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**SENATE BILL 5584**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Mullet, King, and Braun

1 AN ACT Relating to toll relief on the state route number 520  
2 corridor during planned closures of Interstate 90 between Seattle and  
3 Bellevue; amending RCW 47.56.870; and adding a new section to chapter  
4 47.56 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.56  
7 RCW to read as follows:

8 (1) The commission, in conjunction with the office of the state  
9 treasurer and the department, and pursuant to RCW 47.56.850 and  
10 47.56.870, shall establish a policy to suspend tolls on the state  
11 route number 520 bridge during any planned closure of Interstate 90  
12 between Seattle and Bellevue. Tolls may only be suspended during a  
13 full closure of at least one direction on Interstate 90 and only in  
14 the same direction of the full closure. Toll bills may not be issued  
15 to a customer for use of the state route number 520 bridge while  
16 tolls are suspended. It is the intent of the legislature that any  
17 toll revenue foregone as a result of a toll suspension under this  
18 section will be replaced from nontoll state transportation sources.

19 (2) The commission shall submit to the transportation committees  
20 of the legislature on an annual basis a report that includes  
21 sufficient information to enable the legislature to determine an

1 adequate amount of contribution from nontoll transportation sources  
2 required for each fiscal biennium to replace toll revenue foregone as  
3 a result of any toll suspension under this section. The report must  
4 be submitted by January 5th of each year, beginning January 5, 2024.

5 **Sec. 2.** RCW 47.56.870 and 2010 c 248 s 2 are each amended to  
6 read as follows:

7 (1) The initial imposition of tolls on the state route number 520  
8 corridor is authorized, the state route number 520 corridor is  
9 designated an eligible toll facility, and toll revenue generated in  
10 the corridor must only be expended as allowed under RCW 47.56.820.

11 (2) The state route number 520 corridor consists of that portion  
12 of state route number 520 between the junctions of Interstate 5 and  
13 state route number 202. The toll imposed by this section shall be  
14 charged only for travel on the floating bridge portion of the state  
15 route number 520 corridor.

16 (3) (a) In setting the toll rates for the corridor pursuant to RCW  
17 47.56.850, the tolling authority shall set a variable schedule of  
18 toll rates to maintain travel time, speed, and reliability on the  
19 corridor, except as provided in section 1 of this act, and generate  
20 the necessary revenue as required under (b) of this subsection.

21 (b) The tolling authority shall initially set the variable  
22 schedule of toll rates, which the tolling authority may adjust at  
23 least annually to reflect inflation as measured by the consumer price  
24 index or as necessary to meet the redemption of bonds and interest  
25 payments on the bonds, to generate revenue sufficient to provide for:

26 (i) The issuance of general obligation bonds, authorized in RCW  
27 47.10.879, first payable from toll revenue and then excise taxes on  
28 motor vehicle and special fuels pledged for the payment of those  
29 bonds in the amount necessary to fund the state route number 520  
30 bridge replacement and HOV program, subject to subsection (4) of this  
31 section; and

32 (ii) Costs associated with the project designated in subsection  
33 (4) of this section that are eligible under RCW 47.56.820.

34 (4) (a) The proceeds of the bonds designated in subsection  
35 (3) (b) (i) of this section must be used only to fund the state route  
36 number 520 bridge replacement and HOV program; however, two hundred  
37 million dollars of bond proceeds, in excess of the proceeds necessary  
38 to complete the floating bridge segment and necessary landings, must  
39 be used only to fund the state route number 520, Interstate 5 to

1 Medina bridge replacement and HOV project segment of the program, as  
2 identified in applicable environmental impact statements, and may be  
3 used to fund effective connections for high occupancy vehicles and  
4 transit for state route number 520, but only to the extent those  
5 connections benefit or improve the operation of state route number  
6 520.

7 (b) The program must include the following elements within the  
8 cost constraints identified in section 1, chapter 472, Laws of 2009,  
9 consistent with the legislature's intent that cost savings applicable  
10 to the program stay within the program and that the bridge open to  
11 vehicular traffic in 2014:

12 (i) A project design, consistent with RCW 47.01.408, that  
13 includes high occupancy vehicle lanes with a minimum carpool  
14 occupancy requirement of three-plus persons on state route number  
15 520;

16 (ii) High occupancy vehicle lane performance standards for the  
17 state route number 520 corridor established by the department. The  
18 department shall report to the transportation committees of the  
19 legislature when average transit speeds in the two lanes that are for  
20 high occupancy vehicle travel fall below (~~forty-five~~) 45 miles per  
21 hour at least ten percent of the time during peak hours;

22 (iii) A work group convened by the mayor and city council of the  
23 city of Seattle to include sound transit, King county metro, the  
24 Seattle department of transportation, the department, the University  
25 of Washington, and other persons or organizations as designated by  
26 the mayor or city council to study and make recommendations of  
27 alternative connections for transit, including bus routes and high  
28 capacity transit, to the university link light rail line. The work  
29 group must consider such techniques as grade separation, additional  
30 stations, and pedestrian lids to effect these connections. The  
31 recommendations must be alternatives to the transit connections  
32 identified in the supplemental draft environmental impact statement  
33 for the state route number 520 bridge replacement and HOV program  
34 released in January 2010, and must meet the requirements under RCW  
35 47.01.408, including accommodating effective connections for transit.  
36 The recommendations must be within the scope of the supplemental  
37 draft environmental impact statement. For the purposes of this  
38 section, "effective connections for transit" means a connection that  
39 connects transit stops, including high capacity transit stops, that  
40 serve the state route number 520/Montlake interchange vicinity to the

1 university link light rail line, with a connection distance of less  
2 than one thousand two hundred feet between the stops and the light  
3 rail station. The city of Seattle shall submit the recommendations by  
4 October 1, 2010, to the governor and the transportation committees of  
5 the legislature. However, if the city of Seattle does not convene the  
6 work group required under this subsection before July 1, 2010, or  
7 does not submit recommendations to the governor and the  
8 transportation committees of the legislature by October 1, 2010, the  
9 department must convene the work group required under this subsection  
10 and meet all the requirements of this subsection that are described  
11 as requirements of the city of Seattle by November 30, 2010;

12 (iv) A work group convened by the department to include sound  
13 transit and King county metro to study and make recommendations  
14 regarding options for planning and financing high capacity transit  
15 through the state route number 520 corridor. The department shall  
16 submit the recommendations by January 1, 2011, to the governor and  
17 the transportation committees of the legislature;

18 (v) A plan to address mitigation as a result of the state route  
19 number 520 bridge replacement and HOV program at the Washington park  
20 arboretum. As part of its process, the department shall consult with  
21 the governing board of the Washington park arboretum, the Seattle  
22 city council and mayor, and the University of Washington to identify  
23 all mitigation required by state and federal law resulting from the  
24 state route number 520 bridge replacement and HOV program's impact on  
25 the arboretum, and to develop a project mitigation plan to address  
26 these impacts. The department shall submit the mitigation plan by  
27 December 31, 2010, to the governor and the transportation committees  
28 of the legislature. Wetland mitigation required by state and federal  
29 law as a result of the state route number 520 bridge replacement and  
30 HOV program's impacts on the arboretum must, to the greatest extent  
31 practicable, include on-site wetland mitigation at the Washington  
32 park arboretum, and must enhance the Washington park arboretum. This  
33 subsection (4)(b)(v) does not preclude any other mitigation planned  
34 for the Washington park arboretum as a result of the state route  
35 number 520 bridge replacement and HOV program;

36 (vi) A work group convened by the department to include the mayor  
37 of the city of Seattle, the Seattle city council, the Seattle  
38 department of transportation, and other persons or organizations as  
39 designated by the Seattle city council and mayor to study and make  
40 recommendations regarding design refinements to the preferred

1 alternative selected by the department in the supplemental draft  
2 environmental impact statement process for the state route number 520  
3 bridge replacement and HOV program. To accommodate a timely  
4 progression of the state route number 520 bridge replacement and HOV  
5 program, the design refinements recommended by the work group must be  
6 consistent with the current environmental documents prepared by the  
7 department for the supplemental draft environmental impact statement.  
8 The department shall submit the recommendations to the legislature  
9 and governor by December 31, 2010, and the recommendations must  
10 inform the final environmental impact statement prepared by the  
11 department; and

12 (vii) An account, created in section 5 of this act, into which  
13 civil penalties generated from the nonpayment of tolls on the state  
14 route number 520 corridor are deposited to be used to fund any  
15 project within the program, including mitigation. However, this  
16 subsection (4)(b)(vii) is contingent on the enactment by June 30,  
17 2010, of either chapter 249, Laws of 2010 or chapter . . .  
18 (Substitute House Bill No. 2897), Laws of 2010, but if the enacted  
19 bill does not designate the department as the toll penalty  
20 adjudicating agency, this subsection (4)(b)(vii) is null and void.

21 (5) The department may carry out the improvements designated in  
22 subsection (4) of this section and administer the tolling program on  
23 the state route number 520 corridor.

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