
HOUSE BILL 2923

State of Washington

64th Legislature

2016 Regular Session

By Representatives Moscoso and Manweller

1 AN ACT Relating to freight mobility strategic investment board
2 duties relating to certain freight and rail planning; and amending
3 RCW 47.06.045, 47.06A.020, and 47.76.220.

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

5 **Sec. 1.** RCW 47.06.045 and 1998 c 175 s 10 are each amended to
6 read as follows:

7 The state-interest component of the statewide multimodal
8 transportation plan shall include a freight mobility plan which shall
9 be developed by the freight mobility strategic investment board and
10 assess the transportation needs to ensure the safe, reliable, and
11 efficient movement of goods within and through the state and to
12 ensure the state's economic vitality. The freight mobility plan shall
13 include a list of projects prioritized for investment according to
14 contribution to the movement of goods within and through freight
15 corridors.

16 **Sec. 2.** RCW 47.06A.020 and 2013 c 104 s 1 are each amended to
17 read as follows:

18 (1) The board shall:

19 (a) Adopt rules and procedures necessary to implement the freight
20 mobility strategic investment program;

1 (b) Solicit from public entities proposed projects that meet
2 eligibility criteria established in accordance with subsection (4) of
3 this section; and

4 (c) Review and evaluate project applications based on criteria
5 established under this section, and prioritize and select projects
6 comprising a portfolio to be funded in part with grants from state
7 funds appropriated for the freight mobility strategic investment
8 program. In determining the appropriate level of state funding for a
9 project, the board shall ensure that state funds are allocated to
10 leverage the greatest amount of partnership funding possible. The
11 board shall ensure that projects included in the portfolio are not
12 more appropriately funded with other federal, state, or local
13 government funding mechanisms or programs. The board shall reject
14 those projects that appear to improve overall general mobility with
15 limited enhancement for freight mobility.

16 The board shall provide periodic progress reports on its
17 activities to the office of financial management and the senate and
18 house transportation committees.

19 (2) The board may:

20 (a) Accept from any state or federal agency, loans or grants for
21 the financing of any transportation project and enter into agreements
22 with any such agency concerning the loans or grants;

23 (b) Provide technical assistance to project applicants;

24 (c) Accept any gifts, grants, or loans of funds, property, or
25 financial, or other aid in any form from any other source on any
26 terms and conditions which are not in conflict with this chapter;

27 (d) Adopt rules under chapter 34.05 RCW as necessary to carry out
28 the purposes of this chapter; and

29 (e) Do all things necessary or convenient to carry out the powers
30 expressly granted or implied under this chapter.

31 (3) The board shall designate strategic freight corridors within
32 the state. The board shall update the list of designated strategic
33 corridors not less than every two years, and shall establish a method
34 of collecting and verifying data, including information on city and
35 county-owned roadways.

36 (4) The board shall utilize threshold project eligibility
37 criteria that, at a minimum, includes the following:

38 (a) The project must be on a strategic freight corridor;

39 (b) The project must meet one of the following conditions:

1 (i) It is primarily aimed at reducing identified barriers to
2 freight movement with only incidental benefits to general or personal
3 mobility; or

4 (ii) It is primarily aimed at increasing capacity for the
5 movement of freight with only incidental benefits to general or
6 personal mobility; or

7 (iii) It is primarily aimed at mitigating the impact on
8 communities of increasing freight movement, including roadway/railway
9 conflicts; and

10 (c) The project must have a total public benefit/total public
11 cost ratio of equal to or greater than one.

12 (5) From June 11, 1998, through the biennium ending June 30,
13 2001, the board shall use the multicriteria analysis and scoring
14 framework for evaluating and ranking eligible freight mobility and
15 freight mitigation projects developed by the freight mobility project
16 prioritization committee and contained in the January 16, 1998,
17 report entitled "Project Eligibility, Priority and Selection Process
18 for a Strategic Freight Investment Program." The prioritization
19 process shall measure the degree to which projects address important
20 program objectives and shall generate a project score that reflects a
21 project's priority compared to other projects. The board shall assign
22 scoring points to each criterion that indicate the relative
23 importance of the criterion in the overall determination of project
24 priority. After June 30, 2001, the board may supplement and refine
25 the initial project priority criteria and scoring framework developed
26 by the freight mobility project prioritization committee as expertise
27 and experience is gained in administering the freight mobility
28 program.

29 (6) It is the intent of the legislature that each freight
30 mobility project contained in the project portfolio approved by the
31 board utilize the greatest amount of nonstate funding possible. The
32 board shall adopt rules that give preference to projects that contain
33 the greatest levels of financial participation from nonprogram fund
34 sources. The board shall consider twenty percent as the minimum
35 partnership contribution, but shall also ensure that there are
36 provisions allowing exceptions for projects that are located in areas
37 where minimal local funding capacity exists or where the magnitude of
38 the project makes the adopted partnership contribution financially
39 unfeasible.

1 (7) The board shall develop and recommend policies that address
2 operational improvements that primarily benefit and enhance freight
3 movement, including, but not limited to, policies that reduce
4 congestion in truck lanes at border crossings and weigh stations and
5 provide for access to ports during nonpeak hours.

6 (8) The board shall develop a state freight investment plan by
7 December 2018. The plan shall:

8 (a) Include a list of infrastructure projects that will enhance
9 the flow of goods within and through the state of Washington;

10 (b) Include projects regardless of jurisdictional sponsorship;

11 (c) Prioritize projects for investment according to contribution
12 to the movement of goods and recognizing the improving marginal
13 contribution of related projects within freight corridors; and

14 (d) Be the freight mobility strategic investment plan for the
15 state of Washington.

16 **Sec. 3.** RCW 47.76.220 and 1995 c 380 s 3 are each amended to
17 read as follows:

18 (1) The freight mobility strategic investment board, in
19 collaboration with the department of transportation, shall prepare
20 and periodically update a state rail plan, the objective of which is
21 to identify, evaluate, and encourage essential rail services. The
22 plan shall:

23 (a) Identify and evaluate mainline capacity issues;

24 (b) Identify and evaluate port-to-rail access and congestion
25 issues;

26 (c) Identify and evaluate those rail freight lines that may be
27 abandoned or have recently been abandoned;

28 (d) Quantify the costs and benefits of maintaining rail service
29 on those lines that are likely to be abandoned;

30 (e) Include rail portions of the prioritized freight investment
31 plan under RCW 47.06A.020(8);

32 (f) Establish priorities for determining which rail lines should
33 receive state support. The priorities should include the anticipated
34 benefits to the state and local economy, the anticipated cost of road
35 and highway improvements necessitated by the abandonment or capacity
36 constraints of the rail line, the likelihood the rail line receiving
37 funding can meet operating costs from freight charges, surcharges on
38 rail traffic, and other funds authorized to be raised by a county or

1 port district, and the impact of abandonment or capacity constraints
2 on changes in energy utilization and air pollution;
3 ~~((f))~~ (g) Identify and describe the state's rail system;
4 ~~((g))~~ (h) Prepare a state freight rail system map;
5 ~~((h))~~ (i) Identify and evaluate rail commodity flows and
6 traffic types;
7 ~~((i))~~ (j) Identify lines and corridors that have been rail
8 banked or preserved; and
9 ~~((j))~~ (k) Identify and evaluate other issues affecting the
10 state's rail traffic.
11 (2) The state rail plan may be prepared in conjunction with the
12 rail plan prepared by the department pursuant to the federal railroad
13 revitalization and regulatory reform act.

--- END ---