittal to the office of the state chief information  
32 officer, this report shall be transmitted to the office of financial  
33 management and the house and senate transportation committees.

34 (5) \$4,732,000 of the state patrol highway account—state  
35 appropriation is provided solely for two accelerated training  
36 programs for lateral hires.

37 (6) \$1,624,000 of the state patrol highway account—state  
38 appropriation is provided solely for the criminal investigation  
39 division.

1 (7) \$1,026,000 of the state patrol highway account—state  
2 appropriation is provided solely for the diversity, equity, and  
3 inclusion program.

4 (8) \$1,636,000 of the state patrol highway account—state  
5 appropriation is provided solely for a community engagement program  
6 to improve relationships with historically underrepresented  
7 communities and to recruit and retain a diverse workforce.

8 (9) The appropriations in this section provide sufficient funding  
9 for state patrol staffing assuming vacancy savings which may change  
10 over time. Funding for staffing will be monitored and adjusted in the  
11 2024 supplemental budget to restore funding as authorized staffing  
12 levels are achieved.

13 (10) \$98,000 of the state patrol highway account—state is  
14 provided solely for the implementation of chapter . . . (House Bill  
15 No. 1179), Laws of 2023 (nonconviction data). If chapter . . . (House  
16 Bill No. 1179), Laws of 2023 is not enacted by June 30, 2023, the  
17 amount provided in this subsection lapses.

18 (11) \$6,000 of the state patrol highway account—state is provided  
19 solely for the implementation of chapter . . . (Engrossed Second  
20 Substitute House Bill No. 1541), Laws of 2023 (lived experience). If  
21 chapter . . . (Engrossed Second Substitute House Bill No. 1541), Laws  
22 of 2023 is not enacted by June 30, 2023, the amount provided in this  
23 subsection lapses.

24 (12) \$76,000 of the state patrol highway account—state is  
25 provided solely for the implementation of chapter . . . (House Bill  
26 No. 1112), Laws of 2023 (negligent driving). If chapter . . . (House  
27 Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023, the  
28 amount provided in this subsection lapses.

29 (13) By December 1, 2024, the Washington state patrol must  
30 provide a report to the governor and appropriate committees of the  
31 legislature on the status of *McClain v. Washington State Patrol* and  
32 an update on legal expenses associated with the case.

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

34 Driver Licensing Technology Support Account—State

35 Appropriation. . . . . \$1,743,000

36 Marine Fuel Tax Refund Account—State Appropriation. . . . . \$34,000

37 Motorcycle Safety Education Account—State

38 Appropriation. . . . . \$5,275,000

|    |                                                             |               |
|----|-------------------------------------------------------------|---------------|
| 1  | Limited Fish and Wildlife Account—State                     |               |
| 2  | Appropriation. . . . .                                      | \$757,000     |
| 3  | Highway Safety Account—State Appropriation. . . . .         | \$268,434,000 |
| 4  | Highway Safety Account—Federal Appropriation. . . . .       | \$2,371,000   |
| 5  | Motor Vehicle Account—State Appropriation. . . . .          | \$95,241,000  |
| 6  | Motor Vehicle Account—Private/Local Appropriation. . . . .  | \$1,336,000   |
| 7  | Ignition Interlock Device Revolving Account—State           |               |
| 8  | Appropriation. . . . .                                      | \$6,381,000   |
| 9  | Department of Licensing Services Account—State              |               |
| 10 | Appropriation. . . . .                                      | \$8,651,000   |
| 11 | License Plate Technology Account—State                      |               |
| 12 | Appropriation. . . . .                                      | \$4,147,000   |
| 13 | Abandoned Recreational Vehicle Disposal Account—State       |               |
| 14 | Appropriation. . . . .                                      | \$3,090,000   |
| 15 | Limousine Carriers Account—State Appropriation. . . . .     | \$126,000     |
| 16 | Electric Vehicle Account—State Appropriation. . . . .       | \$442,000     |
| 17 | DOL Technology Improvement & Data Management                |               |
| 18 | Account—State Appropriation. . . . .                        | \$944,000     |
| 19 | Agency Financial Transaction Account—State                  |               |
| 20 | Appropriation. . . . .                                      | \$16,998,000  |
| 21 | Move Ahead WA Flexible Account—State Appropriation. . . . . | \$2,096,000   |
| 22 | TOTAL APPROPRIATION. . . . .                                | \$418,066,000 |

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

25       (1) \$1,100,000 of the highway safety account—state appropriation  
26 and \$1,100,000 of the move ahead WA flexible account—state  
27 appropriation are provided solely for the department to provide an  
28 interagency transfer to the department of children, youth, and  
29 families for the purpose of providing driver's license support. In  
30 addition to support services required under RCW 74.13.338(2), support  
31 services may include reimbursement of:

32       (a) The cost for a youth in foster care of any eligible age to  
33 complete a driver training education course, as outlined in chapter  
34 46.82 or 28A.220 RCW;

35       (b) The costs incurred by foster youth in foster care for a motor  
36 vehicle insurance policy;

37       (c) The costs of roadside assistance, motor vehicle insurance  
38 deductibles, motor vehicle registration fees, towing services, car  
39 maintenance, comprehensive car insurance, and gas cards; and

1 (d) Any other costs related to obtaining a driver's license and  
2 driving legally and safely.

3 (2) For the 2023-2025 biennium, the department shall charge  
4 \$1,336,000 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 (3) \$16,000 of the motorcycle safety education account—state  
9 appropriation, \$2,000 of the limited fish and wildlife account—state  
10 appropriation, \$947,000 of the highway safety account—state  
11 appropriation, \$308,000 of the motor vehicle account—state  
12 appropriation, \$14,000 of the ignition interlock device revolving  
13 account—state appropriation, and \$14,000 of the department of  
14 licensing services account—state appropriation are provided solely  
15 for the department to redesign and improve its online services and  
16 website, and are subject to the conditions, limitations, and review  
17 requirements in section 701 of this act.

18 (4) (a) \$36,000 of the motor vehicle account—state appropriation  
19 is provided solely for the issuance of nonemergency medical  
20 transportation vehicle decals to implement the high occupancy vehicle  
21 lane access pilot program established in section 217(2) of this act.  
22 A for hire nonemergency medical transportation vehicle is a vehicle  
23 that is a "for hire vehicle" under RCW 46.04.190 that provides  
24 nonemergency medical transportation, including for life-sustaining  
25 transportation purposes, to meet the medical transportation needs of  
26 individuals traveling to medical practices and clinics, cancer  
27 centers, dialysis facilities, hospitals, and other care providers.

28 (b) As part of this pilot program, the owner of a for hire  
29 nonemergency medical transportation vehicle may apply to the  
30 department, county auditor or other agent, or subagent appointed by  
31 the director, for a high occupancy vehicle exempt decal for a for  
32 hire nonemergency medical transportation vehicle. The high occupancy  
33 vehicle exempt decal allows the for hire nonemergency medical  
34 transportation vehicle to use a high occupancy vehicle lane as  
35 specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal  
36 biennium.

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

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

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

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

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

10 (i) The name and address of the person who is the owner of the  
11 vehicle;

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

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

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

24 (v) Other information as required by the department upon  
25 application.

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

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

34 (g) A high occupancy vehicle exempt decal expires June 30, 2025,  
35 and must be marked to indicate its expiration date. The decal may be  
36 renewed if the pilot program is continued past the date of a decal's  
37 expiration. The status as an exempt vehicle continues until the high  
38 occupancy vehicle exempt decal is suspended or revoked for misuse,  
39 the vehicle is no longer used as a for hire nonemergency medical



1 transportation vehicle, or the pilot program established in section  
2 217(2) of this act is terminated.

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

4 (5) \$2,000,000 of the highway safety account—state appropriation  
5 is provided solely for driver's license assistance and support  
6 services in King county with an existing provider that is already  
7 providing these services to low-income immigrant and refugee women.  
8 By March 1st, of each year, the contracted provider must submit  
9 information on the annual budget in the preceding year; information  
10 regarding private and other governmental support for the activities  
11 of the provider; and a description of the number of people served,  
12 services delivered, and outcome measures.

13 (6) \$243,000 of the highway safety account—state appropriation is  
14 provided solely for the department to: (a) Provide each driver's  
15 license, identicard, instruction permit, intermediate license, and  
16 commercial driver's license applicant with written materials  
17 regarding the contents and requirements of RCW 46.61.212, the slow  
18 down and move over law, at the completion of the applicant's  
19 licensing transaction; (b) place signage in each of the licensing  
20 service offices that provide background on the written materials that  
21 the applicant will receive regarding the slow down and move over law;  
22 and (c) initiate the development of an appropriate training module  
23 relating to the requirements of RCW 46.61.212, for inclusion in all  
24 new driver training curricula.

25 (7) \$116,000 of the highway safety account—state appropriation is  
26 provided solely for the implementation of chapter . . . (House Bill  
27 No. 1058), Laws of 2023 (commercial driver's licenses) or  
28 chapter . . . (Senate Bill No. 5251), Laws of 2023 (commercial  
29 driver's licenses). If neither chapter . . . (House Bill No. 1058),  
30 Laws of 2023 nor chapter . . . (Senate Bill No. 5251), Laws of 2023  
31 is enacted by June 30, 2023, the amount provided in this subsection  
32 lapses.

33 (8) \$262,000 of the highway safety account—state appropriation is  
34 provided solely for the implementation of chapter . . . (Substitute  
35 House Bill No. 1104), Laws of 2023 (deferred prosecutions). If  
36 chapter . . . (Substitute House Bill No. 1104), Laws of 2023 is not  
37 enacted by June 30, 2023, the amount provided in this subsection  
38 lapses.

1 (9) \$8,000 of the motorcycle safety education account—state  
2 appropriation is provided solely for the implementation of  
3 chapter . . . (Substitute House Bill No. 1171), Laws of 2023  
4 (motorcycle safety board). If chapter . . . (Substitute House Bill  
5 No. 1171), Laws of 2023 is not enacted by June 30, 2023, the amount  
6 provided in this subsection lapses.

7 (10) \$168,000 of the motor vehicle account—state appropriation is  
8 provided solely for the implementation of chapter . . . (Engrossed  
9 Substitute House Bill No. 1736), Laws of 2023 (vehicle odometer  
10 readings). If chapter . . . (Engrossed Substitute House Bill No.  
11 1736), Laws of 2023 is not enacted by June 30, 2023, the amount  
12 provided in this subsection lapses.

13 (11) \$282,000 of the highway safety account—state appropriation  
14 is provided solely for the implementation of chapter . . . (House  
15 Bill No. 1112), Laws of 2023 (negligent driving). If chapter . . .  
16 (House Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023,  
17 the amount provided in this subsection lapses.

18 (12) \$173,000 of the highway safety account—state appropriation  
19 is provided solely for the implementation of chapter . . .  
20 (Substitute House Bill No. 1493), Laws of 2023 (impaired driving). If  
21 chapter . . . (Substitute House Bill No. 1493), Laws of 2023 is not  
22 enacted by June 30, 2023, the amount provided in this subsection  
23 lapses.

24 (13) \$1,077,000 of the highway safety account—federal  
25 appropriation is provided solely for the implementation of either  
26 chapter . . . (House Bill No. 1448), Laws of 2023 (motor carrier  
27 safety) or chapter . . . (Senate Bill No. 5041), Laws of 2023 (motor  
28 carrier safety). If neither chapter . . . (House Bill No. 1448), Laws  
29 of 2023 nor chapter . . . (Senate Bill No. 5041), Laws of 2023 is  
30 enacted by June 30, 2023, the amount provided in this subsection  
31 lapses.

32 (14) \$29,000 of the motor vehicle account—state appropriation is  
33 provided solely for the implementation of either chapter . . .  
34 (Substitute House Bill No. 1829), Laws of 2023 (LeMay special license  
35 plate) or chapter . . . (Substitute Senate Bill No. 5738), Laws of  
36 2023 (LeMay special license plate). If neither chapter . . .  
37 (Substitute House Bill No. 1829), Laws of 2023 nor chapter . . .  
38 (Substitute Senate Bill No. 5738), Laws of 2023 is enacted by June  
39 30, 2023, the amount provided in this subsection lapses.

1 (15) \$29,000 of the motor vehicle account—state appropriation is  
2 provided solely for the implementation of either chapter . . . (House  
3 Bill No. 1489), Laws of 2023 (Mt. St. Helens special license plate)  
4 or chapter . . . (Substitute Senate Bill No. 5590), Laws of 2023 (Mt.  
5 St. Helens special license plate). If neither chapter . . .  
6 (Substitute House Bill No. 1489), Laws of 2023 nor chapter . . .  
7 (Substitute Senate Bill No. 5590), Laws of 2023 is enacted by June  
8 30, 2023, the amount provided in this subsection lapses.

9 (16) (a) \$265,000 of the highway safety account—state  
10 appropriation is provided solely for the department to provide an  
11 interagency transfer to the Washington center for deaf and hard of  
12 hearing youth, in consultation with the department and the office of  
13 the superintendent of public instruction, to fund the cost of  
14 interpreters for driver training education for deaf and hard or  
15 hearing youth to enable them to access driver training education at  
16 the same cost as their peers, and to pilot a sustainable driver  
17 training education program to determine how best to meet the driver  
18 training education needs of deaf and hard of hearing youth in the  
19 state in the future. The pilot must include:

20 (i) Determination of an appropriate number of instructors and an  
21 appropriate method of certification for instructors who are fluent in  
22 American Sign Language (ASL);

23 (ii) Determination of how best to provide driver training  
24 education statewide to deaf and hard of hearing novice drivers;

25 (iii) Development of a program to offer the required curriculum  
26 under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

27 (iv) Capped course instruction costs for deaf and hard of hearing  
28 students at the average rate of their hearing peers.

29 (b) The department shall submit a report to the transportation  
30 committees of the legislature developed by the Washington center for  
31 deaf and hard of hearing youth by March 1, 2024, that provides  
32 recommendations for a permanent program to make driver education  
33 equitably accessible for deaf and hard of hearing students.

34 (17) \$350,000 of the highway safety account—state appropriation  
35 is provided solely for the department to improve the process for  
36 commercial driver license holders to submit medical certification  
37 documents and update self-certification status to the department. The  
38 department shall:

1 (a) Update license express to improve the process and make it  
2 more user friendly;

3 (b) Add options for the driver to renew or replace the driver's  
4 CDL credentials as part of the medical or self-certification process;

5 (c) Add a customer verification step confirming the requested  
6 changes and clearly stating how this change will impact the driver's  
7 CDL; and

8 (d) Add improved messaging throughout the process.

9 In addition, the department shall make available on the abstract  
10 of driving record a complete medical certificate downgrade history,  
11 and provide a one-time mailing to all current CDL holders explaining  
12 the process to update their medical certificate documents and self-  
13 certification.

14 (18) The appropriations in this section assume adequate funding  
15 for licensing service office operations given continued  
16 implementation by the department of efficiency measures that reduce  
17 the time for licensing transactions and wait times and reflect the  
18 ongoing shift to alternative licensing channels due to statutory and  
19 policy changes made during the pandemic along with the delay of the  
20 federal Real ID program. The department shall report on licensing  
21 service office workload on a quarterly basis. The report must include  
22 detailed statewide and by licensing service office information on  
23 staffing levels, average monthly wait times, the number of enhanced  
24 drivers' licenses and enhanced identicards issued/renewed, and the  
25 number of primary drivers' licenses and identicards issued/renewed.

26 (19) \$228,000 of the highway safety account—state appropriation  
27 is provided for the increased costs from leases, parking, and other  
28 services associated with licensing service offices relocating during  
29 the 2023-2025 fiscal biennium.

30 (20) \$2,790,000 of the highway safety account—state appropriation  
31 is provided for the one-time costs to relocate licensing service  
32 offices during the 2023-2025 fiscal biennium.

33 (21) \$1,962,000 of the highway safety account—state appropriation  
34 is provided solely for the establishment of a pilot mobile licensing  
35 unit to provide licensing and identicard services. By December 1,  
36 2024, the department must submit a report to the governor and the  
37 transportation committees of the legislature detailing the locations  
38 served, the number and type of documents issued, and other outcome  
39 measures associated with the mobile licensing unit. The report shall

1 include consideration of the facility needs of licensing service  
2 offices in the context of flexible mobile licensing services.

3 (22) \$4,860,000 of the motor vehicle account—state appropriation  
4 is provided solely for the department to upgrade and improve its  
5 prorate and fuel tax system and is subject to the conditions,  
6 limitations, and review requirements of section 701 of this act.

7 (23) (a) \$150,000 of the motor vehicle account—state appropriation  
8 is provided solely for the department, in consultation with the  
9 Washington state transportation commission, to conduct a study on the  
10 feasibility of implementing and administering a per-mile fee program.  
11 The study must:

12 (i) Identify the technical investment required to implement a  
13 per-mile program within existing technology platforms;

14 (ii) Identify the staffing and resources needed to administer the  
15 program, including any additional resources to support the vehicle  
16 licensing offices;

17 (iii) Identify any costs associated with a social media and  
18 awareness campaign;

19 (iv) Research third-party vendor options for offering customers  
20 different mileage reporting methods or for outsourcing certain  
21 aspects of administering the program; and

22 (v) Review use cases and adoption rates in other states,  
23 including successes and lessons learned.

24 (b) A report of the study findings is due to the transportation  
25 committees of the legislature and the governor by December 31, 2023.

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

|    |                                                      |               |
|----|------------------------------------------------------|---------------|
| 28 | State Route Number 520 Corridor Account—State        |               |
| 29 | Appropriation. . . . .                               | \$58,845,000  |
| 30 | State Route Number 520 Civil Penalties Account—State |               |
| 31 | Appropriation. . . . .                               | \$4,178,000   |
| 32 | Tacoma Narrows Toll Bridge Account—State             |               |
| 33 | Appropriation. . . . .                               | \$30,723,000  |
| 34 | Alaskan Way Viaduct Replacement Project Account—     |               |
| 35 | State Appropriation. . . . .                         | \$20,693,000  |
| 36 | Interstate 405 and State Route Number 167 Express    |               |
| 37 | Toll Lanes Account—State Appropriation. . . . .      | \$23,751,000  |
| 38 | TOTAL APPROPRIATION. . . . .                         | \$138,190,000 |

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

3 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
4 appropriation and \$12,484,000 of the state route number 520 corridor  
5 account—state appropriation are provided solely for the purposes of  
6 addressing unforeseen operations and maintenance costs on the Tacoma  
7 Narrows bridge and the state route number 520 bridge, respectively.  
8 The office of financial management shall place the amounts provided  
9 in this subsection, which represent a portion of the required minimum  
10 fund balance under the policy of the state treasurer, in unallotted  
11 status. The office may release the funds only when it determines that  
12 all other funds designated for operations and maintenance purposes  
13 have been exhausted.

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

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

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

32 (3) (a) \$314,000 of the Interstate 405 and state route number 167  
33 express toll lanes account—state appropriation, \$734,000 of the state  
34 route number 520 corridor account—state appropriation, \$315,000 of  
35 the Tacoma Narrows toll bridge account—state appropriation, and  
36 \$413,000 of the Alaskan Way viaduct replacement project account—state  
37 appropriation are provided solely for the reappropriation of unspent  
38 funds on the new tolling back office system from the 2021-2023  
39 biennium.

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

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

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

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

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

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

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

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

32 (iv) Workload costs related to hearings;

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

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

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

38 (5) \$2,584,000 of the state route number 520 corridor account—  
39 state appropriation and \$432,000 of the Tacoma Narrows toll bridge  
40 account—state appropriation are provided solely for the increased

1 costs of insurance for the state route number 520 floating bridge and  
2 the Tacoma Narrows bridge, respectively.

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

|    |                                                    |               |
|----|----------------------------------------------------|---------------|
| 5  | Transportation Partnership Account—State           |               |
| 6  | Appropriation. . . . .                             | \$1,494,000   |
| 7  | Motor Vehicle Account—State Appropriation. . . . . | \$125,559,000 |
| 8  | Puget Sound Ferry Operations Account—State         |               |
| 9  | Appropriation. . . . .                             | \$307,000     |
| 10 | Multimodal Transportation Account—State            |               |
| 11 | Appropriation. . . . .                             | \$2,986,000   |
| 12 | Transportation 2003 Account (Nickel Account)—State |               |
| 13 | Appropriation. . . . .                             | \$1,488,000   |
| 14 | TOTAL APPROPRIATION. . . . .                       | \$131,834,000 |

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

|    |                                                    |              |
|----|----------------------------------------------------|--------------|
| 18 | Motor Vehicle Account—State Appropriation. . . . . | \$41,356,000 |
| 19 | Move Ahead WA Account—State Appropriation. . . . . | \$2,532,000  |
| 20 | Multimodal Transportation Account—State            |              |
| 21 | Appropriation. . . . .                             | \$1,200,000  |
| 22 | State Route Number 520 Corridor Account—State      |              |
| 23 | Appropriation. . . . .                             | \$34,000     |
| 24 | TOTAL APPROPRIATION. . . . .                       | \$45,122,000 |

25 The appropriations in this section are subject to the following  
26 conditions and limitations: \$1,200,000 of the multimodal  
27 transportation account—state appropriation is provided solely for the  
28 department to evaluate safety rest areas along I-5 and I-90 for  
29 potential truck parking expansion opportunities. The department shall  
30 also evaluate commercial vehicle inspection locations, in  
31 coordination with the Washington state patrol, for potential truck  
32 parking expansion opportunities. These evaluations must include  
33 assessments of opportunities to provide additional truck parking  
34 through rest stop and inspection location reconfiguration, expansion,  
35 and conversion. The department shall consider opportunities to expand  
36 rest stop footprints onto additional department-owned property, as  
37 well as opportunities to acquire property for rest stop expansion.



1 Opportunities to convert a rest stop to a commercial vehicle-only  
2 rest stop must be considered if property is available to develop a  
3 new light-duty vehicle rest stop within a reasonable distance.  
4 Evaluations must include cost estimates for reconfiguration,  
5 expansion, and conversion. The department should consult with the  
6 federal highway administration, the Washington state patrol, the  
7 Washington trucking association, the freight mobility strategic  
8 investment board, and local communities. The department is required  
9 to update the transportation committees of the legislature on agency  
10 activities and their status by December 1, 2023, and to provide a  
11 final report to the transportation committees of the legislature by  
12 December 1, 2024.

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

15 Move Ahead WA Account—State Appropriation. . . . . \$27,930,000

16 The appropriation in this section is subject to the following  
17 conditions and limitations:

18 (1) \$21,599,000 of the move ahead WA account—state appropriation  
19 is provided solely for the purchase, maintenance, repair,  
20 replacement, and disposal of vehicles and equipment.

21 (2) \$6,331,000 of the move ahead WA account—state appropriation  
22 is provided solely to replace fuel sites. In doing so, the department  
23 shall prioritize the replacement of sites which present the greatest  
24 risk of failure and environmental contamination. The department shall  
25 submit a report to the legislature by December 1, 2023, on fuel site  
26 replacement efforts. The report shall include:

27 (a) A list of department owned and managed fuel sites prioritized  
28 by urgency of replacement;

29 (b) A discussion of department practices that would create a  
30 sustained revenue source for capital repair and replacement of fuel  
31 sites; and

32 (c) A discussion of to what extent the fuel site infrastructure  
33 can support zero emissions vehicles.

34 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**  
35 **AVIATION—PROGRAM F**

36 Aeronautics Account—State Appropriation. . . . . \$12,722,000

37 Aeronautics Account—Federal Appropriation. . . . . \$3,650,000

|   |                                                          |              |
|---|----------------------------------------------------------|--------------|
| 1 | Aeronautics Account—Private/Local Appropriation. . . . . | \$60,000     |
| 2 | Carbon Emissions Reduction Account—State                 |              |
| 3 | Appropriation. . . . .                                   | \$1,476,000  |
| 4 | Multimodal Transportation Account—State                  |              |
| 5 | Appropriation. . . . .                                   | \$400,000    |
| 6 | TOTAL APPROPRIATION. . . . .                             | \$18,308,000 |

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

9       (1) \$1,931,000 of the aeronautics account—state appropriation is  
10 provided solely for the implementation of chapter . . . (Engrossed  
11 Substitute House Bill No. 1791), Laws of 2023 (commercial aviation  
12 services). If chapter . . . (Engrossed Substitute House Bill No.  
13 1791), Laws of 2023 is not enacted by June 30, 2023, the amount  
14 provided in this subsection lapses.

15       (2) \$324,000 of the aeronautics account—state appropriation is  
16 provided solely for the implementation of chapter . . . (Engrossed  
17 Substitute House Bill No. 1554), Laws of 2023 (lead impacts). If  
18 chapter . . . (Engrossed Substitute House Bill No. 1554), Laws of  
19 2023 is not enacted by June 30, 2023, the amount provided in this  
20 subsection lapses.

21       (3) \$1,476,000 of the carbon emissions reduction account—state  
22 appropriation is provided solely for sustainable aviation grants  
23 recommended by the department under the sustainable aviation grants  
24 program. The department shall submit a report to the transportation  
25 committees of the legislature by October 1, 2024, identifying a  
26 selection of sustainable aviation projects for funding by the  
27 legislature. In considering projects to recommend to fund, the  
28 department shall only consider projects that advance the state of  
29 sustainable aviation technology and lead to future innovation.  
30 Innovative sustainable aviation projects may include, but are not  
31 limited to, pilot projects demonstrating the usage of:

- 32       (a) Mobile battery charging technology;
- 33       (b) Hydrogen electrolyzers and storage;
- 34       (c) electric ground equipment; and
- 35       (d) Hanger charging technology.

36       (4) \$2,000,000 of the aeronautics account—state appropriation is  
37 provided solely for move ahead WA aviation grants. In administering  
38 these grants, the department shall prioritize projects eligible for  
39 federal funding.

1 (5) \$2,800,000 of the aeronautics account—state appropriation is  
2 provided solely for the airport aid grant program, which provides  
3 competitive grants to public use airports for pavement, safety,  
4 maintenance, planning, and security.

5 (6) \$300,000 of the aeronautics account—state appropriation is  
6 provided solely for the department to develop a statewide advanced  
7 air mobility aircraft plan to develop and integrate advanced air  
8 mobility aircraft into current modal systems. The department shall  
9 submit a report by June 1, 2025, to the office of financial  
10 management and the transportation committees of the legislature  
11 including, but not limited to, the following information:

12 (a) Near, medium, and long-term recommendations for land use  
13 planning for advanced and urban air mobility vertiports and  
14 vertistops;

15 (b) An inventory of infrastructure needs to support a statewide  
16 vertiport network and a recommended program to deploy funds to local  
17 governments to share costs;

18 (c) Proposed state governance structures and regulatory  
19 mechanisms to adequately complement federal aviation administration  
20 oversight;

21 (d) Recommended policies to foster vertiport and vertistop  
22 infrastructure development that ensure open public access, efficiency  
23 in land use siting, and equitable distribution across the state; and

24 (e) In consultation with local jurisdictions, planning  
25 organizations and other modal managers, make recommendations on  
26 advanced air mobility aircraft integration into statewide  
27 transportation plans.

28 (7) \$400,000 of the multimodal transportation account—state  
29 appropriation is reappropriated and provided solely for planning for  
30 improvements to Bowerman airport in Hoquiam, Washington.

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

|    |                                                      |              |
|----|------------------------------------------------------|--------------|
| 33 | Motor Vehicle Account—State Appropriation. . . . .   | \$68,006,000 |
| 34 | Motor Vehicle Account—Federal Appropriation. . . . . | \$500,000    |
| 35 | Multimodal Transportation Account—State              |              |
| 36 | Appropriation. . . . .                               | \$758,000    |
| 37 | Natural Climate Solutions Account—State              |              |
| 38 | Appropriation. . . . .                               | \$93,000     |

1 TOTAL APPROPRIATION. . . . . \$69,357,000

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

4 (1) During the 2023-2025 biennium, if the department takes  
5 possession of the property situated in the city of Edmonds for which  
6 a purchase agreement was executed between Unocal and the department  
7 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department  
8 confirms that the property is still no longer needed for  
9 transportation purposes, the department shall provide the city of  
10 Edmonds with the first right of purchase at fair market value in  
11 accordance with RCW 47.12.063(3) for the city's intended use of the  
12 property to rehabilitate near-shore habitat for salmon and related  
13 species.

14 (2) \$410,000 of the motor vehicle account—state appropriation is  
15 reappropriated and provided solely for the implementation of chapter  
16 217, Laws of 2021 (noxious weeds).

17 (3) (a) The department shall offer to sell, convey, or lease the  
18 northern parcel of site 14 on the Puget Sound Gateway Program SR 509  
19 Completion Project Surplus Property list, located immediately south  
20 of S. 216th Street and adjacent to the Barnes Creek Nature in Des  
21 Moines, to Seattle Goodwill Industries, a nonprofit organization with  
22 tax ID 91-05688708, located at 700 Dearborn Place S, Seattle, WA  
23 98144, in accordance with RCW 47.12.063 at less than its fair market  
24 value or market lease rate to the extent the department finds it is  
25 in the public interest to do so because the public benefit that will  
26 result from Goodwill's redevelopment of the property it owns at  
27 Rainier Ave South and South Dearborn Street to increase the supply of  
28 affordable housing would not otherwise be adequately compensated.

29 (b) A portion of the transfer from the multimodal account to the  
30 motor vehicle fund reimburses the motor vehicle fund for any impact  
31 to the motor vehicle fund that results from the property sale,  
32 conveyance, or lease authorized in this subsection that could be  
33 construed as violative of the requirements of the 18th amendment of  
34 the state Constitution. This reimbursement to the motor vehicle fund  
35 is intended to address any possibility that the sale, conveyance, or  
36 lease authorized in this subsection could be determined to result in  
37 the unconstitutional use of 18th amendment designated funds for  
38 nonhighway purposes under the state Constitution; however, this  
39 transfer is not intended to indicate that the sale, conveyance, or

1 lease authorized in this subsection necessarily requires such  
2 reimbursement under the state Constitution.

3 (4) \$93,000 of the natural climate solutions account—state  
4 appropriation is provided solely for the implementation of  
5 chapter . . . (Engrossed Second Substitute House Bill No. 1170), Laws  
6 of 2023 (climate resiliency strategy). If chapter . . . (Engrossed  
7 Second Substitute House Bill No. 1170), Laws of 2023, is not enacted  
8 by June 30, 2023, the amount provided in this subsection lapses.

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

|    |                                                       |               |
|----|-------------------------------------------------------|---------------|
| 11 | Carbon Emissions Reduction Account—State              |               |
| 12 | Appropriation. . . . .                                | \$209,500,000 |
| 13 | Motor Vehicle Account—State Appropriation. . . . .    | \$732,000     |
| 14 | Electric Vehicle Account—State Appropriation. . . . . | \$4,946,000   |
| 15 | Multimodal Transportation Account—State               |               |
| 16 | Appropriation. . . . .                                | \$2,500,000   |
| 17 | Multimodal Transportation Account—Federal             |               |
| 18 | Appropriation. . . . .                                | \$25,000,000  |
| 19 | TOTAL APPROPRIATION. . . . .                          | \$242,678,000 |

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

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

25 (2) \$3,746,000 of the electric vehicle account—state  
26 appropriation and \$35,900,000 of the carbon reduction emissions  
27 account—state appropriation are provided solely for the clean  
28 alternative fuel vehicle charging and refueling infrastructure  
29 program in chapter 287, Laws of 2019 (advancing green transportation  
30 adoption).

31 (3) \$1,200,000 of the multimodal transportation account—state  
32 appropriation and \$3,000,000 of the carbon reduction emissions  
33 account—state appropriation are provided solely for the pilot program  
34 established under chapter 287, Laws of 2019 (advancing green  
35 transportation adoption) to provide clean alternative fuel vehicle  
36 use opportunities to underserved communities and low to moderate  
37 income members of the workforce not readily served by transit or  
38 located in transportation corridors with emissions that exceed

1 federal or state emissions standards. Consistent with the  
2 geographical diversity element described in RCW 47.04.355(4), the  
3 legislature strongly encourages the department to consider  
4 implementing the pilot in both urban and rural communities if  
5 possible, to obtain valuable information on the needs of underserved  
6 communities located in different geographical locations in  
7 Washington.

8 (4) \$1,000,000 of the electric vehicle account—state  
9 appropriation and \$500,000 of the multimodal transportation account—  
10 state appropriation are provided solely for a colocated DC fast  
11 charging and hydrogen fueling station near the Wenatchee or East  
12 Wenatchee area near a state route or near or on a publicly owned  
13 facility to service passenger, light-duty and heavy-duty vehicles.  
14 The hydrogen fueling station must include a DC fast charging station  
15 colocated at the hydrogen fueling station site. Funds may be used for  
16 one or more fuel cell electric vehicles that would utilize the  
17 fueling stations. The department must contract with a public utility  
18 district that produces hydrogen in the area to own and/or manage and  
19 provide technical assistance for the design, planning, permitting,  
20 construction, maintenance and operation of the hydrogen fueling  
21 station. The department and public utility district are encouraged to  
22 collaborate with and seek contributions from additional public and  
23 private partners for the fueling station.

24 (5) \$25,000,000 of the multimodal transportation account—federal  
25 appropriation and \$200,000 of the electric vehicle account—state  
26 appropriation are provided solely to implement and administer the  
27 national electric vehicle program, established in the federal  
28 infrastructure investment and jobs act (P.L. 117-58), as directed by  
29 the interagency electric vehicle coordinating council created in  
30 chapter 182, Laws of 2022.

31 (6) \$800,000 of the multimodal transportation account—state  
32 appropriation is provided solely for the department to coordinate  
33 with cities, counties, ports, and private entities to develop  
34 recommendations for state assistance in the development of specific  
35 candidate truck parking sites to be developed with amenities,  
36 identified by location. The public benefit of each potential truck  
37 parking site must be included in this assessment. The department  
38 shall consider opportunities for the state to provide assistance in  
39 the development of truck parking sites, including possible

1 opportunities to provide assistance in land acquisition and  
2 evaluating land use requirements. The department is required to  
3 update the transportation committees of the legislature on agency  
4 activities and their status by December 1, 2023, and to provide a  
5 final report to the transportation committees of the legislature by  
6 December 1, 2024.

7 (7) \$149,900,000 of the carbon emissions reduction account—state  
8 appropriation is provided solely for implementation of zero-emission  
9 commercial vehicle infrastructure and incentive programs. The office  
10 of financial management shall place the amounts provided in this  
11 subsection in unallotted status until the joint transportation  
12 committee completes the medium and heavy duty vehicle infrastructure  
13 and incentive strategy required under section 204 of this act. The  
14 director of the office of financial management or their designee  
15 shall consult with the chairs and ranking members of the  
16 transportation committees of the legislature prior to making a  
17 decision to allot these funds.

18 (8) \$15,600,000 of the carbon emissions reduction account—state  
19 appropriation is provided solely for the replacement of school buses  
20 powered by fossil fuels with zero emissions school buses, including  
21 the purchase and installation of zero emissions school bus refueling  
22 infrastructure. The office of financial management shall place the  
23 amounts provided in this subsection in unallotted status until the  
24 joint transportation committee completes the medium and heavy duty  
25 vehicle infrastructure and incentive strategy required under section  
26 204 of this act. The director of the office of financial management  
27 or the director's designee shall consult with the chairs and ranking  
28 members of the transportation committees of the legislature prior to  
29 making a decision to allot these funds.

30 (9) \$3,000,000 of the carbon emissions reduction account—state  
31 appropriation is provided solely for hydrogen refueling  
32 infrastructure investments. The office of financial management shall  
33 place the amounts provided in this subsection in unallotted status  
34 until the joint transportation committee completes the medium and  
35 heavy duty vehicle infrastructure and incentive strategy required  
36 under section 204 of this act. The director of the office of  
37 financial management or the director's designee shall consult with  
38 the chairs and ranking members of the transportation committees of  
39 the legislature prior to making a decision to allot these funds.

1 (10) \$2,100,000 of the carbon emissions reduction account—state  
2 appropriation is provided solely to fund electric vehicle charging  
3 infrastructure for the electric charging megasite project at Mount  
4 Vernon library commons.

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

|    |                                                         |               |
|----|---------------------------------------------------------|---------------|
| 7  | Motor Vehicle Account—State Appropriation. . . . .      | \$572,436,000 |
| 8  | Motor Vehicle Account—Federal Appropriation. . . . .    | \$7,000,000   |
| 9  | Move Ahead WA Account—State Appropriation. . . . .      | \$46,234,000  |
| 10 | State Route Number 520 Corridor Account—State           |               |
| 11 | Appropriation. . . . .                                  | \$4,838,000   |
| 12 | Tacoma Narrows Toll Bridge Account—State                |               |
| 13 | Appropriation. . . . .                                  | \$1,585,000   |
| 14 | Alaskan Way Viaduct Replacement Project Account—        |               |
| 15 | State Appropriation. . . . .                            | \$8,752,000   |
| 16 | Interstate 405 and State Route Number 167 Express       |               |
| 17 | Toll Lanes Account—State Appropriation. . . . .         | \$2,624,000   |
| 18 | Waste Tire Removal Account—State Appropriation. . . . . | \$5,000,000   |
| 19 | TOTAL APPROPRIATION. . . . .                            | \$648,469,000 |

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

22 (1) \$7,529,000 of the motor vehicle account—state appropriation  
23 is provided solely for utility fees assessed by local governments as  
24 authorized under RCW 90.03.525 for the mitigation of stormwater  
25 runoff from state highways.

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

32 (3) \$610,000 of the motor vehicle account—state appropriation is  
33 provided solely for reimbursing the Oregon department of  
34 transportation (ODOT) for the department's share of increased  
35 maintenance costs of six highway bridges over the Columbia River that  
36 are maintained by ODOT.

37 (4) \$82,000 of motor vehicle account—state appropriation is  
38 provided solely for the implementation of chapter . . . (Senate Bill



1 No. 5487), Laws of 2023 (parking at rest areas). If chapter . . .  
2 (Senate Bill No. 5487), Laws of 2023 is not enacted by June 30, 2023,  
3 the amount provided in this subsection lapses.

4 (5) (a) \$115,000 of the state route number 520 corridor account—  
5 state appropriation is provided solely for the department to enter  
6 into a dispute resolution process with local jurisdictions to produce  
7 interagency agreements to address the ongoing facility and landscape  
8 maintenance of the three state route number 520 eastside lids and  
9 surrounding areas at the Evergreen Point Road, 84th Avenue NE, and  
10 92nd Avenue NE.

11 (b) The agreements pursuant to (a) of this subsection must be  
12 executed by June 30, 2024.

13 (6) \$5,400,000 of the motor vehicle account—state appropriation  
14 is reappropriated and provided solely for replacement of traffic  
15 signs and increased visibility of road pavement markings. Investments  
16 must replace traffic signs that do not meet the department's  
17 standards or that are faded, lacking in reflectivity, cracked,  
18 illegible, or damaged. Investments must also increase the visibility  
19 of road pavement markings during periods of low light conditions and  
20 during precipitation with pavement marking products that contain all-  
21 weather optical reflectivity capability. The request for proposals  
22 and subsequent competitive procurement for the signs shall be  
23 performed following state specifications and standards.

24 (7) (a) \$2,000,000 of the motor vehicle account—state  
25 appropriation and \$5,000,000 of the waste tire removal account—state  
26 appropriation are provided solely for the department to address the  
27 risks to safety and public health associated with homeless  
28 encampments on department owned rights-of-way. The department must  
29 coordinate and work with local government officials and social  
30 service organizations who provide services and direct people to  
31 housing alternatives that are not in highway rights-of-way to help  
32 prevent future encampments from forming on highway rights-of-way, and  
33 may reimburse the organizations doing this outreach assistance who  
34 transition people into treatment or housing or for debris clean up on  
35 highway rights-of-way. A minimum of \$2,000,000 of this appropriation  
36 must be used to provide more frequent removal of litter on the  
37 highway rights-of-way that is generated by unsheltered people and may  
38 be used to hire crews specializing in collecting and disposing of  
39 garbage, clearing debris or hazardous material, and implementing

1 safety improvements where hazards exist to the traveling public and  
2 department employees. The department may use these funds to either  
3 reimburse local law enforcement costs or the Washington state patrol  
4 if they are providing enhanced safety to department staff during  
5 debris cleanup or during efforts to prevent future encampments from  
6 forming on highway rights-of-way.

7 (b) Beginning November 1, 2024, and semiannually thereafter, the  
8 Washington state patrol and the department of transportation must  
9 jointly submit a report to the governor and the transportation  
10 committees of the legislature on the status of these efforts,  
11 including:

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

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

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

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

25 (8) \$1,025,000 of the motor vehicle account—state appropriation  
26 is provided solely for the department to implement safety  
27 improvements and debris clean up on department-owned rights-of-way in  
28 the city of Seattle at levels above that being implemented as of  
29 January 1, 2019, to be administered in conjunction with subsection  
30 (7) of this section. The department must maintain a crew dedicated  
31 solely to collecting and disposing of garbage, clearing debris or  
32 hazardous material, and implementing safety improvements where  
33 hazards exist to the traveling public, department employees, or  
34 people encamped upon department-owned rights-of-way. The department  
35 may request assistance from the Washington state patrol as necessary  
36 in order for both agencies to provide enhanced safety-related  
37 activities regarding the emergency hazards along state highway  
38 rights-of-way in the Seattle area.

39 (9) \$1,015,000 of the motor vehicle account—state appropriation  
40 is provided solely for a partnership program between the department

1 and the city of Tacoma, to be administered in conjunction with  
2 subsection (7) of this section. The program shall address the safety  
3 and public health problems created by homeless encampments on the  
4 department's property along state highways within the city limits.  
5 \$570,000 is for dedicated department maintenance staff and associated  
6 clean-up costs. The department and the city of Tacoma shall enter  
7 into a reimbursable agreement to cover up to \$445,000 of the city's  
8 expenses for clean-up crews and landfill costs.

9 (10) \$1,015,000 of the motor vehicle account—state appropriation  
10 is provided solely for a partnership program between the department  
11 and the city of Spokane, to be administered in conjunction with  
12 subsection (5) of this section. The program shall address the safety  
13 and public health problems created by homeless encampments on the  
14 department's property along state highways within the city limits.  
15 \$570,000 is for dedicated department maintenance staff and associated  
16 clean-up costs. The department and the city of Spokane shall enter  
17 into a reimbursable agreement to cover up to \$445,000 of the city's  
18 expenses for clean-up crews and landfill costs.

19 (11) (a) \$1,500,000 of the motor vehicle account—state  
20 appropriation is reappropriated and provided solely for the  
21 department to contract with the city of Fife to address the risks to  
22 safety and public health associated with homeless encampments on  
23 department-owned rights-of-way along the SR 167/SR 509 Puget Sound  
24 Gateway project corridor in and adjacent to the city limits.

25 (b) The city must coordinate and work with the department and  
26 local governments and social service organizations who provide  
27 services and direct people to housing alternatives that are not in  
28 highway rights-of-way to help prevent future encampments from forming  
29 on highway rights-of-way. State funds may be used to reimburse the  
30 organizations doing this outreach assistance who transition people  
31 into treatment or housing that is not on the rights-of-way or for  
32 debris clean up on highway rights-of-way.

33 (c) The department may hire crews specializing in collecting and  
34 disposing of garbage, clearing debris or hazardous material, and  
35 implementing safety improvements where hazards exist to the traveling  
36 public and department employees.

37 (d) Funds may also be used to reimburse local law enforcement  
38 costs or the Washington state patrol if they are participating as  
39 part of a state or local government agreement to provide enhanced  
40 safety related activities along state highway rights-of-way.

1 (e) It is the intent of the legislature that the city and  
2 collaborating partners should place particular emphasis on utilizing  
3 available funds for addressing large scale and multiple homeless  
4 encampments that impact public safety and health. Funding for  
5 initiatives associated with such encampments may include targeted  
6 assistance to local governments and social service organizations,  
7 directing moneys toward not only initial efforts to clear  
8 encampments, clean up debris and restore sightlines, but to ongoing  
9 work, monitoring, and maintenance of efforts to place individuals in  
10 housing, treatment and services, and to better ensure individuals  
11 experiencing homelessness receive needed assistance while sites  
12 remain safe and secure for the traveling public.

13 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**  
14 **TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING**

|    |                                                            |              |
|----|------------------------------------------------------------|--------------|
| 15 | Motor Vehicle Account—State Appropriation. . . . .         | \$86,990,000 |
| 16 | Motor Vehicle Account—Federal Appropriation. . . . .       | \$2,050,000  |
| 17 | Motor Vehicle Account—Private/Local Appropriation. . . . . | \$294,000    |
| 18 | Move Ahead WA Account—State Appropriation. . . . .         | \$4,000,000  |
| 19 | State Route Number 520 Corridor Account—State              |              |
| 20 | Appropriation. . . . .                                     | \$175,000    |
| 21 | Alaskan Way Viaduct Replacement Project Account—           |              |
| 22 | State Appropriation. . . . .                               | \$1,080,000  |
| 23 | TOTAL APPROPRIATION. . . . .                               | \$94,589,000 |

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

26 (1) \$6,000,000 of the motor vehicle account—state appropriation  
27 is provided solely for low-cost enhancements. The department shall  
28 give priority to low-cost enhancement projects that improve safety or  
29 provide congestion relief. By December 15th of each odd-numbered  
30 year, the department shall provide a report to the legislature  
31 listing all low-cost enhancement projects completed in the prior  
32 fiscal biennium.

33 (2) (a) During the 2023-2025 fiscal biennium, the department shall  
34 continue a pilot program that expands private transportation  
35 providers' access to high occupancy vehicle lanes. Under the pilot  
36 program, when the department reserves a portion of a highway based on  
37 the number of passengers in a vehicle, the following vehicles must be  
38 authorized to use the reserved portion of the highway if the vehicle

1 has the capacity to carry eight or more passengers, regardless of the  
2 number of passengers in the vehicle: (i) Auto transportation company  
3 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
4 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
5 unmarked stretch limousines and stretch sport utility vehicles as  
6 defined under department of licensing rules; (iii) private nonprofit  
7 transportation provider vehicles regulated under chapter 81.66 RCW;  
8 and (iv) private employer transportation service vehicles. For  
9 purposes of this subsection, "private employer transportation  
10 service" means regularly scheduled, fixed-route transportation  
11 service that is offered by an employer for the benefit of its  
12 employees. Nothing in this subsection is intended to authorize the  
13 conversion of public infrastructure to private, for-profit purposes  
14 or to otherwise create an entitlement or other claim by private users  
15 to public infrastructure.

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

26 (c) The department shall expand the high occupancy vehicle lane  
27 access pilot program to organ transport vehicles transporting a time  
28 urgent organ for an organ procurement organization as defined in RCW  
29 68.64.010. Under the pilot program, when the department reserves a  
30 portion of a highway based on the number of passengers in a vehicle,  
31 organ transport vehicles that are clearly and identifiably marked as  
32 such on all sides of the vehicle are considered emergency vehicles  
33 and must be authorized to use the reserved portion of the highway.

34 (d) The department shall expand the high occupancy vehicle lane  
35 access pilot program to private, for hire vehicles regulated under  
36 chapter 81.72 RCW that have been specially manufactured, designed, or  
37 modified for the transportation of a person who has a mobility  
38 disability and uses a wheelchair or other assistive device. Under the  
39 pilot program, when the department reserves a portion of a highway  
40 based on the number of passengers in a vehicle, wheelchair-accessible

1 taxicabs that are clearly and identifiably marked as such on all  
2 sides of the vehicle are considered public transportation vehicles  
3 and must be authorized to use the reserved portion of the highway.

4 (e) The department shall expand the high occupancy vehicle lane  
5 access pilot program to for hire nonemergency medical transportation  
6 vehicles, when in use for medical purposes, as described in section  
7 208, chapter 333, Laws of 2021. Under the pilot program, when the  
8 department reserves a portion of a highway based on the number of  
9 passengers in a vehicle, nonemergency medical transportation vehicles  
10 that meet the requirements identified in section 208, chapter 333,  
11 Laws of 2021 must be authorized to use the reserved portion of the  
12 highway.

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

16 (3) The appropriations in this section assume implementation of  
17 additional cost recovery mechanisms to recoup at least \$100,000 in  
18 credit card and other financial transaction costs related to the  
19 collection of fees imposed under RCW 46.44.0941 for driver and  
20 vehicle fee transactions beginning July 1, 2023. The department may  
21 recover transaction fees incurred through credit card transactions.  
22 The department shall notify the office of the state treasurer of  
23 these amounts and the state treasurer must deposit these revenues in  
24 the agency financial transaction account created in RCW 46.01.385 on  
25 a quarterly basis.

26 (4) The department shall promote safety messages encouraging  
27 drivers to slow down and move over and pay attention when emergency  
28 lights are flashing on the side of the road and other suitable safety  
29 messages on electronic message boards the department operates across  
30 the state. The messages must be promoted multiple times each month  
31 through June 30, 2025. The department may coordinate such messaging  
32 with any statewide public awareness campaigns being developed by the  
33 department of licensing or the Washington state traffic safety  
34 commission or both.

35 (5) \$1,765,000 of the motor vehicle account—state appropriation  
36 is provided solely for the implementation of chapter . . . (Senate  
37 Bill No. 5272), Laws of 2023 (speed safety cameras). If chapter . . .  
38 (Senate Bill No. 5272), Laws of 2023 is not enacted by June 30, 2023,  
39 the amount provided in this subsection lapses.

1 (6) (a) The department shall establish the weigh station  
2 preclearance program in accordance with the commercial vehicle  
3 information systems and networks electronic screening truck  
4 inspection and weigh station preclearance standards authorized by the  
5 federal motor carrier safety administration. The program must include  
6 preclearance systems providers that meet the following criteria:

7 (i) The preclearance system commercial mobile radio services and  
8 dedicated short-range communication devices as transponders  
9 technologies must be represented in the program.

10 (ii) The preclearance system must be broadly deployed across the  
11 state for interstate operability purposes on the effective date of  
12 this section.

13 (b) Computer software and hardware that are necessary to  
14 implement this section, including any infrastructure-based devices or  
15 technologies, must be made available at no cost to the Washington  
16 state patrol. The preclearance system provider is responsible for all  
17 costs of operating and maintaining the computer software and  
18 hardware. The computer software and hardware must meet the following  
19 criteria:

20 (i) The computer software and hardware must meet the requirements  
21 of the federal motor carrier safety administration for core  
22 compliance with the commercial vehicle information systems and  
23 networks electronic screening truck inspection and weigh station  
24 preclearance standards.

25 (ii) In-vehicle equipment must be operated in compliance with  
26 applicable state law and regulations.

27 (iii) Preclearance messaging must be transmitted and received by  
28 the driver through electronic messaging within the cab of the  
29 commercial motor vehicle.

30 (iv) If required for preclearance services, real-time data from  
31 weigh-in-motion systems or any other systems shall be made available  
32 to preclearance system providers.

33 (c) The department, in consultation with the Washington state  
34 patrol, shall establish standards for the program in order to meet  
35 the needs of Washington state and conform with weigh station  
36 preclearance programs in other states, including standards regarding  
37 safety history credential status.

38 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**  
39 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

|   |                                                             |              |
|---|-------------------------------------------------------------|--------------|
| 1 | Motor Vehicle Account—State Appropriation. . . . .          | \$65,647,000 |
| 2 | Motor Vehicle Account—Federal Appropriation. . . . .        | \$780,000    |
| 3 | Motor Vehicle Account—Private/Local Appropriation. . . . .  | \$500,000    |
| 4 | Move Ahead WA Flexible Account—State Appropriation. . . . . | \$5,400,000  |
| 5 | Puget Sound Ferry Operations Account—State                  |              |
| 6 | Appropriation. . . . .                                      | \$510,000    |
| 7 | Multimodal Transportation Account—State                     |              |
| 8 | Appropriation. . . . .                                      | \$22,323,000 |
| 9 | TOTAL APPROPRIATION. . . . .                                | \$95,160,000 |

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

12       (1) \$2,400,000 of the move ahead WA flexible account—state  
13 appropriation is provided solely for efforts to increase diversity in  
14 the transportation construction workforce through the  
15 preapprenticeship support services (PASS) program, which aims to  
16 increase diversity in the highway construction workforce and prepare  
17 individuals interested in entering the highway construction  
18 workforce. In addition to the services allowed by RCW 47.01.435, the  
19 PASS program may provide housing assistance for youth aging out of  
20 the foster care and juvenile rehabilitation systems to support the  
21 participation of these youth in a transportation-related  
22 preapprenticeship program. The program shall be administered by the  
23 Washington state department of transportation's office of equal  
24 opportunity.

25       (2) \$3,000,000 of the move ahead WA flexible account—state  
26 appropriation is provided solely for expansion of the PASS program to  
27 support apprenticeships and workforce development in the maritime  
28 industry through preapprenticeship training for inland waterways  
29 trades and support services to obtain necessary documents and coast  
30 guard certification.

31       (3) \$1,512,000 of the motor vehicle account—state appropriation  
32 and \$488,000 of the Puget Sound ferry operations account—state  
33 appropriation are provided solely for the department to develop,  
34 track, and monitor the progress of community workforce agreements,  
35 and to assist with the development and implementation of internal  
36 diversity, equity, and inclusion efforts and serve as subject matter  
37 experts on federal and state civil rights provisions. The department  
38 shall engage with relevant stakeholders, and provide a progress  
39 report on the implementation of efforts under this subsection to the



1 transportation committees of the legislature and the governor by  
2 December 1, 2024.

3 (4) For Washington state department of transportation small works  
4 roster projects under RCW 39.04.155, the department may only allow  
5 firms certified as small business enterprises, under 49 C.F.R. 26.39,  
6 to bid on the contract, unless the department determines there would  
7 be insufficient bidders for a particular project. The department  
8 shall report on the effectiveness of this policy to the  
9 transportation committees of the legislature by December 1, 2024.

10 (5) \$21,195,000 of the motor vehicle account—state appropriation  
11 and \$21,194,000 of the multimodal transportation account—state  
12 appropriation are provided solely for the department to upgrade the  
13 transportation reporting and accounting information system to the  
14 current cloud version of the software, and is subject to the  
15 conditions, limitations, and review requirements of section 701 of  
16 this act.

17 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**  
18 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

19 Carbon Emissions Reduction Account—State

|                                                                |              |
|----------------------------------------------------------------|--------------|
| 20 Appropriation. . . . .                                      | \$3,000,000  |
| 21 Motor Vehicle Account—State Appropriation. . . . .          | \$34,822,000 |
| 22 Motor Vehicle Account—Federal Appropriation. . . . .        | \$31,412,000 |
| 23 Motor Vehicle Account—Private/Local Appropriation. . . . .  | \$400,000    |
| 24 Move Ahead WA Flexible Account—State Appropriation. . . . . | \$11,922,000 |
| 25 Multimodal Transportation Account—State                     |              |
| 26 Appropriation. . . . .                                      | \$1,652,000  |
| 27 Multimodal Transportation Account—Federal                   |              |
| 28 Appropriation. . . . .                                      | \$2,809,000  |
| 29 Multimodal Transportation Account—Private/Local             |              |
| 30 Appropriation. . . . .                                      | \$100,000    |
| 31 TOTAL APPROPRIATION. . . . .                                | \$86,117,000 |

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

34 (1) \$627,000 of the motor vehicle account—federal appropriation  
35 is reappropriated and provided solely for the Forward Drive road  
36 usage charge research project overseen by the transportation  
37 commission using a portion of the amount of the federal grant award.  
38 The purpose of the Forward Drive road usage charge research project

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

7 (2) \$294,000 of the multimodal transportation account—state  
8 appropriation is provided solely for the department to partner with  
9 the department of commerce and regional transportation planning  
10 organizations in implementing vehicle miles traveled targets and  
11 supporting actions. As part of target setting, important factors that  
12 shall be considered include land use patterns, safety, and vulnerable  
13 populations. The department shall provide an interim report by June  
14 30, 2024, and a final report by June 30, 2025.

15 (3) (a) \$180,000 of the multimodal transportation account—state  
16 appropriation is reappropriated and provided solely for Thurston  
17 regional planning council (TRPC) to conduct a study examining options  
18 for multimodal high capacity transportation (HCT) to serve travelers  
19 on the I-5 corridor between central Thurston county (Olympia area)  
20 and Pierce county.

21 (b) The study will include an assessment of travelsheds and  
22 ridership potential and identify and provide an evaluation of options  
23 to enhance connectivity and accessibility for the greater south Puget  
24 Sound region with an emphasis on linking to planned or existing  
25 commuter or regional light rail. The study must account for previous  
26 and ongoing efforts by transit agencies and the department. The study  
27 will emphasize collaboration with a diverse community of interests,  
28 including but not limited to transit, business, public agencies,  
29 tribes, and providers and users of transportation who because of age,  
30 income, or ability may face barriers and challenges. TRPC will  
31 provide to the transportation committees of the legislature a study  
32 outline and recommendations of deliverables by September 1, 2024.

33 (4) \$400,000 of the multimodal transportation account—state  
34 appropriation is reappropriated and provided solely for the city of  
35 Seattle's office of planning and community development to support an  
36 equitable development initiative to reconnect the South Park  
37 neighborhood, currently divided by State Route 99.

38 (a) The support work must include:

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

3 (ii) A feasibility study of decommissioning SR 99 in the South  
4 Park neighborhood to include, but not be limited to, traffic studies,  
5 environmental impact analysis, and development of alternatives,  
6 including the transfer of the land to a neighborhood-led community  
7 land trust.

8 (b) The support work must be conducted in coordination and  
9 partnership with neighborhood residents, neighborhood industrial and  
10 commercial representatives, the state department of transportation,  
11 and other entities and neighborhoods potentially impacted by changes  
12 to the operation of SR 99.

13 (c) The city must provide a report on the plan that includes  
14 recommendations to the Seattle city council, state department of  
15 transportation, and the transportation committees of the legislature  
16 by January 1, 2025.

17 (5) \$3,000,000 of the carbon emissions reduction account—state  
18 appropriation is provided solely for the department to develop and  
19 implement a community outreach, education, and technical assistance  
20 program for overburdened communities and their community partners in  
21 order to develop community-centered carbon reduction strategies to  
22 make meaningful impacts in a community, and to provide assistance in  
23 gaining access to available funding to implement these strategies,  
24 where applicable. The department is authorized to provide appropriate  
25 compensation to members of overburdened communities who provide  
26 solicited community participation and input needed by the department  
27 to implement and administer the program established in this  
28 subsection. By December 1, 2023, and by December 1, 2024, a report  
29 must be submitted to the transportation committees of the legislature  
30 and to the governor that provides an update on the department's  
31 community outreach, education, and technical assistance program  
32 development and implementation efforts.

33 (6) (a) \$300,000 of the motor vehicle account—state appropriation  
34 is provided solely for the department of transportation for a Seattle  
35 I-5 Ramp Study. The study must include an analysis of options and  
36 opportunities to reconfigure, relocate, or remove I-5 ramps within  
37 and between Chinatown-International District and the University  
38 District for the purpose of improving through-traffic operations,  
39 enhancing multimodal transportation safety, and enabling more  
40 efficient air rights development. The study must also include an

1 analysis of general potential mitigation needs and cost estimates of  
2 ramp changes and demolitions, the benefits to pedestrian and bicycle  
3 travel and transit operations, and the benefits to future lid design.  
4 The work must be inclusive of ramps for the mainline, collector-  
5 distributor lanes, and express lanes.

6 (b) At a minimum, ramps to be analyzed are those connecting to  
7 and from James Street, Cherry Street, 6th Avenue, Madison Street,  
8 Seneca Street, Spring Street, University Street, Union Street, Olive  
9 Way, Yale Avenue, NE 45th Street, and NE 50th Street.

10 (c) Removal of the existing Seneca Street, Spring Street, and  
11 University Street ramps must be included in the analysis.

12 (d) Removal and consolidation options for the existing NE 45th  
13 Street and NE 50th Street ramps must be included in the analysis.

14 (e) The department must coordinate and partner with the city of  
15 Seattle's department of transportation in conducting the analysis and  
16 study and making recommendations, with input of I-5 lid stakeholders.

17 (f) The department must coordinate this work with the I-5 studies  
18 on planning and environmental linkages, HOV systemwide efficiency,  
19 and seismic risk assessment.

20 (g) The department must provide a report on the study that  
21 includes recommendations to the city of Seattle department of  
22 transportation and the transportation committees of the legislature.

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

|    |                                                            |              |
|----|------------------------------------------------------------|--------------|
| 25 | Aeronautics Account—State Appropriation. . . . .           | \$1,000      |
| 26 | Transportation Partnership Account—State                   |              |
| 27 | Appropriation. . . . .                                     | \$25,000     |
| 28 | Motor Vehicle Account—State Appropriation. . . . .         | \$94,221,000 |
| 29 | Puget Sound Ferry Operations Account—State                 |              |
| 30 | Appropriation. . . . .                                     | \$244,000    |
| 31 | State Route Number 520 Corridor Account—State              |              |
| 32 | Appropriation. . . . .                                     | \$4,000      |
| 33 | Connecting Washington Account—State Appropriation. . . . . | \$203,000    |
| 34 | Multimodal Transportation Account—State                    |              |
| 35 | Appropriation. . . . .                                     | \$4,529,000  |
| 36 | Tacoma Narrows Toll Bridge Account—State                   |              |
| 37 | Appropriation. . . . .                                     | \$2,000      |
| 38 | Interstate 405 and State Route Number 167 Express          |              |

|   |                                                 |              |
|---|-------------------------------------------------|--------------|
| 1 | Toll Lanes Account—State Appropriation. . . . . | \$6,000      |
| 2 | TOTAL APPROPRIATION. . . . .                    | \$99,235,000 |

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

5 (1) Consistent with existing protocol and practices, for any  
6 negotiated settlement of a claim against the state for the department  
7 that exceeds five million dollars, the department, in conjunction  
8 with the attorney general and the department of enterprise services,  
9 shall notify the director of the office of financial management and  
10 the transportation committees of the legislature.

11 (2) Beginning October 1, 2023, and semiannually thereafter, the  
12 department, in conjunction with the attorney general and the  
13 department of enterprise services, shall provide a report with  
14 judgments and settlements dealing with the Washington state ferry  
15 system to the director of the office of financial management and the  
16 transportation committees of the legislature. The report must include  
17 information on: (a) The number of claims and settlements by type; (b)  
18 the average claim and settlement by type; (c) defense costs  
19 associated with those claims and settlements; and (d) information on  
20 the impacts of moving legal costs associated with the Washington  
21 state ferry system into the statewide self-insurance pool.

22 (3) Beginning October 1, 2023, and semiannually thereafter, the  
23 department, in conjunction with the attorney general and the  
24 department of enterprise services, shall provide a report with  
25 judgments and settlements dealing with the nonferry operations of the  
26 department to the director of the office of financial management and  
27 the transportation committees of the legislature. The report must  
28 include information on: (a) The number of claims and settlements by  
29 type; (b) the average claim and settlement by type; and (c) defense  
30 costs associated with those claims and settlements.

31 (4) When the department identifies significant legal issues that  
32 have potential transportation budget implications, the department  
33 must initiate a briefing for appropriate legislative members or staff  
34 through the office of the attorney general's legislative briefing  
35 protocol.

36 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**  
37 **PUBLIC TRANSPORTATION—PROGRAM V**  
38 Carbon Emissions Reduction Account—State

|    |                                                               |               |
|----|---------------------------------------------------------------|---------------|
| 1  | Appropriation. . . . .                                        | \$4,500,000   |
| 2  | Climate Transit Programs Account—State Appropriation. . . . . | \$393,835,000 |
| 3  | State Vehicle Parking Account—State Appropriation. . . . .    | \$784,000     |
| 4  | Regional Mobility Grant Program Account—State                 |               |
| 5  | Appropriation. . . . .                                        | \$113,300,000 |
| 6  | Rural Mobility Grant Program Account—State                    |               |
| 7  | Appropriation. . . . .                                        | \$32,774,000  |
| 8  | Multimodal Transportation Account—State                       |               |
| 9  | Appropriation. . . . .                                        | \$118,372,000 |
| 10 | Multimodal Transportation Account—Federal                     |               |
| 11 | Appropriation. . . . .                                        | \$4,374,000   |
| 12 | Multimodal Transportation Account—Private/Local               |               |
| 13 | Appropriation. . . . .                                        | \$100,000     |
| 14 | TOTAL APPROPRIATION. . . . .                                  | \$668,039,000 |

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

17 (1) \$64,354,000 of the multimodal transportation account—state  
18 appropriation and \$73,040,000 of the climate transit programs account  
19 —state appropriation are provided for a grant program for special  
20 needs transportation provided by transit agencies and nonprofit  
21 providers of transportation. Of this amount:

22 (a) \$14,801,000 of the multimodal transportation account—state  
23 appropriation and \$16,799,000 of the climate transit programs account  
24 —state appropriation are provided solely for grants to nonprofit  
25 providers of special needs transportation. Grants for nonprofit  
26 providers must be based on need, including the availability of other  
27 providers of service in the area, efforts to coordinate trips among  
28 providers and riders, and the cost effectiveness of trips provided.  
29 Fuel type may not be a factor in the grant selection process.

30 (b) \$49,553,000 of the multimodal transportation account—state  
31 appropriation and \$56,241,000 of the climate transit programs account  
32 —state appropriation are provided solely for grants to transit  
33 agencies to transport persons with special transportation needs. To  
34 receive a grant, the transit agency must, to the greatest extent  
35 practicable, have a maintenance of effort for special needs  
36 transportation that is no less than the previous year's maintenance  
37 of effort for special needs transportation. Grants for transit  
38 agencies must be prorated based on the amount expended for demand  
39 response service and route deviated service in calendar year 2021 as

1 reported in the "Summary of Public Transportation-2021" published by  
2 the department of transportation. No transit agency may receive more  
3 than 30 percent of these distributions. Fuel type may not be a factor  
4 in the grant selection process.

5 (2) \$32,774,000 of the rural mobility grant program account—state  
6 appropriation is provided solely for grants to aid small cities in  
7 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
8 factor in the grant selection process.

9 (3) \$11,262,000 of the multimodal transportation account—state  
10 appropriation is provided solely for a public transit rideshare grant  
11 program for: (a) Public transit agencies to add or replace rideshare  
12 vehicles; and (b) incentives and outreach to increase rideshare use.  
13 The grant program for public transit agencies may cover capital costs  
14 only; operating costs for public transit agencies are not eligible  
15 for funding under this grant program. Additional employees may not be  
16 hired from the funds provided in this section for the vanpool grant  
17 program, and supplanting of transit funds currently funding vanpools  
18 is not allowed. The department shall encourage grant applicants and  
19 recipients to leverage funds other than state funds. Fuel type may  
20 not be a factor in the grant selection process. Of the amounts  
21 provided in this subsection, \$972,000 is for the reappropriation of  
22 amounts provided for this purpose in the 2021-2023 fiscal biennium.

23 (4) \$35,622,000 of the regional mobility grant program account—  
24 state appropriation is reappropriated and provided solely for the  
25 regional mobility grant projects identified in LEAP Transportation  
26 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -  
27 Public Transportation Program (V).

28 (5) (a) \$77,678,000 of the regional mobility grant program account  
29 —state appropriation is provided solely for the regional mobility  
30 grant projects identified in LEAP Transportation Document 2023-2 ALL  
31 PROJECTS as developed March 26, 2023, Program - Public Transportation  
32 Program (V). The department shall review all projects receiving grant  
33 awards under this program at least semiannually to determine whether  
34 the projects are making satisfactory progress. Any project that has  
35 been awarded funds, but does not report activity on the project  
36 within one year of the grant award, must be reviewed by the  
37 department to determine whether the grant should be terminated. The  
38 department shall promptly close out grants when projects have been  
39 completed, and any remaining funds must be used only to fund projects

1 identified in the LEAP transportation document referenced in this  
2 subsection. The department shall provide annual status reports on  
3 December 1, 2023, and December 1, 2024, to the office of financial  
4 management and the transportation committees of the legislature  
5 regarding the projects receiving the grants. It is the intent of the  
6 legislature to appropriate funds through the regional mobility grant  
7 program only for projects that will be completed on schedule. A  
8 grantee may not receive more than 25 percent of the amount  
9 appropriated in this subsection. Additionally, when allocating  
10 funding for the 2023-2025 biennium, no more than 30 percent of the  
11 total grant program may directly benefit or support one grantee  
12 unless all other funding is awarded. The department shall not approve  
13 any increases or changes to the scope of a project for the purpose of  
14 a grantee expending remaining funds on an awarded grant. Fuel type  
15 may not be a factor in the grant selection process.

16 (b) In order to be eligible to receive a grant under (a) of this  
17 subsection during the 2023-2025 fiscal biennium, a transit agency  
18 must establish a process for private transportation providers to  
19 apply for the use of park and ride facilities. For purposes of this  
20 subsection, (i) "private transportation provider" means: An auto  
21 transportation company regulated under chapter 81.68 RCW; a passenger  
22 charter carrier regulated under chapter 81.70 RCW, except marked or  
23 unmarked stretch limousines and stretch sport utility vehicles as  
24 defined under department of licensing rules; a private nonprofit  
25 transportation provider regulated under chapter 81.66 RCW; or a  
26 private employer transportation service provider; and (ii) "private  
27 employer transportation service" means regularly scheduled, fixed-  
28 route transportation service that is offered by an employer for the  
29 benefit of its employees.

30 (c) During the 2023-2025 biennium, the department shall consider  
31 applications submitted by regional transportation planning  
32 organizations and metropolitan planning organizations for the  
33 regional mobility grant program for funding in the 2025-2027  
34 biennium.

35 (6) \$188,853,000 of the climate transit programs account—state  
36 appropriation is provided solely for transit support grants. To be  
37 eligible for transit support grant distribution, transit agencies  
38 must have submitted documentation of fare-free policy for 18 years of  
39 age and under by October 1, 2022, to be eligible for the 2023-2025  
40 biennium. Transit agencies must continue the fare-free policy for 18



1 years of age and under to receive the award. Transit agencies that  
2 submit fare policy documentation by October 1, 2024, shall become  
3 eligible for the next biennial distribution.

4 (7) \$10,667,000 of the climate transit programs account—state  
5 appropriation is provided solely for grants to federally recognized  
6 tribes in Washington state for any transit purpose, including  
7 planning, operating costs, maintenance, and capital costs.

8 (8) \$37,180,000 of the climate transit programs account—state  
9 appropriation is provided solely for the bus and bus facilities grant  
10 program established in RCW 47.66.130.

11 (9) \$4,407,000 of the multimodal transportation account—state  
12 appropriation is reappropriated and provided solely for the green  
13 transportation capital grant projects identified in LEAP  
14 Transportation Document 2023-2 ALL PROJECTS as developed March 26,  
15 2023, Program - Public Transportation Program (V).

16 (10) \$12,000,000 of the multimodal transportation account—state  
17 appropriation and \$39,525,000 climate transit programs account—state  
18 appropriation are provided solely for the green transportation  
19 capital grant projects identified in LEAP Transportation Document  
20 2023-2 ALL PROJECTS as developed March 26, 2023, Program - Public  
21 Transportation Program (V).

22 (11) \$4,000,000 of the carbon emissions reduction account—state  
23 appropriation is provided solely for newly selected green  
24 transportation capital grants.

25 (12) Funds provided for the commute trip reduction (CTR) program  
26 may also be used for the growth and transportation efficiency center  
27 program.

28 (13) \$6,195,000 of the multimodal transportation account—state  
29 appropriation, \$3,333,000 of the climate transit programs account—  
30 state appropriation, and \$784,000 of the state vehicle parking  
31 account—state appropriation are provided solely for CTR grants and  
32 activities. Fuel type may not be a factor in the grant selection  
33 process. Of this amount:

34 (a) \$30,000 of the state vehicle parking account—state  
35 appropriation is provided solely for the STAR pass program for state  
36 employees residing in Mason and Grays Harbor Counties. Use of the  
37 pass is for public transportation between Mason County and Thurston  
38 County, and Grays Harbor and Thurston County. The pass may also be  
39 used within Grays Harbor County. The STAR pass commute trip reduction

1 program is open to any state employee who expresses intent to commute  
2 to his or her assigned state worksite using a public transit system  
3 currently participating in the STAR pass program.

4 (b) \$495,000 of the multimodal transportation account—state  
5 appropriation is reappropriated and provided solely for the  
6 continuation of previously approved projects under the first/last  
7 mile connections grant program.

8 (14) \$36,237,000 of the climate transit programs account—state  
9 appropriation is provided solely for move ahead Washington transit  
10 projects identified in LEAP Transportation Document 2023-2 ALL  
11 PROJECTS as developed March 26, 2023, and \$5,000,000 of the climate  
12 transit programs account—state appropriation is provided solely for  
13 the City of Seattle/Seattle Center monorail station improvements  
14 (L2021097) project.

15 (15)(a) Except as provided otherwise in this subsection,  
16 \$11,913,000 of the multimodal transportation account—state  
17 appropriation is provided solely for connecting Washington transit  
18 projects identified in LEAP Transportation Document 2023-2 ALL  
19 PROJECTS as developed March 26, 2023. It is the intent of the  
20 legislature that entities identified to receive funding in the LEAP  
21 document referenced in this subsection receive the amounts specified  
22 in the time frame specified in that LEAP document. If an entity has  
23 already completed a project in the LEAP document referenced in this  
24 subsection before the time frame identified, the entity may  
25 substitute another transit project or projects that cost a similar or  
26 lesser amount.

27 (b) Within the amount provided in this subsection, \$750,000 of  
28 the multimodal transportation account—state appropriation is provided  
29 solely to complete work on Martin Luther King Way, Rainier Ave  
30 improvements (G2000040).

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

33 (17) \$555,000 of the multimodal transportation account—state  
34 appropriation and \$500,000 of the carbon emissions reduction account—  
35 state appropriation are provided solely for an interagency transfer  
36 to the Washington State University extension energy program to  
37 administer a technical assistance and education program for public  
38 agencies on the use of alternative fuel vehicles. The Washington  
39 State University extension energy program shall prepare a report

1 regarding the utilization of the program and provide this report to  
2 the transportation committees of the legislature by November 15,  
3 2023.

4 (18) The department must provide telework assistance to employers  
5 as part of its CTR activities. The objectives of telework assistance  
6 include improving transportation system performance, supporting  
7 economic vitality, and increasing equity and access to opportunity.

8 (19) \$150,000 of the multimodal transportation account—state  
9 appropriation is provided solely for Intercity Transit for the Dash  
10 shuttle program.

11 (20) \$500,000 of the multimodal transportation account—state  
12 appropriation is provided solely for planning to move Grays Harbor  
13 transit operation and administration facilities from the current  
14 location.

15 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**  
16 **MARINE—PROGRAM X**

|    |                                                    |               |
|----|----------------------------------------------------|---------------|
| 17 | Puget Sound Ferry Operations Account—State         |               |
| 18 | Appropriation. . . . .                             | \$564,299,000 |
| 19 | Puget Sound Ferry Operations Account—Federal       |               |
| 20 | Appropriation. . . . .                             | \$163,790,000 |
| 21 | Puget Sound Ferry Operations Account—Private/Local |               |
| 22 | Appropriation. . . . .                             | \$121,000     |
| 23 | TOTAL APPROPRIATION. . . . .                       | \$728,210,000 |

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

26 (1) The office of financial management budget instructions  
27 require agencies to recast enacted budgets into activities. The  
28 Washington state ferries shall include a greater level of detail in  
29 its 2023-2025 supplemental and 2025-2027 omnibus transportation  
30 appropriations act requests, as determined jointly by the office of  
31 financial management, the Washington state ferries, and the  
32 transportation committees of the legislature. This level of detail  
33 must include the administrative functions in the operating as well as  
34 capital programs. The data in the tables in the report must be  
35 supplied in a digital file format.

36 (2) For the 2023-2025 fiscal biennium, the department may enter  
37 into a distributor controlled fuel hedging program and other methods

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

3 (3) (a) \$121,827,000 of the Puget Sound ferry operations account—  
4 federal appropriation is for auto ferry vessel operating fuel in the  
5 2023-2025 fiscal biennium.

6 (b) \$19,138,000 of the Puget Sound ferry operations account—state  
7 appropriation is provided solely for auto ferry vessel operating fuel  
8 in the 2023-2025 fiscal biennium, which reflects cost savings from a  
9 reduced biodiesel fuel requirement and, therefore, is contingent upon  
10 the enactment of section 703 of this act.

11 (c) The amounts provided in this subsection represent the fuel  
12 budget for the purposes of calculating any ferry fare fuel surcharge.

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

17 (5) \$5,500,000 of the Puget Sound ferry operations account—state  
18 appropriation is provided solely for overtime and familiarization  
19 expenses incurred by engine, deck, and terminal staff. The department  
20 must provide updated staffing cost estimates for fiscal years 2024  
21 and 2025 with its annual budget submittal and updated estimates by  
22 January 1, 2024.

23 (6) \$1,930,000 of the Puget Sound ferry operations account—state  
24 appropriation is provided solely for new employee training. The  
25 department must work to increase its outreach and recruitment of  
26 populations underrepresented in maritime careers and continue working  
27 to expand apprenticeship and internship programs, with an emphasis on  
28 programs that are shown to improve recruitment for positions with the  
29 state ferry system.

30 (7) \$1,064,000 of the Puget Sound ferry operations account—state  
31 appropriation is provided solely for traffic control at ferry  
32 terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and  
33 Bainbridge Island, during peak ferry travel times, with a particular  
34 focus on Sundays and holiday weekends.

35 (8) \$175,000 of the Puget Sound ferry operations account—state  
36 appropriation is reappropriated and provided solely for the  
37 Washington state ferries to conduct a study of passenger  
38 demographics. The study may be included as part of a larger origin

1 and destination study. The department shall report study results to  
2 the transportation committees of the legislature by December 1, 2023.

3 (9) \$12,580,000 of the Puget Sound ferry operations account—state  
4 appropriation is provided solely for workforce initiatives to  
5 include:

6 (a) \$8,126,000 for the able-bodied sailor to mate pathway  
7 program;

8 (b) \$756,000 for new mate scholarships;

9 (c) \$1,074,000 for new entry level engine room positions;

10 (d) \$1,024,000 for additional Eagle Harbor apprentices;

11 (e) \$230,000 for a workforce ombudsman;

12 (f) \$680,000 for project management for workforce and operating  
13 improvements; and

14 (g) \$690,000 for increased human resources workload.

15 (10) By December 1st of each year, the department must report on  
16 the status of efforts to increase the staff available for maintaining  
17 the customary level of ferry service, including staff for deck,  
18 engine, and terminals. The report must include data for a 12-month  
19 period up to the most recent data available, by staff group, showing  
20 the number of employees at the beginning of the 12-month period, the  
21 number of new employees hired, the number of employees separating  
22 from service, and the number of employees at the end of the 12-month  
23 period. The report must also include a description of the training  
24 and career advancement programs for able-bodied sailors, mates, and  
25 engineers; the numbers of employees participating in each program;  
26 the number of employees completing each program; the number of open  
27 positions that the program is designed to fill; and the anticipated  
28 number of employee promotions as a result of program completion. The  
29 department must provide the report to the office of financial  
30 management and the transportation committees of the legislature.

31 (11) \$93,000 of the Puget Sound ferry operations account—state  
32 appropriation is provided solely for the Washington state ferries to  
33 secure housing for workforce training sessions and to pay in advance  
34 for the costs of transportation worker identification credentials for  
35 incoming ferry system employees and trainees.

36 (12) \$150,000 of the Puget Sound ferry operations account—state  
37 appropriation is reappropriated and provided solely for the  
38 department, in consultation with the joint transportation committee,  
39 to oversee a consultant study to identify and recommend cost-

1 effective strategies to maximize walk-on passenger ridership of the  
2 Anacortes - San Juan ferry routes as required by section 222(21),  
3 chapter 186, Laws of 2022.

4 (13)(a) \$855,000 of the Puget Sound ferry operations account—  
5 state appropriation is provided solely for Washington state ferries  
6 to provide to Seattle Central Community College for a partnership  
7 with the Seattle Maritime Academy. Funding may not be expended until  
8 Washington state ferries certifies to the office of financial  
9 management that a memorandum of agreement with Seattle Central  
10 Community College has been executed. The memorandum of agreement with  
11 Seattle Central Community College must address:

12 (i) The shared use of training and other facilities and  
13 implementation of joint training opportunities where practicable;

14 (ii) Development of a joint recruitment plan with Seattle Central  
15 Community College aimed at increasing enrollment of women and people  
16 of color, with specific strategies to recruit existing community and  
17 technical college students, maritime skills center students, high  
18 school students from maritime programs, including maritime skills  
19 center students; foster care graduates; and former juvenile  
20 rehabilitation and adult incarcerated individuals; and

21 (iii) Consultation between the parties on the development of the  
22 training program, recruitment plan and a five-year operational plan.

23 (b) The joint training and recruitment plan and the five-year  
24 operational plan must be submitted to the appropriate policy and  
25 fiscal committees of the legislature by December 1, 2023.

26 (14) \$7,180,000 of the Puget Sound ferry operations account—state  
27 appropriation is provided solely for vessel maintenance initiatives  
28 to include:

29 (a) \$4,445,000 for a second shift at the Eagle Harbor maintenance  
30 facility;

31 (b) \$788,000 for maintenance management project controls to  
32 maximize vessel maintenance work at the Eagle Harbor facility; and

33 (c) \$1,947,000 for enterprise asset management operating costs to  
34 effectively maintain assets in a state of good repair.

35 (15) \$2,500,000 of the Puget Sound ferry operating account—state  
36 appropriation is provided solely for increased security at Colman  
37 dock.

1            NEW SECTION.    **Sec. 223.    FOR THE DEPARTMENT OF TRANSPORTATION—**

2    **RAIL—PROGRAM Y—OPERATING**

3    Carbon Emissions Reduction Account—State

4            Appropriation. . . . . \$1,600,000

5    Motor Vehicle Account—State Appropriation. . . . . \$5,000,000

6    Multimodal Transportation Account—State

7            Appropriation. . . . . \$83,900,000

8    Multimodal Transportation Account—Private/Local

9            Appropriation. . . . . \$46,000

10           TOTAL APPROPRIATION. . . . . \$90,546,000

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

13           (1) (a) \$2,250,000 of the multimodal transportation account—state  
14    appropriation is provided solely for the continued coordination,  
15    engagement, and planning for a new ultra high-speed ground  
16    transportation corridor with participation from Washington, Oregon,  
17    and British Columbia, and is a reappropriation of funds appropriated  
18    in the 2021-2023 biennium. This funding is contingent on meaningful  
19    financial contributions for this effort by Oregon or British  
20    Columbia. "Ultra high-speed" means a maximum testing speed of at  
21    least 250 miles per hour. These efforts are to support and advance  
22    activities and must abide by the memorandum of understanding signed  
23    by the governors of Washington and Oregon, and the premier of the  
24    province of British Columbia in November 2021. The department shall  
25    establish a policy committee with participation from Washington,  
26    Oregon, and British Columbia, including representation from the two  
27    largest caucuses of each chamber of the Washington state legislature,  
28    and coordinate the activities of the policy committee to include:

29           (i) Developing an organizational framework that facilitates input  
30    in decision-making from all parties;

31           (ii) Developing a public engagement approach with a focus on  
32    equity, inclusion, and meaningful engagement with communities,  
33    businesses, federal, state, provincial, and local governments  
34    including indigenous communities;

35           (iii) Developing and leading a collaborative approach to prepare  
36    and apply for potential future federal, state, and provincial funding  
37    opportunities, including development of strategies for incorporating  
38    private sector participation and private sector contributions to

1 funding, including through the possible use of public-private  
2 partnerships;

3 (iv) Beginning work on scenario analysis addressing advanced  
4 transportation technologies, land use and growth assumptions, and an  
5 agreed to and defined corridor vision statement; and

6 (v) Developing a recommendation on the structure and membership  
7 of a formal coordinating entity that will be responsible for  
8 advancing the project through the project initiation stage to project  
9 development and recommended next steps for establishment of the  
10 coordinating entity. Project development processes must include  
11 consideration of negative and positive impacts on communities of  
12 color, low-income households, indigenous peoples, and other  
13 disadvantaged communities.

14 (b) By December 1, 2023, and December 1, 2024, the department  
15 shall provide to the governor and the transportation committees of  
16 the legislature a status update that includes, but need not be  
17 limited to, the status of the items included in (a)(i) through (v) of  
18 this subsection.

19 (c) By June 30, 2025, the department shall provide to the  
20 governor and the transportation committees of the legislature a  
21 report detailing the work conducted by the policy committee and  
22 recommendations for establishing a coordinating entity. The report  
23 must also include an assessment of current activities and results  
24 relating to stakeholder engagement, planning, and any federal funding  
25 application. As applicable, the assessment should also be sent to the  
26 executive and legislative branches of government in Oregon and  
27 appropriate government bodies in the province of British Columbia.

28 (2) The department shall consider applying for federal grant  
29 opportunities that support the development of the Amtrak Cascades  
30 service. Grant submittals must align with the department's federally  
31 required service development plan and state rail plans and  
32 partnership agreements with Amtrak as the service provider and BNSF  
33 Railway as the host railroad.

34 (3) \$1,600,000 of the carbon emissions reduction account—state  
35 appropriation is provided solely to fund the elimination of fares for  
36 passengers 18 years of age and younger for service on the Amtrak  
37 Cascades corridor in the state.

38 (4) \$300,000 of the multimodal transportation account—state  
39 appropriation is provided solely for the department to pursue federal  
40 grant opportunities to develop and implement a technology-based truck



1 parking availability system along the I-5 Corridor in partnership  
2 with Oregon and California to maximize utilization of existing truck  
3 parking capacity and deliver real-time parking availability  
4 information to truck drivers. The department may use a portion of the  
5 appropriation in this subsection for grant proposal development and  
6 as state match funding for technology-based truck parking  
7 availability system federal grant applications. The department is  
8 required to update the transportation committees of the legislature  
9 on agency activities and their status by December 1, 2023, and to  
10 provide a final report to the transportation committees of the  
11 legislature by December 1, 2024.

12 (5) (a) \$5,000,000 of the motor vehicle account—state  
13 appropriation is provided solely for the department, in coordination  
14 with the independent review team of the joint transportation  
15 committee, to conduct an analysis of highway, road, and freight rail  
16 transportation needs, options, and impacts from shifting the movement  
17 of freight and goods that currently move by barge through the lower  
18 Snake River dams to highways, other roads, and rail. The study should  
19 generate volume estimates and evaluate scenarios for changes in  
20 infrastructure and operations that would be necessary to address  
21 those additional volumes. The assessment must include quantitative  
22 analysis based on available data in terms of both financial and  
23 carbon emission costs; and qualitative input gathered from tribal  
24 governments, local governments, freight interests, and other key  
25 stakeholders, including impacts on disadvantaged/underserved  
26 communities. The analysis must be informed by the work of the joint  
27 transportation committee's independent review team, and must include  
28 the following:

29 (i) Existing volumes and traffic patterns;

30 (ii) Potential changes in volumes and traffic patterns  
31 immediately following the loss of freight movement by barge and over  
32 the following 20 years, including the carbon emissions impact of this  
33 mode shift;

34 (iii) Identification of whether regional geography, land  
35 availability, and state and federal regulatory processes would allow  
36 for rail and road expansions and increased capacity;

37 (iv) Identification of potential infrastructure and operational  
38 improvements to existing highways, other roads, and rail, including  
39 additional access to facilities, needed to accommodate the higher

1 freight volumes and impacts and potential opportunities to mitigate  
2 impacts on shipping rates;

3 (v) Identification of rail line development options, including  
4 impacts and potential opportunities to mitigate impacts on grain  
5 storage and handling facilities at regional unit train yards and port  
6 export facilities;

7 (vi) An assessment of costs associated with mitigating potential  
8 slope failure and stabilization necessitated by the drawdown of the  
9 river. An assessment of impacts and potential opportunities to  
10 mitigate impacts on adjacent roads, bridges, railroads, and utility  
11 corridors shall be included;

12 (vii) Both financial and carbon cost estimates for development  
13 and implementation of identified needs and options, including  
14 planning, design, and construction;

15 (viii) Analysis of the impacts and potential opportunities to  
16 mitigate impacts of these infrastructure changes on environmental  
17 justice and disadvantaged/underserved communities during  
18 construction, as well as from future operations;

19 (ix) Analysis of safety impacts and potential opportunities to  
20 mitigate impacts for a shift from barge transportation to rail or  
21 truck, including increases in rural community traffic and consistency  
22 with the Washington State Strategic Highway Safety Plan: Target Zero;

23 (x) Impacts and potential opportunities to mitigate impacts on  
24 highly affected commodities, including agriculture, petroleum,  
25 project cargo, and wind energy components;

26 (xi) Analysis of the impacts and potential opportunities to  
27 mitigate impacts that reduced competition resulting from removing  
28 barging of agricultural products on the Snake River would have on  
29 Washington's agricultural industry along with impacts modal shifts  
30 would have on the entire supply chain, including export facilities  
31 and ports on the Lower Columbia River;

32 (xii) Determination of the feasibility that additional east-west  
33 rail capacity can be achieved, particularly through Columbia River  
34 Gorge, and the alternative routes that exist in the event that adding  
35 more infrastructure on these routes is not feasible; and

36 (xiii) Determination of the feasibility and cost that additional  
37 east-west rail capacity can be achieved, particularly through  
38 Columbia River Gorge, and what alternative routes exist in the event  
39 adding more infrastructure on these routes is not feasible.

1 (b) The department shall provide an interim report to the  
2 governor and the transportation committees of the legislature by June  
3 30, 2025. The legislature intends to require a final report to the  
4 governor and the transportation committees of the legislature by  
5 December 31, 2026.

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

|    |                                                            |              |
|----|------------------------------------------------------------|--------------|
| 8  | Motor Vehicle Account—State Appropriation. . . . .         | \$14,680,000 |
| 9  | Motor Vehicle Account—Federal Appropriation. . . . .       | \$2,567,000  |
| 10 | Multiuse Roadway Safety Account—State Appropriation. . . . | \$1,230,000  |
| 11 | Multimodal Transportation Account—State                    |              |
| 12 | Appropriation. . . . .                                     | \$1,250,000  |
| 13 | TOTAL APPROPRIATION. . . . .                               | \$19,727,000 |

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

16 (1) \$1,200,000 of the multiuse roadway safety account—state  
17 appropriation is provided solely for grants under RCW 46.09.540,  
18 subject to the following limitations:

19 (a) Twenty-five percent of the amounts provided are reserved for  
20 counties that each have a population of 15,000 persons or less; and

21 (b) (i) Seventy-five percent of the amounts provided are reserved  
22 for counties that each have a population exceeding 15,000 persons;  
23 and

24 (ii) No county that receives a grant or grants under (a) of this  
25 subsection may receive more than \$60,000 in total grants.

26 (2) \$30,000 of the multiuse roadway safety account—state  
27 appropriation is provided solely for outreach and technical  
28 assistance to counties and stakeholder groups for purposes of  
29 increasing utilization of the multiuse roadway safety grant program.

30 (3) \$1,063,000 of the motor vehicle account—state appropriation  
31 is provided solely for the department, from amounts set aside out of  
32 statewide fuel taxes distributed to counties according to RCW  
33 46.68.120(3), to contract with the Washington state association of  
34 counties to:

35 (a) Contract with the Washington state department of fish and  
36 wildlife to identify, inventory, and prioritize county-owned fish  
37 passage barriers;

1 (b) Continue streamlining and updating the county road  
2 administration board's data dashboard, to provide a more detailed,  
3 more transparent, and user-friendly platform for data management,  
4 reporting, and research by the public and other interested parties;

5 (c) Commission a study to develop guidance for county public  
6 works departments conducting environmental justice assessments in  
7 their communities and recommend best practices for community  
8 engagement plans to address environmental health disparities for  
9 identified overburden communities;

10 (d) Contract for a study to identify best practices within public  
11 works for the recruitment and retention of employees, including  
12 recommendations for improving outreach and recruitment to  
13 underrepresented populations, methods to partner with local community  
14 colleges and universities, ways to expand apprenticeship and  
15 internship programs, strategies to increase training and development  
16 opportunities, and recommendations for career advancement programs  
17 and better work life balance outcomes;

18 (e) Update the 2020 county transportation revenue study; and

19 (f) By December 15, 2024, report to the office of financial  
20 management and the appropriate committees of the legislature to  
21 provide the deliverables from and the amounts expended on the  
22 purposes enumerated in this subsection.

23 (4) \$500,000 of the motor vehicle account—state appropriation is  
24 provided solely for development, administration, program management,  
25 and evaluation of the federal fund exchange pilot program.

26 (5) \$146,000 of the motor vehicle account—state appropriation is  
27 provided solely for the implementation of chapter . . . (Engrossed  
28 House Bill No. 1782), Laws of 2023 (Wahkiakum ferry).

29 (6) \$140,000 of the motor vehicle account—state appropriation is  
30 provided solely for the Pierce county ferry to eliminate fares for  
31 passengers 18 years of age and younger.

32 (7) \$750,000 of the multimodal transportation account—state  
33 appropriation is provided solely for a grant program to support local  
34 initiatives that expand or establish civilian intervention programs  
35 for nonmoving violations, focusing on nonpunitive interventions such  
36 as helmet voucher programs, fee offset programs, fix-it tickets, and  
37 repair vouchers that provide solutions for vehicle equipment failures  
38 for low-income road users.

1           (8) Grants must be awarded to local jurisdictions based on  
2 locally developed proposals to establish or expand existing programs,  
3 including programs with community-lead organizations. Eligible  
4 jurisdictions under the grant program include cities, counties,  
5 tribal government entities, tribal organizations, law enforcement  
6 agencies, or nonprofit organizations.

7           (9) The department of transportation shall report on its website  
8 by December 1st of each year on the recipients, locations, and types  
9 of projects funded under this program.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

3 State Patrol Highway Account—State Appropriation. . . . \$7,191,000

4 The appropriation in this section is subject to the following  
5 conditions and limitations:

6 (1) \$6,591,000 of the state patrol highway account—state  
7 appropriation is provided solely for the following projects:

- 8 (a) \$250,000 is for emergency repairs;
- 9 (b) \$1,800,000 is for roof replacements;
- 10 (c) \$350,000 is for fuel tank decommissioning;
- 11 (d) \$503,000 is for generator and electrical replacement;
- 12 (e) \$704,000 is for the exterior envelope of the Yakima office;
- 13 (f) \$2,189,000 is for energy efficiency projects;
- 14 (g) \$495,000 is for pavement surface improvements; and
- 15 (h) \$300,000 is for fire alarm panel replacement.

16 (2) The Washington state patrol may transfer funds between  
17 projects specified in this subsection to address cash flow  
18 requirements.

19 (3) If a project specified in subsection (1) of this section is  
20 completed for less than the amount provided, the remainder may be  
21 transferred to another project specified in subsection (1) of this  
22 subsection not to exceed the total appropriation provided in  
23 subsection (1) of this subsection after notifying the office of  
24 financial management and the house and senate transportation  
25 committees 20 days prior to any transfer.

26 (4) By December 1, 2023, the Washington state patrol shall  
27 provide a report to the transportation committees of the legislature  
28 detailing utility incentives that will reduce the cost of heating,  
29 ventilating, and air conditioning systems funded in this section.

30 (5) By December 1, 2023, the Washington state patrol shall  
31 provide its capital improvement and preservation plan for agency  
32 facilities to the appropriate committees of the legislature.

33 (6) \$500,000 of the state patrol highway account—state  
34 appropriation is reappropriated and provided solely for replacement  
35 of the Tacoma district office generator.

36 (7) \$100,000 of the state patrol highway account—state  
37 appropriation is reappropriated and provided solely for heating,

1 ventilating, and air conditioning unit replacement at the Sea-Tac  
2 north inspection station.

3 NEW SECTION. **Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**  
4 Move Ahead WA Account—State Appropriation. . . . . \$9,333,000  
5 Rural Arterial Trust Account—State Appropriation. . . . . \$58,000,000  
6 Motor Vehicle Account—State Appropriation. . . . . \$2,456,000  
7 County Arterial Preservation Account—State  
8 Appropriation. . . . . \$37,678,000  
9 TOTAL APPROPRIATION. . . . . \$107,467,000

10 NEW SECTION. **Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**  
11 Small City Pavement and Sidewalk Account—State  
12 Appropriation. . . . . \$3,975,000  
13 Transportation Improvement Account—State  
14 Appropriation. . . . . \$240,000,000  
15 Complete Streets Grant Program Account—State  
16 Appropriation. . . . . \$14,670,000  
17 Climate Active Transportation Account—State  
18 Appropriation. . . . . \$19,067,000  
19 Move Ahead WA Account—State Appropriation. . . . . \$9,333,000  
20 TOTAL APPROPRIATION. . . . . \$287,045,000

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

23 (1) The entire climate active transportation account—state  
24 appropriation is provided solely for newly selected complete streets  
25 grants.

26 (2) The entire move ahead WA account—state appropriation is  
27 provided solely for additional preservation funding to cities.

28 (3) The transportation improvement board shall cooperate and  
29 provide assistance, as requested, in the joint transportation  
30 committee's development of program delivery evaluation tools and  
31 methodologies provided under section 204 of this act for programs  
32 that receive funding from the climate active transportation account.

33 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**  
34 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**  
35 **CAPITAL**

36 Motor Vehicle Account—State Appropriation. . . . . \$29,173,000

1 Move Ahead WA Account—State Appropriation. . . . . \$17,037,000  
 2 TOTAL APPROPRIATION. . . . . \$46,210,000

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

5 (1) \$15,457,000 of the motor vehicle account—state appropriation  
 6 is provided solely for making improvements to the department facility  
 7 located at 11018 NE 51st Cir in Vancouver to meet the Washington  
 8 state clean buildings performance standard.

9 (2) (a) \$4,025,000 of the motor vehicle account—state  
 10 appropriation is provided solely for payments of a financing contract  
 11 issued pursuant to chapter 39.94 RCW for the department facility  
 12 located at 15700 Dayton Ave N in Shoreline.

13 (b) Payments from the department of ecology pursuant to the  
 14 agreement with the department to pay a share of the financing  
 15 contract in (a) of this subsection must be deposited into the motor  
 16 vehicle account.

17 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**  
 18 **IMPROVEMENTS—PROGRAM I**

19 Alaskan Way Viaduct Replacement Project Account—  
 20 State Appropriation. . . . . \$23,794,000  
 21 Climate Active Transportation Account—State  
 22 Appropriation. . . . . \$2,000,000  
 23 Move Ahead WA Account—Private/Local Appropriation. . . . \$137,500,000  
 24 Transportation 2003 Account (Nickel Account)—State  
 25 Appropriation. . . . . \$317,000  
 26 Transportation Partnership Account—State  
 27 Appropriation. . . . . \$32,646,000  
 28 Motor Vehicle Account—State Appropriation. . . . . \$81,442,000  
 29 Motor Vehicle Account—Federal Appropriation. . . . . \$222,792,000  
 30 Coronavirus State Fiscal Recovery Fund—Federal  
 31 Appropriation. . . . . \$300,000,000  
 32 Motor Vehicle Account—Private/Local Appropriation. . . . \$52,530,000  
 33 Connecting Washington Account—State Appropriation. . . \$2,230,562,000  
 34 Special Category C Account—State Appropriation. . . . . \$130,069,000  
 35 Multimodal Transportation Account—State  
 36 Appropriation. . . . . \$5,915,000  
 37 State Route Number 520 Corridor Account—State



|   |                                                      |                 |
|---|------------------------------------------------------|-----------------|
| 1 | Appropriation. . . . .                               | \$400,000       |
| 2 | Interstate 405 and State Route Number 167 Express    |                 |
| 3 | Toll Lanes Account—State Appropriation. . . . .      | \$304,480,000   |
| 4 | Move Ahead WA Account—State Appropriation. . . . .   | \$832,172,000   |
| 5 | Move Ahead WA Account—Federal Appropriation. . . . . | \$376,966,000   |
| 6 | TOTAL APPROPRIATION. . . . .                         | \$4,733,585,000 |

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

9 (1) Except as provided otherwise in this section, the entire move  
10 ahead WA account—state appropriation, the entire connecting  
11 Washington account—state appropriation and the entire transportation  
12 partnership account—state appropriation are provided solely for the  
13 projects and activities as listed by fund, project, and amount in  
14 LEAP Transportation Document 2023-1 as developed March 26, 2023,  
15 Program - Highway Improvements Program (I), except that \$3,000,000 of  
16 the connecting Washington account—state appropriation is removed from  
17 the SR 539/Guide Meridian project, and \$19,000,000 of the connecting  
18 Washington account—state appropriation is provided solely for the  
19 I-5/116th Street NE, 88th Street NE, and SR 528/Marine Drive  
20 Interchange project (T20700SC), and that it is the intent of the  
21 legislature to advance funding to the 2025-2027 fiscal biennium from  
22 the 2027-2029 biennium for the US 101/Simdars Bypass project  
23 (L4000013). However, limited transfers of specific line-item project  
24 appropriations may occur between projects for those amounts listed  
25 subject to the conditions and limitations in section 601 of this act.

26 (2) Except as provided otherwise in this section, the entire  
27 motor vehicle account—state appropriation and motor vehicle account—  
28 federal appropriation are provided solely for the projects and  
29 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS  
30 as developed March 26, 2023, Program - Highway Improvements Program  
31 (I). Any federal funds gained through efficiencies, adjustments to  
32 the federal funds forecast, or the federal funds redistribution  
33 process must then be applied to highway and bridge preservation  
34 activities or fish passage barrier corrections (0BI4001).

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

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

5 (4) The connecting Washington account—state appropriation  
6 includes up to \$1,760,310,000 in proceeds from the sale of bonds  
7 authorized in RCW 47.10.889.

8 (5) The special category C account—state appropriation includes  
9 up to \$111,450,000 in proceeds from the sale of bonds authorized in  
10 RCW 47.10.812.

11 (6) The Interstate 405 and state route number 167 express toll  
12 lanes account—state appropriation includes up to \$102,206,000 in  
13 proceeds from the sale of bonds authorized in RCW 47.10.873.

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

20 (8) Any advisory group that the department convenes during the  
21 2023-2025 fiscal biennium must consider the interests of the entire  
22 state of Washington.

23 (9) The legislature continues to prioritize the replacement of  
24 the state's aging infrastructure and recognizes the importance of  
25 reusing and recycling construction aggregate and recycled concrete  
26 materials in our transportation system. To accomplish Washington  
27 state's sustainability goals in transportation and in accordance with  
28 RCW 70.95.805, the legislature reaffirms its determination that  
29 recycled concrete aggregate and other transportation building  
30 materials are natural resource construction materials that are too  
31 valuable to be wasted and landfilled, and are a commodity as defined  
32 in WAC 173-350-100.

33 Further, the legislature determines construction aggregate and  
34 recycled concrete materials substantially meet widely recognized  
35 international, national, and local standards and specifications  
36 referenced in American society for testing and materials, American  
37 concrete institute, Washington state department of transportation,  
38 Seattle department of transportation, American public works  
39 association, federal aviation administration, and federal highway

1 administration specifications, and are described as necessary and  
2 desirable products for recycling and reuse by state and federal  
3 agencies.

4 As these recyclable materials have well established markets, are  
5 substantially a primary or secondary product of necessary  
6 construction processes and production, and are managed as an item of  
7 commercial value, construction aggregate and recycled concrete  
8 materials are exempt from chapter 173-350 WAC.

9 (10) \$23,794,000 of the Alaskan Way viaduct replacement project  
10 account—state appropriation is reappropriated and provided solely for  
11 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is  
12 the intent of the legislature that any legal damages paid to the  
13 state because of a lawsuit related to contractual provisions for  
14 construction and delivery of the Alaskan Way viaduct replacement  
15 project be used to repay project cost increases paid from the  
16 transportation partnership account—state funds and motor vehicle  
17 account—state funds.

18 (11) \$166,206,000 of the connecting Washington account—state  
19 appropriation is provided solely for the US 395 North Spokane  
20 Corridor project (M00800R).

21 (12)(a) \$394,963,000 of the connecting Washington account—state  
22 appropriation, \$400,000 of the state route number 520 corridor  
23 account—state appropriation, and \$4,496,000 of the motor vehicle  
24 account—private/local appropriation are provided solely for the SR  
25 520 Seattle Corridor Improvements - West End project (M00400R).

26 (b) Upon completion of the Montlake Phase of the West End project  
27 (current anticipated contract completion of 2023), the department  
28 shall sell that portion of the property not used for permanent  
29 transportation improvements and initiate a process to convey that  
30 surplus property to a subsequent owner.

31 (c) Of the amounts provided in this subsection (12), \$400,000 of  
32 the state route number 520 corridor account—state appropriation is  
33 provided solely for noise mitigation activities. It is the intent of  
34 the legislature to provide an additional \$1,000,000 for noise  
35 mitigation activities over the course of the 16-year move ahead WA  
36 funding package.

37 (13) \$555,842,000 of the connecting Washington account—state  
38 appropriation, \$155,000 of the multimodal transportation account—  
39 state appropriation, \$26,537,000 of the motor vehicle account—

1 private/local appropriation, \$200,800,000 of the move ahead WA  
2 account—federal appropriation, \$68,191,000 of the move ahead WA  
3 account—state appropriation, and \$21,980,000 of the motor vehicle  
4 account—federal appropriation are provided solely for the SR 167/SR  
5 509 Puget Sound Gateway project (M00600R).

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

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

18 (c) It is the legislature's intent that the department shall  
19 consult with the joint executive committee and joint steering  
20 committee to determine the most appropriate interchange at the  
21 junction of state route number 161 (Meridian avenue) and state route  
22 number 167.

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

29 (e) Of the amounts provided in this subsection, \$2,500,000 of the  
30 multimodal transportation account—state appropriation is provided  
31 solely for segment 2 of the state route number 167 completion project  
32 shared-use path to provide connections to the interchange of state  
33 route number 167 at 54th to the intersection of state route number  
34 509 and Taylor Way in Tacoma.

35 (14) \$53,000,000 of the move ahead WA account—state  
36 appropriation, \$84,500,000 of the move ahead WA account—federal  
37 appropriation, and \$137,500,000 of the move ahead WA account—private/  
38 local appropriation are provided solely for the I-5 Columbia River  
39 Bridge (L4000054), including support of a project office and the

1 continued work toward replacing the I-5 Columbia River Bridge. The  
2 legislature finds that the replacement of the I-5 Columbia River  
3 Bridge is a project of national significance and is critical for the  
4 movement of freight. Replacing the aging interstate bridge with a  
5 modern, seismically resilient, multimodal structure that provides  
6 improved mobility for people, goods, and services is a high priority.  
7 Therefore, the legislature intends to support the replacement of the  
8 I-5 Columbia River Bridge with an investment of \$1,000,000,000 over  
9 the 16-year move ahead WA investment program.

10 (15) (a) \$662,000,000 of the move ahead WA account—state  
11 appropriation, \$300,000,000 of the coronavirus state fiscal recovery  
12 fund—federal appropriation, \$78,112,000 of the motor vehicle account  
13 —federal appropriation, and \$1,293,000 of the motor vehicle account—  
14 state appropriation are provided solely for the Fish Passage Barrier  
15 Removal project (0BI4001) with the intent of fully complying with the  
16 federal *U.S. v. Washington* court injunction by 2030.

17 (b) The department shall coordinate with the Brian Abbott fish  
18 passage barrier removal board to use a watershed approach by  
19 replacing both state and local culverts guided by the principle of  
20 providing the greatest fish habitat gain at the earliest time. The  
21 department shall deliver high habitat value fish passage barrier  
22 corrections that it has identified, guided by the following factors:  
23 Opportunity to bundle projects, tribal priorities, ability to  
24 leverage investments by others, presence of other barriers, project  
25 readiness, culvert conditions, other transportation projects in the  
26 area, and transportation impacts. The department and Brian Abbott  
27 fish barrier removal board must provide updates on the implementation  
28 of the statewide culvert remediation plan to the legislature by  
29 November 1, 2023, and June 1, 2024.

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

33 (d) During the 2023-2025 fiscal biennium, the department shall  
34 provide reports of the amounts of federal funding received for this  
35 project to the governor and transportation committees of the  
36 legislature by November 1, 2023, and semiannually thereafter.

37 (16) \$12,327,000 of the Interstate 405 and state route number 167  
38 express toll lanes account—state appropriation and \$1,257,000 of the  
39 transportation partnership account—state appropriation are provided

1 solely for the SR 167/SR 410 to SR 18 - Congestion Management project  
2 (316706C).

3 (17) \$10,000,000 of the move ahead WA account—state  
4 appropriation, \$45,000,000 of the move ahead WA account—federal  
5 appropriation, and \$1,898,000 of the Special Category C account—state  
6 appropriation is provided solely for the SR 18 Widening - Issaquah/  
7 Hobart Rd to Raging River project (L1000199) for improving and  
8 widening state route number 18 to four lanes from Issaquah-Hobart  
9 Road to Raging River.

10 (18) \$3,000,000 of the connecting Washington account—state  
11 appropriation is provided solely for the North Lewis County  
12 transportation study. The study shall examine new, alternate routes  
13 for vehicular and truck traffic at the Harrison interchange (Exit 82)  
14 in North Centralia and shall allow for a site and configuration to be  
15 selected and feasibility to be conducted for final design,  
16 permitting, and construction of the I-5/North Lewis county  
17 Interchange project (L2000204).

18 (19) \$11,031,000 of the motor vehicle account—state  
19 appropriation, \$10,000,000 of the connecting Washington account—state  
20 appropriation, and \$10,000,000 of the move ahead WA account—state  
21 appropriation are provided solely for the SR 522/Paradise Lk Rd  
22 Interchange & Widening on SR 522 (Design/Engineering) project  
23 (NPARADI).

24 (20) \$9,729,000 of the motor vehicle account—state appropriation  
25 is provided solely for the SR 162/410 Interchange Design and Right of  
26 Way project (L1000276).

27 (21) \$14,815,000 of the connecting Washington account—state  
28 appropriation is provided solely for the US Hwy 2 Safety project  
29 (N00200R).

30 (22) \$10,422,000 of the connecting Washington account—state  
31 appropriation is provided solely for the SR 3 Freight Corridor  
32 (T30400R) project. The legislature intends to provide a total of  
33 \$78,910,000 for this project to ensure that:

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

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

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

3 (23) \$450,000 of the motor vehicle account—state appropriation is  
4 provided solely for the SR 900 Safety Improvements project  
5 (L2021118). The department must: (a) Work in collaboration with King  
6 county and Skyway coalition to align community assets, transportation  
7 infrastructure needs, and initial design for safety improvements  
8 along SR 900; and (b) work with the Skyway coalition to lead  
9 community planning engagement and active transportation activities.

10 (24) \$5,694,000 of the connecting Washington account—state  
11 appropriation is provided solely for the I-5/Chamber Way Interchange  
12 Vicinity Improvements project.

13 (25) \$1,000,000 of the motor vehicle account—state appropriation  
14 is provided solely for planning and pre-design for expansion of state  
15 route number 162 from state route number 410 south to west city  
16 limits of Orting with an addition of a center turn lane to increase  
17 safety, relieve congestion, reduce collisions, and increase fire and  
18 law enforcement personnel response time to emergencies.

19 (26) \$25,000,000 of the motor vehicle account—state appropriation  
20 is provided solely for a federal fund exchange pilot program. The  
21 pilot program will allow exchanges of federal surface transportation  
22 block grant population funding and state funds at an exchange rate of  
23 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the  
24 appropriation in this subsection shall be held in unallotted status  
25 until surface transportation block grant population funding has been  
26 offered to the state, the department determines that a federalized  
27 project or projects funded in sections 305 (Improvements) or 306  
28 (Preservation) is eligible to spend the surface transportation block  
29 grant population funding, and state funds appropriated in sections  
30 305 (Improvements) or 306 (Preservation) for the eligible state  
31 project or projects in an amount equal to 100 percent of the offered  
32 surface transportation block grant population funding have been  
33 placed in unallotted status. A report on the effectiveness of the  
34 exchange program and recommendations for continuing the pilot program  
35 is due to the governor and transportation committees of the  
36 legislature by December 1, 2024.

37 (27) With respect to right-of-way acquisition and the  
38 construction of the SR 3 Freight Corridor project (T30400R), tribal  
39 consultation with the Suquamish Tribe shall begin at the earliest

1 stage of planning, including without limitation on all funding  
 2 decisions and funding programs, to provide a government-to-government  
 3 mechanism for the tribe to evaluate, identify, and expressly notify  
 4 governmental entities of any potential impacts to tribal cultural  
 5 resources, archaeological sites, sacred sites, fisheries, or other  
 6 rights and interests in tribal lands and lands within which the tribe  
 7 possesses rights reserved or protected by federal treaty, statute, or  
 8 executive order. The consultation is independent of, and in addition  
 9 to, any public participation process required by state law, or by a  
 10 state agency, including the requirements of Executive Order 21-02  
 11 related to archaeological and cultural resources, and regardless of  
 12 whether the agency receives a request for consultation from the  
 13 Suquamish Tribe. Regularly scheduled tribal consultation meetings  
 14 with the Suquamish Tribe shall continue throughout the duration of  
 15 any funding or program decisions and proposed project approval.

16 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**

17 **PRESERVATION—PROGRAM P**

|    |                                                            |               |
|----|------------------------------------------------------------|---------------|
| 18 | Move Ahead WA Account—State Appropriation. . . . .         | \$172,000,000 |
| 19 | Recreational Vehicle Account—State Appropriation. . . . .  | \$793,000     |
| 20 | Transportation 2003 Account (Nickel Account)—State         |               |
| 21 | Appropriation. . . . .                                     | \$18,759,000  |
| 22 | Transportation Partnership Account—State                   |               |
| 23 | Appropriation. . . . .                                     | \$10,001,000  |
| 24 | Motor Vehicle Account—State Appropriation. . . . .         | \$82,066,000  |
| 25 | Motor Vehicle Account—Federal Appropriation. . . . .       | \$129,911,000 |
| 26 | Motor Vehicle Account—Private/Local Appropriation. . . . . | \$12,000,000  |
| 27 | Connecting Washington Account—State Appropriation. . . . . | \$29,582,000  |
| 28 | State Route Number 520 Corridor Account—State              |               |
| 29 | Appropriation. . . . .                                     | \$5,481,000   |
| 30 | Tacoma Narrows Toll Bridge Account—State                   |               |
| 31 | Appropriation. . . . .                                     | \$10,892,000  |
| 32 | Alaskan Way Viaduct Replacement Project Account—           |               |
| 33 | State Appropriation. . . . .                               | \$12,000      |
| 34 | Interstate 405 and State Route Number 167 Express          |               |
| 35 | Toll Lanes Account—State Appropriation. . . . .            | \$27,026,000  |
| 36 | TOTAL APPROPRIATION. . . . .                               | \$498,523,000 |

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



1 (1) Except as provided otherwise in this section, the entire move  
2 ahead WA account—state appropriation, the entire connecting  
3 Washington account—state appropriation and the entire transportation  
4 partnership account—state appropriation are provided solely for the  
5 projects and activities as listed by fund, project, and amount in  
6 LEAP Transportation Document 2023-1 as developed March 26, 2023,  
7 Program - Highway Preservation Program (P). However, limited  
8 transfers of specific line-item project appropriations may occur  
9 between projects for those amounts listed subject to the conditions  
10 and limitations in section 601 of this act.

11 (2) Except as provided otherwise in this section, the entire  
12 motor vehicle account—state appropriation and motor vehicle account—  
13 federal appropriation are provided solely for the projects and  
14 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS  
15 as developed March 26, 2023, Program - Highway Preservation Program  
16 (P). Any federal funds gained through efficiencies, adjustments to  
17 the federal funds forecast, or the federal funds redistribution  
18 process must then be applied to highway and bridge preservation  
19 activities or fish passage barrier corrections (0BI4001).

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

29 (4) \$22,000,000 of the motor vehicle account—state appropriation  
30 is provided solely for extraordinary costs incurred from litigation  
31 awards, settlements, or dispute mitigation activities not eligible  
32 for funding from the self-insurance fund (L2000290). The amount  
33 provided in this subsection must be held in unallotted status until  
34 the department submits a request to the office of financial  
35 management that includes documentation detailing litigation-related  
36 expenses. The office of financial management may release the funds  
37 only when it determines that all other funds designated for  
38 litigation awards, settlements, and dispute mitigation activities  
39 have been exhausted. No funds provided in this subsection may be

1 expended on any legal fees related to the SR 99/Alaskan Way viaduct  
2 replacement project (809936Z).

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

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

14 (7) \$21,000 of motor vehicle account—state appropriation is  
15 provided solely for the implementation of chapter . . . (House Bill  
16 No. 1004), Laws of 2023 (bridge jumping signs). If chapter . . .  
17 (House Bill No. 1004), Laws of 2023 is not enacted by June 30, 2023,  
18 the amount provided in this subsection lapses.

19 (8) \$25,000,000 of the motor vehicle account—state appropriation  
20 is provided solely for a federal fund exchange pilot program. The  
21 pilot program will allow exchanges of federal surface transportation  
22 block grant population funding and state funds at an exchange rate of  
23 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the  
24 appropriation in this subsection shall be held in unallotted status  
25 until surface transportation block grant population funding has been  
26 offered to the state, the department determines that a federalized  
27 project or projects funded in sections 305 (Improvements) or 306  
28 (Preservation) is eligible to spend the surface transportation block  
29 grant population funding, and state funds appropriated in sections  
30 305 (Improvements) or 306 (Preservation) for the eligible state  
31 project or projects in an amount equal to 100 percent of the offered  
32 surface transportation block grant population funding have been  
33 placed in unallotted status. A report on the effectiveness of the  
34 exchange program and recommendations for continuing the pilot program  
35 is due to the governor and transportation committees of the  
36 legislature by December 1, 2024.

37 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**  
38 **TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL**

|   |                                                            |              |
|---|------------------------------------------------------------|--------------|
| 1 | Motor Vehicle Account—State Appropriation. . . . .         | \$8,275,000  |
| 2 | Motor Vehicle Account—Federal Appropriation. . . . .       | \$5,100,000  |
| 3 | Motor Vehicle Account—Private/Local Appropriation. . . . . | \$500,000    |
| 4 | TOTAL APPROPRIATION. . . . .                               | \$13,875,000 |

5 The appropriations in this section are subject to the following  
6 conditions and limitations: \$3,080,000 of the motor vehicle account—  
7 state appropriation is provided solely to construct pedestrian  
8 signals at nine locations on state route number 7 from 124th Street  
9 South to 189th Street South (0000YYY).

10 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**  
11 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

|    |                                                            |               |
|----|------------------------------------------------------------|---------------|
| 12 | Carbon Emissions Reduction Account—State                   |               |
| 13 | Appropriation. . . . .                                     | \$64,062,000  |
| 14 | Move Ahead WA Account—State Appropriation. . . . .         | \$17,114,000  |
| 15 | Puget Sound Capital Construction Account—State             |               |
| 16 | Appropriation. . . . .                                     | \$350,594,000 |
| 17 | Puget Sound Capital Construction Account—Federal           |               |
| 18 | Appropriation. . . . .                                     | \$29,372,000  |
| 19 | Puget Sound Capital Construction Account—                  |               |
| 20 | Private/Local Appropriation. . . . .                       | \$1,081,000   |
| 21 | Transportation Partnership Account—State                   |               |
| 22 | Appropriation. . . . .                                     | \$7,442,000   |
| 23 | Connecting Washington Account—State Appropriation. . . . . | \$10,812,000  |
| 24 | Capital Vessel Replacement Account—State                   |               |
| 25 | Appropriation. . . . .                                     | \$46,818,000  |
| 26 | TOTAL APPROPRIATION. . . . .                               | \$527,295,000 |

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

29 (1) Except as provided otherwise in this section, the entire  
30 appropriations in this section are provided solely for the projects  
31 and activities as listed in LEAP Transportation Document 2023-2 ALL  
32 PROJECTS as developed March 26, 2023, Program - Washington State  
33 Ferries Capital Program (W).

34 (2) For the 2023-2025 biennium, the marine division shall provide  
35 to the office of financial management and the legislative  
36 transportation committees the following reports on ferry capital  
37 projects:

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

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

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

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

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

18 (3) \$5,000,000 of the Puget Sound capital construction account—  
19 state appropriation is provided solely for emergency capital repair  
20 costs (999910K). Funds may only be spent after approval by the office  
21 of financial management.

22 (4) \$32,997,000 of the Puget Sound capital construction account—  
23 state appropriation is provided solely for the conversion of up to  
24 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).  
25 The department shall seek additional funds for the purposes of this  
26 subsection. The department must apply to the department of ecology  
27 for additional competitive grants funds available from Volkswagen  
28 settlement funds for the purposes of this subsection and report by  
29 December 1, 2023, on the status of the grant application.

30 (5) \$64,062,000 of the carbon emissions reduction account—state  
31 appropriation is provided solely for the conversion of two Jumbo Mark  
32 II vessels to electric hybrid propulsion and the electrification of  
33 the Clinton, Seattle, Bainbridge, Kingston, and Bremerton terminals  
34 (L4000072).

35 (6) \$46,818,000 of the capital vessel replacement account—state  
36 appropriation is provided solely for the acquisition of a 144-car  
37 hybrid-electric vessel (L2000329). If chapter . . . (House Bill No.  
38 1846), Laws of 2023 (vessel procurement) is not enacted by June 30,  
39 2023, the amount provided in this subsection lapses.

1 (7) \$17,114,000 of the move ahead WA account—state appropriation  
2 is provided solely for the preservation of the MV Tillikum.

3 (8) The department must provide a report to the governor and the  
4 transportation committees of the legislature by October 1, 2023,  
5 which reviews the benefits and costs of constructing all future new  
6 vessels based on the same design. For comparison purposes, the review  
7 must compare and contrast the benefits and costs of a 144-vehicle  
8 capacity vessel with a 124-vehicle capacity vessel.

9 (9) \$8,032,000 of the Puget Sound capital construction account—  
10 state appropriation is provided solely for modernization of the  
11 ticketing and reservation system (990052C). \$3,032,000 of the total  
12 amount must be held in unallotted status by the office of financial  
13 management. The funds may be allotted when the office of financial  
14 management determines, after consulting with the transportation  
15 committees of the legislature, that the Washington state ferries has  
16 consulted with the office of the chief information officer on the  
17 project scope and integration capabilities of the reservation system  
18 with existing Good to Go! and ORCA next generation.

19 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**  
20 **RAIL—PROGRAM Y—CAPITAL**

|    |                                                           |               |
|----|-----------------------------------------------------------|---------------|
| 21 | Carbon Emissions Reduction Account—State                  |               |
| 22 | Appropriation. . . . .                                    | \$78,300,000  |
| 23 | Essential Rail Assistance Account—State                   |               |
| 24 | Appropriation. . . . .                                    | \$676,000     |
| 25 | Move Ahead WA Flexible Account—State Appropriation. . . . | \$35,000,000  |
| 26 | Transportation Infrastructure Account—State               |               |
| 27 | Appropriation. . . . .                                    | \$2,399,000   |
| 28 | Multimodal Transportation Account—State                   |               |
| 29 | Appropriation. . . . .                                    | \$66,929,000  |
| 30 | Multimodal Transportation Account—Federal                 |               |
| 31 | Appropriation. . . . .                                    | \$18,882,000  |
| 32 | TOTAL APPROPRIATION. . . . .                              | \$202,186,000 |

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

35 (1) Except as provided otherwise in this section, the entire  
36 appropriations in this section are provided solely for the projects  
37 and activities as listed by project and amount in LEAP Transportation  
38 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -

1 Rail Program (Y), and an additional \$6,200,000 of the multimodal  
2 transportation account—state appropriation is provided solely for the  
3 South Kelso Railroad Crossing project (L1000147) for construction of  
4 an overcrossing on Hazel Street in Kelso, Washington.

5 (2) \$2,030,000 of the transportation infrastructure account—state  
6 appropriation is provided solely for new low-interest loans approved  
7 by the department through the freight rail investment bank (FRIB)  
8 program. The department shall issue FRIB program loans with a  
9 repayment period of no more than ten years, and charge only so much  
10 interest as is necessary to recoup the department's costs to  
11 administer the loans. The department shall report annually to the  
12 transportation committees of the legislature and the office of  
13 financial management on all FRIB loans issued.

14 (3) \$7,040,000 of the multimodal transportation account—state  
15 appropriation is provided solely for new statewide emergent freight  
16 rail assistance projects identified in the LEAP transportation  
17 document referenced in subsection (1) of this section.

18 (4) \$369,000 of the transportation infrastructure account—state  
19 appropriation and \$1,100,000 of the multimodal transportation account  
20 —state appropriation are provided solely to reimburse Highline Grain,  
21 LLC (L2000179) for approved work completed on Palouse River and  
22 Coulee City (PCC) railroad track in Spokane county between the BNSF  
23 Railway Interchange at Cheney and Geiger Junction and must be  
24 administered in a manner consistent with freight rail assistance  
25 program projects. The value of the public benefit of this project is  
26 expected to meet or exceed the cost of this project in: Shipper  
27 savings on transportation costs; jobs saved in rail-dependent  
28 industries; and/or reduced future costs to repair wear and tear on  
29 state and local highways due to fewer annual truck trips (reduced  
30 vehicle miles traveled). The amounts provided in this subsection are  
31 not a commitment for future legislatures, but it is the legislature's  
32 intent that future legislatures will work to approve biennial  
33 appropriations until the full \$7,337,000 cost of this project is  
34 reimbursed.

35 (5) (a) \$576,000 of the essential rail assistance account—state  
36 appropriation is provided solely for the purpose of the  
37 rehabilitation and maintenance of the Palouse river and Coulee City  
38 railroad line (F01111B).

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

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

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

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

12 (6) The department shall issue a call for projects for the  
13 freight rail assistance program, and shall evaluate the applications  
14 in a manner consistent with past practices as specified in section  
15 309, chapter 367, Laws of 2011. By November 15, 2024, the department  
16 shall submit a prioritized list of recommended projects to the office  
17 of financial management and the transportation committees of the  
18 legislature.

19 (7) \$50,000,000 of the carbon emissions reduction account—state  
20 appropriation is provided solely for state match contributions to  
21 support the department's application for pending federal grant  
22 opportunities for a new ultra high-speed ground transportation  
23 corridor. These funds are to remain in unallotted status and are  
24 available only upon award of federal funds. The department must  
25 provide draft applications for federal grant opportunities to the  
26 transportation committees of the legislature for review and comment  
27 prior to submission. It is assumed that, of the amounts appropriated  
28 in this subsection, only \$20,000,000 will be needed in the 2023-2025  
29 biennium.

30 (8) \$6,300,000 of the carbon emissions reduction account—state  
31 appropriation is provided solely to fund a zero emissions drayage  
32 truck demonstration project (L1000324) at Northwest Seaport Alliance  
33 facilities.

34 (9) \$14,000,000 of the carbon emissions reduction account—state  
35 appropriation is provided solely to fund a zero emissions shore power  
36 infrastructure demonstration project at Northwest Seaport Alliance  
37 facilities (L1000325). Local funds sufficient to fully fund this  
38 project must be contributed to the project, and any agreements  
39 required for the project must be secured.

1 (10) \$3,000,000 of the carbon emissions reduction account—state  
2 appropriation is provided solely to fund a zero emissions  
3 electrification project at the Port of Everett (L1000326), to include  
4 the electrification of a pier at the port and funding for an all-  
5 electric powered tug and barge. Local funds for the electric powered  
6 tug and pier must be contributed to the project, and any agreements  
7 required for the project must be secured.

8 (11) \$5,000,000 of the carbon emissions reduction account—state  
9 appropriation is provided solely to fund the replacement of two  
10 Tacoma rail diesel-electric switcher locomotives with zero emissions  
11 battery-electric switcher locomotives and to install on-site charging  
12 equipment at a Tacoma rail facility (L1000327). Local funds  
13 sufficient to fully fund this project must be contributed to the  
14 project, and any agreements required for the project must be secured.

15 (12) \$12,316,000 of the multimodal transportation account—state  
16 appropriation is provided solely for the port of Moses Lake project  
17 (L1100080) to reconnect rail service by constructing a new five-mile  
18 rail line along the Wheeler industrial corridor and rehabilitating  
19 three miles of existing rail line.

20 (13) \$2,200,000 of the multimodal transportation account—state  
21 appropriation is provided solely for the grade separation at Bell  
22 Road project (L1000329) for a grade separation overpass along SR 548  
23 to connect the communities of Birch Bay and Semiahmoo to downtown  
24 Blaine and I-5.

25 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**  
26 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

|    |                                                               |               |
|----|---------------------------------------------------------------|---------------|
| 27 | Carbon Emissions Reduction Account—State                      |               |
| 28 | Appropriation. . . . .                                        | \$16,000,000  |
| 29 | Climate Active Transportation Account—State                   |               |
| 30 | Appropriation. . . . .                                        | \$147,463,000 |
| 31 | Freight Mobility Investment Account—State                     |               |
| 32 | Appropriation. . . . .                                        | \$21,098,000  |
| 33 | Freight Mobility Multimodal Account—State                     |               |
| 34 | Appropriation. . . . .                                        | \$22,728,000  |
| 35 | Highway Infrastructure Account—State Appropriation. . . . .   | \$793,000     |
| 36 | Highway Infrastructure Account—Federal Appropriation. . . . . | \$1,600,000   |
| 37 | Move Ahead WA Account—State Appropriation. . . . .            | \$110,167,000 |
| 38 | Move Ahead WA Flexible Account—State Appropriation. . . . .   | \$15,000,000  |



|   |                                                            |               |
|---|------------------------------------------------------------|---------------|
| 1 | Transportation Partnership Account—State                   |               |
| 2 | Appropriation. . . . .                                     | \$500,000     |
| 3 | Motor Vehicle Account—State Appropriation. . . . .         | \$35,370,000  |
| 4 | Motor Vehicle Account—Federal Appropriation. . . . .       | \$57,127,000  |
| 5 | Connecting Washington Account—State Appropriation. . . . . | \$97,228,000  |
| 6 | Multimodal Transportation Account—State                    |               |
| 7 | Appropriation. . . . .                                     | \$73,329,000  |
| 8 | TOTAL APPROPRIATION. . . . .                               | \$598,403,000 |

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

11       (1) Except as provided otherwise in this section, the entire  
12 appropriations in this section are provided solely for the projects  
13 and activities as listed by project and amount in LEAP Transportation  
14 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -  
15 Local Programs Program (Z), and \$300,000 of the climate active  
16 transportation account—state is provided solely for the Mountains to  
17 Sound Greenway trail, and \$3,000,000 of the move ahead Washington  
18 flexible account—state appropriation is provided solely for the  
19 Bradley Road Safe Routes Pedestrian Improvements project.

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

23       (a) (i) \$34,673,000 of the multimodal transportation account—state  
24 appropriation and \$37,563,000 of the climate active transportation  
25 account—state appropriation are provided solely for pedestrian and  
26 bicycle safety program projects (L2000188). The department must give  
27 the same weight to equity and safety criteria in the selection of  
28 pedestrian and bicycle safety projects.

29       (ii) The state route 99/Aurora Avenue North Planning Study funded  
30 in this subsection (2)(a) must prioritize designs that ensure slow  
31 vehicle speeds and systematic improvement to the quality of  
32 multimodal access, and must be fully completed by September 30, 2023,  
33 in order to ensure construction of improvements begin no later than  
34 March 1, 2024.

35       (b) \$19,137,000 of the motor vehicle account—federal  
36 appropriation, \$12,844,000 of the multimodal transportation account—  
37 state appropriation, and \$38,915,000 of the climate active  
38 transportation account—state appropriation are provided solely for  
39 safe routes to school projects (L2000189). The department must give

1 the same weight to equity and safety criteria in the selection of  
2 pedestrian and bicycle safety projects. The department may consider  
3 the special situations facing high-need areas, as defined by schools  
4 or project areas in which the percentage of the children eligible to  
5 receive free and reduced-price meals under the national school lunch  
6 program is equal to, or greater than, the state average as determined  
7 by the department, when evaluating project proposals against  
8 established funding criteria while ensuring continued compliance with  
9 federal eligibility requirements.

10 (3) \$25,000,000 of the climate active transportation account—  
11 state appropriation is provided solely for connecting communities  
12 projects (L1000308).

13 (4) \$16,800,000 of the climate active transportation account—  
14 state appropriation is provided solely for the school-based bike  
15 safety education program (L1000309).

16 (5) The department shall submit a report to the transportation  
17 committees of the legislature by December 1, 2023, and December 1,  
18 2024, on the status of projects and programs funded as part of the  
19 bicycle and pedestrian safety/safe routes to school grant program,  
20 connecting communities program, and school-based bike safety  
21 education program. The report must include, but is not limited to, a  
22 list of projects selected and a brief description of each project's  
23 status. In its December 1, 2023, report the department must also  
24 include recommended changes to the pedestrian safety/safe routes to  
25 school grant program application and selection processes to increase  
26 utilization by a greater diversity of jurisdictions.

27 (6) \$15,786,000 of the multimodal transportation account—state  
28 appropriation is provided solely for connecting Washington bicycle  
29 and pedestrian projects listed in the LEAP transportation document  
30 referenced in subsection (1) of this section.

31 (7) \$28,885,000 of the climate active transportation account—  
32 state appropriation is provided solely for move ahead WA bicycle and  
33 pedestrian projects listed in the LEAP transportation document  
34 referenced in subsection (1) of this section.

35 (a) It is the intent of the legislature that \$50,000,000 will be  
36 provided to the Seattle department of transportation to implement  
37 Aurora Avenue North Safety Improvements (L4000154). Under this  
38 program, the Seattle department of transportation will be required to  
39 implement strategic transportation investments for the Aurora Ave N

1 Corridor from N 90th St to N 105th St that ensure slow vehicle  
2 speeds, walkability, multimodal mobility, safe routes to local  
3 schools, and safety for residents, which will demonstrate the  
4 benefits of similar transportation investments for other locations  
5 along Aurora Avenue and elsewhere. The Seattle department of  
6 transportation must convene a neighborhood oversight board consisting  
7 of residents of communities of the Aurora Ave N Corridor to  
8 prioritize investments and monitor project implementation. The  
9 oversight board should be composed of an equitable representation of  
10 local communities along the Aurora Ave N Corridor, including  
11 residents with disabilities. The Seattle department of transportation  
12 will ensure that the oversight board is consulted on a bimonthly  
13 basis during the prioritization process.

14 (b) The legislature intends, upon completion of the State Route  
15 99/Aurora Avenue North Planning Study, that projects recommended in  
16 the study will be funded by this program. A specific focus must be on  
17 access management to consolidate driveways and improve safety for  
18 vulnerable users. This work must also include installation of full  
19 curb and sidewalks to improve safety, mobility, transit ridership,  
20 equity, and work towards the goals set forth in vision zero, target  
21 zero, and the Washington state active transportation plan. The  
22 Seattle department of transportation must ensure the design and  
23 implementation of an accessible sidewalk network to support users  
24 with mobility limitations, convenient and accessible transit stops,  
25 all-ages-and-abilities bicycle facilities, and safe pedestrian-  
26 activated crosswalks that puts safety over speed, balances the needs  
27 of different modes, reduces the level of traffic stress experienced  
28 by pedestrians and cyclists, connects to existing bicycle and transit  
29 networks, creates safe walking and bicycling routes to local schools  
30 including crosswalks, improves human and environmental health, and  
31 supports the surrounding neighborhoods. The Seattle department of  
32 transportation must coordinate with the Washington state department  
33 of transportation and King county metro in implementing the  
34 investments.

35 (8) \$14,000,000 of the carbon emissions reduction account—state  
36 appropriation is provided solely for the Guemes ferry boat  
37 replacement project (all electric) (L4000124).

38 (9) \$4,000,000 of the move ahead WA account—state appropriation  
39 is provided solely for the department to establish a reducing rural  
40 roadway departures program (L2021122) to provide funding for safety

1 improvements specific to preventing lane departures in areas where  
2 the departure is likely to cause serious injuries or death.

3 (10) \$121,860,000 of the move ahead WA account—state  
4 appropriation and \$12,000,000 of the move ahead WA flexible account—  
5 state appropriation are provided solely for move ahead local road  
6 projects listed in the LEAP transportation document referenced in  
7 subsection (1) of this section.

8 (a) \$21,000,000 of the move ahead Washington account—state  
9 appropriation is provided solely for three roundabouts to be  
10 constructed on SR 507 in partnership with local authorities. The  
11 roundabout at Vail is with Thurston county. The roundabout at Bald  
12 Hills is with the city of Yelm, and the roundabout at SR 702 is with  
13 Pierce county. The department is to work cooperatively with each  
14 local jurisdiction to construct these facilities within WSDOT rights-  
15 of-way. The department must provide all project predesign and design  
16 information developed to date to the local jurisdictions and have a  
17 project implementation agreement in place with each local  
18 jurisdiction within 180 calendar days of the enactment of this act.  
19 The implementation agreement may provide full control for the local  
20 authority to construct the project. Once the roundabouts are  
21 completed, the operations and maintenance of the roundabout are the  
22 responsibility of the department.

23 (b) It is the intent of the legislature that \$25,000,000 will be  
24 provided as part of the move ahead WA investment package in a future  
25 biennium, as indicated on the list identified in subsection (1) of  
26 this section, for the Ballard and Magnolia bridge project (L4000123).  
27 As part of the project, the Seattle department of transportation must  
28 consult with an independent engineering firm to verify that the costs  
29 for the type, size, and location preliminary design report (TS&L),  
30 environmental impact statement (EIS), and 60 percent design work are  
31 within industry cost range standards in advance of moving forward  
32 with construction. The Seattle department of transportation must  
33 ensure that funds are maximized by limiting the percentage for TS&L,  
34 EIS, and 60 percent design work to 10 percent of the total cost of  
35 the project. Of the \$25,000,000, \$12,500,000 must remain in  
36 unallotted status, and may be distributed to the Seattle department  
37 of transportation only upon determination by the office of financial  
38 management that the Seattle department of transportation's cost  
39 estimates have been verified by an independent engineering firm as

1 within industry cost range standards, and the Seattle department of  
2 transportation has secured the additional matching funding needed to  
3 complete the TS&L, EIS, and 60 percent design work.

4 (11) \$36,640,000 of the motor vehicle account—federal  
5 appropriation is provided solely for acceleration of local  
6 preservation projects that ensure the reliable movement of freight on  
7 the national highway freight system (G2000100). The department will  
8 select projects as part of its update of the state freight plan, in  
9 consultation with the freight mobility strategic investment board and  
10 other stakeholders.

11 (12) \$100,000 of the multimodal transportation account—state  
12 appropriation is provided solely for a grant to the Northwest Seaport  
13 Alliance (NWSA) to lead the creation and coordination of a  
14 multistakeholder zero emissions truck collaborative that will: (a)  
15 Facilitate the development and implementation of one or more zero-  
16 emissions drayage truck demonstration projects in Washington state;  
17 and (b) develop a roadmap for transitioning the entire fleet of  
18 approximately 4,500 drayage trucks that serve the NWSA cargo gateway  
19 to zero-emissions vehicles by 2050 or sooner.

20 (13) \$21,098,000 of the freight mobility investment account—state  
21 appropriation and \$22,728,000 of the freight mobility multimodal  
22 account—state appropriation are provided solely for freight mobility  
23 strategic investment projects listed in the LEAP transportation  
24 document referenced in subsection (1) of this section.

25 (14) \$25,000,000 of the motor vehicle account—state appropriation  
26 is provided solely for a federal fund exchange pilot program. The  
27 pilot program will allow exchanges of federal surface transportation  
28 block grant population funding and state funds at an exchange rate of  
29 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the  
30 appropriation in this subsection shall be held in unallotted status  
31 until surface transportation block grant population funding has been  
32 offered to the state, the department determines that a federalized  
33 project or projects funded in sections 305 (Improvements) or 306  
34 (Preservation) is eligible to spend the surface transportation block  
35 grant population funding, and state funds appropriated in sections  
36 305 (Improvements) or 306 (Preservation) for the eligible state  
37 project or projects in an amount equal to 100 percent of the offered  
38 surface transportation block grant population funding have been  
39 placed in unallotted status. A report on the effectiveness of the

1 exchange program and recommendations for continuing the pilot program  
2 is due to the governor and transportation committees of the  
3 legislature by December 1, 2024.

4 (15) \$4,150,000 of the motor vehicle account—state appropriation  
5 is provided solely for matching funds for federal funds to  
6 reconstruct Grant county and Adams county bridges as part of the  
7 Odessa groundwater replacement program.

8 (16)(a) For fiscal year 2025, \$2,000,000 of the carbon emissions  
9 reduction account—state appropriation is provided solely for the  
10 department to establish an e-bike lending library and ownership grant  
11 program. The department may accept grant applications from other  
12 state entities, local governments, and tribes that administer or plan  
13 to administer an e-bike lending library or ownership program for  
14 their employees for commute trip reduction purposes. The department  
15 may also accept grant applications from nonprofit organizations or  
16 tribal governments that serve persons who are low-income or reside in  
17 overburdened communities and that administer or plan to administer an  
18 e-bike lending library or ownership program for qualifying persons.  
19 Grant recipients must report program information and participation  
20 data to the University of Washington to inform its report described  
21 under (b) of this subsection.

22 (b) Of the amounts provided in this section, \$90,000 is for the  
23 department to contract with the University of Washington's  
24 sustainable transportation lab to publish a general policy brief that  
25 provides innovative e-bike rebate and lending library or ownership  
26 grant program models and recommendations, and a report on program  
27 information and data collected under the e-bike lending library and  
28 ownership grant program established in (a) of this subsection. An  
29 initial brief and report must be submitted to the transportation  
30 committees of the legislature by January 1, 2024, with the final  
31 policy brief and report due to the transportation committees of the  
32 legislature by January 1, 2025.

33 (c) The department may not collect more than five percent of  
34 appropriated amounts to administer the programs under (a) of this  
35 subsection.

36 (17) \$9,240,000 of the connecting Washington account—state  
37 appropriation is provided solely for the Aberdeen US 12 highway-rail  
38 separation project.

1 (18) \$750,000 of the motor vehicle account—state appropriation is  
2 provided solely for the Grady Way overpass at Rainier Avenue South  
3 I-405 BRT Access study.

4 NEW SECTION. **Sec. 311. ANNUAL REPORTING REQUIREMENTS FOR**  
5 **CAPITAL PROGRAM**

6 (1) As part of its annual budget submittal, the department of  
7 transportation shall provide an update to the report provided to the  
8 legislature in the prior fiscal year that: (a) Compares the original  
9 project cost estimates approved in the 2003, 2005, and 2015 revenue  
10 package project lists to the completed cost of the project, or the  
11 most recent legislatively approved budget and total project costs for  
12 projects not yet completed; (b) identifies highway projects that may  
13 be reduced in scope and still achieve a functional benefit; (c)  
14 identifies highway projects that have experienced scope increases and  
15 that can be reduced in scope; (d) identifies highway projects that  
16 have lost significant local or regional contributions that were  
17 essential to completing the project; (e) identifies risk reserves and  
18 contingency amounts allocated to projects; and (f) lists the nickel,  
19 TPA, and connecting Washington projects charging to the  
20 Nickel/TPA/CWA Environmental Mitigation Reserve (0BI4ENV) and the  
21 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project  
22 (0BI100B), and the amount each project is charging.

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

28 NEW SECTION. **Sec. 312. QUARTERLY REPORTING REQUIREMENTS FOR**  
29 **CAPITAL PROGRAM**

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

35 (1) A TEIS version containing actual capital expenditures for all  
36 projects consistent with the structure of the most recently enacted  
37 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. 313. FEDERAL FUNDS RECEIVED FOR CAPITAL**  
10 **PROJECT EXPENDITURES**

11 To the greatest extent practicable, the department of  
12 transportation shall expend federal funds received for capital  
13 project expenditures before state funds.

14 NEW SECTION. **Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND**  
15 **CANCELLATIONS**

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

23 (2) At the time of notification, the department shall provide an  
24 explanation for the reason or reasons for the pause or cancellation  
25 for each operating budget item and capital project. The explanation  
26 shall include specific reasons for each pause or cancellation, in  
27 addition to a statement of the broad rationale for the pause or  
28 cancellation.

29 (3) When feasible, the department shall make best efforts to keep  
30 the transportation committees of the legislature informed of an  
31 evaluation process underway for selecting operating budget items and  
32 capital projects to be paused or canceled, providing updates as its  
33 selection efforts proceed.

34 (4) When exigent circumstances prevent prior notice of a pause or  
35 cancellation from being provided to the transportation committees of  
36 the legislature, the department shall provide the information  
37 required under this section to the transportation committees of the  
38 legislature as soon as is practicable.



1            NEW SECTION.    **Sec. 315.    FOR THE WASHINGTON STATE DEPARTMENT OF**  
2 **TRANSPORTATION—FUNDS MANAGEMENT**

3            (1) As part of the department of transportation's 2025-2027  
4 biennial budget request, the department shall provide an overview of  
5 capital funds management challenges and recommendations for funds  
6 management strategies that would improve the likelihood of increasing  
7 performance associated with the following outcomes:

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

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

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

14           (d) Ensured federal government contributions regarding its share  
15 toward overhead costs;

16           (e) Increased disadvantaged business enterprise program  
17 participation and/or funding;

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

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

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

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

25           (2) The department may provide recommendations on the  
26 transportation appropriations act structure and project list  
27 amendments to most efficiently utilize state and federal capital  
28 funds.

29           (3) As part of the department's 2023-2025 biennial budget  
30 request, the department shall also report on:

31           (a) The federal grant programs it has applied for;

32           (b) The federal competitive grant programs it could have applied  
33 for but did not and the reason or reasons it did not apply; and

34           (c) The potential to use a federal fund exchange program to most  
35 efficiently use state and local federal funds.

(End of part)



1 Motor Vehicle Account—State Appropriation: For motor  
 2 vehicle fuel tax statutory distributions to  
 3 cities and counties. . . . . \$465,354,000  
 4 Multimodal Transportation Account—State  
 5 Appropriation: For distribution to cities and  
 6 counties. . . . . \$26,786,000  
 7 Motor Vehicle Account—State Appropriation: For  
 8 distribution to cities and counties. . . . . \$23,438,000

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

10 Motor Vehicle Account—State Appropriation: For motor  
 11 vehicle fuel tax refunds and statutory  
 12 transfers. . . . . \$1,969,182,000

13 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**  
 14 **TRANSFERS**

15 Motor Vehicle Account—State Appropriation: For motor  
 16 vehicle fuel tax refunds and transfers. . . . . \$246,480,000

17 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**  
 18 **TRANSFERS**

19 (1) Highway Safety Account—State Appropriation:  
 20 For transfer to the State Patrol Highway  
 21 Account—State. . . . . \$143,000,000

22 (2) Transportation Partnership Account—State  
 23 Appropriation: For transfer to the Motor Vehicle  
 24 Account—State. . . . . \$118,000,000

25 (3) (a) Transportation Partnership Account—State  
 26 Appropriation: For transfer to the Tacoma Narrows  
 27 Toll Bridge Account—State. . . . . \$6,611,000

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

34 (4) Motor Vehicle Account—State Appropriation:  
 35 For transfer to the County Arterial Preservation  
 36 Account—State. . . . . \$4,844,000

1 (5) Motor Vehicle Account—State Appropriation:  
2 For transfer to the Freight Mobility Investment  
3 Account—State. . . . . \$8,511,000  
4 (6) Motor Vehicle Account—State Appropriation:  
5 For transfer to the Rural Arterial Trust Account—State. . . \$4,844,000  
6 (7) Motor Vehicle Account—State Appropriation:  
7 For transfer to the Transportation Improvement  
8 Account—State. . . . . \$9,688,000  
9 (8) (a) State Route Number 520 Civil Penalties  
10 Account—State Appropriation: For transfer to the  
11 Motor Vehicle Account—State. . . . . \$1,000,000  
12 (b) The transfer in this subsection is to repay moneys loaned to  
13 the state route number 520 civil penalties account in the 2019-2021  
14 fiscal biennium.  
15 (9) Capital Vessel Replacement Account—State  
16 Appropriation: For transfer to the Connecting  
17 Washington Account—State. . . . . \$25,000,000  
18 (10) (a) Capital Vessel Replacement Account—State  
19 Appropriation: For transfer to the Transportation  
20 Partnership Account—State. . . . . \$500,000  
21 (b) The amount transferred in this subsection represents  
22 repayment of debt service incurred for the construction of the Hybrid  
23 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).  
24 (11) Multimodal Transportation Account—State  
25 Appropriation: For transfer to the Complete Streets  
26 Grant Program Account—State. . . . . \$14,670,000  
27 (12) Multimodal Transportation Account—State  
28 Appropriation: For transfer to the Highway Safety  
29 Account—State. . . . . \$65,000,000  
30 (13) Multimodal Transportation Account—State  
31 Appropriation: For transfer to the Freight Mobility  
32 Multimodal Account—State. . . . . \$8,511,000  
33 (14) Multimodal Transportation Account—State  
34 Appropriation: For transfer to the Motor Vehicle  
35 Account—State. . . . . \$90,000,000  
36 (15) Multimodal Transportation Account—State  
37 Appropriation: For transfer to the Puget Sound Ferry  
38 Operations Account—State. . . . . \$40,000,000  
39 (16) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Puget Sound  
2 Capital Construction Account—State. . . . . \$147,000,000  
3 (17) Multimodal Transportation Account—State  
4 Appropriation: For transfer to the Regional Mobility  
5 Grant Program Account—State. . . . . \$27,679,000  
6 (18) Multimodal Transportation Account—State  
7 Appropriation: For transfer to the Rural Mobility  
8 Grant Program Account—State. . . . . \$12,223,000  
9 (19) (a) Alaskan Way Viaduct Replacement Project  
10 Account—State Appropriation: For transfer to the  
11 Transportation Partnership Account—State. . . . . \$22,899,000  
12 (b) The amount transferred in this subsection represents  
13 repayment of debt service incurred for the construction of the SR 99/  
14 Alaskan Way Viaduct Replacement project (809936Z).  
15 (20) Tacoma Narrows Toll Bridge Account—State  
16 Appropriation: For transfer to the Motor Vehicle  
17 Account—State. . . . . \$543,000  
18 (21) Puget Sound Ferry Operations Account—State  
19 Appropriation: For transfer to the Puget Sound  
20 Capital Construction Account—State. . . . . \$121,828,000  
21 (22) Transportation 2003 Account (Nickel)—State  
22 Appropriation: For transfer to the Motor Vehicle  
23 Account—State. . . . . \$35,000,000  
24 (23) Connecting Washington Account—State  
25 Appropriation: For transfer to the Move Ahead WA  
26 Account—State. . . . . \$250,000,000  
27 (24) Multimodal Transportation Account—State  
28 Appropriation: For transfer to the Move Ahead WA  
29 Flexible Account—State. . . . . \$11,790,000  
30 (25) Carbon Emissions Reduction Account—State  
31 Appropriation: For transfer to the Climate Active  
32 Transportation Account—State. . . . . \$160,230,000  
33 (26) Carbon Emissions Reduction Account—State  
34 Appropriation: For transfer to the Climate Transit  
35 Programs Account—State. . . . . \$385,502,000  
36 (27) Move Ahead WA Flexible Account—State  
37 Appropriation: For transfer to the Puget Sound Ferry  
38 Operations Account—State. . . . . \$132,000,000  
39 (28) Alaskan Way Viaduct Replacement Project

1 Account—State Appropriation: For transfer to the  
 2 Motor Vehicle Account—State. . . . . \$16,000,000  
 3 (29) Electric Vehicle Account—State  
 4 Appropriation: For transfer to the Move Ahead WA  
 5 Flexible Account—State. . . . . \$33,300,000

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

9 Toll Facility Bond Retirement Account—Federal  
 10 Appropriation. . . . . \$194,241,000  
 11 Toll Facility Bond Retirement Account—State  
 12 Appropriation. . . . . \$25,372,000  
 13 TOTAL APPROPRIATION. . . . . \$219,613,000

14 **NEW SECTION. Sec. 408. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**  
 15 **CENTRAL CHARGES**

16 Pilotage Account—State Appropriation . . . . . \$24,000  
 17 State Patrol Highway Account—State Appropriation . . . . . \$5,590,000  
 18 Motorcycle Safety Education Account—State Appropriation . . . . \$14,000  
 19 Freight Mobility Investment Account—State Appropriation. . . . . \$7,000  
 20 Limited Fish and Wildlife Account—State Appropriation. . . . . \$6,000  
 21 Highway Safety Account—State Appropriation . . . . . \$2,956,000  
 22 Highway Safety Account—Federal Appropriation . . . . . \$34,000  
 23 Motor Vehicle Account—State Appropriation . . . . . \$20,587,000  
 24 Transportation Improvement Account—State Appropriation . . . . \$65,000  
 25 Ignition Interlock Device Revolving Account—State  
 26 Appropriation . . . . . \$12,000  
 27 Department of Licensing Services Account—State  
 28 Appropriation . . . . . \$265,000  
 29 Multimodal Transportation Account—State Appropriation . . . . \$1,626,000  
 30 TOTAL APPROPRIATION. . . . . \$31,186,000

31 The appropriations in this section are subject to the following  
 32 conditions and limitations: The appropriations are provided solely  
 33 for allocation to state agencies for central charges.

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**  
3 **IMPAIRED**

4 Nothing in this act prohibits the expenditure of any funds by an  
5 agency or institution of the state for benefits guaranteed by any  
6 collective bargaining agreement in effect on the effective date of  
7 this section.

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

9 In accordance with chapters 41.80, 41.56, and 47.64 RCW,  
10 agreements have been reached between the governor and employee  
11 organizations representing state employee bargaining units for the  
12 2023-2025 fiscal biennium. Funding is provided in this act to fund  
13 these agreements. The collective bargaining agreements that have been  
14 reached and are funded in this act, and the description of the major  
15 economic terms in each of the listed agreements are specified in OFM  
16 transportation document 2023-5: 2023-2025 Collective Bargaining  
17 Agreements as developed December 14, 2022.

18 NEW SECTION. **Sec. 503. COMPENSATION—REPRESENTED EMPLOYEES—**  
19 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

20 An agreement was reached for the 2023-2025 biennium between the  
21 governor and the health care coalition under the provisions of  
22 chapter 41.80 RCW. Appropriations in this act for state agencies are  
23 sufficient to implement the provisions of the 2023-2025 collective  
24 bargaining agreement, which maintains the provisions of the prior  
25 agreement, and are subject to the following conditions and  
26 limitations:

27 (1) The monthly employer funding rate for insurance benefit  
28 premiums, public employees' benefits board administration, and the  
29 uniform medical plan, shall not exceed \$1,130 per eligible employee  
30 for fiscal year 2024. For fiscal year 2025, the monthly employer  
31 funding rate shall not exceed \$1,184 per eligible employee. These  
32 rates include funding to cover, effective January 1, 2024: (a)  
33 Increased provider payments in the uniform medical plan for in-  
34 network advanced registered nurse practitioners (ARNPs) to have  
35 parity with a licensed in-network physician for the same services  
36 rendered, (b) increasing the temporomandibular (TMJ) benefit to  
37 \$1,000 annually/\$5,000 lifetime in the uniform dental plan, and (c)

1 eliminating the deductible for children up to age 15 in the uniform  
2 dental plan. These rates are sufficient to cover, effective January  
3 1, 2025, carving vision benefits out medical plans into stand-alone  
4 vision insurance.

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

15 NEW SECTION. **Sec. 504. COMPENSATION—REPRESENTED EMPLOYEES**  
16 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

17 Appropriations for state agencies in this act are sufficient for  
18 represented employees outside the coalition for health benefits, and  
19 are subject to the following conditions and limitations: The monthly  
20 employer funding rate for insurance benefit premiums, public  
21 employees' benefits board administration, and the uniform medical  
22 plan, may not exceed \$1,130 per eligible employee for fiscal year  
23 2024. For fiscal year 2025, the monthly employer funding rate may not  
24 exceed \$1,184 per eligible employee.

25 NEW SECTION. **Sec. 505. COMPENSATION—NONREPRESENTED EMPLOYEES—**  
26 **INSURANCE BENEFITS**

27 Appropriations for state agencies in this act are sufficient for  
28 nonrepresented state employee health benefits for state agencies,  
29 including institutions of higher education, and are subject to the  
30 following conditions and limitations: The employer monthly funding  
31 rate for insurance benefit premiums, public employees' benefits board  
32 administration, and the uniform medical plan, shall not exceed \$1,130  
33 per eligible employee for fiscal year 2024. For fiscal year 2025, the  
34 monthly employer funding rate shall not exceed \$1,184 per eligible  
35 employee.



1            NEW SECTION.    **Sec. 506.    GENERAL WAGE INCREASES AND LUMP SUM**  
2 **PAYMENTS**

3            (1) Appropriations for state agency employee compensation in this  
4 act are sufficient to provide general wage increases, retention lump  
5 sum payment and a lump sum COVID-19 booster incentive to state agency  
6 employees who are not represented or who bargain under statutory  
7 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or  
8 41.56.475.

9            (2) Funding is provided for a four percent general wage increase  
10 effective July 1, 2023, for all classified employees as specified in  
11 subsection (1) of this section, employees in the Washington  
12 management service, and exempt employees under the jurisdiction of  
13 the office of financial management. The appropriations are also  
14 sufficient to fund a four percent salary increase effective July 1,  
15 2023, for executive and legislative branch employees exempt from  
16 merit system rules whose maximum salaries are not set by the  
17 commission on salaries for elected officials.

18            (3) Funding is provided for a three percent general wage increase  
19 effective July 1, 2024, for all classified employees as specified in  
20 subsection (1) of this section, employees in the Washington  
21 management service, and exempt employees under the jurisdiction of  
22 the office of financial management. The appropriations are also  
23 sufficient to fund a three percent salary increase effective July 1,  
24 2024, for executive and legislative branch employees exempt from  
25 merit system rules whose maximum salaries are not set by the  
26 commission on salaries for elected officials.

27            (4) Funding is provided for a retention lump sum payment of  
28 \$1,000 for all employees as specified in subsection (1) of this  
29 section, employed on or before July 1, 2022, and continuously  
30 employed through July 1, 2023.

31            (5) Funding is provided for a COVID-19 booster incentive payment  
32 of \$1,000 for all employees as specified in subsection (1) of this  
33 section, who provide verification, beginning January 1, 2023, through  
34 December 31, 2023, that they are up-to-date with the COVID-19 vaccine  
35 booster.

36            NEW SECTION.    **Sec. 507.    COMPENSATION—PENSION CONTRIBUTIONS**

37            Appropriations to state agencies include funding for an increase  
38 in pension contribution rates for several state pension systems. An  
39 increase of 0.12 percent is funded for state employer contributions

1 to the public employees' retirement system, the public safety  
2 employees' retirement systems, and the school employees' retirement  
3 system. An increase of 0.23 percent for employer contributions to the  
4 teachers' retirement system is funded. These increases are provided  
5 for the purpose of a one-time, ongoing pension increase for retirees  
6 in the public employees' retirement system plan 1 and teachers'  
7 retirement system plan 1, as provided in chapter . . . (Senate Bill  
8 No. 5350), Laws of 2023 (providing a benefit increase to certain  
9 retirees of the public employees' retirement system plan 1 and the  
10 teachers' retirement system plan 1). If chapter . . . (Senate Bill  
11 No. 5350), Laws of 2023 (providing a benefit increase to certain  
12 retirees of the public employees' retirement system plan 1 and the  
13 teachers' retirement system plan 1) is not enacted by June 30, 2023,  
14 this section lapses.

15 NEW SECTION. **Sec. 508. COMPENSATION—REVISE PENSION CONTRIBUTION**  
16 **RATES**

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

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 NEW SECTION. **Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN**  
3 **THE LEGISLATURE IS NOT IN SESSION**

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

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

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

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

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

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

37 (f) Transfers may not be made while the legislature is in  
38 session;

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

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

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

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

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

15 (l) Transfers between projects may be made by the department of  
16 transportation without the formal written approval provided under  
17 this subsection (1), provided that the transfer amount to a single  
18 project does not exceed \$250,000 or 10 percent of the total project  
19 per biennium, whichever is less. These transfers must be reported  
20 quarterly to the director of the office of financial management and  
21 the chairs of the house of representatives and senate transportation  
22 committees.

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

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

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

1 (5) No fewer than 10 days after the receipt of a project transfer  
2 request, the director of the office of financial management must  
3 provide written notification to the department of any decision  
4 regarding project transfers, with copies submitted to the  
5 transportation committees of the legislature.

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

10 (7) (a) If the department of transportation receives federal  
11 funding not appropriated in this act, the department shall apply such  
12 funds to any of the following activities in lieu of state funds, if  
13 compliant with federal funding restrictions, and in the order that  
14 most reduces administrative burden and minimizes the use of bond  
15 proceeds:

16 (i) Projects on LEAP Transportation Document 2023-2 ALL PROJECTS  
17 as developed March 26, 2023; or

18 (ii) Other department of transportation operating or capital  
19 expenditures funded by appropriations from state accounts in this  
20 act.

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

33 (8) This section does not apply to appropriations used to fund  
34 projects within the federal fund exchange pilot program authorized in  
35 sections 306, 307, and 311 of this act.

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

37 To the extent that any appropriation authorizes expenditures of  
38 state funds from the motor vehicle account, special category C  
39 account, Tacoma Narrows toll bridge account, transportation 2003

1 account (nickel account), transportation partnership account,  
2 transportation improvement account, Puget Sound capital construction  
3 account, multimodal transportation account, state route number 520  
4 corridor account, connecting Washington account, or other  
5 transportation capital project account in the state treasury for a  
6 state transportation program that is specified to be funded with  
7 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the  
8 legislature declares that any such expenditures made before the issue  
9 date of the applicable transportation bonds for that state  
10 transportation program are intended to be reimbursed from proceeds of  
11 those transportation bonds in a maximum amount equal to the amount of  
12 such appropriation.

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

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

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

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

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

25 (b) Identifies, for each project, the amount of cost savings or  
26 increases in funding that have been identified as compared to the  
27 2017 enacted omnibus transportation appropriations act.

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

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

33 (1) The department of transportation shall post on its website  
34 every report that is due from the department to the legislature  
35 during the 2021-2023 fiscal biennium on one web page. The department  
36 must post both completed reports and planned reports on a single web  
37 page.

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

3 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**  
4 **ELEMENTS REPORTING**

5 (1) By November 15th of each year, the department of  
6 transportation must report on amounts expended to benefit transit,  
7 bicycle, or pedestrian elements within all connecting Washington  
8 projects in programs I, P, and Z identified in LEAP Transportation  
9 Document 2023-2 ALL PROJECTS as developed March 26, 2023. The report  
10 must address each modal category separately and identify if 18th  
11 amendment protected funds have been used and, if not, the source of  
12 funding.

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

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

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

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

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

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

37 (5) As part of its annual budget submittal, the department of  
38 transportation must report on all approved scope change requests from

1 the prior year, including a comparison of the scope before and after  
2 the requested change.

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

4 The department of transportation may provide up to \$5,000,000 in  
5 toll credits to Kitsap transit for its role in passenger-only ferry  
6 service and ferry corridor-related projects. The number of toll  
7 credits provided must be equal to, but no more than, the number  
8 sufficient to meet federal match requirements for grant funding for  
9 passenger-only ferry service, but must not exceed the amount  
10 authorized in this section.

11 NEW SECTION. **Sec. 609. LOCAL PARTNER COOPERATIVE AGREEMENTS**

12 (1) If a transportation project, where the Washington state  
13 department of transportation is the lead and the project is scheduled  
14 to be delivered or completed in the 2023-2025 biennium as shown on  
15 the LEAP Transportation Document 2023-2 ALL PROJECTS as developed  
16 March 26, 2023, is in jeopardy of being delayed because the  
17 department is unable to deliver or complete the project within the  
18 2023-2025 fiscal biennium and other local jurisdictions are able to  
19 deliver or complete the work, then the department must coordinate  
20 with the appropriate local jurisdictions to determine if a potential  
21 local partner is ready, willing, and able to execute delivery and  
22 completion of the project within the 2023-2025 biennium.

23 (2) The department must compile a list of projects under this  
24 section, including the timing under which the local partner agency  
25 can deliver or complete the projects within the 2023-2025 and  
26 2025-2027 biennia. The department must submit the compiled list of  
27 projects to the governor and the transportation committees of the  
28 legislature by November 1, 2023.

(End of part)



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

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

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

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

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;
- (iii) Discrete financial budget codes to include at least the appropriation index and program index;
- (iv) Object and subobject codes of expenditures;
- (v) Anticipated deliverables;
- (vi) Historical budget and expenditure detail by fiscal year; and
- (vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

1 (c) If a project technology budget changes and a revised  
2 technology budget is completed, a comparison of the revised  
3 technology budget to the last approved technology budget must be  
4 posted to the dashboard, to include a narrative rationale on what  
5 changed, why, and how that impacts the project in scope, budget, and  
6 schedule.

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

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

10 (ii) The office of the chief information officer staff assigned  
11 to the project;

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

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

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

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

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

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

32 (i) Project changes each fiscal month;

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

35 (iii) Financial status of information technology projects under  
36 oversight;

37 (iv) Coordination with agencies;

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

39 (vi) Monthly office of the chief information officer status  
40 reports;

1 (vii) Historical project budget and expenditures through fiscal  
2 year 2021;

3 (viii) Budget and expenditures each fiscal month;

4 (ix) Estimated annual maintenance and operations costs by fiscal  
5 year; and

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

8 (A) Office of the chief information officer;

9 (B) Agency project team; and

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

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

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

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

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

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

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

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

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

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

36 (e) The agency must consult with the contracting division of the  
37 department of enterprise services for a review of all contracts and  
38 agreements related to the project's information technology  
39 procurements.

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

5 (9) The office of the chief information officer may suspend or  
6 terminate a project at any time if it determines that the project is  
7 not meeting or not expected to meet anticipated performance and  
8 technology outcomes. Once suspension or termination occurs, the  
9 agency shall unallot any unused funding and shall not make any  
10 expenditure for the project without the approval of the office of  
11 financial management. The office of the chief information officer  
12 must report on July 1st and December 1st each calendar year any  
13 suspension or termination of a project in the previous six-month  
14 period to the legislative fiscal committees.

15 (10) The office of the chief information officer, in consultation  
16 with the office of financial management, may identify additional  
17 projects to be subject to this section, including projects that are  
18 not separately identified within an agency budget. The office of the  
19 chief information officer must report on July 1st and December 1st  
20 each calendar year any additional projects to be subjected to this  
21 section that were identified in the previous six-month period to the  
22 legislative fiscal committees.

23 NEW SECTION. **Sec. 702. DEVELOPMENT OF CLIMATE COMMITMENT ACT**  
24 **EVALUATION TOOLS**

25 The department of transportation shall cooperate and provide  
26 assistance, as requested, in the joint transportation committee's  
27 development of program delivery evaluation tools and methodologies  
28 provided under section 204 of this act for programs, projects, and  
29 other activities that receive funding from the carbon emissions  
30 reduction account, the climate active transportation account, and the  
31 climate transit programs account.

32 **Sec. 703.** RCW 43.19.642 and 2021 c 333 s 703 are each amended to  
33 read as follows:

34 (1) Effective June 1, 2006, for agencies complying with the  
35 ultra-low sulfur diesel mandate of the United States environmental  
36 protection agency for on-highway diesel fuel, agencies shall use  
37 biodiesel as an additive to ultra-low sulfur diesel for lubricity,  
38 provided that the use of a lubricity additive is warranted and that

1 the use of biodiesel is comparable in performance and cost with other  
2 available lubricity additives. The amount of biodiesel added to the  
3 ultra-low sulfur diesel fuel shall be not less than two percent.

4 (2) Except as provided in subsection (5) of this section,  
5 effective June 1, 2009, state agencies are required to use a minimum  
6 of (~~twenty~~) 20 percent biodiesel as compared to total volume of all  
7 diesel purchases made by the agencies for the operation of the  
8 agencies' diesel-powered vessels, vehicles, and construction  
9 equipment.

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

14 (4) By December 1, 2009, the department of enterprise services  
15 shall:

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

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

21 (5) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal  
22 biennia, the Washington state ferries is required to use a minimum of  
23 five percent biodiesel as compared to total volume of all diesel  
24 purchases made by the Washington state ferries for the operation of  
25 the Washington state ferries diesel-powered vessels, as long as the  
26 price of a B5 or B10 biodiesel blend does not exceed the price of  
27 conventional diesel fuel by five percent or more.

28 **Sec. 704.** RCW 82.21.030 and 2022 c 182 s 313 are each amended to  
29 read as follows:

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

36 (b) Beginning July 1, 2019, the rate of the tax on petroleum  
37 products is one dollar and nine cents per barrel. The tax collected  
38 under this subsection (1)(b) on petroleum products must be deposited  
39 as follows, after first depositing the tax as provided in (c) of this

1 subsection, except that during the ((2021-2023)) 2023-2025 biennium  
2 the deposit as provided in (c) of this subsection may be prorated  
3 equally across each month of the biennium:

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

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

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

10 (c) Until the beginning of the ensuing biennium after the  
11 enactment of an additive transportation funding act, \$50,000,000 per  
12 biennium to the motor vehicle fund to be used exclusively for  
13 transportation stormwater activities and projects. For purposes of  
14 this subsection, "additive transportation funding act" means an act  
15 enacted after June 30, 2023, in which the combined total of new  
16 revenues deposited into the motor vehicle fund and the multimodal  
17 transportation account exceed \$2,000,000,000 per biennium  
18 attributable solely to an increase in revenue from the enactment of  
19 the act.

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

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

34 (3) Beginning July 1, 2020, and every July 1st thereafter, the  
35 rate specified in subsection (1)(b) of this section must be adjusted  
36 to reflect the percentage change in the implicit price deflator for  
37 nonresidential structures as published by the United States  
38 department of commerce, bureau of economic analysis for the most  
39 recent 12-month period ending December 31st of the prior year.

1       **Sec. 705.** RCW 46.68.060 and 2022 c 182 s 434 are each amended to  
2 read as follows:

3       There is hereby created in the state treasury a fund to be known  
4 as the highway safety fund to the credit of which must be deposited  
5 all moneys directed by law to be deposited therein. This fund must be  
6 used for carrying out the provisions of law relating to driver  
7 licensing, driver improvement, financial responsibility, cost of  
8 furnishing abstracts of driving records and maintaining such case  
9 records, and to carry out the purposes set forth in RCW 43.59.010,  
10 chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the  
11 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer  
12 from the highway safety fund to the Puget Sound ferry operations  
13 account, the motor vehicle fund, and the multimodal transportation  
14 account such amounts as reflect the excess fund balance of the  
15 highway safety fund. During the (~~(2017-2019, 2019-2021, and)~~)  
16 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct  
17 the state treasurer to make transfers of moneys in the highway safety  
18 fund to the multimodal transportation account and the state patrol  
19 highway account.

20       **Sec. 706.** RCW 46.68.300 and 2021 c 333 s 711 are each amended to  
21 read as follows:

22       The freight mobility investment account is hereby created in the  
23 state treasury. Money in the account may be spent only after  
24 appropriation. Expenditures from the account may be used only for  
25 freight mobility projects that have been approved by the freight  
26 mobility strategic investment board in RCW 47.06A.020 and may include  
27 any principal and interest on bonds authorized for the projects or  
28 improvements. During the (~~(2019-2021 and)~~) 2021-2023 and 2023-2025  
29 fiscal biennia, the expenditures from the account may also be used  
30 for the administrative expenses of the freight mobility strategic  
31 investment board.

32       **Sec. 707.** RCW 47.60.322 and 2021 c 333 s 712 are each amended to  
33 read as follows:

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

1 46.17.060 must be deposited into the account. Moneys in the account  
2 may be spent only after appropriation. Expenditures from the account  
3 may be used only for the construction or purchase of ferry vessels  
4 and to pay the principal and interest on bonds authorized for the  
5 construction or purchase of ferry vessels. However, expenditures from  
6 the account must first be used to support the construction or  
7 purchase, including any applicable financing costs, of a ferry vessel  
8 with a carrying capacity of at least (~~one hundred forty-four~~) 144  
9 cars.

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

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

19 (4) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal  
20 biennia, the legislature may direct the state treasurer to make  
21 transfers of moneys in the capital vessel replacement account to the  
22 transportation partnership account and the connecting Washington  
23 account.

24 **Sec. 708.** RCW 46.68.290 and 2022 c 157 s 16 are each amended to  
25 read as follows:

26 (1) The transportation partnership account is hereby created in  
27 the motor vehicle fund. All distributions to the account from RCW  
28 46.68.090 must be deposited into the account. Money in the account  
29 may be spent only after appropriation. Expenditures from the account  
30 must be used only for projects or improvements identified as 2005  
31 transportation partnership projects or improvements in the omnibus  
32 transportation appropriations act, including any principal and  
33 interest on bonds authorized for the projects or improvements.

34 (2) The legislature finds that:

35 (a) Citizens demand and deserve accountability of transportation-  
36 related programs and expenditures. Transportation-related programs  
37 must continuously improve in quality, efficiency, and effectiveness  
38 in order to increase public trust;



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

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

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

9 (a) "Performance audit" means an objective and systematic  
10 assessment of a state agency or agencies or any of their programs,  
11 functions, or activities by the state auditor or designee in order to  
12 help improve agency efficiency, effectiveness, and accountability.  
13 Performance audits include economy and efficiency audits and program  
14 audits.

15 (b) "Transportation-related agency" means any state agency,  
16 board, or commission that receives funding primarily for  
17 transportation-related purposes. At a minimum, the department of  
18 transportation, the transportation improvement board or its successor  
19 entity, the county road administration board or its successor entity,  
20 and the traffic safety commission are considered transportation-  
21 related agencies. The Washington state patrol and the department of  
22 licensing shall not be considered transportation-related agencies  
23 under chapter 314, Laws of 2005.

24 (4) Within the authorities and duties under chapter 43.09 RCW,  
25 the state auditor shall establish criteria and protocols for  
26 performance audits. Transportation-related agencies shall be audited  
27 using criteria that include generally accepted government auditing  
28 standards as well as legislative mandates and performance objectives  
29 established by state agencies. Mandates include, but are not limited  
30 to, agency strategies, timelines, program objectives, and mission and  
31 goals as required in RCW 43.88.090.

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

36 (6) The audits may include:

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

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

4 (c) Analysis of gaps and overlaps in programs and services and  
5 recommendations for improving, dropping, blending, or separating  
6 functions to correct gaps or overlaps;

7 (d) Analysis and recommendations for pooling information  
8 technology systems used within the transportation-related agency, and  
9 evaluation of information processing and telecommunications policy,  
10 organization, and management;

11 (e) Analysis of the roles and functions of the transportation-  
12 related agency, its programs, and its services and their compliance  
13 with statutory authority and recommendations for eliminating or  
14 changing those roles and functions and ensuring compliance with  
15 statutory authority;

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

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

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

25 (i) Identification and recognition of best practices;

26 (j) Evaluation of planning, budgeting, and program evaluation  
27 policies and practices;

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

29 (l) Evaluation of purchasing operations and management policies  
30 and practices;

31 (m) Evaluation of organizational structure and staffing levels,  
32 particularly in terms of the ratio of managers and supervisors to  
33 nonmanagement personnel; and

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

37 (7) Within the authorities and duties under chapter 43.09 RCW,  
38 the state auditor must provide the preliminary performance audit  
39 reports to the audited state agency for comment. The auditor also may  
40 seek input on the preliminary report from other appropriate

1 officials. Comments must be received within (~~thirty~~) 30 days after  
2 receipt of the preliminary performance audit report unless a  
3 different time period is approved by the state auditor. The final  
4 performance audit report shall include the objectives, scope, and  
5 methodology; the audit results, including findings and  
6 recommendations; the agency's response and conclusions; and  
7 identification of best practices.

8 (8) The state auditor shall provide final performance audit  
9 reports to the citizens of Washington, the governor, the joint  
10 legislative audit and review committee, the appropriate legislative  
11 committees, and other appropriate officials. Final performance audit  
12 reports shall be posted on the internet.

13 (9) The audited transportation-related agency is responsible for  
14 follow-up and corrective action on all performance audit findings and  
15 recommendations. The audited agency's plan for addressing each audit  
16 finding and recommendation shall be included in the final audit  
17 report. The plan shall provide the name of the contact person  
18 responsible for each action, the action planned, and the anticipated  
19 completion date. If the audited agency does not agree with the audit  
20 findings and recommendations or believes action is not required, then  
21 the action plan shall include an explanation and specific reasons.

22 The office of financial management shall require periodic  
23 progress reports from the audited agency until all resolution has  
24 occurred. The office of financial management is responsible for  
25 achieving audit resolution. The office of financial management shall  
26 annually report by December 31st the status of performance audit  
27 resolution to the appropriate legislative committees and the state  
28 auditor. The legislature shall consider the performance audit results  
29 in connection with the state budget process.

30 The auditor may request status reports on specific audits or  
31 findings.

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

36 (11) During the 2015-2017 fiscal biennium, the legislature may  
37 transfer from the transportation partnership account to the  
38 connecting Washington account such amounts as reflect the excess fund  
39 balance of the transportation partnership account.

1 (12) During the ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal  
2 biennia, the legislature may direct the state treasurer to make  
3 transfers of moneys in the transportation partnership account to the  
4 connecting Washington account, the motor vehicle fund, the Tacoma  
5 Narrows toll bridge account, and the capital vessel replacement  
6 account.

7 **Sec. 709.** RCW 46.68.063 and 2021 c 333 s 714 are each amended to  
8 read as follows:

9 The department of licensing technology improvement and data  
10 management account is created in the highway safety fund. All  
11 receipts from fees collected under RCW 46.12.630(5) must be deposited  
12 into the account. Expenditures from the account may be used only for  
13 investments in technology and data management at the department.  
14 During the ((2019-2021 and)) 2021-2023 and 2023-2025 biennia, the  
15 account may also be used for responding to public records requests.  
16 Moneys in the account may be spent only after appropriation.

17 **Sec. 710.** RCW 47.60.530 and 2021 c 333 s 715 are each amended to  
18 read as follows:

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

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

22 (a) All moneys directed by law;

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

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

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

27 (4) Expenditures from the account may be used only for the  
28 maintenance, administration, and operation of the Washington state  
29 ferry system.

30 ~~(5) ((During the 2015-2017 fiscal biennium, the legislature may  
31 transfer from the Puget Sound ferry operations account to the  
32 connecting Washington account such amounts as reflect the excess fund  
33 balance of the Puget Sound ferry operations account.~~

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

37 ~~(7))~~ During the 2021-2023 and 2023-2025 fiscal biennium, the  
38 legislature may direct the state treasurer to make transfers of

1 moneys in the Puget Sound ferry operations account to the Puget Sound  
2 capital construction account.

3 **Sec. 711.** RCW 47.60.315 and 2021 c 333 s 716 are each amended to  
4 read as follows:

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

7 (a) Each year the department shall provide the commission a  
8 report of its review of fares and pricing policies, with  
9 recommendations for the revision of fares and pricing policies for  
10 the ensuing year;

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

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

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

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

27 (5) Fare revenues and other revenues deposited in the Puget Sound  
28 ferry operations account created in RCW 47.60.530 may not be used to  
29 support the Puget Sound capital construction account created in RCW  
30 47.60.505, unless the support for capital is separately identified in  
31 the fare or except as provided in section (~~(715, chapter 333, Laws of~~  
32 ~~2021)) 710 of this act during the (~~(2021-2023)) 2023-2025 biennium.~~~~

33 (6) The commission may not raise fares until the fare rules  
34 contain pricing policies developed under RCW 47.60.290, or September  
35 1, 2009, whichever is later.

36 (7) The commission shall impose a vessel replacement surcharge of  
37 (~~(twenty-five)) 25 cents on every one-way and round-trip ferry fare  
38 sold, including multiride and monthly pass fares. This surcharge must~~

1 be clearly indicated to ferry passengers and drivers and, if  
2 possible, on the fare media itself.

3 (8) Except as provided in subsection (10) of this section,  
4 beginning May 1, 2020, the commission shall impose an additional  
5 vessel replacement surcharge in an amount sufficient to fund  
6 (~~twenty-five~~) 25 year debt service on one 144-auto hybrid vessel  
7 taking into account funds provided in chapter 417, Laws of 2019 or  
8 chapter . . . (SSB 5419), Laws of 2019. The department of  
9 transportation shall provide to the commission vessel and debt  
10 service cost estimates. Information on vessels constructed or  
11 purchased with revenue from the surcharges must be publicly posted  
12 including, but not limited to, the commission website.

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

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

20 **Sec. 712.** RCW 34.05.350 and 2021 c 333 s 717 are each amended to  
21 read as follows:

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

23 (a) That immediate adoption, amendment, or repeal of a rule is  
24 necessary for the preservation of the public health, safety, or  
25 general welfare, and that observing the time requirements of notice  
26 and opportunity to comment upon adoption of a permanent rule would be  
27 contrary to the public interest;

28 (b) That state or federal law or federal rule or a federal  
29 deadline for state receipt of federal funds requires immediate  
30 adoption of a rule; or

31 (c) In order to implement the requirements or reductions in  
32 appropriations enacted in any budget for fiscal year 2009, 2010,  
33 2011, 2012, 2013, or in an omnibus transportation appropriations act  
34 for the 2021-2023 (~~biennium~~) and 2023-2025 biennia related to  
35 setting toll rates or ferry fares, which necessitates the need for  
36 the immediate adoption, amendment, or repeal of a rule, and that  
37 observing the time requirements of notice and opportunity to comment  
38 upon adoption of a permanent rule would be contrary to the fiscal  
39 needs or requirements of the agency,

1 the agency may dispense with those requirements and adopt, amend, or  
2 repeal the rule on an emergency basis. The agency's finding and a  
3 concise statement of the reasons for its finding shall be  
4 incorporated in the order for adoption of the emergency rule or  
5 amendment filed with the office of the code reviser under RCW  
6 34.05.380 and with the rules review committee.

7 (2) An emergency rule adopted under this section takes effect  
8 upon filing with the code reviser, unless a later date is specified  
9 in the order of adoption, and may not remain in effect for longer  
10 than one hundred twenty days after filing. Identical or substantially  
11 similar emergency rules may not be adopted in sequence unless  
12 conditions have changed or the agency has filed notice of its intent  
13 to adopt the rule as a permanent rule, and is actively undertaking  
14 the appropriate procedures to adopt the rule as a permanent rule.  
15 This section does not relieve any agency from compliance with any law  
16 requiring that its permanent rules be approved by designated persons  
17 or bodies before they become effective.

18 (3) Within seven days after the rule is adopted, any person may  
19 petition the governor requesting the immediate repeal of a rule  
20 adopted on an emergency basis by any department listed in RCW  
21 43.17.010. Within seven days after submission of the petition, the  
22 governor shall either deny the petition in writing, stating his or  
23 her reasons for the denial, or order the immediate repeal of the  
24 rule. In ruling on the petition, the governor shall consider only  
25 whether the conditions in subsection (1) of this section were met  
26 such that adoption of the rule on an emergency basis was necessary.  
27 If the governor orders the repeal of the emergency rule, any sanction  
28 imposed based on that rule is void. This subsection shall not be  
29 construed to prohibit adoption of any rule as a permanent rule.

30 **Sec. 713.** RCW 46.09.540 and 2021 c 333 s 720 are each amended to  
31 read as follows:

32 (1) The multiuse roadway safety account is created in the motor  
33 vehicle fund. All receipts from vehicle license fees under RCW  
34 46.17.350(1)(r) must be deposited into the account. Moneys in the  
35 account may be spent only after appropriation. Expenditures from the  
36 account may be used only for grants administered by the department of  
37 transportation to: (a) Counties to perform safety engineering  
38 analysis of mixed vehicle use on any road within a county; (b) local  
39 governments to provide funding to erect signs providing notice to the

1 motoring public that (i) wheeled all-terrain vehicles are present or  
2 (ii) wheeled all-terrain vehicles may be crossing; (c) the state  
3 patrol or local law enforcement for purposes of defraying the costs  
4 of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (d) law  
5 enforcement to investigate accidents involving wheeled all-terrain  
6 vehicles; and (e) during the (~~2021-2023~~) 2023-2025 biennium grants  
7 may be made to counties to (i) enhance or maintain any segment of a  
8 road within the county in which the segment has been designated as  
9 part of a travel or tourism route for use by wheeled all-terrain  
10 vehicles; and (ii) purchase, print, develop, or use educational  
11 brochures or mapping technology that aids in the safety and direction  
12 of users of wheeled all-terrain vehicle routes.

13 (2) The department of transportation must prioritize grant awards  
14 in the following priority order:

15 (a) For the purpose of marking highway crossings with signs  
16 warning motorists that wheeled all-terrain vehicles may be crossing  
17 when an ORV recreation facility parking lot is on the other side of a  
18 public roadway from the actual ORV recreation facility; and

19 (b) For the purpose of marking intersections with signs where a  
20 wheeled all-terrain vehicle may cross a public road to advise  
21 motorists of the upcoming intersection. Such signs must conform to  
22 the manual on uniform traffic control devices.

23 **Sec. 714.** RCW 47.66.120 and 2022 c 182 s 439 are each amended to  
24 read as follows:

25 (1)(a) The department's public transportation division shall  
26 establish a green transportation capital grant program. The purpose  
27 of the grant program is to aid any transit authority in funding cost-  
28 effective capital projects to reduce the carbon intensity of the  
29 Washington transportation system, examples of which include:  
30 Electrification of vehicle fleets, including battery and fuel cell  
31 electric vehicles; modification or replacement of capital facilities  
32 in order to facilitate fleet electrification and/or hydrogen  
33 refueling; necessary upgrades to electrical transmission and  
34 distribution systems; and construction of charging and fueling  
35 stations. The department's public transportation division shall  
36 identify projects and shall submit a prioritized list of all projects  
37 requesting funding to the legislature by December 1st of each even-  
38 numbered year.



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

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

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

8 (c) The department must incorporate environmental justice  
9 principles into the grant selection process, with the goal of  
10 increasing the distribution of funding to communities based on  
11 addressing environmental harms and providing environmental benefits  
12 for overburdened communities, as defined in RCW 70A.02.010, and  
13 vulnerable populations.

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

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

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

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

36 (6) During the (~~2021-2023~~) 2023-2025 fiscal biennium, the  
37 department may provide up to 20 percent of the total green  
38 transportation capital grant program funding for zero emissions  
39 capital transition planning projects.

1       **Sec. 715.** RCW 70A.205.415 and 2022 c 186 s 705 are each amended  
2 to read as follows:

3       The waste tire removal account is created in the state treasury.  
4 Expenditures from the account may be used for the cleanup of  
5 unauthorized waste tire piles, measures that prevent future  
6 accumulation of unauthorized waste tire piles, and road wear related  
7 maintenance on state and local public highways. During the 2007-2009  
8 fiscal biennium, the legislature may transfer from the waste tire  
9 removal account to the motor vehicle fund such amounts as reflect the  
10 excess fund balance of the waste tire removal account. During the  
11 2021-2023 and 2023-2025 fiscal (~~biennium~~) biennia, appropriations  
12 from the waste tire removal account may be made for the department of  
13 transportation to address the risks to safety and public health  
14 associated with homeless encampments on department owned rights-of-  
15 way.

16       **Sec. 716.** RCW 46.68.410 and 2022 c 186 s 706 are each amended to  
17 read as follows:

18       (1) The vehicle identification number inspection fee collected  
19 under RCW 46.17.130 must be distributed as follows:

20       (a) \$15 to the state patrol highway account created in RCW  
21 46.68.030; and

22       (b) \$50 to the motor vehicle fund created in RCW 46.68.070.

23       (2) During the (~~2021-2023~~) 2023-2025 fiscal biennium, the  
24 entire vehicle identification number inspection fee collected under  
25 RCW 46.17.130 must be distributed to the state patrol highway account  
26 created in RCW 46.68.030.

27       **Sec. 717.** RCW 47.12.063 and 2022 c 186 s 710 are each amended to  
28 read as follows:

29       (1) It is the intent of the legislature to continue the  
30 department's policy giving priority consideration to abutting  
31 property owners in agricultural areas when disposing of property  
32 through its surplus property program under this section.

33       (2) Whenever the department determines that any real property  
34 owned by the state of Washington and under the jurisdiction of the  
35 department is no longer required for transportation purposes and that  
36 it is in the public interest to do so, the department may sell the  
37 property or exchange it in full or part consideration for land or  
38 building improvements or for construction of highway improvements at

1 fair market value to any person through the solicitation of written  
2 bids through public advertising in the manner prescribed under RCW  
3 47.28.050 or in the manner prescribed under RCW 47.12.283.

4 (3) The department may forego the processes prescribed by RCW  
5 47.28.050 and 47.12.283 and sell the real property to any of the  
6 following entities or persons at fair market value:

7 (a) Any other state agency;

8 (b) The city or county in which the property is situated;

9 (c) Any other municipal corporation;

10 (d) Regional transit authorities created under chapter 81.112  
11 RCW;

12 (e) The former owner of the property from whom the state acquired  
13 title;

14 (f) In the case of residentially improved property, a tenant of  
15 the department who has resided thereon for not less than six months  
16 and who is not delinquent in paying rent to the state;

17 (g) Any abutting private owner but only after each other abutting  
18 private owner (if any), as shown in the records of the county  
19 assessor, is notified in writing of the proposed sale. If more than  
20 one abutting private owner requests in writing the right to purchase  
21 the property within 15 days after receiving notice of the proposed  
22 sale, the property shall be sold at public auction in the manner  
23 provided in RCW 47.12.283;

24 (h) To any other owner of real property required for  
25 transportation purposes;

26 (i) In the case of property suitable for residential use, any  
27 nonprofit organization dedicated to providing affordable housing to  
28 very low-income, low-income, and moderate-income households as  
29 defined in RCW 43.63A.510 and is eligible to receive assistance  
30 through the Washington housing trust fund created in chapter 43.185  
31 RCW;

32 (j) During the ~~((2021-2023))~~ 2023-2025 fiscal biennium, any  
33 nonprofit organization that identifies real property to be sold or  
34 conveyed as a substitute for real property owned by the nonprofit  
35 within the city of Seattle to be redeveloped for the purpose of  
36 affordable housing, which can be sold at less than its fair market  
37 value to the extent the department finds it is in the public interest  
38 to do so; or

39 (k) A federally recognized Indian tribe within whose reservation  
40 boundary the property is located.

1 (4) When selling real property pursuant to RCW 47.12.283, the  
2 department may withhold or withdraw the property from an auction when  
3 requested by one of the entities or persons listed in subsection (3)  
4 of this section and only after the receipt of a nonrefundable deposit  
5 equal to 10 percent of the fair market value of the real property or  
6 \$5,000, whichever is less. This subsection does not prohibit the  
7 department from exercising its discretion to withhold or withdraw the  
8 real property from an auction if the department determines that the  
9 property is no longer surplus or chooses to sell the property through  
10 one of the other means listed in subsection (2) of this section. If a  
11 transaction under this subsection is not completed within 60 days,  
12 the real property must be put back up for sale.

13 (5) Sales to purchasers may, at the department's option, be for  
14 cash, by real estate contract, or exchange of land or highway  
15 improvements. Transactions involving the construction of improvements  
16 must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as  
17 applicable, and must comply with all other applicable laws and rules.

18 (6) Conveyances made pursuant to this section shall be by deed  
19 executed by the secretary of transportation and shall be duly  
20 acknowledged.

21 (7) Unless otherwise provided, all moneys received pursuant to  
22 the provisions of this section less any real estate broker  
23 commissions paid pursuant to RCW 47.12.320 shall be deposited in the  
24 motor vehicle fund.

25 (8) The department may not enter into equal value exchanges or  
26 property acquisitions for building improvements without first  
27 consulting with the office of financial management and the joint  
28 transportation committee.

29 **Sec. 718.** RCW 46.68.500 and 2022 c 182 s 103 are each amended to  
30 read as follows:

31 (1) The climate transit programs account is hereby created in the  
32 state treasury. Moneys in the account may be spent only after  
33 appropriation. Expenditures from the account may be used only for the  
34 following transit grant programs: Transit support grant program,  
35 tribal transit mobility grants, transit coordination grants, special  
36 needs transit grants, bus and bus facility grant program, green  
37 transit grants, and transportation demand management grants, as well  
38 as transit projects identified in an omnibus transportation  
39 appropriations act as move ahead WA projects.

1 (2) Beginning July 1, 2023, the state treasurer shall annually  
2 transfer 56 percent of the revenues accruing annually to the carbon  
3 emissions reduction account created in RCW 70A.65.240 to the climate  
4 transit programs account. The provisions of this subsection do not  
5 apply during the 2023-2025 fiscal biennium.

6 **Sec. 719.** RCW 46.68.490 and 2022 c 182 s 102 are each amended to  
7 read as follows:

8 (1) The climate active transportation account is hereby created  
9 in the state treasury. Moneys in the account may be spent only after  
10 appropriation. Expenditures from the account may be used only for the  
11 following active transportation grant programs: Safe routes to  
12 schools, school-based bike program, bicycle and pedestrian grant  
13 program, complete streets grants program, and connecting communities  
14 grant program, as well as pedestrian and bicycle or other active  
15 transportation projects identified in an omnibus transportation  
16 appropriations act as move ahead WA projects.

17 (2) Beginning July 1, 2023, the state treasurer shall annually  
18 transfer 24 percent of the revenues accruing annually to the carbon  
19 emissions reduction account created in RCW 70A.65.240 to the climate  
20 active transportation account. The provisions of this subsection do  
21 not apply during the 2023-2025 fiscal biennium.

22 **Sec. 720.** RCW 46.68.280 and 2019 c 416 s 706 are each amended to  
23 read as follows:

24 (1) The transportation 2003 account (nickel account) is hereby  
25 created in the motor vehicle fund. Money in the account may be spent  
26 only after appropriation. Expenditures from the account must be used  
27 only for projects or improvements identified as transportation 2003  
28 projects or improvements in the omnibus transportation budget and to  
29 pay the principal and interest on the bonds authorized for  
30 transportation 2003 projects or improvements. Upon completion of the  
31 projects or improvements identified as transportation 2003 projects  
32 or improvements, moneys deposited in this account must only be used  
33 to pay the principal and interest on the bonds authorized for  
34 transportation 2003 projects or improvements, and any funds in the  
35 account in excess of the amount necessary to make the principal and  
36 interest payments may be used for maintenance on the completed  
37 projects or improvements.

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

5 (3) During the 2017-2019 and the 2019-2021 fiscal biennia, the  
6 legislature may direct the state treasurer to make transfers of  
7 moneys in the transportation 2003 account (nickel account) to the  
8 connecting Washington account, the Puget Sound capital construction  
9 account, and the Tacoma Narrows toll bridge account.

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

11 (5) During the 2023-2025 fiscal biennium, the legislature may  
12 direct the state treasurer to make transfers of moneys in the  
13 transportation 2003 account (nickel account) to the motor vehicle  
14 fund.

15 **Sec. 721.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to  
16 read as follows:

17 (1) The connecting Washington account is created in the motor  
18 vehicle fund. Moneys in the account may be spent only after  
19 appropriation. Expenditures from the account must be used only for  
20 projects or improvements identified as connecting Washington projects  
21 or improvements in a transportation appropriations act, including any  
22 principal and interest on bonds authorized for the projects or  
23 improvements.

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

27 (3) During the 2019-2021 fiscal biennium, the legislature may  
28 direct the state treasurer to make transfers of moneys in the  
29 connecting Washington account to the motor vehicle fund.

30 (4) During the 2023-2025 fiscal biennium, the legislature may  
31 direct the state treasurer to make transfers of moneys in the  
32 connecting Washington account to the move ahead WA account.

33 **Sec. 722.** RCW 82.44.200 and 2022 c 187 s 501 are each amended to  
34 read as follows:

35 The electric vehicle account is created in the transportation  
36 infrastructure account. Proceeds from the principal and interest  
37 payments made on loans from the account must be deposited into the  
38 account. Expenditures from the account may be used only for the

1 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and  
2 the support of other transportation electrification and alternative  
3 fuel related purposes, including RCW 47.01.520. Moneys in the account  
4 may be spent only after appropriation. During the 2021-2023 and  
5 2023-2025 fiscal (~~(biennium)~~) biennia, the legislature may direct the  
6 state treasurer to make transfers of moneys in the electric vehicle  
7 account to the move ahead WA flexible account.

8 **Sec. 723.** RCW 47.56.864 and 2012 c 83 s 3 are each amended to  
9 read as follows:

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

12 (1) Deposits to the account must include:

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

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

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

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

23 (e) All damages, liquidated or otherwise, collected under any  
24 contract involving the construction of the Alaskan Way viaduct  
25 replacement project.

26 (2) Subject to the covenants made by the state in the bond  
27 proceedings authorizing the issuance and sale of bonds for the  
28 construction of the Alaskan Way viaduct replacement project, toll  
29 charges, other revenues, and interest received from the operation of  
30 the Alaskan Way viaduct replacement project as a toll facility may be  
31 used to:

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

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

34 (3) When repaying the motor vehicle fund, the state treasurer  
35 shall transfer funds from the Alaskan Way viaduct replacement project  
36 account to the motor vehicle fund on or before each debt service date  
37 for bonds issued for the construction of the Alaskan Way viaduct  
38 replacement project in an amount sufficient to repay the motor  
39 vehicle fund for amounts transferred from that fund to the highway

1 bond retirement fund to provide for any bond principal and interest  
2 due on that date. The state treasurer may establish subaccounts for  
3 the purpose of segregating toll charges, bond sale proceeds, and  
4 other revenues.

5 (4) During the 2023-2025 fiscal biennium, the legislature may  
6 direct the state treasurer to make transfers of moneys in the Alaskan  
7 Way viaduct replacement project account to the motor vehicle fund.

8 NEW SECTION. **Sec. 724.** Section 717 of this act only takes  
9 effect if chapter . . . (House Bill No. 1237), Laws of 2023 is not  
10 enacted by June 30, 2023.

(End of part)



1 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

2 NEW SECTION. **Sec. 801.** The appropriations to the department of  
3 transportation in chapter 416, Laws of 2019, chapter 219, Laws of  
4 2020, and this act must be expended for the programs and in the  
5 amounts specified in chapter 416, Laws of 2019, chapter 219, Laws of  
6 2020, and this act. However, after May 1, 2021, unless specifically  
7 prohibited, the department may transfer state appropriations for the  
8 2019-2021 fiscal biennium among operating programs after approval by  
9 the director of the office of financial management. However, the  
10 department shall not transfer state moneys that are provided solely  
11 for a specific purpose. The department shall not transfer funds, and  
12 the director of the office of financial management shall not approve  
13 the transfer, unless the transfer is consistent with the objective of  
14 conserving, to the maximum extent possible, the expenditure of state  
15 funds and not federal funds. The director of the office of financial  
16 management shall notify the appropriate transportation committees of  
17 the legislature prior to approving any allotment modifications or  
18 transfers under this section.

(End of part)

2021-2023 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 901. 2021 c 333 s 110 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

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

Sec. 902. 2021 c 333 s 111 (uncodified) is amended to read as follows:

FOR THE SENATE

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

Sec. 903. 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 (1) Development of a status quo scenario based on current policy  
2 and projections and two alternative scenarios of the number of people  
3 and percentage of staff in telework status on a permanent basis with  
4 one alternative being the minimum feasible level of teleworking and  
5 one alternative being the maximum feasible level of teleworking;

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

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

12 (4) Analysis of opportunities to colocate with other state,  
13 local, and other public agencies to reduce costs and improve cost-  
14 efficiency;

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

19 (6) Detailed information on any reduced costs, such as leases,  
20 facility maintenance, and utilities, resulting from the projected  
21 teleworking levels for the scenarios in subsection (1) of this  
22 section; and

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

26 NEW SECTION. **Sec. 904.** A new section is added to 2022 c 186  
27 (uncodified) to read as follows:

28 (1) During the 2021-2023 fiscal biennium, the department of  
29 agriculture shall produce a fuel tax sticker for display on each  
30 motor fuel pump from which fuel is sold at retail that displays and  
31 provides notice of the federal and state fuel tax rates. The sticker  
32 must display the rate of each tax, in cents per gallon, for each type  
33 of fuel.

34 (2) The department of agriculture shall provide notice of federal  
35 and state fuel tax rates, in the form of a fuel tax sticker, to be  
36 displayed on motor fuel pumps.

37 (3) The department of agriculture shall distribute fuel tax  
38 stickers to all individuals who conduct fuel pump inspections,  
39 including department employees and local government employees.

1 Government employees who conduct fuel pump inspections shall display  
2 a fuel tax sticker on each motor fuel pump or shall verify that such  
3 a sticker is being displayed at the time of inspection as required  
4 under this subsection. Fuel tax stickers must:

5 (a) Be displayed on each face of the motor fuel pump on which the  
6 price of the fuel sold from the pump is displayed; and

7 (b) Be displayed in a clear, conspicuous, and prominent manner.

8 (4) The department of agriculture shall provide fuel tax stickers  
9 by mail to fuel pump owners who request them for the face of each  
10 motor fuel pump for which a sticker is requested.

11 (5) The department of agriculture shall produce updated fuel tax  
12 stickers on an annual basis when one or more fuel tax rates have  
13 changed. Fuel tax stickers must be replaced at the time of motor fuel  
14 pump inspection if the sticker has been updated with any new fuel tax  
15 rates.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 **Sec. 1001.** 2022 c 186 s 205 (uncodified) is amended to read as  
3 follows:

4 **FOR THE TRANSPORTATION COMMISSION**

5 Motor Vehicle Account—State Appropriation. . . . . \$3,804,000  
6 Interstate 405 and State Route Number 167 Express  
7 Toll Lanes Account—State Appropriation. . . . . \$127,000  
8 State Route Number 520 Corridor Account—State  
9 Appropriation. . . . . \$276,000  
10 Tacoma Narrows Toll Bridge Account—State  
11 Appropriation. . . . . \$180,000  
12 Alaskan Way Viaduct Replacement Project Account—  
13 State Appropriation. . . . . \$172,000  
14 TOTAL APPROPRIATION. . . . . \$4,559,000

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

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

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

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

37 (ii) Assess delivery vehicle fleets and how a road usage charge  
38 may be applied, identifying potential impacts to fleet operations and

1 costs, and state transportation revenues, and conducting a pilot test  
2 to further inform the identification of potential impacts from a road  
3 usage charge;

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

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

14 (2) \$127,000 of the Interstate 405 and state route number 167  
15 express toll lanes account—state appropriation, \$276,000 of the state  
16 route number 520 corridor account—state appropriation, \$180,000 of  
17 the Tacoma Narrows toll bridge account—state appropriation, and  
18 \$172,000 of the Alaskan Way viaduct replacement project account—state  
19 appropriation are provided solely for the transportation commission's  
20 proportional share of time spent supporting tolling operations for  
21 the respective tolling facilities.

22 (3) \$1,500,000 of the motor vehicle account—state appropriation  
23 is provided solely for the commission to conduct a full planning-  
24 level traffic and revenue study of the Hood River Bridge to determine  
25 the viability of toll revenues to support future financing of  
26 improvements and possible replacement of the bridge, considering  
27 prior work and studies conducted. The commission shall coordinate  
28 this work with the department of transportation, the Port of Hood  
29 River, the Oregon department of transportation, and other entities as  
30 needed. The results of the assessment must be submitted to the house  
31 and senate transportation committees by June 30, 2023.

32 (4) Within the parameters established by RCW 47.56.880, the  
33 commission shall review toll revenue performance on the Interstate  
34 405 and state route number 167 corridor and adjust Interstate 405  
35 tolls as appropriate to increase toll revenue to provide sufficient  
36 funds for payments of future debt pursuant to RCW 47.10.896 and to  
37 support improvements to the corridor. The commission may consider  
38 adjusting maximum toll rates, minimum toll rates, time-of-day rates,

1 restricting direct access ramps to transit and HOV vehicles only, or  
2 any combination thereof, in setting tolls to increase toll revenue.

3 **Sec. 1002.** 2022 c 186 s 206 (uncodified) is amended to read as  
4 follows:

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

6 Freight Mobility Investment Account—State  
7 Appropriation. . . . . (~~(\$843,000)~~)  
8 \$895,000

9 The appropriations in this section are subject to the following  
10 conditions and limitations: Within appropriated funds, the freight  
11 mobility strategic investment board may opt in as provided under RCW  
12 70A.02.030 to assume all of the substantive and procedural  
13 requirements of covered agencies under chapter 70A.02 RCW. The board  
14 shall include in its 2022 annual report to the legislature a progress  
15 report on opting into the healthy environment for all act and a  
16 status report on diversity, equity, and inclusion within the board's  
17 jurisdiction.

18 **Sec. 1003.** 2022 c 186 s 207 (uncodified) is amended to read as  
19 follows:

20 **FOR THE WASHINGTON STATE PATROL**

21 State Patrol Highway Account—State Appropriation. . . (~~(\$524,348,000)~~)  
22 \$525,972,000  
23 State Patrol Highway Account—Federal Appropriation. . . . \$16,433,000  
24 State Patrol Highway Account—Private/Local  
25 Appropriation. . . . . \$4,314,000  
26 Highway Safety Account—State Appropriation. . . . . \$1,292,000  
27 Ignition Interlock Device Revolving Account—State  
28 Appropriation. . . . . \$2,243,000  
29 Multimodal Transportation Account—State  
30 Appropriation. . . . . \$293,000  
31 State Route Number 520 Corridor Account—State  
32 Appropriation. . . . . \$433,000  
33 Tacoma Narrows Toll Bridge Account—State  
34 Appropriation. . . . . \$77,000  
35 I-405 and SR 167 Express Toll Lanes Account—State  
36 Appropriation. . . . . \$1,348,000  
37 TOTAL APPROPRIATION. . . . . (~~(\$550,781,000)~~)

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

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

(2) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2021, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since January 1, 2021, to the director of the office of financial management and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since January 1, 2021, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 333, Laws of 2021. In recognition of the efforts of the license investigation unit that have resulted in additional state sales and use taxes remitted to the state through the end of calendar year 2022, the Washington state patrol shall notify the state treasurer to transfer additional funds pursuant to section 1206 of this act.

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



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

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

6 (b) The number of transportation funded staff vacancies by major  
7 category;

8 (c) The number of applicants for each of the positions by these  
9 categories;

10 (d) The composition of workforce;

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

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

18 (5) \$493,000 of the state patrol highway account—state  
19 appropriation is provided solely for aerial criminal investigation  
20 tools, including software licensing and maintenance, and annual  
21 certification, and is subject to the conditions, limitations, and  
22 review requirements of section 701, chapter 333, Laws of 2021.

23 (6) \$6,422,000 of the state patrol highway account—state  
24 appropriation is provided solely for the land mobile radio system  
25 replacement, upgrade, and other related activities. Beginning January  
26 1, 2022, the Washington state patrol must report semiannually to the  
27 office of the state chief information officer on the progress related  
28 to the projects and activities associated with the land mobile radio  
29 system, including the governance structure, outcomes achieved in the  
30 prior six month time period, and how the activities are being managed  
31 holistically as recommended by the office of the chief information  
32 officer. At the time of submittal to the office of the state chief  
33 information officer, this report shall be transmitted to the office  
34 of financial management and the house and senate transportation  
35 committees.

36 (7) \$510,000 of the ignition interlock device revolving account—  
37 state appropriation is provided solely for the ignition interlock  
38 program at the Washington state patrol to provide funding for two  
39 staff to work and provide support for the program in working with

1 manufacturers, service centers, technicians, and participants in the  
2 program.

3 (8) \$1,348,000 of the Interstate 405 and state route number 167  
4 express toll lanes account—state appropriation, \$433,000 of the state  
5 route number 520 corridor account—state appropriation, and \$77,000 of  
6 the Tacoma Narrows toll bridge account—state appropriation are  
7 provided solely for the Washington state patrol's proportional share  
8 of time spent supporting tolling operations and enforcement for the  
9 respective tolling facilities.

10 (9) \$289,000 of the state patrol highway account—state  
11 appropriation is provided solely for the replacement of 911  
12 workstations.

13 (10) \$35,000 of the state patrol highway account—state  
14 appropriation is provided solely for the replacement of bomb response  
15 equipment.

16 (11) \$713,000 of the state patrol highway account—state  
17 appropriation is provided solely for information technology  
18 infrastructure maintenance.

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

23 (13) \$945,000 of the state patrol highway account—state  
24 appropriation is provided solely for implementation of chapter 329,  
25 Laws of 2021 (custodial interrogations).

26 (14) \$46,000 of the state patrol highway account—state  
27 appropriation is provided solely for implementation of chapter 320,  
28 Laws of 2021 (peace officer tactics).

29 (15) \$46,000 of the state patrol highway account—state  
30 appropriation is provided solely for implementation of chapter 324,  
31 Laws of 2021 (use of force by officers).

32 (16) (a) The legislature finds that the water connection extension  
33 constructed by the Washington state patrol from the city of Shelton's  
34 water facilities to the Washington state patrol academy was necessary  
35 to meet the water supply needs of the academy. The legislature also  
36 finds that the water connection provides an ongoing water supply that  
37 is necessary to the operation of the training facility, that the  
38 state is making use of the water connection for these public  
39 activities, and that any future incidental use of the municipal

1 infrastructure put in place to support these activities will not  
2 impede the Washington state patrol's ongoing use of the water  
3 connection extension.

4 (b) \$2,220,000 of the transfer from the waste tire removal  
5 account to the motor vehicle fund, as required under RCW 70A.205.425,  
6 reimburses the motor vehicle fund for the portion of the water  
7 project costs assigned by the agreement to properties, other than the  
8 Washington state patrol academy, that make use of the water  
9 connection while the agreement remains in effect. This reimbursement  
10 to the motor vehicle fund is intended to address any possibility that  
11 the termination of this agreement could be determined to result in  
12 the unconstitutional use of 18th amendment designated funds for  
13 nonhighway purposes under the constitution of the state of  
14 Washington; however, this transfer is not intended to indicate that  
15 the incidental use of this infrastructure by these properties  
16 necessarily requires such reimbursement under the state Constitution.  
17 Immediately following the transfer of funds, Washington state patrol  
18 and the city of Shelton shall meet to formally update the terms of  
19 their "Agreement for Utility Connection and Reimbursement of Water  
20 Extension Expenses" executed on June 12, 2017, to reflect the intent  
21 of the proviso.

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

27 (18) \$331,000 of the state patrol highway account—state  
28 appropriation is provided solely for the state patrol's diversity,  
29 equity, and inclusion program and a contract with an external  
30 psychologist to perform exams. If chapter 146, Laws of 2022 is not  
31 enacted by June 30, 2022, the amount provided in this subsection  
32 lapses.

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

1 (20) \$14,788,000 of the state patrol highway account—state  
2 appropriation is provided solely for contingency funding to address  
3 emergent issues related to mitigating negative impacts of the high  
4 level of commissioned and noncommissioned staff vacancies. Potential  
5 uses of the funding include, but are not limited to, the following:  
6 Operating a miniacademy and training opportunities for lateral  
7 transfers from other agencies; increased overtime, travel, and other  
8 related costs; increased contracting to maintain adequate service  
9 levels; and unanticipated facility and equipment needs. By January 1,  
10 2023, the state patrol must submit a report to the governor and the  
11 transportation committees of the legislature detailing the specific  
12 expenditures made from the contingency funding provided in this  
13 subsection. The report must also include a description of the  
14 miniacademy training, including the number of lateral transfers that  
15 entered the training, the number which completed training, the cost  
16 of the miniacademy, and a comparison of how the training was  
17 different from a conventional academy class.

18 ~~(21) ((\$122,000 of the state patrol highway account—state~~  
19 ~~appropriation, \$1,000 of the highway safety account—state~~  
20 ~~appropriation, and \$4,000 of the ignition interlock account—state~~  
21 ~~appropriation are provided solely for implementation of chapter . . .~~  
22 ~~(House Bill No. 1804), Laws of 2022 (interruptive military service~~  
23 ~~credit for members of the state retirement systems). If chapter . . .~~  
24 ~~(House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,~~  
25 ~~the amount provided in this subsection lapses.~~

26 ~~(22))~~ \$250,000 of the state patrol highway account—state  
27 appropriation is provided solely for implementation of chapter 80,  
28 Laws of 2022 (peace officers/use of force). If chapter 80, Laws of  
29 2022 is not enacted by June 30, 2022, the amount provided in this  
30 subsection lapses.

31 ~~((23))~~ (22) \$949,000 of the state patrol highway account—state  
32 appropriation is provided solely for vehicle identification number  
33 inspection staff to reduce the backlog of inspections and a study of  
34 how to incorporate best practices into the program, including the  
35 timeliness of inspections.

36 (23) \$595,000 of the state patrol highway account—state  
37 appropriation is provided solely for legal expenses associated with  
38 McClain v. Washington State Patrol.

1       **Sec. 1004.** 2022 c 186 s 208 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING**

|    |                                                                          |                            |
|----|--------------------------------------------------------------------------|----------------------------|
| 4  | Marine Fuel Tax Refund Account—State Appropriation. . . . .              | \$34,000                   |
| 5  | Motorcycle Safety Education Account—State                                |                            |
| 6  | Appropriation. . . . .                                                   | \$5,016,000                |
| 7  | Limited Fish and Wildlife Account—State                                  |                            |
| 8  | Appropriation. . . . .                                                   | \$922,000                  |
| 9  | Highway Safety Account—State Appropriation. . . . .                      | <del>(\$242,712,000)</del> |
| 10 |                                                                          | <u>\$240,649,000</u>       |
| 11 | Highway Safety Account—Federal Appropriation. . . . .                    | \$1,294,000                |
| 12 | Motor Vehicle Account—State Appropriation. . . . .                       | <del>(\$80,449,000)</del>  |
| 13 |                                                                          | <u>\$79,522,000</u>        |
| 14 | Motor Vehicle Account—Federal Appropriation. . . . .                     | \$400,000                  |
| 15 | Motor Vehicle Account—Private/Local Appropriation. . . . .               | \$1,336,000                |
| 16 | Ignition Interlock Device Revolving Account—State                        |                            |
| 17 | Appropriation. . . . .                                                   | \$6,123,000                |
| 18 | Department of Licensing Services Account—State                           |                            |
| 19 | Appropriation. . . . .                                                   | <del>(\$7,964,000)</del>   |
| 20 |                                                                          | <u>\$7,872,000</u>         |
| 21 | License Plate Technology Account—State Appropriation                     |                            |
| 22 | . . . . .                                                                | <del>(\$4,092,000)</del>   |
| 23 |                                                                          | <u>\$4,045,000</u>         |
| 24 | Abandoned Recreational Vehicle <u>Disposal</u> Account—State             |                            |
| 25 | Appropriation. . . . .                                                   | \$3,078,000                |
| 26 | Limousine Carriers Account—State Appropriation. . . . .                  | \$110,000                  |
| 27 | Electric Vehicle Account—State Appropriation. . . . .                    | \$425,000                  |
| 28 | <del>((DOL))</del> <u>Department of Licensing</u> Technology Improvement |                            |
| 29 | <del>((&amp;))</del> <u>and</u> Data Management Account—State            |                            |
| 30 | Appropriation. . . . .                                                   | \$874,000                  |
| 31 | Agency Financial Transaction Account—State                               |                            |
| 32 | Appropriation. . . . .                                                   | <del>(\$22,257,000)</del>  |
| 33 |                                                                          | <u>\$21,360,000</u>        |
| 34 | <u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>       | <u>\$1,260,000</u>         |
| 35 | TOTAL APPROPRIATION. . . . .                                             | <del>(\$377,086,000)</del> |
| 36 |                                                                          | <u>\$374,320,000</u>       |

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

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

9 (2) The appropriations in this section assume implementation by  
10 the department of cost recovery mechanisms to recoup at least  
11 \$21,257,000 during the 2021-2023 biennium in credit card and other  
12 financial transaction costs as part of charges imposed for driver and  
13 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
14 department must report any amounts recovered to the office of  
15 financial management and appropriate committees of the legislature on  
16 a quarterly basis.

17 (3) (a) For the 2021-2023 biennium, the department shall charge  
18 \$1,336,000 for the administration and collection of a motor vehicle  
19 excise tax on behalf of a regional transit authority, as authorized  
20 under RCW 82.44.135. The amount in this subsection must be deducted  
21 before distributing any revenues to a regional transit authority.

22 (b) \$100,000 of the motor vehicle account—state appropriation is  
23 provided solely for the department to work with the regional transit  
24 authority imposing a motor vehicle excise tax pursuant to RCW  
25 81.104.160 and transportation benefit districts imposing vehicle fees  
26 pursuant to RCW 82.80.140, and other relevant parties, to determine  
27 cost recovery options for the administration and collection of the  
28 taxes and fees. The options must include:

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

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

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

36 (4) \$12,000 of the motorcycle safety education account—state  
37 appropriation, \$2,000 of the limited fish and wildlife account—state  
38 appropriation, \$728,000 of the highway safety account—state  
39 appropriation, \$238,000 of the motor vehicle account—state

1 appropriation, \$10,000 of the ignition interlock device revolving  
2 account—state appropriation, and \$10,000 of the department of  
3 licensing services account—state appropriation are provided solely  
4 for the department to redesign and improve its online services and  
5 website, and are subject to the conditions, limitations, and review  
6 requirements of section 701, chapter 333, Laws of 2021.

7 (5) \$28,636,000 of the highway safety account—state appropriation  
8 is provided solely for costs necessary to accommodate increased  
9 demand for enhanced drivers' licenses and enhanced identicards. The  
10 department shall report on a quarterly basis on the use of these  
11 funds, associated workload, and information with comparative  
12 information with recent comparable months in prior years. The report  
13 must include detailed statewide and by licensing service office  
14 information on staffing levels, average monthly wait times, the  
15 number of enhanced drivers' licenses and enhanced identicards issued/  
16 renewed, and the number of primary drivers' licenses and identicards  
17 issued/renewed. Within the amounts provided in this subsection, the  
18 department shall implement efficiency measures to reduce the time for  
19 licensing transactions and wait times including, but not limited to,  
20 the installation of additional cameras at licensing service offices  
21 that reduce bottlenecks and align with the "keep your customer"  
22 initiative.

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

34 (7) \$523,000 of the highway safety account—state appropriation is  
35 provided solely for the implementation of chapter 158, Laws of 2021  
36 (DOL issued documents).

37 (8) \$929,000 of the highway safety account—state appropriation is  
38 provided solely for the implementation of chapter 240, Laws of 2021  
39 (suspension of licenses for traffic infractions).

1 (9) \$23,000 of the highway safety account—state appropriation is  
2 provided solely for the implementation of chapter 10, Laws of 2021  
3 (restoring voter eligibility after felony conviction).

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

28 (g) A high occupancy vehicle exempt decal expires June 30, 2023,  
29 and must be marked to indicate its expiration date. The decal may be  
30 renewed if the pilot program is continued past the date of a decal's  
31 expiration. The status as an exempt vehicle continues until the high  
32 occupancy vehicle exempt decal is suspended or revoked for misuse,  
33 the vehicle is no longer used as a for hire nonemergency medical  
34 transportation vehicle, or the pilot program established in section  
35 216, chapter 333, Laws of 2021 is terminated.

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

37 (12) \$434,000 of the highway safety account—state appropriation  
38 is provided solely for the implementation of the Thurston county  
39 superior court order in *Pierce et al. v. Department of Licensing*.

1 (13) The department shall consult with the department of  
2 corrections and state board for community and technical colleges to  
3 develop a pilot program that allows incarcerated individuals who are  
4 not prohibited by state or federal law from receiving a commercial  
5 driver's license upon release to participate in a prerelease  
6 commercial driver training program. The department must submit a  
7 report to the legislature by June 30, 2023, detailing the status of  
8 the program.

9 (14) \$100,000 of the highway safety account—state appropriation  
10 is provided solely for the department to lead a study on the  
11 potential impacts that current licensing requirements, including  
12 required training hours, and testing requirements may have on the  
13 shortage of commercial drivers, and whether adjustments to these  
14 requirements may be warranted to help alleviate the shortage. In  
15 completing the study, the department must consult with the workforce  
16 training board, state board for community and technical colleges,  
17 federal motor carrier safety officials, organizations representing  
18 veterans, organizations representing commercial drivers, and  
19 organizations representing businesses or government entities that  
20 rely on commercial drivers. The report must be submitted to the  
21 governor and the transportation committees of the legislature by  
22 December 1, 2022.

23 (15) \$965,000 of the motor vehicle account—state appropriation is  
24 provided solely for the increased costs associated with delays in the  
25 production of license plates, and to provide a report detailing  
26 license plate inventory practices and whether those practices should  
27 be changed to guard against potential future plate production delays.  
28 The report must be submitted to the governor and the transportation  
29 committees of the legislature by December 1, 2022.

30 (16) \$28,000 of the motor vehicle account—state appropriation is  
31 provided solely for the implementation of chapter 96, Laws of 2022  
32 (state leadership board) and making improvements to the annual  
33 information submitted by special license plate sponsoring  
34 organizations pursuant to RCW 46.18.120(2). The improvements must  
35 include, but are not limited to, the following: An annual budget for  
36 the sponsoring organization's activities in the preceding year;  
37 information regarding private and other governmental support for the  
38 activities of the sponsoring organization; and a description of the  
39 number of people served or services delivered, as appropriate, by the

1 sponsoring organization in the preceding year. If chapter 96, Laws of  
2 2022 is not enacted by June 30, 2022, the amount provided in this  
3 subsection lapses.

4 (17) \$268,000 of the highway safety account—state appropriation  
5 is provided solely for the implementation of chapter . . . (Engrossed  
6 Senate Bill No. 5054), Laws of 2022 (impaired driving). If  
7 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not  
8 enacted by June 30, 2022, the amount provided in this subsection  
9 lapses.

10 (18) \$113,000 of the highway safety account—state appropriation  
11 is provided solely for the implementation of chapter 51, Laws of 2022  
12 (human trafficking disqualification for a commercial driver's  
13 license). If chapter 51, Laws of 2022 is not enacted by June 30,  
14 2022, the amount provided in this subsection lapses.

15 (19) \$18,000 of the motor vehicle account—state appropriation is  
16 provided solely for the implementation of chapter 239, Laws of 2022  
17 (Patches pal special license plates). If chapter 239, Laws of 2022 is  
18 not enacted by June 30, 2022, the amount provided in this subsection  
19 lapses.

20 (20) \$350,000 of the highway safety account—state appropriation  
21 is provided solely to expand driver's license assistance and support  
22 services in King county with an existing provider that is already  
23 providing these services to low-income immigrant and refugee women.  
24 By March 1, 2023, the contracted provider must submit information on  
25 the annual budget in the preceding year; information regarding  
26 private and other governmental support for the activities of the  
27 provider; and a description of the number of people served, services  
28 delivered, and outcome measures.

29 (21) \$6,139,000 of the highway safety account—state  
30 appropriation, \$1,849,000 of the motor vehicle account—state  
31 appropriation, \$203,000 of the department of licensing services  
32 account—state appropriation, and \$105,000 of the department of  
33 licensing technology improvement and data management account—state  
34 appropriation are provided solely for contingency funding to address  
35 emergent issues related to mitigating negative impacts of the high  
36 level of staff vacancies and agency operations and customer service  
37 levels. 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

1 unanticipated facility and equipment needs. By January 1, 2023, the  
2 department shall submit a report to the governor and the legislative  
3 transportation committees detailing the specific expenditures made  
4 from the contingency funding provided in this subsection.

5 (22) \$28,000 of the motor vehicle account—state appropriation is  
6 provided solely for the implementation of chapter 191, Laws of 2022  
7 (veterans and military suicide). If chapter 191, Laws of 2022 is not  
8 enacted by June 30, 2022, the amount provided in this subsection  
9 lapses.

10 (23) \$83,000 of the motor vehicle account—state appropriation is  
11 provided solely for the implementation of chapter 36, Laws of 2022  
12 (vehicle registration certificate addresses). If chapter 36, Laws of  
13 2022 is not enacted by June 30, 2022, the amount provided in this  
14 subsection lapses.

15 (24) \$57,000 of the motor vehicle account—state appropriation is  
16 provided solely for the implementation of chapter 40, Laws of 2022  
17 (off-road vehicles fees). If chapter 40, Laws of 2022 is not enacted  
18 by June 30, 2022, the amount provided in this subsection lapses.

19 (25) \$18,000 of the motor vehicle account—state appropriation is  
20 provided solely for the implementation of chapter 117, Laws of 2022  
21 (wine special license plate). If chapter 117, Laws of 2022 is not  
22 enacted by June 30, 2022, the amount provided in this subsection  
23 lapses.

24 (26) \$316,000 of the motor vehicle account—state appropriation is  
25 provided solely for the implementation of chapter 132, Laws of 2022  
26 (temporary license plates). If chapter 132, Laws of 2022 is not  
27 enacted by June 30, 2022, the amount provided in this subsection  
28 lapses.

29 (27) \$251,000 of the highway safety account—state appropriation  
30 is provided solely for the department to: (a) Provide each driver's  
31 license, identicard, instruction permit, intermediate license, and  
32 commercial driver's license applicant with written materials  
33 regarding the contents and requirements of RCW 46.61.212, the slow  
34 down and move over law, at the completion of the applicant's  
35 licensing transaction; (b) place signage in each of the licensing  
36 service offices that provide background on the written materials that  
37 the applicant will receive regarding the slow down and move over law;  
38 and (c) initiate the development of an appropriate training module

1 relating to the requirements of RCW 46.61.212, for inclusion in all  
2 new driver training curricula.

3 (28) \$550,000 of the move ahead WA flexible account—state  
4 appropriation is provided solely for an interagency transfer to the  
5 department of children, youth, and families to provide driver's  
6 license support to a larger population of foster youth than is  
7 currently being served. Support services include reimbursement of  
8 driver's license issuance costs, fees for driver training education,  
9 and motor vehicle liability insurance costs.

10 (29) \$569,000 of the move ahead WA flexible account—state  
11 appropriation and \$103,000 of the agency financial transaction  
12 account—state are for estimated implementation costs associated with  
13 new revenues.

14 (30) \$141,000 of the move ahead WA flexible account—state  
15 appropriation is provided solely for chapter 57, Laws of 2022  
16 (homeless identicard).

17 **Sec. 1005.** 2022 c 186 s 209 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**  
20 **—PROGRAM B**

|    |                                                      |                      |
|----|------------------------------------------------------|----------------------|
| 21 | State Route Number 520 Corridor Account—State        |                      |
| 22 | Appropriation. . . . .                               | (( \$58,356,000 ))   |
| 23 |                                                      | <u>\$55,324,000</u>  |
| 24 | State Route Number 520 Civil Penalties Account—State |                      |
| 25 | Appropriation. . . . .                               | \$4,163,000          |
| 26 | Tacoma Narrows Toll Bridge Account—State             |                      |
| 27 | Appropriation. . . . .                               | (( \$31,102,000 ))   |
| 28 |                                                      | <u>\$33,330,000</u>  |
| 29 | Alaskan Way Viaduct Replacement Project Account—     |                      |
| 30 | State Appropriation. . . . .                         | (( \$21,806,000 ))   |
| 31 |                                                      | <u>\$23,725,000</u>  |
| 32 | Interstate 405 and State Route Number 167 Express    |                      |
| 33 | Toll Lanes Account—State Appropriation. . . . .      | (( \$24,647,000 ))   |
| 34 |                                                      | <u>\$23,146,000</u>  |
| 35 | TOTAL APPROPRIATION. . . . .                         | (( \$140,074,000 ))  |
| 36 |                                                      | <u>\$139,688,000</u> |

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

1           (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
2 appropriation and \$12,484,000 of the state route number 520 corridor  
3 account—state appropriation are provided solely for the purposes of  
4 addressing unforeseen operations and maintenance costs on the Tacoma  
5 Narrows bridge and the state route number 520 bridge, respectively.  
6 The office of financial management shall place the amounts provided  
7 in this subsection, which represent a portion of the required minimum  
8 fund balance under the policy of the state treasurer, in unallotted  
9 status. The office may release the funds only when it determines that  
10 all other funds designated for operations and maintenance purposes  
11 have been exhausted.

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

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

27           (b) A month-to-month comparison of travel times and travel time  
28 reliability for the entire corridor and commonly made trips in the  
29 corridor as specified in (a) of this subsection since implementation  
30 of the express toll lanes and, to the extent available, a comparison  
31 to the travel times and travel time reliability prior to  
32 implementation of the express toll lanes;

33           (c) Total express toll lane and total general purpose lane  
34 traffic volumes, as well as per lane traffic volumes for each type of  
35 lane (i) compared to total express toll lane and total general  
36 purpose lane traffic volumes, as well as per lane traffic volumes for  
37 each type of lane, on this segment of Interstate 405 prior to  
38 implementation of the express toll lanes and (ii) compared to total  
39 express toll lane and total general purpose lane traffic volumes, as

1 well as per lane traffic volumes for each type of lane, from month to  
2 month since implementation of the express toll lanes; and

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

6 (3) (a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state  
7 route number 167 express toll lanes account—state appropriation,  
8 (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor  
9 account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma  
10 Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~)  
11 \$1,155,000 of the Alaskan Way viaduct replacement project account—  
12 state appropriation are provided solely for the reappropriation of  
13 unspent funds on the new tolling back office system from the  
14 2019-2021 biennium.

15 (b) The office of financial management shall place the amounts  
16 provided in this subsection in unallotted status until the department  
17 submits a detailed progress report on the progress of the new tolling  
18 back office system. The director of the office of financial  
19 management or their designee shall consult with the chairs and  
20 ranking members of the transportation committees of the legislature  
21 prior to making a decision to allot these funds.

22 (4) \$121,000 of the Interstate 405 and state route number 167  
23 express toll lanes account—state appropriation, \$288,000 of the state  
24 route number 520 corridor account—state appropriation, \$128,000 of  
25 the Tacoma Narrows toll bridge account—state appropriation, and  
26 \$163,000 of the Alaskan Way viaduct replacement project account—state  
27 appropriation are provided solely for the department to contract with  
28 the state auditor's office for a performance audit of the  
29 department's project to replace its electronic toll collection  
30 system. The audit should include an evaluation of the department's  
31 project planning, vendor procurement, contract management and project  
32 oversight. The final report is to be issued by December 31, 2022. The  
33 state auditor will transmit copies of the report to the  
34 jurisdictional committees of the legislature and the department.

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

38 (a) The use of consultants in the tolling program, including the  
39 name of the contractor, the scope of work, the type of contract,

1 timelines, deliverables, any new task orders, and any extensions to  
2 existing consultant contracts;

3 (b) The nonvendor costs of administering toll operations,  
4 including the costs of staffing the division, consultants, and other  
5 personal service contracts required for technical oversight and  
6 management assistance, insurance, payments related to credit card  
7 processing, transponder purchases and inventory management, facility  
8 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

20 (iv) Workload costs related to hearings;

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

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

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

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

38 (7) \$19,908,000 of the Alaskan Way viaduct replacement project  
39 account—state appropriation is provided solely for the new state  
40 route number 99 tunnel toll facility's expected share of collecting



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

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

18 (9) (~~(\$4,554,000)~~) \$5,779,000 of the state route number 520  
19 corridor account—state appropriation and (~~(\$580,000)~~) \$744,000 of the  
20 Tacoma Narrows toll bridge account—state appropriation are provided  
21 solely for the increased costs of insurance for the state route  
22 number 520 floating bridge and the Tacoma Narrows bridge,  
23 respectively. The department shall conduct an evaluation of the short  
24 and long-term costs and benefits including risk mitigation of self-  
25 insurance as compared to the commercial insurance option for the  
26 state route number 520 floating bridge, as allowed under the terms of  
27 the state route number 520 master bond resolution. By December 15,  
28 2021, the department shall report to the legislature on the results  
29 of this evaluation.

30 (10) As part of the department's 2023-2025 biennial budget  
31 request, the department shall update the cost allocation  
32 recommendations that assign appropriate costs to each of the toll  
33 funds for services provided by relevant Washington state department  
34 of transportation programs, the Washington state patrol, and the  
35 transportation commission. The recommendations shall be based on  
36 updated traffic and toll transaction patterns and other relevant  
37 factors.

38 (11) All amounts provided for operations and maintenance expenses  
39 on the SR 520 facility from the state route number 520 corridor  
40 account during the 2021-2023 fiscal biennium in this act, up to a

1 maximum of \$59,567,000, are derived from the receipt of federal  
2 American rescue plan act of 2021 funds and not toll revenues.

3 (12) \$14,000 of the Interstate 405 and state route number 167  
4 express toll lanes account—state appropriation, \$32,000 of the state  
5 route number 520 corridor account—state appropriation, \$22,000 of the  
6 Tacoma Narrows toll bridge account—state appropriation, and \$27,000  
7 of the Alaskan Way viaduct replacement project account—state  
8 appropriation are provided solely to implement chapter 132, Laws of  
9 2022 (temporary license plates). If chapter 132, Laws of 2022 is not  
10 enacted by June 30, 2022, the amounts provided in this subsection  
11 lapse.

12 **Sec. 1006.** 2022 c 186 s 210 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**  
15 **C**

|    |                                                    |                            |
|----|----------------------------------------------------|----------------------------|
| 16 | Transportation Partnership Account—State           |                            |
| 17 | Appropriation. . . . .                             | \$1,461,000                |
| 18 | Motor Vehicle Account—State Appropriation. . . . . | <del>(\$101,010,000)</del> |
| 19 |                                                    | <u>\$101,020,000</u>       |
| 20 | Puget Sound Ferry Operations Account—State         |                            |
| 21 | Appropriation. . . . .                             | \$307,000                  |
| 22 | Multimodal Transportation Account—State            |                            |
| 23 | Appropriation. . . . .                             | \$7,013,000                |
| 24 | Transportation 2003 Account (Nickel Account)—State |                            |
| 25 | Appropriation. . . . .                             | \$1,461,000                |
| 26 | TOTAL APPROPRIATION. . . . .                       | <del>(\$111,252,000)</del> |
| 27 |                                                    | <u>\$111,262,000</u>       |

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

30 (1) \$4,273,000 of the multimodal transportation account—state  
31 appropriation and \$4,273,000 of the motor vehicle account—state  
32 appropriation are provided solely for the department's cost related  
33 to the one Washington project, and is subject to the conditions,  
34 limitations, and review requirements of section 701, chapter 333,  
35 Laws of 2021.

36 (2) \$2,404,000 of the motor vehicle account—state appropriation  
37 and \$119,000 of the multimodal transportation account—state  
38 appropriation are provided solely for contingency funding to address

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

10 **Sec. 1007.** 2022 c 186 s 211 (uncodified) is amended to read as  
11 follows:

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

|                                                       |                               |
|-------------------------------------------------------|-------------------------------|
| 14 Motor Vehicle Account—State Appropriation. . . . . | (( <del>\$36,843,000</del> )) |
|                                                       | <u>\$37,921,000</u>           |
| 16 State Route Number 520 Corridor Account—State      |                               |
| 17 Appropriation. . . . .                             | \$34,000                      |
| 18 TOTAL APPROPRIATION. . . . .                       | (( <del>\$36,877,000</del> )) |
|                                                       | <u>\$37,955,000</u>           |

20 The appropriations in this section are subject to the following  
21 conditions and limitations: \$780,000 of the motor vehicle account—  
22 state appropriation is provided solely for contingency funding to  
23 address emergent issues related to mitigating negative impacts of the  
24 high level of staff vacancies. Potential uses of the funding include,  
25 but are not limited to, the following: Increased overtime, travel,  
26 and other related costs; increased contracting to maintain adequate  
27 service levels; and unanticipated facility and equipment needs. By  
28 January 1, 2023, the department must submit a report to the governor  
29 and the transportation committees of the legislature detailing the  
30 specific expenditures made from the contingency funding provided in  
31 this subsection.

32 **Sec. 1008.** 2022 c 186 s 212 (uncodified) is amended to read as  
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**  
35 **PROGRAM E**

|                                                       |                               |
|-------------------------------------------------------|-------------------------------|
| 36 Motor Vehicle Account—State Appropriation. . . . . | (( <del>\$12,396,000</del> )) |
|                                                       | <u>\$13,860,000</u>           |

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

3 (1) (~~(\$10,396,000)~~) \$11,860,000 of the motor vehicle account—  
4 state appropriation is provided solely for the department's costs  
5 related to replacing obsolete transportation equipment. The  
6 appropriations to the department in this section must be expended to  
7 maximize the amount of obsolete equipment replaced in the 2021-2023  
8 biennium.

9 (2) \$2,000,000 of the motor vehicle account—state appropriation  
10 is provided solely for the department's costs related to replacing  
11 snow removal equipment. The appropriations to the department in this  
12 section must be expended to maximize the amount of snow removal  
13 equipment replaced in the 2021-2023 biennium.

14 **Sec. 1009.** 2022 c 186 s 213 (uncodified) is amended to read as  
15 follows:

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

|                                                                       |                               |
|-----------------------------------------------------------------------|-------------------------------|
| 17 Aeronautics Account—State Appropriation. . . . .                   | ( <del>(\$8,127,000)</del> )  |
| 18                                                                    | <u>\$9,129,000</u>            |
| 19 Aeronautics Account—Federal Appropriation. . . . .                 | \$3,916,000                   |
| 20 Aeronautics Account—Private/Local Appropriation. . . . .           | \$60,000                      |
| 21 Multimodal Transportation Account—State                            |                               |
| 22 Appropriation. . . . .                                             | \$150,000                     |
| 23 <u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u> | <u>\$10,000</u>               |
| 24 TOTAL APPROPRIATION. . . . .                                       | ( <del>(\$12,253,000)</del> ) |
| 25                                                                    | <u>\$13,265,000</u>           |

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

28 (1) \$2,888,000 of the aeronautics account—state appropriation is  
29 provided solely for the airport aid grant program, which provides  
30 competitive grants to public use airports for pavement, safety,  
31 maintenance, planning, and security.

32 (2) \$257,000 of the aeronautics account—state appropriation is  
33 provided solely for supporting the commercial aviation coordinating  
34 commission, pursuant to section 718, chapter 333, Laws of 2021.

35 (3) \$280,000 of the aeronautics account—state appropriation is  
36 provided solely for the implementation of chapter 131, Laws of 2021  
37 (unpiloted aircraft system state coordinator). If chapter 131, Laws

1 of 2021 is not enacted by June 30, 2021, the amount provided in this  
2 subsection lapses.

3 (4) (a) \$150,000 of the multimodal transportation account—state  
4 appropriation is provided solely for the aviation program to continue  
5 the community engagement associated with the work of the commercial  
6 aviation coordinating commission to increase aviation capacity and  
7 provide a single preferred location for a new primary commercial  
8 aviation facility by June 15, 2023. The work of the commission shall  
9 include, but is not limited to, recommendations to the legislature on  
10 future Washington state long-range commercial aviation facility needs  
11 including possible additional aviation facilities or expansion of  
12 current aviation facilities.

13 (b) Community engagement efforts may include:

14 (i) Raising awareness among aviation stakeholders and the public  
15 on the complex issues that must be addressed by the commission;

16 (ii) Obtaining input from a representative cross section of the  
17 public on the construction of a new airport and the expansion of  
18 existing airports to meet future aviation demand;

19 (iii) Keeping people informed as the commission's work  
20 progresses, including diverse communities that are often  
21 underrepresented in processes to inform decision making;

22 (iv) Providing opportunities for members of the public to provide  
23 direct input to the commission during the pandemic that limits  
24 opportunities for direct social contact;

25 (v) Using surveys, open houses, focus groups, translation  
26 services, informational handouts, advertisements, social media, and  
27 other appropriate means of communicating with the public; and

28 (vi) Providing a focus on the demographics or people in the  
29 geographical areas most impacted by expanding aviation capacity or  
30 developing a new aviation facility.

31 (c) The department may use a communications consultant or  
32 community-based organizations to assist with community engagement  
33 efforts in (b) of this subsection.

34 (5) \$10,000 of the move ahead WA flexible account—state  
35 appropriation is provided solely for the creation of a sustainable  
36 aviation grant program for airports. The purpose of the grant program  
37 is to support adoption of zero emissions aircraft and sustainable  
38 aviation fuels, reduce harmful aviation-related emissions, and reduce  
39 the aviation industry's reliance on fossil fuels. Sustainable  
40 aviation projects may include, but are not limited to: (a)

1 Sustainable aviation fuel storage; (b) electrification of ground  
2 support equipment; (c) electric aircraft charging infrastructure; (d)  
3 airport clean power production; or (e) electric vehicle charging  
4 stations whose infrastructure also supports ground support equipment  
5 and electric aircraft charging. The department must select projects,  
6 which may include planning, to propose to the legislature for  
7 funding. The department shall submit a report to the transportation  
8 committees of the legislature by December 1, 2022, identifying the  
9 initial selection of sustainable aviation projects for funding by the  
10 legislature and recommended changes to modify and sustain the  
11 program.

12 (6) \$1,000,000 of the aeronautics account—state appropriation is  
13 provided solely for move ahead WA aviation grants.

14 **Sec. 1010.** 2022 c 186 s 214 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**  
17 **SUPPORT—PROGRAM H**

|                                                         |                               |
|---------------------------------------------------------|-------------------------------|
| 18 Motor Vehicle Account—State Appropriation. . . . .   | (( <del>\$58,254,000</del> )) |
|                                                         | <u>\$57,864,000</u>           |
| 19 Motor Vehicle Account—Federal Appropriation. . . . . | \$500,000                     |
| 20 Multimodal Transportation Account—State              |                               |
| 21 Appropriation. . . . .                               | \$758,000                     |
| 22 TOTAL APPROPRIATION. . . . .                         | (( <del>\$59,512,000</del> )) |
| 23                                                      | <u>\$59,122,000</u>           |
| 24                                                      |                               |

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

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

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

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

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

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

28 (3) The department shall report to the transportation committees  
29 of the legislature by December 1, 2021, on the status of its efforts  
30 to consolidate franchises for broadband facilities across the state,  
31 including plans for increasing the number of consolidated franchises  
32 in the future.

33 (4) During the 2021-2023 biennium, if the department takes  
34 possession of the property situated in the city of Edmonds for which  
35 a purchase agreement was executed between Unocal and the department  
36 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department  
37 confirms that the property is still no longer needed for  
38 transportation purposes, the department shall provide the city of  
39 Edmonds with the right of first purchase at fair market value in  
40 accordance with RCW 47.12.063(3) for the city's intended use of the

1 property to rehabilitate near-shore habitat for salmon and related  
2 species.

3 (5) (~~(\$535,000)~~) \$125,000 of the motor vehicle account—state  
4 appropriation is provided solely for the implementation of chapter  
5 217, Laws of 2021 (noxious weeds).

6 (6) \$1,026,000 of the multimodal transportation account—state  
7 appropriation is provided solely for the implementation of chapter  
8 314, Laws of 2021 (environmental justice task force).

9 (7) \$2,399,000 of the motor vehicle account—state appropriation  
10 is 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 (8) The department shall offer to sell the northern parcel of  
21 site 14 on the Puget Sound Gateway Program SR 509 Completion Project  
22 Surplus Property list, located immediately south of S. 216th Street  
23 and adjacent to the Barnes Creek Nature Trail in Des Moines, to  
24 Seattle Goodwill Industries, a nonprofit organization with tax ID  
25 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in  
26 accordance with RCW 47.12.063 at fair market value because the  
27 legislature finds it in the public interest to do so for the public  
28 benefit that will result from Goodwill's redevelopment of the  
29 property it owns at Rainier Ave. South and South Dearborn Street to  
30 increase the supply of affordable housing.

31 **Sec. 1011.** 2022 c 186 s 215 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**  
34 **PROGRAM K**

|    |                                                       |                               |
|----|-------------------------------------------------------|-------------------------------|
| 35 | Motor Vehicle Account—State Appropriation. . . . .    | \$685,000                     |
| 36 | Electric Vehicle Account—State Appropriation. . . . . | ( <del>(\$11,900,000)</del> ) |
| 37 |                                                       | <u>\$9,164,000</u>            |
| 38 | Multimodal Transportation Account—State               |                               |



|   |                                                  |                               |
|---|--------------------------------------------------|-------------------------------|
| 1 | Appropriation. . . . .                           | (( <del>\$3,290,000</del> ))  |
| 2 |                                                  | <u>\$2,790,000</u>            |
| 3 | <u>Multimodal Transportation Account—Federal</u> |                               |
| 4 | <u>Appropriation. . . . .</u>                    | <u>\$500,000</u>              |
| 5 | TOTAL APPROPRIATION. . . . .                     | (( <del>\$15,875,000</del> )) |
| 6 |                                                  | <u>\$13,139,000</u>           |

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

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

12 (2) (~~(\$10,900,000)~~) \$9,154,000 of the electric vehicle account—  
13 state appropriation is provided solely for the clean alternative fuel  
14 vehicle charging and refueling infrastructure program in chapter 287,  
15 Laws of 2019 (advancing green transportation adoption).

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

29 (4) (~~(\$1,000,000 of the electric vehicle account state~~  
30 ~~appropriation and \$500,000 of the multimodal transportation account—~~  
31 ~~state appropriation are provided solely for a colocated DC fast~~  
32 ~~charging and hydrogen fueling station near the Wenatchee or East~~  
33 ~~Wenatchee area near a state route or near or on a publicly owned~~  
34 ~~facility to service passenger, light-duty and heavy-duty vehicles.~~  
35 ~~The hydrogen fueling station must include a DC fast charging station~~  
36 ~~colocated at the hydrogen fueling station site. Funds may be used for~~  
37 ~~one or more fuel cell electric vehicles that would utilize the~~  
38 ~~fueling stations. The department must contract with a public utility~~  
39 ~~district that produces hydrogen in the area to own and/or manage and~~

1 provide technical assistance for the design, planning, permitting,  
2 construction, maintenance and operation of the hydrogen fueling  
3 station. The department and public utility district are encouraged to  
4 collaborate with and seek contributions from additional public and  
5 private partners for the fueling station.

6 ~~(5))~~) \$140,000 of the multimodal transportation account—state  
7 appropriation is provided solely for the purpose of conducting an  
8 assessment of options for the development, including potential  
9 features and costs, for a publicly available mapping and forecasting  
10 tool that provides locations and essential information of charging  
11 and refueling infrastructure to support forecasted levels of electric  
12 vehicle adoption, travel, and usage across Washington state as  
13 described in chapter 300, Laws of 2021 (preparedness for a zero  
14 emissions transportation future).

15 ~~((6))~~) (5) \$250,000 of the multimodal transportation account—  
16 state appropriation is provided solely to fund the design of an  
17 electric charging mega-site project at Mount Vernon library commons.

18 (6) \$500,000 of the multimodal transportation account—federal  
19 appropriation and \$10,000 of the electric vehicle account—state  
20 appropriation are provided solely to implement the national electric  
21 vehicle program, established in the federal infrastructure investment  
22 and jobs act (P.L. 117-58), as directed by the interagency electric  
23 vehicle coordinating council created in chapter 182, Laws of 2022.

24 **Sec. 1012.** 2022 c 186 s 216 (uncodified) is amended to read as  
25 follows:

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

|                                                         |                            |
|---------------------------------------------------------|----------------------------|
| 27 Motor Vehicle Account—State Appropriation. . . . .   | <del>((505,015,000))</del> |
| 28                                                      | <u>\$506,500,000</u>       |
| 29 Motor Vehicle Account—Federal Appropriation. . . . . | \$7,000,000                |
| 30 Motor Vehicle Account—Local Appropriation. . . . .   | \$17,000                   |
| 31 State Route Number 520 Corridor Account—State        |                            |
| 32 Appropriation. . . . .                               | \$4,657,000                |
| 33 Tacoma Narrows Toll Bridge Account—State             |                            |
| 34 Appropriation. . . . .                               | \$1,560,000                |
| 35 Alaskan Way Viaduct Replacement Project Account—     |                            |
| 36 State Appropriation. . . . .                         | \$8,611,000                |
| 37 Interstate 405 and State Route Number 167 Express    |                            |
| 38 Toll Lanes Account—State Appropriation. . . . .      | \$2,594,000                |

|   |                                                           |                                |
|---|-----------------------------------------------------------|--------------------------------|
| 1 | Waste Tire Removal Account—State Appropriation. . . . .   | \$5,000,000                    |
| 2 | <u>Move Ahead WA Account—State Appropriation. . . . .</u> | <u>\$47,000,000</u>            |
| 3 | TOTAL APPROPRIATION. . . . .                              | (( <del>\$534,454,000</del> )) |
| 4 |                                                           | <u>\$582,939,000</u>           |

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

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

15 (2) \$5,000,000 of the motor vehicle account—state appropriation  
16 is provided solely for a contingency pool for snow and ice removal.  
17 The department must notify the office of financial management and the  
18 transportation committees of the legislature when they have spent the  
19 base budget for snow and ice removal and will begin using the  
20 contingency pool funding.

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

35 (4) \$1,015,000 of the motor vehicle account—state appropriation  
36 is provided solely for a partnership program between the department  
37 and the city of Tacoma, to be administered in conjunction with  
38 subsection (9) of this section. The program shall address the safety  
39 and public health problems created by homeless encampments on the

1 department's property along state highways within the city limits.  
2 \$570,000 is for dedicated department maintenance staff and associated  
3 clean-up costs. The department and the city of Tacoma shall enter  
4 into a reimbursable agreement to cover up to \$445,000 of the city's  
5 expenses for clean-up crews and landfill costs.

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

16 (6) \$686,000 of the motor vehicle account—state appropriation is  
17 provided solely for reimbursing the Oregon department of  
18 transportation (ODOT) for the department's share of increased  
19 maintenance costs of six highway bridges over the Columbia River that  
20 are maintained by ODOT.

21 (7) \$8,290,000 of the motor vehicle account—state appropriation  
22 is provided solely for increased costs of highway maintenance  
23 materials.

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

31 (9) (a) \$3,000,000 of the motor vehicle account—state  
32 appropriation and \$5,000,000 of the waste tire removal account—state  
33 appropriation are provided solely for the department to address the  
34 risks to safety and public health associated with homeless  
35 encampments on department owned rights-of-way. The department must  
36 coordinate and work with local government officials and social  
37 service organizations who provide services and direct people to  
38 housing alternatives that are not in highway rights-of-way to help  
39 prevent future encampments from forming on highway rights-of-way, and

1 may reimburse the organizations doing this outreach assistance who  
2 transition people into treatment or housing or for debris clean up on  
3 highway rights-of-way. A minimum of \$2,000,000 of this appropriation  
4 must be used to provide more frequent removal of litter on the  
5 highway rights-of-way that is generated by unsheltered people and may  
6 be used to hire crews specializing in collecting and disposing of  
7 garbage, clearing debris or hazardous material, and implementing  
8 safety improvements where hazards exist to the traveling public and  
9 department employees. The department may use these funds to either  
10 reimburse local law enforcement costs or the Washington state patrol  
11 if they are providing enhanced safety to department staff during  
12 debris cleanup or during efforts to prevent future encampments from  
13 forming on highway rights-of-way.

14 (b) Beginning November 1, 2022, and semiannually thereafter, the  
15 Washington state patrol and the department of transportation must  
16 jointly submit a report to the governor and the house and senate  
17 transportation committees of the legislature on the status of these  
18 efforts, including:

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

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

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

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

32 (10) (a) (~~(\$2,000,000)~~) \$500,000 of the motor vehicle account—  
33 state appropriation is provided solely for the department to contract  
34 with the city of Fife to address the risks to safety and public  
35 health associated with homeless encampments on department-owned  
36 rights-of-way along the SR 167/SR 509 Puget Sound Gateway project  
37 corridor in and adjacent to the city limits.

38 (b) The city must coordinate and work with the department and  
39 local governments and social service organizations who provide  
40 services and direct people to housing alternatives that are not in

1 highway rights-of-way to help prevent future encampments from forming  
2 on highway rights-of-way. State funds may be used to reimburse the  
3 organizations doing this outreach assistance who transition people  
4 into treatment or housing that is not on the rights-of-way or for  
5 debris clean up on highway rights-of-way.

6 (c) The department may hire crews specializing in collecting and  
7 disposing of garbage, clearing debris or hazardous material, and  
8 implementing safety improvements where hazards exist to the traveling  
9 public and department employees.

10 (d) Funds may also be used to reimburse local law enforcement  
11 costs or the Washington state patrol if they are participating as  
12 part of a state or local government agreement to provide enhanced  
13 safety related activities along state highway rights-of-way.

14 (e) It is the intent of the legislature that the city and  
15 collaborating partners should place particular emphasis on utilizing  
16 available funds for addressing large scale and multiple homeless  
17 encampments that impact public safety and health. Funding for  
18 initiatives associated with such encampments may include targeted  
19 assistance to local governments and social service organizations,  
20 directing moneys toward not only initial efforts to clear  
21 encampments, clean up debris and restore sightlines, but to ongoing  
22 work, monitoring, and maintenance of efforts to place individuals in  
23 housing, treatment and services, and to better ensure individuals  
24 experiencing homelessness receive needed assistance while sites  
25 remain safe and secure for the traveling public.

26 (11) \$12,096,000 of the motor vehicle account—state appropriation  
27 is provided solely for contingency funding to address emergent issues  
28 related to mitigating negative impacts of the high level of staff  
29 vacancies. Potential uses of the funding include, but are not limited  
30 to, the following: Increased overtime, travel and other related  
31 costs; increased contracting to maintain adequate service levels; and  
32 unanticipated facility and equipment needs. By January 1, 2023, the  
33 department must submit a report to the governor and the  
34 transportation committees of the legislature detailing the specific  
35 expenditures made from the contingency funding provided in this  
36 subsection.

37 (12) ~~(( \$5,400,000 of the motor vehicle account state~~  
38 ~~appropriation is provided solely for replacement of traffic signs and~~  
39 ~~to increase the visibility of road pavement markings. Investments~~  
40 ~~must replace traffic signs that do not meet the department's~~

1 ~~standards or that are faded, lacking in reflectivity, cracked,~~  
2 ~~illegible, or damaged. Investments must also increase the visibility~~  
3 ~~of road pavement markings during periods of low light conditions and~~  
4 ~~during precipitation with pavement marking products that contain all-~~  
5 ~~weather optical reflectivity capability. The request for proposals~~  
6 ~~and subsequent competitive procurement for the signs shall be~~  
7 ~~performed following state specifications and standards.~~

8 ~~(13))~~ \$17,000 of the motor vehicle account—local appropriation  
9 is provided solely to update existing signs along Interstate 5 in the  
10 vicinity of Seattle center. The department must install new Seattle  
11 center logos with a redesigned logo that recognizes climate pledge  
12 arena, but is not responsible for design or fabrication of the logo  
13 or new sign.

14 ~~((14))~~ (13) \$100,000 of the motor vehicle account—state  
15 appropriation is provided solely for the department to install  
16 fencing to delineate between the privately leased property owned by  
17 the department and the public right-of-way property maintained by the  
18 city of Seattle. The parameters of the adjacent properties located  
19 under the Interstate 5 corridor, south of milepost 165, are south  
20 Jackson street and south King street going north and south, and 8th  
21 avenue south and 9th avenue south going west to east in the  
22 international district.

23 ~~((15))~~ (14)(a) \$2,500,000 of the motor vehicle account—state  
24 appropriation is provided solely for:

25 (i) Additional resources for operations, maintenance, facility  
26 replacements, security, and upgrades to safety rest areas to ensure  
27 that safety rest areas owned and operated by the department are open  
28 for use except for seasonal closures or cleaning, maintenance, and  
29 repair; and

30 (ii) Reconfiguration of maintenance operations pursuant to  
31 chapter 262, Laws of 2022 (safety rest areas).

32 (b) The department may use the funds for additional labor,  
33 services, materials, or equipment needed to allow commercial vehicle  
34 parking stalls to remain open when rest areas might otherwise be  
35 closed.

36 (c) It is the intent of the legislature that these funds are  
37 additional resources for the department and not meant to supplant  
38 underlying resources for the maintenance and operations of safety  
39 rest areas.

1 (d) The department must make a report to the transportation  
2 committees of the legislature regarding the additional operations and  
3 maintenance activities made at safety rest areas to ensure that rest  
4 areas stayed open by January 15, 2023. The report must include the  
5 status per safety rest area of openings and closures that were  
6 impacted by the additional activities; the additional activities,  
7 including security efforts, that were performed at the rest areas;  
8 and an update on the status and a review of the safety rest area  
9 strategic plan.

10 ~~((16))~~ (15)(a) \$50,000 of the motor vehicle account—state  
11 appropriation is provided solely for the department to install and  
12 inspect monthly human trafficking informational posters in every rest  
13 room in every safety rest area owned and operated by the department.

14 (b) In developing the informational posters, the department shall  
15 consult with human trafficking victim advocates to determine content.

16 (c) The posters must:

17 (i) Be printed in a variety of languages;

18 (ii) Include contact information for seeking help, which may  
19 include toll-free telephone numbers a person may call for assistance,  
20 including the number for the national human trafficking resource  
21 center and the number for the Washington state office of crime  
22 victims advocacy; and

23 (iii) Be made of durable material and permanently affixed.

24 (d) The department shall install the informational posters in  
25 every restroom at every safety rest area owned and operated by the  
26 department by December 31, 2022.

27 (e) Beginning January 1, 2023, or one month after installation of  
28 informational posters, whichever is sooner, the department shall  
29 inspect the informational posters as part of its monthly maintenance  
30 activities to ensure that the posters are in fair condition and  
31 remain legible.

32 (f) The department must make a report to the transportation  
33 committees of the legislature regarding the installation of  
34 informational posters at safety rest areas by January 15, 2023. The  
35 report must include the number of informational posters installed,  
36 the location of the poster installations, and the completion date of  
37 the poster installations.

38 **Sec. 1013.** 2022 c 186 s 217 (uncodified) is amended to read as  
39 follows:



1 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
2 **OPERATING**

|    |                                                            |                               |
|----|------------------------------------------------------------|-------------------------------|
| 3  | Motor Vehicle Account—State Appropriation. . . . .         | (( <del>\$73,760,000</del> )) |
| 4  |                                                            | <u>\$73,968,000</u>           |
| 5  | Motor Vehicle Account—Federal Appropriation. . . . .       | \$2,050,000                   |
| 6  | Motor Vehicle Account—Private/Local Appropriation. . . . . | \$295,000                     |
| 7  | State Route Number 520 Corridor Account—State              |                               |
| 8  | Appropriation. . . . .                                     | \$225,000                     |
| 9  | Tacoma Narrows Toll Bridge Account—State                   |                               |
| 10 | Appropriation. . . . .                                     | \$40,000                      |
| 11 | Alaskan Way Viaduct Replacement Project Account—           |                               |
| 12 | State Appropriation. . . . .                               | \$1,112,000                   |
| 13 | Interstate 405 and State Route Number 167 Express          |                               |
| 14 | Toll Lanes Account—State Appropriation. . . . .            | \$20,000                      |
| 15 | Agency Financial Transaction Account—State                 |                               |
| 16 | Appropriation. . . . .                                     | \$100,000                     |
| 17 | TOTAL APPROPRIATION. . . . .                               | (( <del>\$77,602,000</del> )) |
| 18 |                                                            | <u>\$77,810,000</u>           |

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

21 (1) \$6,000,000 of the motor vehicle account—state appropriation  
22 is provided solely for low-cost enhancements. The department shall  
23 give priority to low-cost enhancement projects that improve safety or  
24 provide congestion relief. By December 15th of each odd-numbered  
25 year, the department shall provide a report to the legislature  
26 listing all low-cost enhancement projects completed in the prior  
27 fiscal biennium.

28 (2) (a) During the 2021-2023 fiscal biennium, the department shall  
29 continue a pilot program that expands private transportation  
30 providers' access to high occupancy vehicle lanes. Under the pilot  
31 program, when the department reserves a portion of a highway based on  
32 the number of passengers in a vehicle, the following vehicles must be  
33 authorized to use the reserved portion of the highway if the vehicle  
34 has the capacity to carry eight or more passengers, regardless of the  
35 number of passengers in the vehicle: (i) Auto transportation company  
36 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
37 carrier vehicles 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; (iii) private nonprofit

1 transportation provider vehicles regulated under chapter 81.66 RCW;  
2 and (iv) private employer transportation service vehicles. For  
3 purposes of this subsection, "private employer transportation  
4 service" means regularly scheduled, fixed-route transportation  
5 service that is offered by an employer for the benefit of its  
6 employees. Nothing in this subsection is intended to authorize the  
7 conversion of public infrastructure to private, for-profit purposes  
8 or to otherwise create an entitlement or other claim by private users  
9 to public infrastructure.

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

20 (c) The department shall expand the high occupancy vehicle lane  
21 access pilot program to organ transport vehicles transporting a time  
22 urgent organ for an organ procurement organization as defined in RCW  
23 68.64.010. Under the pilot program, when the department reserves a  
24 portion of a highway based on the number of passengers in a vehicle,  
25 organ transport vehicles that are clearly and identifiably marked as  
26 such on all sides of the vehicle are considered emergency vehicles  
27 and must be authorized to use the reserved portion of the highway.

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

38 (e) The department shall expand the high occupancy vehicle lane  
39 access pilot program to for hire nonemergency medical transportation  
40 vehicles, when in use for medical purposes, as described in section

1 208, chapter 333, Laws of 2021. Under the pilot program, when the  
2 department reserves a portion of a highway based on the number of  
3 passengers in a vehicle, nonemergency medical transportation vehicles  
4 that meet the requirements identified in section 208, chapter 333,  
5 Laws of 2021 must be authorized to use the reserved portion of the  
6 highway.

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

10 (3) \$2,574,000 of the motor vehicle account—state appropriation  
11 is provided solely for contingency funding to address emergent issues  
12 related to mitigating negative impacts of the high level of staff  
13 vacancies. Potential uses of the funding include, but are not limited  
14 to, the following: Increased overtime, travel, and other related  
15 costs; increased contracting to maintain adequate service levels; and  
16 unanticipated facility and equipment needs. By January 1, 2023, the  
17 department must submit a report to the governor and the  
18 transportation committees of the legislature detailing the specific  
19 expenditures made from the contingency funding provided in this  
20 subsection.

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

38 (5) The department shall promote safety messages encouraging  
39 drivers to slow down and move over and pay attention when emergency  
40 lights are flashing on the side of the road and other suitable safety

1 messages on electronic message boards the department operates across  
2 the state. The messages must be promoted multiple times each month  
3 through June 30, 2023. The department may coordinate such messaging  
4 with any statewide public awareness campaigns being developed by the  
5 department of licensing or the Washington state traffic safety  
6 commission or both.

7 **Sec. 1014.** 2022 c 186 s 218 (uncodified) is amended to read as  
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**  
10 **SUPPORT—PROGRAM S**

|    |                                                                    |                               |
|----|--------------------------------------------------------------------|-------------------------------|
| 11 | Motor Vehicle Account—State Appropriation. . . . .                 | (( <del>\$37,365,000</del> )) |
| 12 |                                                                    | <u>\$37,371,000</u>           |
| 13 | Motor Vehicle Account—Federal Appropriation. . . . .               | \$780,000                     |
| 14 | Motor Vehicle Account—Private/Local Appropriation. . . . .         | \$500,000                     |
| 15 | Puget Sound Ferry Operations Account—State                         |                               |
| 16 | Appropriation. . . . .                                             | \$266,000                     |
| 17 | Multimodal Transportation Account—State                            |                               |
| 18 | Appropriation. . . . .                                             | \$5,129,000                   |
| 19 | State Route Number 520 Corridor Account—State                      |                               |
| 20 | Appropriation. . . . .                                             | \$186,000                     |
| 21 | Tacoma Narrows Toll Bridge Account—State                           |                               |
| 22 | Appropriation. . . . .                                             | \$150,000                     |
| 23 | Alaskan Way Viaduct Replacement Project Account—                   |                               |
| 24 | State Appropriation. . . . .                                       | \$121,000                     |
| 25 | Interstate 405 and State Route Number 167 Express                  |                               |
| 26 | Toll Lanes Account—State Appropriation. . . . .                    | \$77,000                      |
| 27 | <u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u> | <u>\$2,000,000</u>            |
| 28 | TOTAL APPROPRIATION. . . . .                                       | (( <del>\$44,574,000</del> )) |
| 29 |                                                                    | <u>\$46,580,000</u>           |

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

32 (1) \$4,000,000 of the multimodal transportation account—state  
33 appropriation is provided solely for efforts to increase diversity in  
34 the transportation construction workforce through: (a) The  
35 preapprenticeship support services (PASS) program, which aims to  
36 increase diversity in the highway construction workforce and prepare  
37 individuals interested in entering the highway construction  
38 workforce. In addition to the services allowed by RCW 47.01.435, the

1 PASS program may provide housing assistance for youth aging out of  
2 the foster care and juvenile rehabilitation systems in order to  
3 support the participation of these youth in a transportation-related  
4 preapprenticeship program; (b) assisting minority and women-owned  
5 businesses to perform work in the highway construction industry. This  
6 assistance shall include technical assistance, business training,  
7 counseling, guidance, prime to subcontractor relationship building,  
8 and a capacity building mentorship program. At a minimum, \$1,000,000  
9 of the total appropriation in this subsection shall be directed  
10 toward the efforts outlined in (b) of this subsection. The  
11 provider(s) chosen to complete the work in this subsection shall be  
12 selected through a competitive bidding process. The program shall be  
13 administered by the Washington state department of transportation's  
14 office of equal opportunity.

15 (2) \$1,446,000 of the motor vehicle account—state appropriation  
16 is provided solely for contingency funding to address emergent issues  
17 related to mitigating negative impacts of the high level of staff  
18 vacancies. Potential uses of the funding include, but are not limited  
19 to, the following: Increased overtime, travel, and other related  
20 costs; increased contracting to maintain adequate service levels; and  
21 unanticipated facility and equipment needs. By January 1, 2023, the  
22 department must submit a report to the governor and the  
23 transportation committees of the legislature detailing the specific  
24 expenditures made from the contingency funding provided in this  
25 subsection.

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

38 (4) For Washington state department of transportation small works  
39 roster projects under RCW 39.04.155, the department may only allow

1 firms certified as small business enterprises, under 49 C.F.R. 26.39,  
2 to bid on the contract, unless the department determines there would  
3 be insufficient bidders for a particular project. The department  
4 shall report on the effectiveness of this policy to the  
5 transportation committees of the legislature by January 31, 2023.

6 (5) \$2,000,000 of the move ahead WA flexible account—state  
7 appropriation is provided solely for efforts to increase diversity in  
8 the transportation construction and maritime workforce. Of this  
9 amount:

10 (a) \$500,000 of the move ahead WA flexible account—state  
11 appropriation is provided solely for: (i) The preapprenticeship  
12 support services (PASS) program, which aims to increase diversity in  
13 the highway construction workforce and prepare individuals interested  
14 in entering the highway construction workforce. In addition to the  
15 services allowed by RCW 47.01.435, the PASS program may provide  
16 housing assistance for youth aging out of the foster care and  
17 juvenile rehabilitation systems in order to support the participation  
18 of these youth in a transportation-related preapprenticeship program;  
19 and (ii) assisting minority and women-owned businesses to perform  
20 work in the highway construction industry. This assistance shall  
21 include technical assistance, business training, counseling,  
22 guidance, prime to subcontractor relationship building, and a  
23 capacity building mentorship program.

24 (b) \$1,500,000 of the move ahead WA flexible account—state  
25 appropriation is provided solely for expansion of the PASS program to  
26 support apprenticeships and workforce development in the maritime  
27 industry through preapprenticeship training for inland waterways  
28 trades and support services to obtain necessary documents and coast  
29 guard certification.

30 **Sec. 1015.** 2022 c 186 s 219 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**  
33 **AND RESEARCH—PROGRAM T**

|                                                               |                               |
|---------------------------------------------------------------|-------------------------------|
| 34 Motor Vehicle Account—State Appropriation. . . . .         | (( <del>\$26,483,000</del> )) |
| 35                                                            | <u>\$26,502,000</u>           |
| 36 Motor Vehicle Account—Federal Appropriation. . . . .       | \$34,865,000                  |
| 37 Motor Vehicle Account—Private/Local Appropriation. . . . . | \$400,000                     |
| 38 Multimodal Transportation Account—State                    |                               |

|    |                                                                      |                               |
|----|----------------------------------------------------------------------|-------------------------------|
| 1  | Appropriation. . . . .                                               | (( <del>\$1,902,000</del> ))  |
| 2  |                                                                      | <u>\$1,322,000</u>            |
| 3  | Multimodal Transportation Account—Federal                            |                               |
| 4  | Appropriation. . . . .                                               | \$2,809,000                   |
| 5  | Multimodal Transportation Account—Private/Local                      |                               |
| 6  | Appropriation. . . . .                                               | \$100,000                     |
| 7  | State Route Number 520 Corridor Account—State                        |                               |
| 8  | Appropriation. . . . .                                               | \$451,000                     |
| 9  | Interstate 405 and State Route Number 167 Express                    |                               |
| 10 | Toll Lanes Account—State Appropriation. . . . .                      | \$2,879,000                   |
| 11 | <u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u>   | <u>\$1,500,000</u>            |
| 12 | <u>Move Ahead WA Flexible Account—Federal Appropriation. . . . .</u> | <u>\$1,000,000</u>            |
| 13 | TOTAL APPROPRIATION. . . . .                                         | (( <del>\$69,889,000</del> )) |
| 14 |                                                                      | <u>\$71,828,000</u>           |

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

17       (1) \$4,080,000 of the motor vehicle account—federal appropriation  
18 is provided solely for the Forward Drive road usage charge research  
19 project overseen by the transportation commission using a portion of  
20 the amount of the federal grant award. The purpose of the Forward  
21 Drive road usage charge research project is to advance research in  
22 key policy areas related to road usage charge including assessing  
23 impacts of future mobility shifts on road usage charge revenues,  
24 conducting an equity analysis, updating and assessing emerging  
25 mileage reporting methods, determining opportunities to reduce cost  
26 of collection, conducting small-scale pilot tests, and identifying a  
27 long-term, detailed phase-in plan.

28       (2) \$2,879,000 of the Interstate 405 and state route number 167  
29 express toll lanes account—state appropriation is provided solely for  
30 completion of updating the state route number 167 master plan.

31       (3) \$500,000 of the multimodal transportation account—state  
32 appropriation is provided solely for the department to partner with  
33 the department of commerce in developing vehicle miles traveled  
34 targets for the counties in Washington state with (a) a population  
35 density of at least 100 people per square mile and a population of at  
36 least 200,000; or (b) a population density of at least 75 people per  
37 square mile and an annual growth rate of at least 1.75 percent as  
38 determined by the office of financial management. Given land use  
39 patterns are key factors in travel demand and should be taken into

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

15 (4) \$451,000 of the state route number 520 corridor account—state  
16 appropriation is provided solely for the department to contract with  
17 the University of Washington department of mechanical engineering, to  
18 study measures to reduce noise impacts from the state route number  
19 520 bridge expansion joints. The field testing shall be scheduled  
20 during existing construction, maintenance, or other scheduled  
21 closures to minimize impacts. The testing must also ensure safety of  
22 the traveling public. The study shall examine testing methodologies  
23 and project timelines and costs. A draft report must be submitted to  
24 the transportation committees of the legislature and the governor by  
25 March 1, 2022. A final report must be submitted to the transportation  
26 committees of the legislature and the governor by December 31, 2022.

27 (5) \$5,900,000 of the motor vehicle account—federal appropriation  
28 and \$400,000 of the motor vehicle account—private/local appropriation  
29 are provided solely for delivery of the department's state planning  
30 and research work program and pooled fund research projects.

31 (6) \$800,000 of the motor vehicle account—state appropriation is  
32 provided solely for WSDOT to do a corridor study of SR 302 (Victor  
33 Area) to recommend safety and infrastructure improvements to address  
34 current damage and prevent future roadway collapse and landslides  
35 that have caused road closures.

36 (7) \$1,000,000 of the motor vehicle account—state appropriation  
37 is provided solely for a study on the need for additional  
38 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in  
39 South Pierce County.



1 (8) \$1,654,000 of the motor vehicle account—state appropriation  
2 and \$108,000 of the multimodal transportation account—state  
3 appropriation are provided solely for contingency funding to address  
4 emergent issues related to mitigating negative impacts of the high  
5 level of staff vacancies. Potential uses of the funding include, but  
6 are not limited to, the following: Increased overtime, travel, and  
7 other related costs; increased contracting to maintain adequate  
8 service levels; and unanticipated facility and equipment needs. By  
9 January 1, 2023, the department must submit a report to the governor  
10 and the transportation committees of the legislature detailing the  
11 specific expenditures made from the contingency funding provided in  
12 this subsection.

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

30 (10) (a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation  
31 account—state appropriation is provided solely for Thurston regional  
32 planning council (TRPC) to conduct a study examining options for  
33 multimodal high capacity transportation (HCT) to serve travelers on  
34 the I-5 corridor between central Thurston county (Olympia area) and  
35 Pierce county.

36 (b) The study will include an assessment of travelsheds and  
37 ridership potential and identify and provide an evaluation of options  
38 to enhance connectivity and accessibility for the greater south Puget  
39 Sound region with an emphasis on linking to planned or existing

1 commuter or regional light rail. The study must account for previous  
2 and ongoing efforts by transit agencies and the department. The study  
3 will emphasize collaboration with a diverse community of interests,  
4 including but not limited to transit, business, public agencies,  
5 tribes, and providers and users of transportation who because of age,  
6 income, or ability may face barriers and challenges. TRPC will  
7 provide to the transportation committees of the legislature a study  
8 outline and recommendations of deliverables by December 1, 2022.

9 (11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation  
10 account—state appropriation is provided solely for the city of  
11 Seattle's office of planning and community development to support an  
12 equitable development initiative to reconnect the South Park  
13 neighborhood, currently divided by State Route 99.

14 (a) The support work must include:

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

17 (ii) A feasibility study of decommissioning SR 99 in the South  
18 Park neighborhood to include, but not be limited to, traffic studies,  
19 environmental impact analysis, and development of alternatives,  
20 including the transfer of the land to a neighborhood-led community  
21 land trust.

22 (b) The support work must be conducted in coordination and  
23 partnership with neighborhood residents, neighborhood industrial and  
24 commercial representatives, the state department of transportation,  
25 and other entities and neighborhoods potentially impacted by changes  
26 to the operation of SR 99.

27 (c) The city must provide a report on the plan that includes  
28 recommendations to the Seattle city council, state department of  
29 transportation, and the transportation committees of the legislature  
30 by January 1, 2025.

31 (12)(a) \$1,500,000 of the move ahead WA flexible account—state  
32 appropriation and \$1,000,000 of the move ahead WA flexible account—  
33 federal appropriation are provided solely for an Interstate 5  
34 planning and environmental linkage study. This study will serve as a  
35 next step toward a statewide Interstate 5 master plan, building upon  
36 existing work underway in the corridor. It is the intent of the  
37 legislature to direct \$40,000,000 to complete the planning and  
38 environmental linkage study over the course of the 16-year move ahead  
39 WA investment program.

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

10 (c) The department shall conduct initial stakeholder listening  
11 sessions and submit an interim report on the Interstate 5 planning  
12 and environmental linkage study to the joint transportation committee  
13 by June 30, 2023. The interim report will set study limits; outline  
14 milestones and deliverables for environmental analysis; define  
15 committee structure and equitable engagement approaches; define  
16 subsequent phases of the study; and determine final scope, budget,  
17 and workforce needs.

18 (d) As an initial element of the study, the department must  
19 identify and prepare recommendations for near-term actions to improve  
20 HOV lane system-wide performance. The study should identify steps  
21 required to convert HOV lanes to a different managed lane operating  
22 concept such as express toll lanes, including detailed analysis and  
23 environmental process. The recommendations must include the planning,  
24 design, environmental review, equity considerations, community  
25 engagement, traffic and revenue analysis, rate setting, and related  
26 engineering considerations necessary for a full I-5 HOV system  
27 conversion. The department shall submit an interim report on near-  
28 term recommendations to the legislative transportation committees by  
29 June 30, 2023.

30 (13) By December 1, 2022, the department must also submit a  
31 recommended approach and funding request to:

32 (a) Assess the seismic risk of the I-5 causeway from Boeing field  
33 to Lake City Way; and

34 (b) Recommendations for future work to mitigate seismic risk on  
35 the causeway, including estimated costs.

36 **Sec. 1016.** 2022 c 186 s 220 (uncodified) is amended to read as  
37 follows:

38 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**  
39 **PROGRAM U**

|    |                                                                     |                                |
|----|---------------------------------------------------------------------|--------------------------------|
| 1  | Aeronautics Account—State Appropriation. . . . .                    | \$1,000                        |
| 2  | Transportation Partnership Account—State                            |                                |
| 3  | Appropriation. . . . .                                              | \$25,000                       |
| 4  | Motor Vehicle Account—State Appropriation. . . . .                  | \$101,849,000                  |
| 5  | Puget Sound Ferry Operations Account—State                          |                                |
| 6  | Appropriation. . . . .                                              | \$244,000                      |
| 7  | State Route Number 520 Corridor Account—State                       |                                |
| 8  | Appropriation. . . . .                                              | \$26,000                       |
| 9  | Connecting Washington Account—State Appropriation. . . . .          | \$203,000                      |
| 10 | Multimodal Transportation Account—State                             |                                |
| 11 | Appropriation. . . . .                                              | \$4,968,000                    |
| 12 | Tacoma Narrows Toll Bridge Account—State                            |                                |
| 13 | Appropriation. . . . .                                              | \$19,000                       |
| 14 | Alaskan Way Viaduct Replacement Project Account—                    |                                |
| 15 | State Appropriation. . . . .                                        | \$14,000                       |
| 16 | Interstate 405 and State Route Number 167 Express                   |                                |
| 17 | Toll Lanes Account—State Appropriation. . . . .                     | \$15,000                       |
| 18 | <u>Move Ahead WA Flexible Account—State Appropriation . . . . .</u> | <u>\$2,000,000</u>             |
| 19 | TOTAL APPROPRIATION. . . . .                                        | (( <del>\$107,364,000</del> )) |
| 20 |                                                                     | <u>\$109,364,000</u>           |

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

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

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

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

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

15 (5) \$2,000,000 of the move ahead WA flexible account—state  
16 appropriation is provided solely for enhanced funding to the office  
17 of minority and women's business enterprises to increase the number  
18 of certified women and minority-owned contractors in the  
19 transportation sector.

20 **Sec. 1017.** 2022 c 186 s 221 (uncodified) is amended to read as  
21 follows:

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

|                                                                     |                                |
|---------------------------------------------------------------------|--------------------------------|
| 23 State Vehicle Parking Account—State Appropriation. . . . .       | \$784,000                      |
| 24 Regional Mobility Grant Program Account—State                    |                                |
| 25 Appropriation. . . . .                                           | (( <del>\$115,488,000</del> )) |
| 26                                                                  | <u>\$79,866,000</u>            |
| 27 Rural Mobility Grant Program Account—State                       |                                |
| 28 Appropriation. . . . .                                           | (( <del>\$33,283,000</del> ))  |
| 29                                                                  | <u>\$32,732,000</u>            |
| 30 Multimodal Transportation Account—State                          |                                |
| 31 Appropriation. . . . .                                           | (( <del>\$134,754,000</del> )) |
| 32                                                                  | <u>\$123,533,000</u>           |
| 33 Multimodal Transportation Account—Federal                        |                                |
| 34 Appropriation. . . . .                                           | \$3,574,000                    |
| 35 Multimodal Transportation Account— <u>Private/Local</u>          |                                |
| 36 Appropriation. . . . .                                           | \$100,000                      |
| 37 <u>Climate Transit Programs Account—State Appropriation. . .</u> | <u>\$53,436,000</u>            |
| 38 TOTAL APPROPRIATION. . . . .                                     | (( <del>\$287,983,000</del> )) |

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

(1) \$67,821,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$15,568,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Fuel type may not be a factor in the grant selection process.

(b) \$52,253,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2019 as reported in the "Summary of Public Transportation - 2019" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. Fuel type may not be a factor in the grant selection process.

(2) \$33,283,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant

1 program, and supplanting of transit funds currently funding vanpools  
2 is not allowed. The department shall encourage grant applicants and  
3 recipients to leverage funds other than state funds. Fuel type may  
4 not be a factor in the grant selection process.

5 (4) \$37,809,000 of the regional mobility grant program account—  
6 state appropriation is reappropriated and provided solely for the  
7 regional mobility grant projects identified in LEAP Transportation  
8 Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((~~9,~~  
9 ~~2022~~)) 26, 2023, Program - Public Transportation Program (V).

10 (5) (a) \$77,679,000 of the regional mobility grant program account  
11 —state appropriation is provided solely for the regional mobility  
12 grant projects identified in LEAP Transportation Document ((2022-2))  
13 2023-2 ALL PROJECTS as developed March ((~~9,~~2022)) 26, 2023, Program  
14 - Public Transportation Program (V). The department shall review all  
15 projects receiving grant awards under this program at least  
16 semiannually to determine whether the projects are making  
17 satisfactory progress. Any project that has been awarded funds, but  
18 does not report activity on the project within one year of the grant  
19 award, must be reviewed by the department to determine whether the  
20 grant should be terminated. The department shall promptly close out  
21 grants when projects have been completed, and any remaining funds  
22 must be used only to fund projects identified in the LEAP  
23 transportation document referenced in this subsection. The department  
24 shall provide annual status reports on December 15, 2021, and  
25 December 15, 2022, to the office of financial management and the  
26 transportation committees of the legislature regarding the projects  
27 receiving the grants. It is the intent of the legislature to  
28 appropriate funds through the regional mobility grant program only  
29 for projects that will be completed on schedule. A grantee may not  
30 receive more than twenty-five percent of the amount appropriated in  
31 this subsection. Additionally, when allocating funding for the  
32 2023-2025 biennium, no more than thirty percent of the total grant  
33 program may directly benefit or support one grantee unless all other  
34 funding is awarded. The department shall not approve any increases or  
35 changes to the scope of a project for the purpose of a grantee  
36 expending remaining funds on an awarded grant. Fuel type may not be a  
37 factor in the grant selection process.

38 (b) In order to be eligible to receive a grant under (a) of this  
39 subsection during the 2021-2023 fiscal biennium, a transit agency  
40 must establish a process for private transportation providers to

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

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

15 (7) \$6,500,000 of the multimodal transportation account—state  
16 appropriation and \$784,000 of the state vehicle parking account—state  
17 appropriation are provided solely for CTR grants and activities. Fuel  
18 type may not be a factor in the grant selection process. Of this  
19 amount:

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

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



1           (8) (a) Except as provided otherwise in this subsection,  
2 \$29,030,000 of the multimodal transportation account—state  
3 appropriation is provided solely for connecting Washington transit  
4 projects identified in LEAP Transportation Document ((~~2022-2~~) 2023-2  
5 ALL PROJECTS as developed March ((~~9, 2022~~) 26, 2023). It is the  
6 intent of the legislature that entities identified to receive funding  
7 in the LEAP document referenced in this subsection receive the  
8 amounts specified in the time frame specified in that LEAP document.  
9 If an entity has already completed a project in the LEAP document  
10 referenced in this subsection before the time frame identified, the  
11 entity may substitute another transit project or projects that cost a  
12 similar or lesser amount.

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

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

19           (10) \$23,349,000 of the multimodal transportation account—state  
20 appropriation is provided solely for the green transportation capital  
21 grant program established in chapter 287, Laws of 2019 (advancing  
22 green transportation adoption).

23           (11) \$555,000 of the multimodal transportation account—state  
24 appropriation is provided solely for an interagency transfer to the  
25 Washington State University extension energy program to establish and  
26 administer a technical assistance and education program for public  
27 agencies on the use of alternative fuel vehicles. The Washington  
28 State University extension energy program shall prepare a report  
29 regarding the utilization of the program and provide this report to  
30 the transportation committees of the legislature by November 15,  
31 2021.

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

36           (13) \$150,000 of the multimodal transportation account—state  
37 appropriation is provided solely for Intercity Transit for the Dash  
38 shuttle program.

1 (14) (a) \$500,000 of the multimodal transportation account—state  
2 appropriation is provided solely for King county metro to develop a  
3 pilot program to place teams including human services personnel along  
4 routes that are enduring significant public safety issues and various  
5 disruptive behavior in south King county. The team would be available  
6 to deescalate disruptions, provide immediate access to transit  
7 resources, and refer customers to community resources to break cycles  
8 of inappropriate behavior. The teams must be individuals trained in  
9 deescalation and outreach. The function and duties should be  
10 cocreated with community stakeholders.

11 (b) King county metro must provide a report to the transportation  
12 committees of the legislature by June 30, 2023, regarding the  
13 effectiveness of the program, any suggestions for improving its  
14 efficacy, and any modifications that might be necessary for other  
15 transit providers to institute similar programs.

16 (c) If King county metro does not provide at least \$500,000 to  
17 develop the pilot program funded by this subsection, the amount  
18 provided in this subsection lapses.

19 (15) (a) \$250,000 of the multimodal transportation account—state  
20 appropriation is provided solely for the department, in consultation  
21 with the joint transportation committee, to conduct a study of  
22 statewide transit service benchmarks. Elements of the study include:

23 (i) Development of definitions of frequent fixed route transit  
24 and accessible frequent fixed route transit; and

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

28 (b) An initial report is due by December 15, 2022, that proposes  
29 a definition of frequent transit and documents how many people in  
30 Washington live within one half mile walk of frequent transit. A  
31 final report is due by June 30, 2023, that identifies gaps in  
32 accessible frequent transit, analyzed for disparities in race, age,  
33 and disability, and develops funding scenarios to address the  
34 identified gaps.

35 (16) Within existing resources, the department shall prepare a  
36 report regarding the funding, implementation, and operation of the  
37 grant management system or systems utilized by the public  
38 transportation division. In preparing this report, the department  
39 must survey and report on all grant recipients experience with the  
40 operation of this system or systems. The department shall provide

1 this report to the transportation committees of the legislature by  
2 November 15, 2022.

3 (17) \$14,120,000 of the climate transit programs account—state  
4 appropriation is provided solely for newly selected special needs  
5 grants. Of this amount:

6 (a) \$3,248,000 of the climate transit programs account—state  
7 appropriation is provided solely for grants to nonprofit providers of  
8 special needs transportation. Grants for nonprofit providers must be  
9 based on need, including the availability of other providers of  
10 service in the area, efforts to coordinate trips among providers and  
11 riders, and the cost-effectiveness of trips provided.

12 (b) \$10,872,000 of the climate transit programs account—state  
13 appropriation is provided solely for grants to transit agencies to  
14 transport persons with special transportation needs. To receive a  
15 grant, the transit agency must, to the greatest extent practicable,  
16 have a maintenance of effort for special needs transportation that is  
17 no less than the previous year's maintenance of effort for special  
18 needs transportation. Grants for transit agencies must be prorated  
19 based on the amount expended for demand response service and route  
20 deviated service in calendar year 2019 as reported in the "Summary of  
21 Public Transportation - 2019" published by the department of  
22 transportation. No transit agency may receive more than 30 percent of  
23 these distributions.

24 (18) \$33,606,000 of the climate transit programs account—state  
25 appropriation is provided solely for transit support grants. To be  
26 eligible for transit support grant distribution, transit agencies  
27 must submit documentation of fare-free policy for 18 years and under  
28 by October 1, 2022, to be eligible for the 2023-2025 biennium.  
29 Transit agencies that submit fare policy documentation following the  
30 October 1, 2022, deadline shall become eligible for the next biennial  
31 distribution.

32 (19) \$4,710,000 of the climate transit programs account—state  
33 appropriation is provided solely for newly selected green  
34 transportation grants.

35 (20) \$1,000,000 of the climate transit programs account—state  
36 appropriation is provided solely for newly selected transit  
37 coordination grants. The department shall give priority to grant  
38 proposals that promote the formation of joint partnerships between  
39 transit agencies or merge service delivery across entities.

1 (21) It is the intent of the legislature that \$520,000 will be  
2 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the  
3 2023-2025 fiscal biennium.

4 (22) The department shall submit the projects on LEAP  
5 Transportation Document 2022 NL-3 as developed March 9, 2022, in  
6 three tiers to the transportation committees of the legislature and  
7 the office of financial management by December 1, 2022, prioritizing  
8 projects based on community impacts to overburdened communities as  
9 defined in RCW 70A.02.010.

10 **Sec. 1018.** 2022 c 186 s 222 (uncodified) is amended to read as  
11 follows:

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

13 Multimodal Transportation Account—State

14 Appropriation. . . . . \$9,000

15 Puget Sound Ferry Operations Account—State

16 Appropriation. . . . . ((~~\$430,388,000~~))

17 \$444,549,000

18 Puget Sound Ferry Operations Account—Federal

19 Appropriation. . . . . ((~~\$156,789,000~~))

20 \$155,934,000

21 Puget Sound Ferry Operations Account—Private/Local

22 Appropriation. . . . . \$121,000

23 TOTAL APPROPRIATION. . . . . ((~~\$587,298,000~~))

24 \$600,613,000

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

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

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

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

3 (3) \$32,905,000 of the Puget Sound ferry operations account—  
4 federal appropriation and (~~(\$53,794,000)~~) \$64,998,000 of the Puget  
5 Sound ferry operations account—state appropriation are provided  
6 (~~solely~~) for auto ferry vessel operating fuel in the 2021-2023  
7 fiscal biennium, which reflect cost savings from a reduced biodiesel  
8 fuel requirement and, therefore, is contingent upon the enactment of  
9 section 703 of this act. The amount provided in this subsection  
10 represents the fuel budget for the purposes of calculating any ferry  
11 fare fuel surcharge. The department shall review future use of  
12 alternative fuels and dual fuel configurations, including hydrogen.

13 (4) (~~(\$500,000)~~) \$750,000 of the Puget Sound ferry operations  
14 account—state appropriation is provided solely for operating costs  
15 related to moving vessels for emergency capital repairs. Funds may  
16 only be spent after approval by the office of financial management.

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

24 (6) \$688,000 of the Puget Sound ferry operations account—state  
25 appropriation and \$697,000 of the Puget Sound ferry operations  
26 account—federal appropriation are provided solely for new employee  
27 training. The department must work to increase its outreach and  
28 recruitment of populations underrepresented in maritime careers and  
29 continue working to expand apprenticeship and internship programs,  
30 with an emphasis on programs that are shown to improve recruitment  
31 for positions with the state ferry system.

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

35 (8) \$484,000 of the Puget Sound ferry operations account—federal  
36 is provided solely for the department to contract for additional  
37 traffic control assistance at the Kingston ferry terminal during peak  
38 ferry travel times, with a particular focus on Sundays and holiday  
39 weekends. Traffic control methods should include, but not be limited

1 to, holding traffic on the shoulder at Lindvog Road until space opens  
2 for cars at the tollbooths and dock, and management of traffic on  
3 Highway 104 in order to ensure Kingston residents and business owners  
4 have access to businesses, roads, and driveways.

5 (9) \$336,000 of the Puget Sound ferry operations account—state  
6 appropriation is provided solely for evacuation slide training.

7 (10) \$336,000 of the Puget Sound ferry operations account—state  
8 appropriation is provided solely for fall restraint labor and  
9 industries inspections.

10 (11) \$735,000 of the Puget Sound ferry operations account—state  
11 appropriation and \$410,000 of the Puget Sound ferry operations  
12 account—federal appropriation are provided solely for familiarization  
13 for new assignments of engine crew and terminal staff.

14 (12) \$160,000 of the Puget Sound ferry operations account—state  
15 appropriation is provided solely for electronic navigation training.

16 (13) (~~(\$250,000)~~) \$75,000 of the Puget Sound ferry operations  
17 account—state appropriation is provided solely for Washington State  
18 Ferries to conduct a study of passenger demographics. The study must  
19 include:

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

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

24 (c) Frequency of passenger trips by mode and fare products  
25 utilized.

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

29 (14)(a) \$8,419,000 of the Puget Sound ferry operations account—  
30 federal appropriation is provided solely for Washington state ferries  
31 to:

32 (i) Continuously recruit and hire deck, engine, and terminal  
33 staff;

34 (ii) Contract with an external recruitment firm to increase  
35 recruitment efforts both locally and nationally with an emphasis on  
36 attracting maritime workers from communities underrepresented in the  
37 ferry system;

38 (iii) Enhance employee retention by standardizing on-call worker  
39 schedules;

1 (iv) Increase training and development opportunities for  
2 employees; and

3 (v) Make improvements to hiring processes by establishing  
4 additional positions to support timely hiring of employees.

5 (b) It is the intent of the legislature to continue funding for  
6 the activities outlined in this section as part of the move ahead WA  
7 package.

8 (15) \$248,000 of the Puget Sound ferry operations account—federal  
9 appropriation is provided solely for labor at the Vashon terminal.

10 (16) \$194,000 of the Puget Sound ferry operations account—federal  
11 appropriation is provided solely for operating costs at the Mukilteo  
12 terminal.

13 (17) \$294,000 of the Puget Sound ferry operations account—federal  
14 appropriation is provided solely for deck and engine internships.

15 (18) By December 1, 2022, the department must report on the  
16 status of efforts to increase training and development opportunities  
17 for employees. The report must include a description of the new  
18 training and career advancement programs for able-bodied sailors,  
19 mates, and engineers; the numbers of employees participating in each  
20 program; the number of employees completing each program; the number  
21 of open positions that the program is designed to fill; and the  
22 anticipated number of employee promotions as a result of program  
23 completion. The department must provide the report to the office of  
24 financial management and the transportation committees of the  
25 legislature.

26 (19) For the Mukilteo multimodal terminal, the department must  
27 submit a report showing for a 12-month period, on a monthly basis,  
28 how much electricity is generated by solar power generated on-site,  
29 electricity usage, and actual electricity cost savings. The report is  
30 due to the transportation committees of the legislature by June 30,  
31 2023.

32 (20) \$93,000 of the Puget Sound ferry operations account—state  
33 appropriation is provided (~~solely~~) for Washington state ferries to  
34 partner with local community colleges and universities to secure  
35 housing for workforce training sessions and to pay in advance for the  
36 costs of transportation worker identification credentials for  
37 incoming ferry system employees and trainees.

38 (21) (a) (~~(\$300,000)~~) \$150,000 of the Puget Sound ferry operations  
39 account—state appropriation is provided solely for the department, in

1 consultation with the joint transportation committee, to oversee a  
2 consultant study to identify and recommend cost-effective strategies  
3 to maximize walk-on passenger ridership of the Anacortes - San Juan  
4 ferry routes. The study must also identify available public funding  
5 sources to support these strategies. Reducing the need for passengers  
6 to bring their cars on the ferries will increase the capacity of each  
7 ferry run to transport more people.

8 (b) The evaluated options may include, but not be limited to:

9 (i) Increased public funding or other support for transit or  
10 shuttle service between ferry landings on Orcas, Lopez, San Juan, and  
11 Anacortes and nearby major town centers or connecting transit hubs;

12 (ii) Options to increase availability of taxi and rideshare  
13 services at each of the landings;

14 (iii) Short-term electric vehicle rentals at ferry landings,  
15 including electric bicycles and scooters;

16 (iv) Public funding or other support to increase the available  
17 locations for additional parking and reduce the cost for short-term  
18 parking near each landing;

19 (v) Marketing of the availability of options through the  
20 Washington state ferries reservation system website, on ferries and  
21 at ferry landings and ticketing facilities.

22 (c) Outreach for the study, including on the feasibility and  
23 effectiveness of each strategy evaluated, must include outreach to  
24 representatives of:

25 (i) Washington state ferries;

26 (ii) San Juan county council;

27 (iii) Anacortes and San Juan Islands ferry advisory committee  
28 members;

29 (iv) San Juan economic development council;

30 (v) City of Anacortes;

31 (vi) City of Friday Harbor;

32 (vii) Skagit transit;

33 (viii) Skagit RTPD;

34 (ix) Eastsound;

35 (x) Lopez Village;

36 (xi) Transit dependent populations; and

37 (xii) Others as deemed appropriate by the committee.

38 (d) A report with recommendations on the most feasible and cost-  
39 effective strategies to maximize walk-on passenger ridership of the



1 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to  
2 the transportation committees of the legislature by January 6, 2023.

3 (22)(a) During negotiations of the 2023-2025 collective  
4 bargaining agreements, the department must conduct a review and  
5 analysis of the collective bargaining agreements governing state  
6 ferry employees, to identify provisions that create barriers for, or  
7 contribute to creating a disparate impact on, newly hired ferry  
8 employees, including those who are women, people of color, veterans,  
9 and other employees belonging to communities that have historically  
10 been underrepresented in the workforce. The review and analysis must  
11 include, but not be limited to, provisions regarding seniority, work  
12 assignments, and work shifts. The review and analysis must also  
13 include consultation with the governor's office of labor relations,  
14 the governor's office of equity, and the attorney general's office.

15 (b) For future negotiations or modifications of the collective  
16 bargaining agreements, it is the intent of the legislature that the  
17 collective bargaining representatives for the state and ferry  
18 employee organizations may consider the findings of the review and  
19 analysis required in (a) of this subsection and negotiate in a manner  
20 to remove identified barriers and address identified impacts so as  
21 not to perpetuate negative impacts.

22 (23) To the extent that an activity funded by federal funds in  
23 this section is not eligible for federal reimbursement, the  
24 department may transfer expenditure authority between state and  
25 federal appropriations provided in this section.

26 (24) \$1,700,000 of the Puget Sound ferry operations account—state  
27 appropriation is provided solely for the able-bodied sailor to mate  
28 program.

29 (25) \$551,000 of the Puget Sound ferry operations account—state  
30 appropriation is provided solely for auto ferry vessel operating fuel  
31 in addition to the amounts provided in subsection (3) of this  
32 section.

33 **Sec. 1019.** 2022 c 186 s 223 (uncodified) is amended to read as  
34 follows:

|    |                                                                      |                               |
|----|----------------------------------------------------------------------|-------------------------------|
| 35 | <b>FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING</b> |                               |
| 36 | Multimodal Transportation Account—State                              |                               |
| 37 | Appropriation. . . . .                                               | (( <del>\$68,430,000</del> )) |
| 38 |                                                                      | <u>\$66,681,000</u>           |

|   |                                                 |                           |
|---|-------------------------------------------------|---------------------------|
| 1 | Multimodal Transportation Account—Private/Local |                           |
| 2 | Appropriation. . . . .                          | \$46,000                  |
| 3 | Multimodal Transportation Account—Federal       |                           |
| 4 | Appropriation. . . . .                          | \$500,000                 |
| 5 | TOTAL APPROPRIATION. . . . .                    | <del>(\$68,976,000)</del> |
| 6 |                                                 | <u>\$67,227,000</u>       |

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

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

20       (2) Consistent with the ongoing planning and service improvement  
21 for the intercity passenger rail program, \$500,000 of the multimodal  
22 transportation account—state is provided solely for the Cascades  
23 service development plan. This funding is to be used to analyze  
24 current and future market conditions and to develop a structured  
25 assessment of service options and goals based on anticipated demand  
26 and the results of the state and federally required 2019 state rail  
27 plan, including identifying implementation alternatives to meet the  
28 future service goals for the Amtrak Cascades route. The work must be  
29 consistent with federal railroad administration guidance and  
30 direction on developing service development plans. It must also  
31 leverage the \$500,000 in federal funding appropriated for development  
32 of a service development plan and comply with the planning and grant  
33 award obligations of the consolidated rail infrastructure and safety  
34 improvements (CRISI) program. A status report must be provided to the  
35 transportation committees of the legislature by June 30, 2022.

36       (3) ~~(\$4,000,000)~~ \$2,250,000 of the multimodal transportation  
37 account—state appropriation is provided solely for the continued  
38 coordination, engagement, and planning for a new ultra high-speed  
39 ground transportation corridor with participation from Washington,

1 Oregon, and British Columbia. This funding is contingent on  
2 meaningful financial contributions for this effort by Oregon or  
3 British Columbia. "Ultra high-speed" means a maximum testing speed of  
4 at least 250 miles per hour. These efforts are to support and advance  
5 activities and must abide by the memorandum of understanding signed  
6 by the governors of Washington and Oregon, and the premier of the  
7 province of British Columbia in November 2021. The department shall  
8 establish a policy committee with participation from Washington,  
9 Oregon, and British Columbia, including representation from the two  
10 largest caucuses of each chamber of the Washington state legislature,  
11 and coordinate the activities of the policy committee to include:

12 (a) Developing an organizational framework that facilitates input  
13 in decision-making from all parties;

14 (b) Developing a public engagement approach with a focus on  
15 equity, inclusion, and meaningful engagement with communities,  
16 businesses, federal, state, provincial, and local governments  
17 including indigenous communities;

18 (c) Developing and leading a collaborative approach to prepare  
19 and apply for potential future federal, state, and provincial funding  
20 opportunities, including development of strategies for incorporating  
21 private sector participation and private sector contributions to  
22 funding, including through the possible use of public-private  
23 partnerships;

24 (d) Beginning work on scenario analysis addressing advanced  
25 transportation technologies, land use and growth assumptions, and an  
26 agreed to and defined corridor vision statement; and

27 (e) Developing a recommendation on the structure and membership  
28 of a formal coordinating entity that will be responsible for  
29 advancing the project through the project initiation stage to project  
30 development and recommended next steps for establishment of the  
31 coordinating entity. Project development processes must include  
32 consideration of negative and positive impacts on communities of  
33 color, low-income households, indigenous peoples, and other  
34 disadvantaged communities.

35 By June 30, 2023, the department shall provide to the governor  
36 and the transportation committees of the legislature a report  
37 detailing the work conducted by the policy committee and  
38 recommendations for establishing a coordinating entity. The report  
39 must also include an assessment of current activities and results  
40 relating to stakeholder engagement, planning, and any federal funding

1 application. As applicable, the assessment should also be sent to the  
2 executive and legislative branches of government in Oregon and  
3 appropriate government bodies in the province of British Columbia.

4 (4) The department shall consider applying for federal grant  
5 opportunities that support the development of the Amtrak Cascades  
6 service. Grant submittals must align with the department's federally  
7 required service development plan and state rail plans and  
8 partnership agreements with Amtrak as the service provider and BNSF  
9 Railway as the host railroad.

10 **Sec. 1020.** 2022 c 186 s 224 (uncodified) is amended to read as  
11 follows:

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

|    |                                                          |                               |
|----|----------------------------------------------------------|-------------------------------|
| 14 | Motor Vehicle Account—State Appropriation. . . . .       | (( <del>\$12,451,000</del> )) |
| 15 |                                                          | <u>\$12,454,000</u>           |
| 16 | Motor Vehicle Account—Federal Appropriation. . . . .     | \$2,567,000                   |
| 17 | Multiuse Roadway Safety Account—State Appropriation. . . | (( <del>\$900,000</del> ))    |
| 18 |                                                          | <u>\$450,000</u>              |
| 19 | Multimodal Transportation Account—State                  |                               |
| 20 | Appropriation. . . . .                                   | \$250,000                     |
| 21 | TOTAL APPROPRIATION. . . . .                             | (( <del>\$16,168,000</del> )) |
| 22 |                                                          | <u>\$16,171,000</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.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 NEW SECTION. **Sec. 1101.** A new section is added to 2022 c 186  
3 (uncodified) to read as follows:

4 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

|    |                                                    |               |
|----|----------------------------------------------------|---------------|
| 5  | Small City Pavement and Sidewalk Account—State     |               |
| 6  | Appropriation. . . . .                             | \$4,100,000   |
| 7  | Transportation Improvement Account—State           |               |
| 8  | Appropriation. . . . .                             | \$171,000,000 |
| 9  | Complete Streets Grant Program Account—State       |               |
| 10 | Appropriation. . . . .                             | \$14,670,000  |
| 11 | Move Ahead WA Account—State Appropriation. . . . . | \$10,000,000  |
| 12 | Climate Active Transportation Account—State        |               |
| 13 | Appropriation. . . . .                             | \$3,000,000   |
| 14 | TOTAL APPROPRIATION. . . . .                       | \$202,770,000 |

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

17 (1) The entire climate active transportation account—state  
18 appropriation is provided solely for newly selected complete streets  
19 grants.

20 (2) The entire move ahead WA account—state appropriation is  
21 provided solely for additional preservation funding to cities.

22 **Sec. 1102.** 2022 c 186 s 301 (uncodified) is amended to read as  
23 follows:

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

|    |                                           |                    |
|----|-------------------------------------------|--------------------|
| 25 | Freight Mobility Investment Account—State |                    |
| 26 | Appropriation. . . . .                    | (((\$17,769,000))  |
| 27 |                                           | <u>\$4,331,000</u> |
| 28 | Freight Mobility Multimodal Account—State |                    |
| 29 | Appropriation. . . . .                    | (((\$14,004,000))  |
| 30 |                                           | <u>\$5,296,000</u> |
| 31 | TOTAL APPROPRIATION. . . . .              | (((\$31,773,000))  |
| 32 |                                           | <u>\$9,627,000</u> |

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

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

1 by amount, as listed in the LEAP Transportation Document ((2022-2))  
2 2023-2 ALL PROJECTS as developed March ((9, 2022)) 26, 2023, Freight  
3 Mobility Strategic Investment Board (FMSIB).

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

6 (3) It is the intent of the legislature to continue to make  
7 strategic investments in a statewide freight mobility transportation  
8 system with the help of the freight mobility strategic investment  
9 board, including projects that mitigate the impact of freight  
10 movement on local communities. To that end, and in coordination with  
11 WSDOT as it updates its federally-compliant freight plan, the board  
12 is directed to identify the highest priority freight investments for  
13 the state, across freight modes, state and local jurisdictions, and  
14 regions of the state. By December 1, 2021, the board must submit a  
15 preliminary report providing a status update on the process and  
16 methodology for identifying and prioritizing investments. By December  
17 1, 2022, the board must submit a prioritized list of freight  
18 investments that are geographically balanced across the state and can  
19 proceed to construction in a timely manner. The prioritized freight  
20 project list for the state portion of national highway freight  
21 program funds must first address shortfalls in funding for connecting  
22 Washington act projects.

23 (4) (a) For the 2021-2023 project appropriations, unless otherwise  
24 provided in this act, the director of the office of financial  
25 management may authorize a transfer of appropriation authority  
26 between projects managed by the freight mobility strategic investment  
27 board in order for the board to manage project spending and support  
28 the efficient and timely delivery of all projects in the program. The  
29 office of financial management may authorize a transfer of  
30 appropriation authority between projects under the following  
31 conditions and limitations:

32 (i) Transfers from a project may not be made as a result of the  
33 reduction of the scope of a project or be made to support increases  
34 in the scope of a project;

35 (ii) Each transfer between projects may only occur if the  
36 director of the office of financial management finds that any  
37 resulting change will not hinder the completion of the projects on  
38 LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as  
39 developed March ((9, 2022)) 26, 2023;

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

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

10 (b) At the time the board submits a request to transfer funds  
11 under this section, a copy of the request must be submitted to the  
12 chairs and ranking members of the transportation committees of the  
13 legislature.

14 (c) Before approval, the office of financial management shall  
15 work with legislative staff of the house of representatives and  
16 senate transportation committees to review the requested transfers in  
17 a timely manner and consider any concerns raised by the chairs and  
18 ranking members of the transportation committees.

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

24 **Sec. 1103.** 2022 c 186 s 302 (uncodified) is amended to read as  
25 follows:

26 **FOR THE WASHINGTON STATE PATROL**

27 State Patrol Highway Account—State Appropriation. . . (~~(\$4,803,000)~~)  
28 \$4,203,000

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

31 (1) \$695,000 of the state patrol highway account—state  
32 appropriation is provided solely for roof replacement.

33 (2) (~~(\$3,501,000)~~) \$3,508,000 of the state patrol highway account  
34 —state appropriation is provided solely for the following projects:

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

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

37 (c) (~~(\$750,000)~~) \$250,000 for generator and electrical  
38 replacement;



- 1 (d) \$195,000 for the exterior envelope of the Yakima office;
- 2 (e) \$466,000 for equipment shelters;
- 3 (f) (~~(\$650,000)~~) \$550,000 for the weatherization projects;
- 4 (g) \$200,000 for roof replacements reappropriation; and
- 5 (h) \$640,000 for water and fire suppression systems
- 6 reappropriation and \$607,000 for additional water and fire
- 7 suppression systems.

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

14 **Sec. 1104.** 2022 c 186 s 303 (uncodified) is amended to read as  
 15 follows:

16 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

|                                                              |                                |
|--------------------------------------------------------------|--------------------------------|
| 17 Rural Arterial Trust Account—State Appropriation. . . . . | ( <del>(\$55,028,000)</del> )  |
|                                                              | <u>\$49,028,000</u>            |
| 19 Motor Vehicle Account—State Appropriation. . . . .        | \$1,456,000                    |
| 20 County Arterial Preservation Account—State                |                                |
| 21 Appropriation. . . . .                                    | ( <del>(\$44,653,000)</del> )  |
|                                                              | <u>\$45,666,000</u>            |
| 23 <u>Move Ahead WA Account—State Appropriation. . . . .</u> | <u>\$10,000,000</u>            |
| 24 TOTAL APPROPRIATION. . . . .                              | ( <del>(\$101,137,000)</del> ) |
|                                                              | <u>\$106,150,000</u>           |

26 The appropriations in this section are subject to the following  
 27 conditions and limitations: The entire move ahead WA account—state  
 28 appropriation is provided solely for additional preservation funding  
 29 allocations to counties through the county arterial preservation  
 30 program.

31 **Sec. 1105.** 2022 c 186 s 304 (uncodified) is amended to read as  
 32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**

34 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

|                                                               |                               |
|---------------------------------------------------------------|-------------------------------|
| 35 Motor Vehicle Account—State Appropriation. . . . .         | ( <del>(\$16,076,000)</del> ) |
|                                                               | <u>\$15,743,000</u>           |
| 37 Connecting Washington Account—State Appropriation. . . . . | \$3,667,000                   |

1 TOTAL APPROPRIATION. . . . . ((~~\$19,743,000~~))  
2 \$19,410,000

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

5 (1) \$3,289,000 of the connecting Washington account—state  
6 appropriation is provided solely for a new Olympic region maintenance  
7 and administration facility to be located on the department-owned  
8 site at the intersection of Marvin Road and 32nd Avenue in Lacey,  
9 Washington.

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

14 (b) Payments from the department of ecology pursuant to the  
15 agreement with the department to pay a share of the financing  
16 contract in (a) of this subsection must be deposited into the motor  
17 vehicle account.

18 **Sec. 1106.** 2022 c 186 s 305 (uncodified) is amended to read as  
19 follows:

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

21 Transportation 2003 Account (Nickel Account)—State  
22 Appropriation. . . . . ((~~\$482,000~~))  
23 \$486,000  
24 Transportation Partnership Account—State  
25 Appropriation. . . . . ((~~\$232,566,000~~))  
26 \$173,980,000  
27 Motor Vehicle Account—State Appropriation. . . . . ((~~\$246,948,000~~))  
28 \$233,938,000  
29 Motor Vehicle Account—Federal Appropriation. . . . . ((~~\$251,835,000~~))  
30 \$262,303,000  
31 Coronavirus State Fiscal Recovery Fund—Federal  
32 Appropriation. . . . . ((~~\$400,000,000~~))  
33 \$100,000,000  
34 Motor Vehicle Account—Private/Local Appropriation. . . . . ((~~\$56,192,000~~))  
35 \$88,263,000  
36 Connecting Washington Account—State  
37 Appropriation. . . . . ((~~\$2,063,783,000~~))  
38 \$1,656,457,000

|    |                                                         |                                  |
|----|---------------------------------------------------------|----------------------------------|
| 1  | Special Category C Account—State Appropriation. . . . . | (( <del>\$86,198,000</del> ))    |
| 2  |                                                         | <u>\$63,548,000</u>              |
| 3  | Multimodal Transportation Account—State                 |                                  |
| 4  | Appropriation. . . . .                                  | (( <del>\$10,792,000</del> ))    |
| 5  |                                                         | <u>\$4,779,000</u>               |
| 6  | Puget Sound Gateway Facility Account—State              |                                  |
| 7  | Appropriation. . . . .                                  | \$8,400,000                      |
| 8  | State Route Number 520 Corridor Account—State           |                                  |
| 9  | Appropriation. . . . .                                  | \$70,886,000                     |
| 10 | Interstate 405 and State Route Number 167 Express       |                                  |
| 11 | Toll Lanes Account—State Appropriation. . . . .         | (( <del>\$217,282,000</del> ))   |
| 12 |                                                         | <u>\$34,028,000</u>              |
| 13 | Move Ahead WA Account—State Appropriation. . . . .      | (( <del>\$10,771,000</del> ))    |
| 14 |                                                         | <u>\$105,905,000</u>             |
| 15 | Move Ahead WA Account—Federal Appropriation. . . . .    | \$7,200,000                      |
| 16 | TOTAL APPROPRIATION. . . . .                            | (( <del>\$3,663,335,000</del> )) |
| 17 |                                                         | <u>\$2,810,173,000</u>           |

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

20       (1) Except as provided otherwise in this section, the entire move  
21 ahead WA account—state appropriation, the entire connecting  
22 Washington account—state appropriation, and the entire transportation  
23 partnership account—state appropriation are provided solely for the  
24 projects and activities as listed by fund, project, and amount in  
25 LEAP Transportation Document ((~~2022-1~~) 2023-1 as developed March  
26 ((~~9, 2022~~)) 26, 2023, Program - Highway Improvements Program (I).  
27 However, limited transfers of specific line-item project  
28 appropriations may occur between projects for those amounts listed  
29 subject to the conditions and limitations in section ((~~601, chapter~~  
30 ~~333, Laws of 2021~~)) 601 of this act, chapter . . . , Laws of 2023  
31 (this act).

32       (2) Except as provided otherwise in this section, the entire  
33 motor vehicle account—state appropriation and motor vehicle account—  
34 federal appropriation are provided solely for the projects and  
35 activities listed in LEAP Transportation Document ((~~2022-2~~) 2023-2  
36 ALL PROJECTS as developed March ((~~9, 2022~~)) 26, 2023, Program -  
37 Highway Improvements Program (I). Any federal funds gained through  
38 efficiencies, adjustments to the federal funds forecast, or the  
39 federal funds redistribution process must then be applied to highway

1 and bridge preservation activities or fish passage barrier  
2 corrections (OBI4001), as long as the application of the funds is not  
3 inconsistent with subsection (~~((26))~~) (24) of this section.

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

13 (4) (~~The connecting Washington account—state appropriation~~  
14 ~~includes up to \$326,594,000 in proceeds from the sale of bonds~~  
15 ~~authorized in RCW 47.10.889.~~

16 ~~(5))~~) The special category C account—state appropriation includes  
17 up to (~~(\$51,460,000)~~) \$34,350,000 in proceeds from the sale of bonds  
18 authorized in RCW 47.10.812.

19 (~~((6))~~) (5) The transportation partnership account—state  
20 appropriation includes up to (~~(\$124,629,000)~~) \$98,140,000 in proceeds  
21 from the sale of bonds authorized in RCW 47.10.873.

22 (~~((7) \$161,792,000)~~) (6) \$106,947,000 of the transportation  
23 partnership account—state appropriation, \$3,882,000 of the motor  
24 vehicle account—private/local appropriation, (~~(\$9,000,000)~~)  
25 \$4,880,000 of the motor vehicle account—state appropriation, (~~(\$1,000~~  
26 ~~of the transportation 2003 account (nickel account)—state~~  
27 ~~appropriation,)) and (~~(\$985,000)~~) \$987,000 of the multimodal  
28 transportation account—state appropriation are provided solely for  
29 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is  
30 the intent of the legislature that any legal damages paid to the  
31 state as a result of a lawsuit related to contractual provisions for  
32 construction and delivery of the Alaskan Way viaduct replacement  
33 project be used to repay project cost increases paid from the  
34 transportation partnership account—state funds and motor vehicle  
35 account—state funds.~~

36 (~~((8) \$186,820,000)~~) (7) \$168,663,000 of the connecting  
37 Washington account—state appropriation and \$488,000 of the motor  
38 vehicle account—local appropriation are provided solely for the US  
39 395 North Spokane Corridor project (M00800R). If the department

1 expects the original scope of this project to be completed under  
2 budget when a final design is approved for the interchange with I-90  
3 and nearby on ramp access, then the scope of work for this project  
4 must also include constructing a land bridge in the vicinity of  
5 Liberty Park in Spokane, if appropriations are sufficient. It is the  
6 intent of the legislature, consistent with the move ahead WA  
7 proposal, to advance future funding for this project in order to  
8 accelerate delivery by up to two years.

9 ~~((9))~~ (8) (a) ~~((\$177,982,000))~~ \$20,962,000 of the Interstate 405  
10 and state route number 167 express toll lanes account—state  
11 appropriation is provided solely for the I-405/SR 522 to I-5 Capacity  
12 Improvements project (L2000234) for activities related to adding  
13 capacity on Interstate 405 between state route number 522 and  
14 Interstate 5, with the goals of increasing vehicle throughput and  
15 aligning project completion with the implementation of bus rapid  
16 transit in the vicinity of the project.

17 (b) The department may advance the I-405/SR 522 to I-5 Capacity  
18 Improvements project (L2000234) and construct the project earlier  
19 than is scheduled in the LEAP transportation document referenced in  
20 subsection (2) of this section if additional funding is identified  
21 and submitted through the existing unanticipated receipts process by  
22 September 1, 2021. The department and the state treasurer shall  
23 pursue alternatives to toll revenue funding including but not limited  
24 to federal loan and grant programs. The department shall explore  
25 phasing and modifying the project to attempt to align project  
26 completion with the anticipated deployment of bus rapid transit on  
27 the corridor in the 2023-2025 biennium. The department shall report  
28 back to the transportation committees of the legislature on this work  
29 by September 15, 2021.

30 ~~((10))~~ (9) (a) ~~((\$329,681,000))~~ \$309,774,000 of the connecting  
31 Washington account—state appropriation, \$70,886,000 of the state  
32 route number 520 corridor account—state appropriation, and  
33 ~~((\$1,021,000))~~ \$1,411,000 of the motor vehicle account—private/local  
34 appropriation are provided solely for the SR 520 Seattle Corridor  
35 Improvements - West End project (M00400R).

36 (b) Upon completion of the Montlake Phase of the West End project  
37 (current anticipated contract completion of 2023), the department  
38 shall sell that portion of the property not used for permanent

1 transportation improvements and initiate a process to convey that  
2 surplus property to a subsequent owner.

3 (c) Of the amounts provided in this subsection (~~((10))~~) (9),  
4 \$100,000 of the state route number 520 corridor account—state  
5 appropriation is provided solely for noise mitigation activities. It  
6 is the intent of the legislature to provide an additional \$1,000,000  
7 for noise mitigation activities over the course of the 16-year move  
8 ahead WA funding package.

9 (~~((11))—\$361,296,000~~) (10) \$296,965,000 of the connecting  
10 Washington account—state appropriation, (~~(\$4,800,000)~~) \$2,145,000 of  
11 the multimodal transportation account—state appropriation,  
12 (~~(\$13,725,000)~~) \$4,242,000 of the motor vehicle account—private/local  
13 appropriation, \$7,200,000 of the move ahead WA account—federal  
14 appropriation, \$8,400,000 of the Puget Sound Gateway facility account  
15 —state appropriation, and (~~(\$85,015,000)~~) \$84,515,000 of the motor  
16 vehicle account—federal appropriation are provided solely for the SR  
17 167/SR 509 Puget Sound Gateway project (M00600R).

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

20 (b) In making budget allocations to the Puget Sound Gateway  
21 project, the department shall implement the project's construction as  
22 a single corridor investment. The department shall continue to  
23 collaborate with the affected stakeholders as it implements the  
24 corridor construction and implementation plan for state route number  
25 167 and state route number 509. Specific funding allocations must be  
26 based on where and when specific project segments are ready for  
27 construction to move forward and investments can be best optimized  
28 for timely project completion. Emphasis must be placed on avoiding  
29 gaps in fund expenditures for either project.

30 (c) It is the legislature's intent that the department shall  
31 consult with the joint executive committee and joint steering  
32 committee to determine the most appropriate interchange at the  
33 junction of state route number 161 (Meridian avenue) and state route  
34 number 167.

35 (d) Of the amounts provided in this subsection, \$2,300,000 of the  
36 multimodal transportation account—state appropriation is provided  
37 solely for the design phase of the Puyallup to Tacoma multiuse trail  
38 along the SR 167 right-of-way acquired for the project to connect a

1 network of new and existing trails from Mount Rainier to Point  
2 Defiance Park.

3 (e) Of the amounts provided in this subsection, \$2,500,000 of the  
4 multimodal transportation account—state appropriation is provided  
5 solely for segment 2 of the state route number 167 completion project  
6 shared-use path to provide connections to the interchange of state  
7 route number 167 at 54th to the intersection of state route number  
8 509 and Taylor Way in Tacoma.

9 ~~((12) (a) \$25,378,000 of the motor vehicle account—state~~  
10 ~~appropriation and \$413,000 of the motor vehicle account—private/local~~  
11 ~~appropriation are provided solely to support a project office and the~~  
12 ~~continued work toward the I-5 Interstate Bridge Replacement project~~  
13 ~~(L2000370).~~

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

21 ~~(c) During the 2021-2023 biennium, the department shall have as a~~  
22 ~~goal to:~~

23 ~~(i) Conduct all work necessary to prepare and publish a draft~~  
24 ~~SEIS;~~

25 ~~(ii) Coordinate with regulatory agencies to begin the process of~~  
26 ~~obtaining environmental approvals and permits;~~

27 ~~(iii) Identify a locally preferred alternative; and~~

28 ~~(iv) Begin preparing a final SEIS.~~

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

32 ~~(13)) (11) (a) ((\$400,000,000)) \$100,000,000 of the coronavirus~~  
33 ~~state fiscal recovery fund—federal appropriation, ((\$25,327,000))~~  
34 ~~\$167,194,000 of the connecting Washington account—state~~  
35 ~~appropriation, \$35,263,000 of the motor vehicle account—federal~~  
36 ~~appropriation, \$5,618,000 of the motor vehicle account—local~~  
37 ~~appropriation, \$9,016,000 of the transportation partnership account—~~  
38 ~~state appropriation, \$83,133,000 of the move ahead WA account—state~~  
39 ~~appropriation, and \$149,776,000 of the motor vehicle account—state~~

1 appropriation are provided solely for the Fish Passage Barrier  
2 Removal project (0BI4001) (~~with the intent of fully complying with~~  
3 ~~the federal U.S. v. Washington court injunction by 2030~~)).

4 (b) It is the intent of the legislature, over the 16-year move  
5 ahead WA investment program, to provide \$2,435,000,000 for fish  
6 passage barrier removal with the intent of fully complying with the  
7 federal U.S. v. Washington court injunction by 2030. Furthermore, it  
8 is the intent of the legislature that funding provided for this  
9 purpose may be used to jointly leverage state and local funds for  
10 match requirements in applying for competitive federal aid grants  
11 provided in the infrastructure investment and jobs act for removals  
12 of fish passage barriers under the national culvert removal,  
13 replacement, and restoration program. State funds used for the  
14 purpose described in this subsection must not compromise fully  
15 complying with the court injunction by 2030.

16 (c) The department shall coordinate with the Brian Abbott fish  
17 passage barrier removal board to use a watershed approach by  
18 replacing both state and local culverts guided by the principle of  
19 providing the greatest fish habitat gain at the earliest time. The  
20 department shall deliver high habitat value fish passage barrier  
21 corrections that it has identified, guided by the following factors:  
22 Opportunity to bundle projects, tribal priorities, ability to  
23 leverage investments by others, presence of other barriers, project  
24 readiness, culvert conditions, other transportation projects in the  
25 area, and transportation impacts. The department and Brian Abbott  
26 fish barrier removal board must provide updates on the implementation  
27 of the statewide culvert remediation plan to the legislature by  
28 November 1, 2021, and June 1, 2022.

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

32 ~~((d))~~ (e) Of the amount provided in this subsection,  
33 \$142,923,000 of the motor vehicle account—federal appropriation  
34 reflects the department's portion of the unrestricted funds from the  
35 coronavirus response and relief supplemental appropriations act of  
36 2021. If the final amount from this act changes while the legislature  
37 is not in session, the department shall follow the existing  
38 unanticipated receipt process and adjust the list referenced in  
39 subsection (1) of this section accordingly, supplanting state funds  
40 with federal funds if possible as directed in section ~~((601, chapter~~



1 ~~333, Laws of 2021))~~ 601 of this act, chapter . . ., Laws of 2023  
2 (this act).

3 ~~((14) \$14,367,000)~~ (12) \$13,542,000 of the connecting  
4 Washington account—state appropriation ~~((, \$311,000 of the motor~~  
5 ~~vehicle account—state appropriation,))~~ and ~~((3,149,000))~~ \$4,285,000  
6 of the motor vehicle account—private/local appropriation are provided  
7 solely for the I-90/Barker to Harvard - Improve Interchanges & Local  
8 Roads project (L2000122). The connecting Washington account  
9 appropriation for the improvements that fall within the city of  
10 Liberty Lake may only be expended if the city of Liberty Lake agrees  
11 to cover any project costs within the city of Liberty Lake above the  
12 ~~((20,900,000))~~ \$19,575,000 of state appropriation provided for the  
13 total project on the list referenced in subsection (1) of this  
14 section.

15 ~~((15) \$16,984,000)~~ (13) \$17,071,000 of the motor vehicle  
16 account—federal appropriation, ~~((269,000))~~ \$177,000 of the motor  
17 vehicle account—state appropriation, and ~~((17,900,000))~~ \$13,666,000  
18 of the Interstate 405 and state route number 167 express toll lanes  
19 account—state appropriation are provided solely for the SR 167/SR 410  
20 to SR 18 - Congestion Management project (316706C).

21 ~~((16) \$18,915,000)~~ (14) \$17,019,000 of the Special Category C  
22 account—state appropriation is provided solely for the SR 18 Widening  
23 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving  
24 and widening state route number 18 to four lanes from Issaquah-Hobart  
25 Road to Raging River.

26 ~~((17))~~ (15) \$2,500,000 of the connecting Washington account—  
27 state appropriation is provided solely for the North Lewis County  
28 transportation study. The study shall examine new, alternate routes  
29 for vehicular and truck traffic at the Harrison interchange (Exit 82)  
30 in North Centralia and shall allow for a site and configuration to be  
31 selected and feasibility to be conducted for final design,  
32 permitting, and construction of the I-5/North Lewis county  
33 Interchange project (L2000204). It is the intent of the legislature  
34 to advance future funding for this project to accelerate delivery by  
35 up to two years.

36 ~~((18) \$1,237,000)~~ (16) \$148,000 of the motor vehicle account—  
37 state appropriation is provided solely for the US 101/East Sequim  
38 Corridor Improvements project (L2000343).

1       (~~(19)~~ \$2,197,000)) (17) (a) \$1,223,000 of the motor vehicle  
2 account—state appropriation (~~(and \$749,000 of the connecting~~  
3 ~~Washington account—state appropriation are)~~) is provided solely for  
4 the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/  
5 Engineering) project (NPARADI).

6       (b) The department must consider reserving portions of state  
7 route 522, including designated lanes or ramps, for the exclusive or  
8 preferential use of public transportation vehicles, privately owned  
9 buses, motorcycles, private motor vehicles carrying not less than a  
10 specified number of passengers, or private transportation provider  
11 vehicles pursuant to RCW 47.52.025.

12       (~~(20)~~ \$1,455,000)) (18) \$1,382,000 of the motor vehicle account—  
13 federal appropriation is provided solely for the US 101/Morse Creek  
14 Safety Barrier project (L1000247).

15       (~~(21)~~ \$1,000,000)) (19) \$780,000 of the motor vehicle account—  
16 state appropriation is provided solely for the SR 162/410 Interchange  
17 Design and Right of Way project (L1000276).

18       (~~(22)~~ \$7,185,000)) (20) \$1,892,000 of the connecting Washington  
19 account—state appropriation is provided solely for the US Hwy 2  
20 Safety project (N00200R).

21       (~~(23)~~) (21) The department shall itemize all future requests  
22 for the construction of buildings on a project list and submit them  
23 through the transportation executive information system as part of  
24 the department's annual budget submittal. It is the intent of the  
25 legislature that new facility construction must be transparent and  
26 not appropriated within larger highway construction projects.

27       (~~(24)~~) (22) Any advisory group that the department convenes  
28 during the 2021-2023 fiscal biennium must consider the interests of  
29 the entire state of Washington.

30       (~~(25)~~) (23) The legislature continues to prioritize the  
31 replacement of the state's aging infrastructure and recognizes the  
32 importance of reusing and recycling construction aggregate and  
33 recycled concrete materials in our transportation system. To  
34 accomplish Washington state's sustainability goals in transportation  
35 and in accordance with RCW 70.95.805, the legislature reaffirms its  
36 determination that recycled concrete aggregate and other  
37 transportation building materials are natural resource construction  
38 materials that are too valuable to be wasted and landfilled, and are  
39 a commodity as defined in WAC 173-350-100.

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

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

16 ~~((26))~~ (24) \$2,738,000 of the motor vehicle account—state  
17 appropriation is provided solely for the US 97 Wildlife Crossing  
18 Improvements project (L2021117). It is the intent of the legislature  
19 that, to the extent possible, the department use this funding as  
20 match for competitive federal funding to make additional wildlife  
21 crossing improvements on the corridor. The department must report to  
22 the transportation committees of the legislature with additional  
23 corridors that could benefit from wildlife crossing improvements and  
24 that are likely to successfully compete for federal funding.

25 ~~((27) \$12,635,000)~~ (25) \$2,830,000 of the connecting Washington  
26 account—state appropriation is provided solely for the SR 3 Freight  
27 Corridor (T30400R) project. The legislature intends to provide a  
28 total of \$78,910,000 for this project, including an increase of  
29 \$12,000,000 in future biennia to safeguard against inflation and  
30 supply/labor interruptions and ensure that:

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

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

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

38 ~~((28) \$450,000 of the motor vehicle account—state appropriation~~  
39 ~~is provided solely for the SR 900 Safety Improvements project~~

1 ~~(L2021118). The department must: (a) Work in collaboration with King~~  
2 ~~county and Skyway coalition to align community assets, transportation~~  
3 ~~infrastructure needs, and initial design for safety improvements~~  
4 ~~along SR 900; and (b) work with the Skyway coalition to lead~~  
5 ~~community planning engagement and active transportation activities.~~

6 ~~(29) \$5,694,000))~~ (26) \$5,686,000 of the connecting Washington  
7 account—state appropriation is provided solely for the I-5/Chamber  
8 Way Interchange Vicinity Improvements project.

9 ~~((30) \$500,000))~~ (27) \$166,000 of the motor vehicle account—  
10 state appropriation is provided solely for SR 162/SR 161 Additional  
11 Connectivity in South Pierce County project (L1000312) to conduct a  
12 study on the need for additional connectivity in the area between SR  
13 162, south of Military Road East and north of Orting, and SR 161 in  
14 South Pierce county.

15 (28)(a) It is the intent of the legislature, over the 16-year  
16 move ahead WA investment program, to provide \$500,000,000 for the  
17 stormwater retrofits and improvements project (L4000040).

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

23 (c) The funding provided for stormwater retrofits and  
24 improvements must enhance stormwater runoff treatment from existing  
25 roads and infrastructure with an emphasis on green infrastructure  
26 retrofits. Projects must be prioritized based on benefits to salmon  
27 recovery and ecosystem health, reducing toxic pollution, addressing  
28 health disparities, and cost-effectiveness. The department of  
29 transportation must submit progress reports on its efforts to reduce  
30 the toxicity of stormwater runoff from existing infrastructure,  
31 recommendations for addressing barriers to innovative solutions, and  
32 anticipated demand for funding each biennium.

33 (29) \$3,000,000 of the move ahead WA—state appropriation is  
34 provided solely for the US 2 Trestle Capacity Improvements &  
35 Westbound Trestle Replacement project (L4000056). It is the intent of  
36 the legislature, over the 16-year move ahead WA investment program,  
37 to provide \$210,541,000 for planning, design, right-of-way  
38 acquisition, interim improvements, and initial construction. It is  
39 the further intent of the legislature that this project enhance

1 multimodal mobility options on the US 2 Trestle. The planning, design  
2 and engineering work must consider options to enhance transit and  
3 multimodal mobility, including bus rapid transit. The department must  
4 report to the legislature with its preliminary analysis of these  
5 options by June 30, 2023.

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

25 (31) (a) \$25,379,000 of the motor vehicle account—state  
26 appropriation, \$36,414,000 of the motor vehicle account—private/local  
27 appropriation, and \$10,000,000 of the move ahead WA account—state  
28 appropriation are provided solely for the I-5 Columbia River Bridge  
29 (L4000054) including support of a project office and the continued  
30 work toward replacing the I-5 Columbia River Bridge. The legislature  
31 finds that the replacement of the I-5 Columbia River Bridge is a  
32 project of national significance and is critical for the movement of  
33 freight. Replacing the aging Interstate Bridge with a modern,  
34 seismically resilient, multimodal structure that provides improved  
35 mobility for people, goods and services is a high priority.  
36 Therefore, the legislature intends to support the replacement of the  
37 I-5 Columbia River Bridge with an investment of \$1,000,000,000 over  
38 the 16-year move ahead WA investment program.

1 (b) The project office in subsection (a) of this section must  
2 study the possible different governance structures for a bridge  
3 authority that would provide for the joint administration of the  
4 bridges over the Columbia river between Oregon and Washington. As  
5 part of this study, the project office must examine the feasibility  
6 and necessity of an interstate compact in conjunction with the  
7 national center for interstate compacts.

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

10 (i) Conduct all work necessary to prepare and publish a draft  
11 SEIS;

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

14 (iii) Identify a locally preferred alternative; and

15 (iv) Begin preparing a final SEIS.

16 **Sec. 1107.** 2022 c 186 s 306 (uncodified) is amended to read as  
17 follows:

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

|    |                                                            |                                |
|----|------------------------------------------------------------|--------------------------------|
| 19 | Recreational Vehicle Account—State Appropriation. . . . .  | \$1,520,000                    |
| 20 | Transportation 2003 Account (Nickel Account)—State         |                                |
| 21 | Appropriation. . . . .                                     | \$53,911,000                   |
| 22 | Transportation Partnership Account—State                   |                                |
| 23 | Appropriation. . . . .                                     | (( <del>\$21,441,000</del> ))  |
| 24 |                                                            | <u>\$23,038,000</u>            |
| 25 | Motor Vehicle Account—State Appropriation. . . . .         | (( <del>\$111,174,000</del> )) |
| 26 |                                                            | <u>\$123,099,000</u>           |
| 27 | Motor Vehicle Account—Federal Appropriation. . . . .       | (( <del>\$545,560,000</del> )) |
| 28 |                                                            | <u>\$261,466,000</u>           |
| 29 | Motor Vehicle Account—Private/Local Appropriation. . . . . | (( <del>\$13,735,000</del> ))  |
| 30 |                                                            | <u>\$13,734,000</u>            |
| 31 | Connecting Washington Account—State Appropriation. . . . . | (( <del>\$224,342,000</del> )) |
| 32 |                                                            | <u>\$112,845,000</u>           |
| 33 | State Route Number 520 Corridor Account—State              |                                |
| 34 | Appropriation. . . . .                                     | (( <del>\$2,143,000</del> ))   |
| 35 |                                                            | <u>\$812,000</u>               |
| 36 | Tacoma Narrows Toll Bridge Account—State                   |                                |
| 37 | Appropriation. . . . .                                     | (( <del>\$5,676,000</del> ))   |
| 38 |                                                            | <u>\$3,578,000</u>             |

|    |                                                             |                                |
|----|-------------------------------------------------------------|--------------------------------|
| 1  | Alaskan Way Viaduct Replacement Project Account—            |                                |
| 2  | State Appropriation. . . . .                                | (( <del>\$391,000</del> ))     |
| 3  |                                                             | <u>\$251,000</u>               |
| 4  | Interstate 405 and State Route Number 167 Express           |                                |
| 5  | Toll Lanes Account—State Appropriation. . . . .             | (( <del>\$12,830,000</del> ))  |
| 6  |                                                             | <u>\$9,216,000</u>             |
| 7  | <u>Move Ahead WA Account—State Appropriation. . . . .</u>   | <u>\$94,888,000</u>            |
| 8  | <u>Move Ahead WA Account—Federal Appropriation. . . . .</u> | <u>\$45,112,000</u>            |
| 9  | TOTAL APPROPRIATION. . . . .                                | (( <del>\$992,723,000</del> )) |
| 10 |                                                             | <u>\$743,470,000</u>           |

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

13       (1) Except as provided otherwise in this section, the entire  
14 connecting Washington account—state appropriation and the entire  
15 transportation partnership account—state appropriation are provided  
16 solely for the projects and activities as listed by fund, project,  
17 and amount in LEAP Transportation Document ((~~2022-1~~)) 2023-1 as  
18 developed March ((~~9, 2022~~)) 26, 2023, Program - Highway Preservation  
19 Program (P). However, limited transfers of specific line-item project  
20 appropriations may occur between projects for those amounts listed  
21 subject to the conditions and limitations in section ((~~601, chapter~~  
22 ~~333, Laws of 2021~~)) 601 of this act, chapter . . ., Laws of 2023  
23 (this act).

24       (2) Except as provided otherwise in this section, the entire  
25 motor vehicle account—state appropriation and motor vehicle account—  
26 federal appropriation are provided solely for the projects and  
27 activities listed in LEAP Transportation Document ((~~2022-2~~)) 2023-2  
28 ALL PROJECTS as developed March ((~~9, 2022~~)) 26, 2023, Program -  
29 Highway Preservation Program (P). Any federal funds gained through  
30 efficiencies, adjustments to the federal funds forecast, or the  
31 federal funds redistribution process must then be applied to highway  
32 and bridge preservation activities or fish passage barrier  
33 corrections (OBI4001) ((~~, as long as the application of the funds is~~  
34 ~~not inconsistent with subsection (10) of this section~~)).

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

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

5 (4) \$8,531,000 of the connecting Washington account—state  
6 appropriation is provided solely for the land mobile radio upgrade  
7 (G2000055) and is subject to the conditions, limitations, and review  
8 provided in section 701, chapter 333, Laws of 2021. The land mobile  
9 radio project is subject to technical oversight by the office of the  
10 chief information officer. The department, in collaboration with the  
11 office of the chief information officer, shall identify where  
12 existing or proposed mobile radio technology investments should be  
13 consolidated, identify when existing or proposed mobile radio  
14 technology investments can be reused or leveraged to meet multiagency  
15 needs, increase mobile radio interoperability between agencies, and  
16 identify how redundant investments can be reduced over time. The  
17 department shall also provide quarterly reports to the technology  
18 services board on project progress.

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

32 (6) \$11,679,000 of the motor vehicle account—federal  
33 appropriation is provided solely for preservation projects within  
34 project L1100071 that ensure the reliable movement of freight on the  
35 national highway freight system. The department shall give priority  
36 to those projects that can be advertised by September 30, 2021.

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



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

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

10 (9) \$1,700,000 of the motor vehicle account—state appropriation  
11 is provided solely for the SR 109/88 Corner Roadway project  
12 (G2000106).

13 (10) \$94,888,000 of the move ahead WA account—state appropriation  
14 and \$45,112,000 of the move ahead WA account—federal appropriation is  
15 provided solely for highway preservation (L4000057). The department  
16 must use funding provided in this subsection, along with other funds  
17 at its discretion, for the following preservation projects:

- 18 (a) I-5/SB Denny Way-Lakeview Viaduct;
- 19 (b) I-5/SB&NB Concrete and Joint Replacement;
- 20 (c) SR 529/NB Snohomish River - Bridge Rehabilitation and  
21 Painting;
- 22 (d) I-5/SB Snohomish River Bridge Painting.

23 **Sec. 1108.** 2022 c 186 s 307 (uncodified) is amended to read as  
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
26 **CAPITAL**

|                                                               |                               |
|---------------------------------------------------------------|-------------------------------|
| 27 Motor Vehicle Account—State Appropriation. . . . .         | (( <del>\$9,618,000</del> ))  |
| 28                                                            | <u>\$10,084,000</u>           |
| 29 Motor Vehicle Account—Federal Appropriation. . . . .       | \$11,215,000                  |
| 30 Motor Vehicle Account—Private/Local Appropriation. . . . . | \$500,000                     |
| 31 Interstate 405 and State Route Number 167 Express          |                               |
| 32 Toll Lanes Account—State Appropriation. . . . .            | \$900,000                     |
| 33 TOTAL APPROPRIATION. . . . .                               | (( <del>\$22,233,000</del> )) |
| 34                                                            | <u>\$22,699,000</u>           |

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

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

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

6 **Sec. 1109.** 2022 c 186 s 308 (uncodified) is amended to read as  
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**  
9 **CONSTRUCTION—PROGRAM W**

|    |                                                                           |                                |
|----|---------------------------------------------------------------------------|--------------------------------|
| 10 | Puget Sound Capital Construction Account—State                            |                                |
| 11 | Appropriation. . . . .                                                    | (( <del>\$167,533,000</del> )) |
| 12 |                                                                           | <u>\$139,563,000</u>           |
| 13 | Puget Sound Capital Construction Account—Federal                          |                                |
| 14 | Appropriation. . . . .                                                    | (( <del>\$180,571,000</del> )) |
| 15 |                                                                           | <u>\$154,759,000</u>           |
| 16 | Puget Sound Capital Construction Account—                                 |                                |
| 17 | Private/Local Appropriation. . . . .                                      | (( <del>\$2,181,000</del> ))   |
| 18 |                                                                           | <u>\$1,844,000</u>             |
| 19 | Transportation Partnership Account—State                                  |                                |
| 20 | Appropriation. . . . .                                                    | (( <del>\$9,432,000</del> ))   |
| 21 |                                                                           | <u>\$3,759,000</u>             |
| 22 | Connecting Washington Account—State Appropriation. . . . .                | (( <del>\$99,141,000</del> ))  |
| 23 |                                                                           | <u>\$97,904,000</u>            |
| 24 | Capital Vessel Replacement Account—State                                  |                                |
| 25 | Appropriation. . . . .                                                    | (( <del>\$45,668,000</del> ))  |
| 26 |                                                                           | <u>\$5,769,000</u>             |
| 27 | <del>((Motor Vehicle Account—State Appropriation. . . . . \$1,000))</del> |                                |
| 28 | Transportation 2003 Account (Nickel Account)—State                        |                                |
| 29 | Appropriation. . . . .                                                    | \$987,000                      |
| 30 | <u>Move Ahead WA Account—State Appropriation. . . . .</u>                 | <u>\$2,804,000</u>             |
| 31 | TOTAL APPROPRIATION. . . . .                                              | (( <del>\$505,514,000</del> )) |
| 32 |                                                                           | <u>\$407,389,000</u>           |

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

35 (1) Except as provided otherwise in this section, the entire  
36 appropriations in this section are provided solely for the projects  
37 and activities as listed in LEAP Transportation Document ((2022-2))

1 2023-2 ALL PROJECTS as developed March (~~9, 2022~~) 26, 2023, Program  
2 - Washington State Ferries Capital Program (W).

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

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

- 10 (i) Anticipated cost increases and cost savings;  
11 (ii) Anticipated cash flow and schedule changes; and  
12 (iii) Explanations for the changes.

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

- 16 (i) What work has been done;  
17 (ii) How have schedules shifted; and  
18 (iii) Associated changes in funding among projects, accompanied  
19 by explanations for the changes.

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

24 (3) (~~(\$12,232,000)~~) \$19,940,000 of the Puget Sound capital  
25 construction account—state appropriation is provided solely for  
26 emergency capital repair costs (999910K). Funds may only be spent  
27 after approval by the office of financial management.

28 (4) (~~(\$2,385,000)~~) \$2,384,000 of the Puget Sound capital  
29 construction account—state appropriation is provided solely for the  
30 ORCA card next generation project (L2000300). The ferry system shall  
31 work with Washington technology solutions and the tolling division on  
32 the development of a new, interoperable ticketing system.

33 (5) (~~(\$28,134,000)~~) \$3,656,000 of the Puget Sound capital  
34 construction account—state appropriation is provided solely for the  
35 conversion of up to two Jumbo Mark II vessels to electric hybrid  
36 propulsion (G2000084). The department shall seek additional funds for  
37 the purposes of this subsection. The department may spend from the  
38 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) (~~(\$45,668,000)~~) \$5,769,000 of the capital vessel replacement  
4 account—state appropriation is provided solely for the acquisition of  
5 a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature  
6 amended RCW 47.60.810 to direct the department to modify an existing  
7 vessel construction contract to provide for an additional five  
8 ferries. As such, it is the intent of the legislature that the  
9 department award the contract for the hybrid electric Olympic class  
10 vessel #5(L2000329) in a timely manner. In addition, the legislature  
11 intends to minimize costs and maximize construction efficiency by  
12 providing sufficient funding for construction of all five vessels,  
13 including funding for long lead time materials procured at the lowest  
14 possible prices. The commencement of construction of new vessels for  
15 the ferry system is important not only for safety reasons, but also  
16 to keep skilled marine construction jobs in the Puget Sound region  
17 and to sustain the capacity of the region to meet the ongoing  
18 construction and preservation needs of the ferry system fleet of  
19 vessels. The legislature has determined that the current vessel  
20 procurement process must move forward with all due speed, balancing  
21 the interests of both the taxpayers and shipyards. To accomplish  
22 construction of vessels in accordance with RCW 47.60.810, the  
23 prevailing shipbuilder, for vessels initially funded after July 1,  
24 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. If the  
28 department elects not to execute a new modification to an existing  
29 option contract for one or more additional 144-auto ferries under RCW  
30 47.60.810(4), the department shall proceed with development of a new  
31 design-build request for proposals in accordance with RCW 47.60.810,  
32 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,  
33 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this  
34 section, \$200,000 is provided solely for hiring an independent  
35 owner's representative to perform quality oversight, manage the  
36 change order process, and ensure contract compliance.

37 (7) The capital vessel replacement account—state appropriation  
38 includes up to (~~(\$45,468,000)~~) \$5,769,000 in proceeds from the sale  
39 of bonds authorized in RCW 47.10.873.

1 (8) (~~(\$4,200,000)~~) \$2,838,000 of the connecting Washington  
2 account—state appropriation is provided solely for ferry vessel and  
3 terminal preservation (L2000110). The funds provided in this  
4 subsection must be used for unplanned preservation needs before  
5 shifting funding from other preservation projects.

6 (9) \$2,804,000 of the move ahead Washington account—state  
7 appropriation is provided solely for the preservation of the MV  
8 Tillikum (9444413B).

9 **Sec. 1110.** 2022 c 186 s 309 (uncodified) is amended to read as  
10 follows:

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

|    |                                                    |                                |
|----|----------------------------------------------------|--------------------------------|
| 12 | Essential Rail Assistance Account—State            |                                |
| 13 | Appropriation. . . . .                             | \$1,108,000                    |
| 14 | Transportation Infrastructure Account—State        |                                |
| 15 | Appropriation. . . . .                             | ( <del>(\$6,218,000)</del> )   |
| 16 |                                                    | <u>\$6,219,000</u>             |
| 17 | Multimodal Transportation Account—State            |                                |
| 18 | Appropriation. . . . .                             | ( <del>(\$118,320,000)</del> ) |
| 19 |                                                    | <u>\$61,681,000</u>            |
| 20 | Multimodal Transportation Account—Federal          |                                |
| 21 | Appropriation. . . . .                             | ( <del>(\$6,567,000)</del> )   |
| 22 |                                                    | <u>\$7,885,000</u>             |
| 23 | Multimodal Transportation Account—Private/Local    |                                |
| 24 | Appropriation. . . . .                             | \$13,000                       |
| 25 | Motor Vehicle Account—State Appropriation. . . . . | \$1,810,000                    |
| 26 | TOTAL APPROPRIATION. . . . .                       | ( <del>(\$134,036,000)</del> ) |
| 27 |                                                    | <u>\$78,716,000</u>            |

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

30 (1) Except as provided otherwise in this section, the entire  
31 appropriations in this section are provided solely for the projects  
32 and activities as listed by project and amount in LEAP Transportation  
33 Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9,~~  
34 ~~2022)~~) 26, 2023, Program - Rail Program (Y).

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

1 repayment period of no more than ten years, and charge only so much  
2 interest as is necessary to recoup the department's costs to  
3 administer the loans. The department shall report annually to the  
4 transportation committees of the legislature and the office of  
5 financial management on all FRIB loans issued. FRIB program loans may  
6 be recommended by the department for 2022 supplemental transportation  
7 appropriations up to the amount provided in this appropriation that  
8 has not been provided for the projects listed in ((2021-2)) 2023-2  
9 ALL PROJECTS, as referenced in subsection (1) of this section. The  
10 department shall submit a prioritized list for any loans recommended  
11 to the office of financial management and the transportation  
12 committees of the legislature by November 15, 2021.

13 (3) \$7,041,000 of the multimodal transportation account—state  
14 appropriation is provided solely for new statewide emergent freight  
15 rail assistance projects identified in the LEAP transportation  
16 document referenced in subsection (1) of this section.

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

34 (5) (a) \$1,008,000 of the essential rail assistance account—state  
35 appropriation is provided solely for the purpose of the  
36 rehabilitation and maintenance of the Palouse river and Coulee City  
37 railroad line (F01111B).

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

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

4 (ii) Revenues from trackage rights agreement fees paid by  
5 shippers; and

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

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

17 (7) \$32,996,000 of the multimodal transportation account—state  
18 appropriation is provided solely for Passenger Rail Equipment  
19 Replacement (project 700010C). The appropriation in this subsection  
20 include insurance proceeds received by the state. The department must  
21 use these funds only to purchase replacement equipment that has been  
22 competitively procured and for service recovery needs and corrective  
23 actions related to the December 2017 derailment.

24 (8) It is the intent of the legislature to encourage the  
25 department to pursue federal grant opportunities leveraging up to  
26 \$6,696,000 in connecting Washington programmed funds to be used as a  
27 state match to improve the state-owned Palouse river and Coulee City  
28 system. The amount listed in this subsection is not a commitment for  
29 future legislatures, but is the legislature's intent that future  
30 legislatures will work to approve biennial appropriations up to a  
31 state match share not to exceed \$6,696,000 of a grant award.

32 (9) \$500,000 of the multimodal transportation account—state  
33 appropriation is provided solely for the Chelatchie Prairie railroad  
34 for track improvement activities on the northern part of the railroad  
35 (L1000311).

36 (10) The entire move ahead WA flexible account—state  
37 appropriation in this section is provided solely for the rail  
38 projects and activities as listed in LEAP Transportation Document  
39 2022 NL-1 as developed March 9, 2022.

1        (11) \$50,000,000 of the carbon emissions reduction account—state  
 2 appropriation is provided solely for state match contributions to  
 3 support the department's application for pending federal grant  
 4 opportunities for a new ultra high-speed ground transportation  
 5 corridor. These funds are to remain in unallotted status and are  
 6 available only upon award of federal funds. The department must  
 7 provide draft applications for federal grant opportunities to the  
 8 transportation committees of the legislature for review and comment  
 9 prior to submission.

10        **Sec. 1111.** 2022 c 186 s 310 (uncodified) is amended to read as  
 11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
 13 **CAPITAL**

|    |                                                                    |                                |
|----|--------------------------------------------------------------------|--------------------------------|
| 14 | Highway Infrastructure Account—State Appropriation. . . . .        | \$1,744,000                    |
| 15 | Highway Infrastructure Account—Federal Appropriation               |                                |
| 16 | . . . . .                                                          | \$2,935,000                    |
| 17 | Transportation Partnership Account—State                           |                                |
| 18 | Appropriation. . . . .                                             | (( <del>\$1,000,000</del> ))   |
| 19 |                                                                    | \$500,000                      |
| 20 | Motor Vehicle Account—State Appropriation. . . . .                 | (( <del>\$25,101,000</del> ))  |
| 21 |                                                                    | \$21,631,000                   |
| 22 | Motor Vehicle Account—Federal Appropriation. . . . .               | (( <del>\$79,306,000</del> ))  |
| 23 |                                                                    | \$44,945,000                   |
| 24 | Motor Vehicle Account—Private/Local Appropriation. . . . .         | \$6,600,000                    |
| 25 | Connecting Washington Account—State Appropriation. . . . .         | (( <del>\$178,464,000</del> )) |
| 26 |                                                                    | \$134,363,000                  |
| 27 | Multimodal Transportation Account—State                            |                                |
| 28 | Appropriation. . . . .                                             | (( <del>\$96,975,000</del> ))  |
| 29 |                                                                    | \$62,362,000                   |
| 30 | <u>Move Ahead WA Account—State Appropriation. . . . .</u>          | \$4,000,000                    |
| 31 | <u>Move Ahead WA Flexible Account—State Appropriation. . . . .</u> | \$3,000,000                    |
| 32 | <u>Climate Active Transportation Account—State</u>                 |                                |
| 33 | <u>Appropriation. . . . .</u>                                      | \$12,182,000                   |
| 34 | <u>Freight Mobility Investment Account—State</u>                   |                                |
| 35 | <u>Appropriation. . . . .</u>                                      | \$5,875,000                    |
| 36 | <u>Freight Mobility Multimodal Account—State</u>                   |                                |
| 37 | <u>Appropriation. . . . .</u>                                      | \$910,000                      |
| 38 | TOTAL APPROPRIATION. . . . .                                       | (( <del>\$392,125,000</del> )) |



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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9-2022)) 26, 2023, Program - Local Programs Program (Z).

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

(a) (i) ((\$46,163,000)) \$29,870,000 of the multimodal transportation account—state appropriation ((is)) and \$5,496,000 of the climate active transportation account—state are provided solely for pedestrian and bicycle safety program projects (L2000188).

(ii) The state route 99/Aurora Avenue North Planning Study funded in this subsection (2)(a) must prioritize designs that ensure slow vehicle speeds and systematic improvement to the quality of multimodal access, and must be fully completed by September 30, 2023, in order to ensure construction of improvements begin no later than March 1, 2024.

(b) ((\$26,086,000)) \$18,349,000 of the motor vehicle account—federal appropriation ((and—\$21,656,000)), \$16,562,000 of the multimodal transportation account—state appropriation, and \$6,686,000 of the climate active transportation account—state appropriation are provided solely for safe routes to school projects (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

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

1 the department must also include recommended changes to the  
2 pedestrian safety/safe routes to school grant program application and  
3 selection processes to increase utilization by a greater diversity of  
4 jurisdictions.

5 (4) (~~(\$11,987,000)~~) \$9,537,000 of the multimodal transportation  
6 account—state appropriation is provided solely for connecting  
7 Washington bicycle and pedestrian projects listed in the LEAP  
8 transportation document referenced in subsection (1) of this section.

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

12 (6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—  
13 federal appropriation is provided solely for national highway freight  
14 network projects identified on the project list submitted in  
15 accordance with section 218(4)(b), chapter 14, Laws of 2016 on  
16 October 31, 2016 (L1000169).

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

30 (8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—  
31 federal appropriation is provided solely for acceleration of local  
32 preservation projects that ensure the reliable movement of freight on  
33 the national highway freight system (G2000100). The department will  
34 identify projects through its current national highway system asset  
35 management call for projects with applications due in February 2021.  
36 The department shall give priority to those projects that can be  
37 obligated by September 30, 2021.

38 (9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation  
39 account—state appropriation is provided solely for a grant to the

1 Northwest Seaport Alliance (NWSA) to lead the creation and  
2 coordination of a multistakeholder zero emissions truck collaborative  
3 that will: (a) Facilitate the development and implementation of one  
4 or more zero-emissions drayage truck demonstration projects in  
5 Washington state; and (b) develop a roadmap for transitioning the  
6 entire fleet of approximately 4,500 drayage trucks that serve the  
7 NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner.

8 (10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington  
9 account—state appropriation is provided solely for the I-5/Mellen  
10 Street Connector project.

11 (11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state  
12 appropriation is provided solely for the 166th/SR 410 Interchange.

13 (12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state  
14 appropriation is provided solely for repairs and rehabilitation of  
15 the Pierce county ferry landings at Anderson Island and Steilacoom.

16 (13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state  
17 appropriation is provided solely for the city of Spokane for  
18 preliminary engineering of the US 195/Inland Empire Way project.  
19 Funds may be used for predesign environmental assessment work,  
20 community engagement, design, and project cost estimation.

21 (14)(a) The entire move ahead WA account—state appropriation and  
22 the entire move ahead WA flexible account—state appropriation are  
23 provided solely for the move ahead WA local road projects and  
24 activities as listed in the LEAP transportation document referenced  
25 in subsection (1) of this section.

26 (b) It is the intent of the legislature that \$25,000,000 will be  
27 provided as part of the move ahead WA investment package in a future  
28 biennium, as indicated on the list identified in subsection (1) of  
29 this section, for the Ballard and Magnolia bridge project (L4000123).  
30 As part of the project, the Seattle department of transportation must  
31 consult with an independent engineering firm to verify that the costs  
32 for the type, size, and location preliminary design report (TS&L),  
33 environmental impact statement (EIS), and 60 percent design work are  
34 within industry cost range standards in advance of moving forward  
35 with construction. The Seattle department of transportation must  
36 ensure that funds are maximized by limiting the percentage for TS&L,  
37 EIS, and 60 percent design work to 10 percent of the total cost of  
38 the project. Of the \$25,000,000, \$12,500,000 must remain in  
39 unallotted status, and may be distributed to the Seattle department

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

7 (15) \$3,000,000 of the move ahead WA flexible account—state  
8 appropriation is provided solely for railroad crossing grant awards  
9 that match federal funds for city and county projects which eliminate  
10 at-grade highway-rail crossings.

11 (16)(a) The entire climate active transportation account—state  
12 appropriation is provided solely for the move ahead WA pedestrian and  
13 bike safety projects as listed in the LEAP transportation document  
14 referenced in subsection (1) of this section.

15 (b) It is the intent of the legislature that \$50,000,000 will be  
16 provided to the Seattle department of transportation to implement  
17 Aurora Avenue North Safety Improvements (L4000154). Under this  
18 program, the Seattle department of transportation will be required to  
19 implement strategic transportation investments for the Aurora Ave N  
20 Corridor from N 90th St to N 105th St that ensure slow vehicle  
21 speeds, walkability, multimodal mobility, safe routes to local  
22 schools, and safety for residents, which will demonstrate the  
23 benefits of similar transportation investments for other locations  
24 along Aurora Avenue and elsewhere. The Seattle department of  
25 transportation must convene a neighborhood oversight board consisting  
26 of residents of communities of the Aurora Ave N Corridor to  
27 prioritize investments and monitor project implementation. The  
28 oversight board should be composed of an equitable representation of  
29 local communities along the Aurora Ave N Corridor, including  
30 residents with disabilities. The Seattle department of transportation  
31 will ensure that the oversight board is consulted on a bimonthly  
32 basis during the prioritization process.

33 (b) The legislature intends, upon completion of the State Route  
34 99/Aurora Avenue North Planning Study, that projects recommended in  
35 the study will be funded by this program. A specific focus must be on  
36 access management to consolidate driveways and improve safety for  
37 vulnerable users. This work must also include installation of full  
38 curb and sidewalks to improve safety, mobility, transit ridership,  
39 equity, and work towards the goals set forth in vision zero, target  
40 zero, and the Washington state active transportation plan. The

1 Seattle department of transportation must ensure the design and  
2 implementation of an accessible sidewalk network to support users  
3 with mobility limitations, convenient and accessible transit stops,  
4 all ages and abilities bicycle facilities, and safe pedestrian-  
5 activated crosswalks that puts safety over speed, balances the needs  
6 of different modes, reduces the level of traffic stress experienced  
7 by pedestrians and cyclists, connects to existing bicycle and transit  
8 networks, creates safe walking and bicycling routes to local schools  
9 including crosswalks, improves human and environmental health, and  
10 supports the surrounding neighborhoods. The Seattle department of  
11 transportation must coordinate with the Washington state department  
12 of transportation and King county metro in implementing the  
13 investments. The Seattle department of transportation must ensure  
14 that funds are maximized by limiting the percentage for planning,  
15 predesign, design, permitting, and environmental review to 10 percent  
16 of the total cost of each project.

17 **Sec. 1112.** 2022 c 186 s 312 (uncodified) is amended to read as  
18 follows:

19 **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS**  
20 **MANAGEMENT**

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

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

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

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

32 (d) Ensured federal government contributions regarding its share  
33 toward overhead costs;

34 (e) Increased disadvantaged business enterprise program  
35 participation and/or funding;

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

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

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

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

4 (2) The department may provide recommendations on the  
5 transportation appropriations act structure and project list  
6 amendments to most efficiently utilize state and federal capital  
7 funds.

8 (3) As part of the department's 2023-2025 biennial budget  
9 request, the department shall also report on:

10 (a) The federal grant programs it has applied for;

11 (b) The federal competitive grant programs it could have applied  
12 for but did not and the reason or reasons it did not apply; and

13 (c) The potential to use a federal fund exchange program to most  
14 efficiently use state and local federal funds.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 1201. 2022 c 186 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>\$794,000</del> ))       |
| 10 |                                                                         | <u>\$273,000</u>                 |
| 11 | <del>((Connecting Washington Account—State Appropriation. . . . .</del> | <del>\$1,633,000))</del>         |
| 12 | Special Category C Account—State Appropriation. . . . .                 | (( <del>\$257,000</del> ))       |
| 13 |                                                                         | <u>\$74,000</u>                  |
| 14 | Highway Bond Retirement Account—State Appropriation                     | (( <del>\$1,408,622,000</del> )) |
| 15 |                                                                         | <u>\$1,406,513,000</u>           |
| 16 | Ferry Bond Retirement Account—State Appropriation. . . . .              | \$17,150,000                     |
| 17 | Transportation Improvement Board Bond Retirement                        |                                  |
| 18 | Account—State Appropriation. . . . .                                    | (( <del>\$18,152,000</del> ))    |
| 19 |                                                                         | <u>\$18,055,000</u>              |
| 20 | Nondebt-Limit Reimbursable Bond Retirement Account—                     |                                  |
| 21 | State Appropriation. . . . .                                            | (( <del>\$26,278,000</del> ))    |
| 22 |                                                                         | <u>\$29,238,000</u>              |
| 23 | Toll Facility Bond Retirement Account—State                             |                                  |
| 24 | Appropriation. . . . .                                                  | \$76,376,000                     |
| 25 | TOTAL APPROPRIATION. . . . .                                            | (( <del>\$1,542,811,000</del> )) |
| 26 |                                                                         | <u>\$1,547,679,000</u>           |

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

32 Sec. 1202. 2022 c 186 s 402 (uncodified) is amended to read as  
33 follows:

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

37 Transportation Partnership Account—State

|   |                                                                         |                            |
|---|-------------------------------------------------------------------------|----------------------------|
| 1 | Appropriation. . . . .                                                  | (( <del>\$150,000</del> )) |
| 2 |                                                                         | <u>\$51,000</u>            |
| 3 | <del>((Connecting Washington Account—State Appropriation. . . . .</del> | <del>\$327,000))</del>     |
| 4 | Special Category C Account—State Appropriation. . . . .                 | (( <del>\$51,000</del> ))  |
| 5 |                                                                         | <u>\$18,000</u>            |
| 6 | <u>Transportation Improvement Account—State</u>                         |                            |
| 7 | <u>Appropriation. . . . .</u>                                           | <u>\$20,000</u>            |
| 8 | TOTAL APPROPRIATION. . . . .                                            | (( <del>\$548,000</del> )) |
| 9 |                                                                         | <u>\$89,000</u>            |

10       **Sec. 1203.** 2022 c 186 s 403 (uncodified) is amended to read as  
11 follows:

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

|    |                                                      |                                |
|----|------------------------------------------------------|--------------------------------|
| 13 | Motor Vehicle Account—State Appropriation: For motor |                                |
| 14 | vehicle fuel tax statutory distributions to          |                                |
| 15 | cities and counties. . . . .                         | (( <del>\$474,003,000</del> )) |
| 16 |                                                      | <u>\$467,037,000</u>           |

|    |                                               |              |
|----|-----------------------------------------------|--------------|
| 17 | Multimodal Transportation Account—State       |              |
| 18 | Appropriation: For distribution to cities and |              |
| 19 | counties. . . . .                             | \$26,786,000 |

|    |                                                |              |
|----|------------------------------------------------|--------------|
| 20 | Motor Vehicle Account—State Appropriation: For |              |
| 21 | distribution to cities and counties. . . . .   | \$23,438,000 |

22       **Sec. 1204.** 2022 c 186 s 404 (uncodified) is amended to read as  
23 follows:

24 **FOR THE STATE TREASURER—TRANSFERS**

|    |                                                      |                                  |
|----|------------------------------------------------------|----------------------------------|
| 25 | Motor Vehicle Account—State Appropriation: For motor |                                  |
| 26 | vehicle fuel tax refunds and statutory               |                                  |
| 27 | transfers. . . . .                                   | (( <del>\$2,000,419,000</del> )) |
| 28 |                                                      | <u>\$1,971,401,000</u>           |

29       **Sec. 1205.** 2022 c 186 s 405 (uncodified) is amended to read as  
30 follows:

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

|    |                                                      |                                |
|----|------------------------------------------------------|--------------------------------|
| 32 | Motor Vehicle Account—State Appropriation: For motor |                                |
| 33 | vehicle fuel tax refunds and transfers. . . . .      | (( <del>\$240,330,000</del> )) |
| 34 |                                                      | <u>\$264,160,000</u>           |



1       **Sec. 1206.** 2022 c 186 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 \$50,000,000

8       (2) ~~((a) Transportation Partnership Account—State~~

9 ~~Appropriation: For transfer to the Capital Vessel~~

10 ~~Replacement Account—State. . . . . \$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)) (3) (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)) (4) Motor Vehicle Account—State Appropriation:~~

31 ~~For transfer to the County Arterial Preservation~~

32 ~~Account—State. . . . . \$7,666,000~~

33       ~~((6)) (5) Motor Vehicle Account—State Appropriation:~~

34 ~~For transfer to the Freight Mobility Investment~~

35 ~~Account—State. . . . . \$5,511,000~~

36       ~~((7)) (6) Motor Vehicle Account—State Appropriation:~~

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

38       ~~((8)) (7) Motor Vehicle Account—State Appropriation:~~

39 ~~For transfer to the Transportation Improvement~~

1 Account—State. . . . . \$9,688,000  
2 ((~~9~~)) (8) Rural Mobility Grant Program Account—State  
3 Appropriation: For transfer to the Multimodal  
4 Transportation Account—State. . . . . \$3,000,000  
5 ((~~10~~)) (9)(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~~)) (10) 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~~)) (11) 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. . . . . \$1,542,000~~  
21 ~~(b) The amount transferred in this subsection represents~~  
22 ~~repayment of debt service incurred for the construction of the Hybrid~~  
23 ~~Electric Olympic Class (144-auto) Vessel #5 project (L2000329).~~  
24 ~~(14))~~ (12) Multimodal Transportation Account—State  
25 Appropriation: For transfer to the Complete Streets  
26 Grant Program Account—State. . . . . \$14,670,000  
27 ((~~15~~)) (13) Multimodal Transportation Account—State  
28 Appropriation: For transfer to the Connecting  
29 Washington Account—State. . . . . \$200,000,000  
30 ((~~16~~)) (14) Multimodal Transportation Account—State  
31 Appropriation: For transfer to the Freight Mobility  
32 Multimodal Account—State. . . . . \$4,011,000  
33 ((~~17~~)) (15) Multimodal Transportation Account—State  
34 Appropriation: For transfer to the Ignition Interlock  
35 Device Revolving Account—State. . . . . \$600,000  
36 ((~~18~~)) (16) Multimodal Transportation Account—State  
37 Appropriation: For transfer to the Pilotage  
38 Account—State. . . . . \$2,000,000  
39 ((~~19~~)) (17) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Puget Sound  
 2 Capital Construction Account—State. . . . . (~~(\$816,700,000)~~)  
 3 \$30,000,000  
 4 (~~(+20)~~) (18) Multimodal Transportation Account—State  
 5 Appropriation: For transfer to the Regional Mobility  
 6 Grant Program Account—State. . . . . \$27,679,000  
 7 (~~(+21)~~) (19) Multimodal Transportation Account—State  
 8 Appropriation: For transfer to the Rural Mobility  
 9 Grant Program Account—State. . . . . \$15,223,000  
 10 (~~(+22)~~) (20) (a) Alaskan Way Viaduct Replacement Project  
 11 Account—State Appropriation: For transfer to the  
 12 Transportation Partnership Account—State. . . . . \$22,884,000  
 13 (b) The amount transferred in this subsection represents  
 14 repayment of debt service incurred for the construction of the SR 99/  
 15 Alaskan Way Viaduct Replacement project (809936Z).  
 16 (~~(+23)~~) (21) Tacoma Narrows Toll Bridge Account—State  
 17 Appropriation: For transfer to the Motor Vehicle  
 18 Account—State. . . . . \$950,000  
 19 (~~(+24)~~) (22) Puget Sound Ferry Operations Account—State  
 20 Appropriation: For transfer to the Puget Sound  
 21 Capital Construction Account—State. . . . . \$60,000,000  
 22 (~~(+25)~~) (23) (a) General Fund Account—State  
 23 Appropriation: For transfer to the State Patrol  
 24 Highway Account—State. . . . . \$625,000  
 25 (b) The state treasurer shall transfer the funds only after  
 26 receiving notification from the Washington state patrol under section  
 27 207(2), chapter 333, Laws of 2021.  
 28 (~~(+26)~~) (24) Motor Vehicle Account—State  
 29 Appropriation: For transfer to the Puget Sound  
 30 Capital Construction Account—State. . . . . \$30,000,000  
 31 (~~(+27)~~) (25) Multimodal Transportation Account—State  
 32 Appropriation: For transfer to the I-405 and SR 167  
 33 Express Toll Lanes Account—State. . . . . \$268,433,000  
 34 (~~(+28)~~) (26) Multimodal Transportation Account—State  
 35 Appropriation: For transfer to the Move Ahead WA  
 36 Account—State. . . . . (~~(\$874,081,000)~~)  
 37 \$1,660,781,000  
 38 (~~(+29)~~) (27) Multimodal Transportation Account—State  
 39 Appropriation: For transfer to the State Route

|    |                                                                        |                          |
|----|------------------------------------------------------------------------|--------------------------|
| 1  | Number 520 Corridor Account—State. . . . .                             | \$70,786,000             |
| 2  | <del>((30) Motor Vehicle Account—State</del>                           |                          |
| 3  | <del>Appropriation: For transfer to the Connecting Washington</del>    |                          |
| 4  | <del>Account—State. . . . .</del>                                      | <del>\$80,000,000</del>  |
| 5  | <del>(31)) (28) Move Ahead WA Account—State</del>                      |                          |
| 6  | <del>Appropriation: For transfer to the Connecting Washington</del>    |                          |
| 7  | <del>Account—State. . . . .</del>                                      | <del>\$600,000,000</del> |
| 8  | <del>((32)) (29) Transportation Improvement Account—State</del>        |                          |
| 9  | <del>Appropriation: For transfer to the Transportation</del>           |                          |
| 10 | <del>Improvement Board Bond Retirement Account. . . . .</del>          | <del>\$6,451,550</del>   |
| 11 | <del>(30) (a) Carbon Emissions Reduction Account—State</del>           |                          |
| 12 | <del>Appropriation: For transfer to the Puget Sound</del>              |                          |
| 13 | <del>Ferry Operations Account—State. . . . .</del>                     | <del>\$600,000</del>     |
| 14 | <del>(b) The amount transferred in this subsection represents an</del> |                          |
| 15 | <del>estimate of fare replacement revenue to account for the</del>     |                          |
| 16 | <del>implementation of 18 and under fare-free policies.</del>          |                          |
| 17 | <del>(31) Motor Vehicle Account—State Appropriation: For</del>         |                          |
| 18 | <del>transfer to the Move Ahead WA Account—State. . . . .</del>        | <del>\$3,607,000</del>   |
| 19 | <del>(32) Electric Vehicle Account—State Appropriation:</del>          |                          |
| 20 | <del>For transfer to the Move Ahead WA Flexible</del>                  |                          |
| 21 | <del>Account—State. . . . .</del>                                      | <del>\$16,064,000</del>  |
| 22 | <del>(33) Carbon Emissions Reduction Account—State</del>               |                          |
| 23 | <del>Appropriation: For transfer to the Climate</del>                  |                          |
| 24 | <del>Active Transportation Account—State. . . . .</del>                | <del>\$23,182,000</del>  |
| 25 | <del>(34) Carbon Emissions Reduction Account—State</del>               |                          |
| 26 | <del>Appropriation: For transfer to the Climate</del>                  |                          |
| 27 | <del>Transit Programs Account—State. . . . .</del>                     | <del>\$53,436,000</del>  |
| 28 | <del>(35) Multimodal Transportation Account—State</del>                |                          |
| 29 | <del>Appropriation: For transfer to the State Route Number</del>       |                          |
| 30 | <del>520 Civil Penalties Account—State . . . . .</del>                 | <del>\$1,000,000</del>   |

31 **Sec. 1207.** 2021 c 333 s 407 (uncodified) is amended to read as  
32 follows:

33 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**  
34 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**  
35 **STATUTORILY PRESCRIBED REVENUE**

36 Toll Facility Bond Retirement Account—Federal  
37 Appropriation . . . . . ((\$199,129,000))

|   |                                             |                                |
|---|---------------------------------------------|--------------------------------|
| 1 |                                             | <u>\$199,040,000</u>           |
| 2 | Toll Facility Bond Retirement Account—State |                                |
| 3 | Appropriation . . . . .                     | \$25,372,000                   |
| 4 | TOTAL APPROPRIATION. . . . .                | ( <del>(\$224,501,000)</del> ) |
| 5 |                                             | <u>\$224,412,000</u>           |

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. Sec. 1301. The following acts or parts of acts are each repealed:

- (1) 2022 c 187 s 1 (uncodified);
(2) 2022 c 187 s 101 (uncodified);
(3) 2022 c 187 s 102 (uncodified);
(4) 2022 c 187 s 103 (uncodified);
(5) 2022 c 187 s 104 (uncodified);
(6) 2022 c 187 s 201 (uncodified);
(7) 2022 c 187 s 202 (uncodified);
(8) 2022 c 187 s 203 (uncodified);
(9) 2022 c 187 s 204 (uncodified);
(10) 2022 c 187 s 205 (uncodified);
(11) 2022 c 187 s 206 (uncodified);
(12) 2022 c 187 s 207 (uncodified);
(13) 2022 c 187 s 208 (uncodified);
(14) 2022 c 187 s 209 (uncodified);
(15) 2022 c 187 s 210 (uncodified);
(16) 2022 c 187 s 211 (uncodified);
(17) 2022 c 187 s 301 (uncodified);
(18) 2022 c 187 s 302 (uncodified);
(19) 2022 c 187 s 303 (uncodified);
(20) 2022 c 187 s 304 (uncodified);
(21) 2022 c 187 s 305 (uncodified);
(22) 2022 c 187 s 306 (uncodified);
(23) 2022 c 187 s 307 (uncodified);
(24) 2022 c 187 s 308 (uncodified);
(25) 2022 c 187 s 401 (uncodified);
(26) 2022 c 187 s 501;
(27) 2022 c 187 s 502 (uncodified); and
(28) 2022 c 187 s 503 (uncodified).

NEW SECTION. Sec. 1302. A new section is added to 2022 c 186 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act must be expended for the programs and in the amounts specified in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act. However, after May 1, 2023, unless specifically prohibited,

1 the department may transfer state appropriations for the 2021-2023  
2 fiscal biennium among operating programs after approval by the  
3 director of the office of financial management. However, the  
4 department shall not transfer state moneys that are provided solely  
5 for a specific purpose. The department shall not transfer funds, and  
6 the director of the office of financial management shall not approve  
7 the transfer, unless the transfer is consistent with the objective of  
8 conserving, to the maximum extent possible, the expenditure of state  
9 funds and not federal funds. The director of the office of financial  
10 management shall notify the appropriate transportation committees of  
11 the legislature prior to approving any allotment modifications or  
12 transfers under this section.

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 1401.** 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. 1402.** 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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