
ENGROSSED SUBSTITUTE SENATE BILL 6001

AS AMENDED BY THE HOUSE

Passed Legislature - 2014 Regular Session

State of Washington 63rd Legislature 2014 Regular Session

By Senate Transportation (originally sponsored by Senators Eide and King; by request of Governor Inslee)

READ FIRST TIME 02/27/14.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.28.030, 81.53.281, 82.70.020, 82.70.040, 82.70.050,
3 82.70.900, and 90.03.525; amending 2013 c 306 ss 101, 102, 103, 106,
4 107, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,
5 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304,
6 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 404, 405, 406, 407,
7 517, 518, 519, and 603 (uncodified); adding new sections to chapter
8 306, Laws of 2013 (uncodified); making appropriations and authorizing
9 expenditures for capital improvements; providing contingent effective
10 dates; providing expiration dates; and declaring an emergency.

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

2013-2015 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES--OPERATING

14 **Sec. 101.** 2013 c 306 s 101 (uncodified) is amended to read as
15 follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

17 Motor Vehicle Account--State Appropriation ((~~\$435,000~~))
18 \$433,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The entire appropriation is provided
3 solely for staffing costs to be dedicated to state transportation
4 activities. Staff hired to support transportation activities must have
5 practical experience with complex construction projects.

6 **Sec. 102.** 2013 c 306 s 102 (uncodified) is amended to read as
7 follows:

8 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

9 Grade Crossing Protective Account--State

10 Appropriation \$504,000

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

13 (1) Within existing resources, the commission must work with
14 stakeholders to study the safety of equipment, driver qualifications,
15 insurance levels, safety of operations, and the past accidents of
16 charter party carriers providing railroad crew transportation.

17 (2) The study must include a review of current practices regarding:

18 (a) Driver qualifications, including a driver's experience and
19 skill, physical condition, type or class of license, and any license
20 suspensions or revocations;

21 (b) Equipment safety;

22 (c) Safety of operations;

23 (d) Passenger safety;

24 (e) Insurance coverage levels, including liability coverage,
25 uninsured and underinsured motorist coverage, and property damage
26 coverage; and

27 (f) Safety complaints received by the commission.

28 (3) This study must also include examination of past accidents
29 involving vehicles regulated under chapter 81.61 RCW.

30 (4) The commission must provide a report to the legislature by
31 December 31, 2014, summarizing the findings to date, including
32 recommendations for avoiding accidents in the future and providing
33 recommended statutory changes that would enhance public safety.

34 **Sec. 103.** 2013 c 306 s 103 (uncodified) is amended to read as
35 follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

2	Motor Vehicle Account--State Appropriation	(((\$1,641,000)))
3		<u>\$1,636,000</u>
4	Puget Sound Ferry Operations Account--State	
5	Appropriation	\$176,000
6	TOTAL APPROPRIATION	(((\$1,817,000)))
7		<u>\$1,812,000</u>

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

10 (1) \$932,000 of the motor vehicle account--state appropriation is
11 provided solely for the office of financial management, from funds set
12 aside out of statewide fuel taxes distributed to counties according to
13 RCW 46.68.120(3), to contract with the Washington state association of
14 counties to identify, analyze, evaluate, and implement county
15 transportation performance measures associated with transportation
16 system policy goals outlined in RCW 47.04.280. The Washington state
17 association of counties, in cooperation with state agencies, must:
18 Identify, analyze, and report on county transportation system
19 preservation; identify, evaluate, and report on opportunities to
20 streamline reporting requirements for counties; and evaluate project
21 management tools to help improve project delivery at the county level.

22 (2) \$70,000 of the Puget Sound ferry operations account--state
23 appropriation is provided solely for the state's share of the marine
24 salary survey.

25 **Sec. 104.** 2013 c 306 s 106 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF AGRICULTURE**

28	Motor Vehicle Account--State Appropriation	(((\$1,208,000)))
29		<u>\$1,203,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations:

32 (1) \$351,000 of the motor vehicle account--state appropriation is
33 provided solely for costs associated with the motor fuel quality
34 program.

35 (2) \$857,000 of the motor vehicle account--state appropriation is
36 provided solely to test the quality of biofuel. The department must

1 test fuel quality at the biofuel manufacturer, distributor, and
2 retailer.

3 **Sec. 105.** 2013 c 306 s 107 (uncodified) is amended to read as
4 follows:

5 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**
6 Motor Vehicle Account--State Appropriation ((~~\$529,000~~))
7 \$527,000

8 **TRANSPORTATION AGENCIES--OPERATING**

9 **Sec. 201.** 2013 c 306 s 201 (uncodified) is amended to read as
10 follows:

11 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**
12 Highway Safety Account--State Appropriation ((~~\$3,017,000~~))
13 \$3,027,000
14 Highway Safety Account--Federal Appropriation ((~~\$40,699,000~~))
15 \$40,780,000
16 Highway Safety Account--Private/Local Appropriation ((~~\$50,000~~))
17 \$118,000
18 School Zone Safety Account--State Appropriation ((~~\$1,800,000~~))
19 \$1,700,000
20 TOTAL APPROPRIATION ((~~\$45,566,000~~))
21 \$45,625,000

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

24 (1) The commission shall develop and implement, in collaboration
25 with the Washington state patrol, a target zero team pilot program in
26 Yakima and Spokane counties. The pilot program must demonstrate the
27 effectiveness of intense, high visibility driving under the influence
28 enforcement in Washington state. The commission shall apply to the
29 national highway traffic safety administration for federal highway
30 safety grants to cover the cost of the pilot program.

31 (2) \$20,000,000 of the highway safety account--federal
32 appropriation is provided solely for federal funds that may be
33 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
34 2013-2015 fiscal biennium.

1 (~~(4)~~) (3) The commission may continue to oversee pilot projects
2 implementing the use of automated traffic safety cameras to detect
3 speed violations within cities west of the Cascade mountains that have
4 a population over one hundred ninety-five thousand. For the purposes
5 of pilot projects in this subsection, no more than one automated
6 traffic safety camera may be used to detect speed violations within any
7 one jurisdiction.

8 (a) The commission shall comply with RCW 46.63.170 in administering
9 the pilot projects.

10 (b) By January 1, 2015, any local authority that is operating an
11 automated traffic safety camera to detect speed violations must provide
12 a summary to the transportation committees of the legislature
13 concerning the use of the cameras and data regarding infractions,
14 revenues, and costs.

15 (4)(a) The commission shall coordinate with counties to implement
16 and administer a statewide yellow dot program that will provide a
17 yellow dot window decal and yellow dot folder during the 2013-2015
18 fiscal biennium.

19 (b) The commission may utilize available federal dollars and state
20 dollars to implement and administer the program. The commission may
21 accept donations and partnership funds through the state's existing
22 donation process and deposit the funds to the highway safety account
23 for the start-up and continued support of the program.

24 (c) The commission, in conjunction with counties, shall maintain a
25 separate web page that allows a person to download the yellow dot form
26 to be placed in the yellow dot folder and lists the locations in which
27 a person may pick up the yellow dot window decal and folder. The
28 commission and counties may not collect any personal information. A
29 person using the program is responsible for maintaining the information
30 in the yellow dot folder. Participation in the program does not create
31 any new or distinct obligation for emergency medical responders or law
32 enforcement personnel to determine if there is a yellow dot folder in
33 the motor vehicle or use the information contained in the yellow dot
34 folder.

35 (d) The commission may adopt rules necessary to implement this
36 subsection.

37 (5) During the 2013-2015 fiscal biennium, the commission shall
38 continue to provide funding to counties for target zero task forces at

1 the same annual allotment levels that were in place January 1, 2014.
2 By December 1, 2014, the commission must report to the transportation
3 committees of the legislature on any proposed changes in funding levels
4 for target zero task forces in the 2015-2017 fiscal biennium.

5 **Sec. 202.** 2013 c 306 s 202 (uncodified) is amended to read as
6 follows:

7 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8 Rural Arterial Trust Account--State Appropriation	((\$945,000))
	<u>\$939,000</u>
10 Motor Vehicle Account--State Appropriation	((\$2,186,000))
	<u>\$2,195,000</u>
12 County Arterial Preservation Account--State	
13 Appropriation	((\$1,456,000))
	<u>\$1,446,000</u>
15 TOTAL APPROPRIATION	((\$4,587,000))
	<u>\$4,580,000</u>

17 **Sec. 203.** 2013 c 306 s 203 (uncodified) is amended to read as
18 follows:

19 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

20 Transportation Improvement Account--State	
21 Appropriation	((\$3,804,000))
	<u>\$3,900,000</u>

23 **Sec. 204.** 2013 c 306 s 204 (uncodified) is amended to read as
24 follows:

25 **FOR THE JOINT TRANSPORTATION COMMITTEE**

26 Motor Vehicle Account--State Appropriation	((\$1,330,000))
	<u>\$1,575,000</u>

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

30 (1)(a) \$325,000 of the motor vehicle account--state appropriation
31 is for a study of transportation cost drivers and potential
32 efficiencies to contain project costs and gain more value from
33 investments in Washington state's transportation system. The goal is
34 to enable the department of transportation to construct bridge and
35 highway projects more quickly and to build and operate them at a lower

1 cost, while ensuring that appropriate environmental and regulatory
2 protections are maintained and a quality project is delivered. The
3 joint transportation committee must convene an advisory panel to
4 provide study guidance and discuss potential efficiencies and
5 recommendations. The scope of the study must be limited to state-level
6 policies and practices relating to the planning, design, permitting,
7 construction, financing, and operation of department of transportation
8 roadway and bridge projects. The study must:

9 (i) Identify best practices;

10 (ii) Identify inefficiencies in state policy or agency practice
11 where changes may save money;

12 (iii) Recommend changes to improve efficiency and save money; and

13 (iv) Identify potential savings to be achieved by adopting changes
14 in practice or policy.

15 (b) The joint transportation committee shall issue a report of its
16 findings to the house of representatives and senate transportation
17 committees by December 31, 2013.

18 (2) The joint transportation committee shall coordinate a work
19 group comprised of the department of licensing, the department of
20 revenue, county auditors or other agents, and subagents to identify
21 possible issues relating to the administration of, compliance with, and
22 enforcement of the existing statutory requirement for a person to
23 provide an unexpired driver's license when registering a vehicle. The
24 work group shall provide recommendations on how administration and
25 enforcement may be modified, as needed, to address any identified
26 issues, including whether statutory changes may be needed. A report
27 presenting the recommendations must be presented to the house of
28 representatives and senate transportation committees by December 31,
29 2013.

30 (3) The joint transportation committee shall continue to convene a
31 subcommittee for legislative oversight of the I-5/Columbia river
32 crossing bridge replacement project. The Columbia river crossing
33 legislative oversight subcommittee must be made up of six members: Two
34 appointed by the cochairs of the senate transportation committee, two
35 appointed by the chair and ranking member of the house of
36 representatives transportation committee, one designee of the governor,
37 and one citizen jointly appointed by the four members of the joint
38 transportation executive committee. The citizen appointee must be a

1 Washington state resident of the area served by the bridge. At least
2 two of the legislative members must be from the legislative districts
3 served by the bridge. In addition to reviewing project and financing
4 information, the subcommittee must also coordinate with the Oregon
5 legislative oversight committee for the Columbia river crossing bridge.

6 (4) The joint transportation committee shall convene a work group
7 to identify and evaluate internal refinance opportunities for the
8 Tacoma Narrows bridge. The study must include a staff work group,
9 including staff from the office of financial management, the
10 transportation commission, the department of transportation, the office
11 of the state treasurer, and the legislative transportation committees.
12 The joint transportation committee shall issue a report of its findings
13 to the house of representatives and the senate transportation
14 committees by December 31, 2013.

15 (5) The joint transportation committee shall study and review the
16 use of surplus property proceeds to fund facility replacement projects,
17 and the possibility of using the north central region as a pilot. The
18 joint transportation committee shall consult with the department of
19 transportation and the office of financial management regarding the
20 department's current process for prioritizing and funding facility
21 improvement and replacement projects.

22 (6) \$250,000 of the motor vehicle account--state appropriation is
23 for the joint transportation committee to evaluate the current status
24 of electric vehicle charging stations in Washington, and to make
25 recommendations regarding potential business models for financially-
26 sustainable electric vehicle charging networks and alternative roles
27 for public and private sector participation in those business models.
28 Public sector participation may include public financing, funding,
29 facilitation, and other incentives to encourage installation of
30 electric vehicle charging stations. In conducting the study, the
31 committee must coordinate with the department of transportation and
32 consult with local governments and stakeholders in the electric vehicle
33 industry. The committee may also consult with users of electric
34 vehicles and stakeholders representing manufacturers and operators of
35 electric vehicle charging stations. The committee shall submit an
36 interim report by December 31, 2014, and a final report by March 1,
37 2015.

1 transportation commission to periodically review and, if necessary,
2 adjust the schedule of fares for the Washington state ferry system only
3 in amounts not greater than those sufficient to generate the amount of
4 revenue required by the biennial transportation budget. When adjusting
5 ferry fares, the commission must consider input from affected ferry
6 users by public hearing and by review with the affected ferry advisory
7 committees, in addition to the data gathered from the current ferry
8 user survey.

9 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
10 2015 fiscal biennium, the legislature authorizes the transportation
11 commission to periodically review and, if necessary, adjust the
12 schedule of toll charges applicable to the Tacoma Narrows bridge only
13 in amounts not greater than those sufficient to support (a) any
14 required costs for operating and maintaining the toll bridge, including
15 the cost of insurance, (b) any amount required by law to meet the
16 redemption of bonds and applicable interest payments, and (c) repayment
17 of the motor vehicle fund.

18 (3) Consistent with RCW 43.135.055 and 47.56.880, during the
19 2013-2015 fiscal biennium, the legislature authorizes the
20 transportation commission to set, periodically review, and, if
21 necessary, adjust the schedule of toll charges applicable to the
22 Interstate 405 express toll lanes.

23 (4)(a) \$400,000 of the motor vehicle account--state appropriation
24 is provided solely for the development of the business case for the
25 transition to a road usage charge system as the basis for funding the
26 state transportation system, from the current motor fuel tax system.
27 The funds are provided for fiscal year 2014 only.

28 (b) The legislature finds that the efforts started in the 2011-2013
29 fiscal biennium regarding the transition to a road usage charge system
30 represent an important first step in the policy and conceptual
31 development of potential alternative systems to fund transportation
32 projects, but that the governance for the development needs
33 clarification. The legislature also finds that significant amounts of
34 research and public education are occurring in similar efforts in
35 several states and that these efforts can and should be leveraged to
36 advance the evaluation in Washington. The legislature intends,
37 therefore, that the commission and its staff lead the policy
38 development of the business case for a road usage charge system, with

1 the goal of providing the business case to the governor and the
2 legislative committees of the legislature in time for inclusion in the
3 2014 supplemental omnibus transportation appropriations act. The
4 legislature intends for additional oversight in the business case
5 development, with guidance from a steering committee as provided in
6 chapter 86, Laws of 2012, augmented with participation by the joint
7 transportation committee. The legislature further intends that the
8 department of transportation continue to address administrative,
9 technical, and conceptual operational issues related to road usage
10 charge systems, and that the department serve as a resource for
11 information gleaned from other states on this topic for the
12 commission's efforts.

13 (c) For the purposes of this subsection (~~((3))~~) (4), the commission
14 shall:

15 (i) Develop preliminary road usage charge policies that are
16 necessary to develop the business case, as well as supporting research
17 and data that will guide the potential application in Washington;

18 (ii) Develop the preferred operational concept or concepts that
19 reflect the preliminary policies;

20 (iii) Evaluate the business case for the road usage charge system
21 that would result from implementing the preliminary policies and
22 preferred operational concept or concepts. The evaluation must assess
23 likely financial outcomes if the system were to be implemented; and

24 (iv) Identify and document policy and other issues that are deemed
25 important to further refine the preferred operational concept or
26 concepts and to gain public acceptance. These identified issues should
27 form the basis for continued work beyond this funding cycle.

28 (d) The commission shall convene a steering committee to guide the
29 development of the business case. The membership must be the same as
30 provided in chapter 86, Laws of 2012, except that the membership must
31 also include the joint transportation committee executive members.

32 (e) The commission shall submit a report of the business case to
33 the governor and the transportation committees of the legislature by
34 December 15, 2013. The report must also include a proposed budget and
35 work plan for fiscal year 2015. A progress report must be submitted to
36 the governor and the joint transportation committee by November 1,
37 2013, including a presentation to the joint transportation committee.

1 ~~((4))~~ (5) \$174,000 of the motor vehicle account--state
2 appropriation is provided solely for the voice of Washington survey
3 program. The funding must be utilized for continued program
4 maintenance and two transportation surveys for the 2013-2015 fiscal
5 biennium.

6 (6)(a) \$450,000 of the motor vehicle account--state appropriation
7 is provided solely for a work plan to further develop the concept of a
8 road usage charge system. The work plan must include: Refinement of
9 initial policy analysis and development, a concept of operations that
10 incorporates refined policy inputs, and a financial analysis evaluating
11 the operational concept. The refinement of initial policy analysis and
12 development funded under this subsection must be supplemented by the
13 products of complementary policy refinement tasks delegated to the
14 department of transportation in section 214 of this act and the office
15 of the state treasurer in section 703 of this act. It is the intent of
16 the legislature that consideration for potential planning for a pilot
17 project and any risk analysis occur in the 2015 legislative session.

18 (b)(i) For the purposes of the refinement of initial policy
19 analysis and development, the work plan must consider phasing and
20 staging of how a road usage charge would be implemented as it relates
21 to the types of vehicles that would be subject to a road usage charge
22 and the nature and manner of a transition period.

23 (ii) For the purposes of this subsection (6)(b), the legislature
24 intends that the commission focus its analysis by assuming that the
25 exemptions under a road usage charge would be the same as those under
26 the motor vehicle fuel and special fuel taxes. In addition, the
27 commission must engage the road usage charge steering committee, which
28 was reauthorized in chapter 306, Laws of 2013 for fiscal year 2014 and
29 is hereby reauthorized in this act with the same membership, to
30 continue in its role and, at a minimum, to guide the work specified in
31 (a) of this subsection, including the following: Assessing and
32 recommending the type of vehicles that would be subject to the road
33 usage charge, and assessing and recommending the options for the timing
34 and duration of the transition period. The steering committee shall
35 report its findings and guidance to the commission by December 1, 2014.

36 (c)(i) For the purposes of the development of the concept of
37 operations, the development must incorporate the products of (b) of

1 this subsection, and, to the extent practicable, the products of work
2 conducted by the department of transportation in section 214 of this
3 act and the office of the state treasurer in section 703 of this act.

4 (ii) To reduce system development and operational costs, for road
5 user charge options that rely on in-vehicle devices to record mileage,
6 the work plan must recommend how the state can utilize the technology
7 and back-office platforms that are scheduled to be provided by
8 commercial account managers under the Oregon road usage charge program.

9 (iii) In addition to a time permit and an odometer charge, the
10 concept of operations recommendation must be developed to include a
11 means for periodic payments based on mileage reporting utilizing
12 methods other than onboard diagnostic in-vehicle devices.

13 (d) The work plan and recommendations, along with a proposed work
14 plan and budget for the 2015-2017 fiscal biennium, must be submitted by
15 the commission to the transportation committees of the legislature by
16 January 15, 2015.

17 (7) Within existing resources, the commission shall undertake a
18 study of the urban and rural financial and equity implications of a
19 potential road usage charge system in Washington. The commission shall
20 work with the department of transportation and the department of
21 licensing to conduct this analysis. For any survey work that is
22 considered, the commission should utilize the existing voice of
23 Washington survey panel and budget to inform the study. The results
24 must be presented to the governor and the legislature by January 15,
25 2015.

26 (8) \$125,000 of the motor vehicle account--state appropriation is
27 provided solely to update the statewide transportation plan required
28 under RCW 47.01.071(4) with the required federal elements to bring the
29 plan into federal compliance. The legislature intends that a single,
30 statewide transportation plan fulfill the requirements of RCW
31 47.01.071(4) and 47.06.040 and currently known federal planning
32 requirements. The commission shall work collaboratively with the
33 department of transportation to accomplish this intent. The commission
34 shall submit the completed plan to the transportation committees of the
35 legislature, and the department shall submit the completed plan to the
36 United States department of transportation as required under 23 U.S.C.
37 Sec. 135 by June 30, 2015. The commission shall provide a status

1 update on this work to the transportation committees of the legislature
2 by January 1, 2015.

3 **Sec. 206.** 2013 c 306 s 206 (uncodified) is amended to read as
4 follows:

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

6 Motor Vehicle Account--State Appropriation ((~~\$904,000~~))
7 \$879,000

8 **Sec. 207.** 2013 c 306 s 207 (uncodified) is amended to read as
9 follows:

10 **FOR THE WASHINGTON STATE PATROL**

11 State Patrol Highway Account--State
12 Appropriation ((~~\$370,354,000~~))
13 \$366,805,000

14 State Patrol Highway Account--Federal
15 Appropriation ((~~\$11,137,000~~))
16 \$11,067,000

17 State Patrol Highway Account--Private/Local
18 Appropriation ((~~\$3,591,000~~))
19 \$3,572,000

20 Highway Safety Account--State Appropriation ((~~\$19,429,000~~))
21 \$19,265,000

22 Multimodal Transportation Account--State
23 Appropriation ((~~\$273,000~~))
24 \$272,000

25 Ignition Interlock Device Revolving Account--State
26 Appropriation ((~~\$573,000~~))
27 \$569,000

28 TOTAL APPROPRIATION ((~~\$405,357,000~~))
29 \$401,550,000

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

32 (1) The Washington state patrol shall collaborate with the
33 Washington traffic safety commission on the target zero team pilot
34 program referenced in section 201 of this act.

35 (2) During the 2013-2015 fiscal biennium, the Washington state
36 patrol shall relocate its data center to the state data center in

1 Olympia. The Washington state patrol shall work with the department of
2 enterprise services to negotiate the lease termination agreement for
3 the current data center site.

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

12 (4) \$573,000 of the ignition interlock device revolving account--
13 state appropriation is provided solely for the ignition interlock
14 program at the Washington state patrol to provide funding for two staff
15 to work and provide support for the program in working with
16 manufacturers, service centers, technicians, and participants in the
17 program.

18 (5) \$370,000 of the state patrol highway account--state
19 appropriation is provided solely for costs associated with the pilot
20 program described under section 216(~~(+6)~~) (5) of this act. The
21 Washington state patrol may incur costs related only to the assignment
22 of cadets and necessary computer equipment and to the reimbursement of
23 the department of transportation for contract costs. The appropriation
24 in this subsection must be funded from the portion of the automated
25 traffic safety camera infraction fines deposited into the state patrol
26 highway account; however, if the fines deposited into the state patrol
27 highway account from automated traffic safety camera infractions do not
28 reach three hundred seventy thousand dollars, the department of
29 transportation shall remit funds necessary to the Washington state
30 patrol to ensure the completion of the pilot program. The Washington
31 state patrol may not incur overtime as a result of this pilot program.
32 The Washington state patrol shall not assign troopers to operate or
33 deploy the pilot program equipment used in roadway construction zones.

34 (6) The cost allocation for any costs incurred for the facilities
35 at the Olympia, Washington airport used for the Washington state patrol
36 aviation section must be split evenly between the state patrol highway
37 account and the general fund.

1 (7) The Washington state patrol shall work with the state
 2 interoperability executive committee to compile a list of recent
 3 studies evaluating the potential savings and benefits of consolidating
 4 law enforcement and emergency dispatching centers and report to the
 5 joint transportation committee by December 1, 2014, on the findings and
 6 recommendations of those studies. As part of this study, the
 7 Washington state patrol must look for potential efficiencies within
 8 state government.

9 (8) The Washington state patrol shall coordinate and support local
 10 law enforcement in Pierce county in providing traffic control on the
 11 highways and other activities within current budget during the United
 12 States open national golf championship in June 2015.

13 **Sec. 208.** 2013 c 306 s 208 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF LICENSING**

16	Marine Fuel Tax Refund Account--State	
17	Appropriation	\$34,000
18	Motorcycle Safety Education Account--State	
19	Appropriation	((\$4,409,000))
20		<u>\$4,396,000</u>
21	State Wildlife Account--State Appropriation	((\$885,000))
22		<u>\$867,000</u>
23	Highway Safety Account--State Appropriation	((\$156,679,000))
24		<u>\$158,505,000</u>
25	Highway Safety Account--Federal Appropriation	((\$4,392,000))
26		<u>\$4,363,000</u>
27	Motor Vehicle Account--State Appropriation	((\$76,819,000))
28		<u>\$81,352,000</u>
29	Motor Vehicle Account--Federal Appropriation	\$467,000
30	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
31	Ignition Interlock Device Revolving Account--State	
32	Appropriation	((\$2,656,000))
33		<u>\$2,871,000</u>
34	Department of Licensing Services Account--State	
35	Appropriation	((\$5,959,000))
36		<u>\$5,983,000</u>
37	TOTAL APPROPRIATION	((\$253,844,000))

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

(1) \$1,235,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1752), Laws of 2013 (requirements for the operation of commercial motor vehicles in compliance with federal regulations). If chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(2) \$1,000,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(3) \$5,286,000 of the highway safety account--state appropriation is provided solely for business and technology modernization.

(4) \$2,355,000 of the motor vehicle account--state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(5) \$1,491,000 of the highway safety account--state appropriation is provided solely for the implementation of an updated central issuance system.

(6) \$201,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

~~((4))~~ (7) \$425,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

~~((5) \$172,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .~~

1 ~~(Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,~~
2 ~~the amount provided in this subsection lapses.~~

3 ~~(6) \$652,000))~~ (8) \$289,000 of the motor vehicle account--state
4 appropriation is provided solely for the implementation of chapter
5 . . . (Second Engrossed Substitute Senate Bill No. 5785), Laws of
6 ~~((2013))~~ 2014 (license plates). If chapter . . . (Second Engrossed
7 Substitute Senate Bill No. 5785), Laws of ~~((2013))~~ 2014 is not enacted
8 by June 30, ~~((2013))~~ 2014, the amount provided in this subsection
9 lapses.

10 ~~((7) \$78,000 of the motor vehicle account--state appropriation and~~
11 ~~\$3,707,000 of the highway safety account--state appropriation are~~
12 ~~provided solely for the implementation of chapter . . . (Engrossed~~
13 ~~Substitute Senate Bill No. 5857), Laws of 2013 (vehicle related fees).~~
14 ~~If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of~~
15 ~~2013 is not enacted by June 30, 2013, the amount provided in this~~
16 ~~subsection lapses.~~

17 ~~(8))~~ (9) The appropriation in this section reflects the department
18 charging an amount sufficient to cover the full cost of providing the
19 data requested under RCW 46.12.630(1)(b).

20 ~~((9))~~ (10)(a) The department must convene a work group to examine
21 the use of parking placards and special license plates for persons with
22 disabilities and develop a strategic plan for ending any abuse. In
23 developing this plan, the department must work with the department of
24 health, disabled citizen advocacy groups, and representatives from
25 local government.

26 (b) The work group must be composed of no more than two
27 representatives from each of the entities listed in (a) of this
28 subsection. The work group may, when appropriate, consult with any
29 other public or private entity in order to complete the strategic plan.

30 (c) The strategic plan must include:

31 (i) Oversight measures to ensure that parking placards and special
32 license plates for persons with disabilities are being properly issued,
33 including: (A) The entity responsible for coordinating a randomized
34 review of applications for special parking privileges; (B) a volunteer
35 panel of medical professionals to conduct such reviews; (C) a means to
36 protect the anonymity of both the medical professional conducting a
37 review and the medical professional under review; (D) a means to
38 protect the privacy of applicants by removing any personally

1 identifiable information; and (E) possible sanctions against a medical
2 professional for repeated improper issuances of parking placards or
3 special license plates for persons with disabilities, including those
4 sanctions listed in chapter 18.130 RCW; and

5 (ii) The creation of a publicly accessible system in which the
6 validity of parking placards and special license plates for persons
7 with disabilities may be verified. This system must not allow the
8 public to access any personally identifiable information or protected
9 health information of a person who has been issued a parking placard or
10 special license plate.

11 (d) The work group must convene by July 1, 2013, and terminate by
12 December 1, 2013.

13 (e) By December 1, 2013, the work group must deliver to the
14 legislature and the appropriate legislative committees the strategic
15 plan required under this subsection, together with its findings,
16 recommendations, and any necessary draft legislation in order to
17 implement the strategic plan.

18 ~~((+10+))~~ (11) \$3,082,000 of the highway safety account--state
19 appropriation is provided solely for exam and licensing activities,
20 including the workload associated with providing driver record
21 abstracts, and is subject to the following additional conditions and
22 limitations:

23 (a) The department may furnish driving record abstracts only to
24 those persons or entities expressly authorized to receive the abstracts
25 under Title 46 RCW;

26 (b) The department may furnish driving record abstracts only for an
27 amount that does not exceed the specified fee amounts in RCW 46.52.130
28 (2)(e)(v) and (4); and

29 (c) The department may not enter into a contract, or otherwise
30 participate in any arrangement, with a third party or other state
31 agency for any service that results in an additional cost, in excess of
32 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
33 statutorily authorized persons or entities purchasing a driving record
34 abstract.

35 (12) \$229,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of chapter . . . (Engrossed
37 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel

1 replacement). If chapter . . . (Engrossed Second Substitute House Bill
2 No. 1129), Laws of 2014 is not enacted by June 30, 2014, the amount
3 provided in this subsection lapses.

4 (13) \$96,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of chapter . . . (Engrossed
6 Second Substitute House Bill No. 1902), Laws of 2014 (intermittent-use
7 trailer license plates). If chapter . . . (Engrossed Second Substitute
8 House Bill No. 1902), Laws of 2014 is not enacted by June 30, 2014, the
9 amount provided in this subsection lapses.

10 (14) \$42,000 of the motor vehicle account--state appropriation is
11 provided solely for the implementation of chapter . . . (House Bill No.
12 2100), Laws of 2014 (Seattle University license plates). If chapter
13 . . . (House Bill No. 2100), Laws of 2014 is not enacted by June 30,
14 2014, the amount provided in this subsection lapses.

15 (15) \$46,000 of the motor vehicle account--state appropriation is
16 provided solely for the implementation of chapter . . . (House Bill No.
17 2700), Laws of 2014 (breast cancer awareness license plates). If
18 chapter . . . (House Bill No. 2700), Laws of 2014 is not enacted by
19 June 30, 2014, the amount provided in this subsection lapses.

20 (16) \$42,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of chapter . . . (Engrossed
22 House Bill No. 2752), Laws of 2014 (Washington state tree license
23 plates). If chapter . . . (Engrossed House Bill No. 2752), Laws of
24 2014 is not enacted by June 30, 2014, the amount provided in this
25 subsection lapses.

26 (17) \$32,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of chapter . . . (House Bill
28 No. 2741), Laws of 2014 (initial vehicle registration). If chapter
29 . . . (House Bill No. 2741), Laws of 2014 is not enacted by June 30,
30 2014, the amount provided in this subsection lapses.

31 (18) Within existing resources, the department must convene a work
32 group that includes, at a minimum, representatives from the department
33 of transportation, the trucking industry, manufacturers of compressed
34 natural gas and liquefied natural gas, and any other stakeholders as
35 deemed necessary, for the following purposes:

36 (a) To evaluate the annual license fee in lieu of fuel tax under
37 RCW 82.38.075 to determine a fee that more closely represents the

1 average consumption of vehicles by weight and to make recommendations
2 to the transportation committees of the legislature by December 1,
3 2014, on an updated fee schedule; and

4 (b) To develop a transition plan to move vehicles powered by
5 liquefied natural gas and compressed natural gas from the annual
6 license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030.
7 The transition plan must incorporate stakeholder feedback and must
8 include draft legislation and cost and revenue estimates. The
9 transition plan must be submitted to the transportation committees of
10 the legislature by December 1, 2015.

11 (c) This subsection takes effect if both chapter . . . (Engrossed
12 Substitute Senate Bill No. 6440), Laws of 2014 (compressed natural gas
13 and liquefied natural gas) and chapter . . . (Substitute House Bill No.
14 2753), Laws of 2014 (compressed natural gas and liquefied natural gas)
15 are not enacted by June 30, 2014.

16 (19) \$36,000 of the motor vehicle account--state appropriation is
17 provided solely for the implementation of chapter . . . (Substitute
18 Senate Bill No. 5467), Laws of 2014 (vehicle owner list furnishment
19 requirements). If chapter . . . (Substitute Senate Bill No. 5467),
20 Laws of 2014 is not enacted by June 30, 2014, the amount provided in
21 this subsection lapses.

22 (20) The department must convene a work group to study the issue of
23 regulating tow truck operators that are not licensed as registered tow
24 truck operators under chapter 46.55 RCW. The work group must examine
25 the advisability of regulating such operators, including any potential
26 benefits to public safety, and possible methodologies for accomplishing
27 this regulation. The work group must include the department,
28 representatives of the Washington state patrol, organized groups of
29 registered tow truck operators, and automobile clubs. The work group
30 may also include hulk haulers, wreckers, transporters, and other
31 stakeholders relating to the issue of unregulated towing for monetary
32 compensation. The work group shall convene as necessary and report its
33 recommendations and draft legislation to the transportation committees
34 of the legislature by December 1, 2014.

35 (21) The department when modernizing its computer systems must
36 place personal and company data elements in separate data fields to
37 allow the department to select discrete data elements when providing
38 information or data to persons or entities outside the department.

1 This requirement must be included as part of the systems design in the
2 department's business and technology modernization. A person's photo,
3 social security number, or medical information must not be made
4 available through public disclosure or data being provided under RCW
5 46.12.630 or 46.12.635.

6 **Sec. 209.** 2013 c 306 s 209 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
9 **MAINTENANCE--PROGRAM B**

10	High-Occupancy Toll Lanes Operations Account--State	
11	Appropriation	((\$1,851,000))
12		<u>\$1,942,000</u>
13	Motor Vehicle Account--State Appropriation	((\$509,000))
14		<u>\$514,000</u>
15	State Route Number 520 Corridor Account--State	
16	Appropriation	((\$32,419,000))
17		<u>\$34,267,000</u>
18	State Route Number 520 Civil Penalties Account--State	
19	Appropriation	((\$4,169,000))
20		<u>\$4,156,000</u>
21	Tacoma Narrows Toll Bridge Account--State	
22	Appropriation	((\$23,730,000))
23		<u>\$25,007,000</u>
24	Puget Sound Ferry Operations Account--State	
25	Appropriation	\$250,000
26	<u>Interstate 405 Express Toll Lanes Operations</u>	
27	<u>Account--State Appropriation</u>	<u>\$2,019,000</u>
28	TOTAL APPROPRIATION	((\$62,928,000))
29		<u>\$68,155,000</u>

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

32 (1)(a) The legislature finds that the department's tolling division
33 has expanded greatly in recent years to address the demands of
34 administering several newly tolled facilities using emerging toll
35 collection technologies. The legislature intends for the department to
36 continue its good work in administering the tolled facilities of the

1 state, while at the same time implementing controls and processes to
2 ensure the efficient and judicious administration of toll payer
3 dollars.

4 (b) The legislature finds that the department has undertaken a
5 cost-of-service study in the winter and spring of 2013 for the purposes
6 of identifying in detail the costs of operating and administering
7 tolling on state route number 520, state route number 167
8 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
9 of the study is to provide results to establish a baseline by which
10 future activity may be compared and opportunities identified for cost
11 savings and operational efficiencies. In addition, the legislature
12 finds that the state auditor has undertaken a performance audit of the
13 department's contract for the customer service center and back office
14 processing of tolling transactions. The audit findings, which are
15 expected to include lessons learned, are due in late spring 2013.

16 (c) Using the results of the cost-of-service study and the state
17 audit as a basis, the department shall conduct a review of operations
18 using lean management principles in order to eliminate inefficiencies
19 and redundancies, incorporate lessons learned, and identify
20 opportunities to conduct operations more efficiently and effectively.
21 Within current statutory and budgetary tolling policy, the department
22 shall use the results of the review to improve operations in order to
23 conduct toll operations within the appropriations provided in
24 subsections (2) through (4) of this section. The department shall
25 submit the review, along with the status of and plans for the
26 implementation of review recommendations, to the office of financial
27 management and the house of representatives and senate transportation
28 committees by October 15, 2013.

29 (2) (~~(\$10,482,000)~~) \$10,343,000 of the Tacoma Narrows toll bridge
30 account--state appropriation, (~~(\$17,056,000)~~) \$16,534,000 of the state
31 route number 520 corridor account--state appropriation, (~~(\$1,226,000)~~)
32 \$1,217,000 of the high-occupancy toll lanes operations account--state
33 appropriation, and (~~(\$509,000)~~) \$514,000 of the motor vehicle account--
34 state appropriation are provided solely for nonvendor costs of
35 administering toll operations, including the costs of: Staffing the
36 division, consultants and other personal service contracts required for
37 technical oversight and management assistance, insurance, payments

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

4 (3) (~~(\$10,907,000)~~) \$11,265,000 of the Tacoma Narrows toll bridge
5 account--state appropriation, (~~(\$9,363,000)~~) \$9,730,000 of the state
6 route number 520 corridor account--state appropriation, and \$625,000 of
7 the high-occupancy toll lanes operations account--state appropriation
8 are provided solely for vendor-related costs of operating tolled
9 facilities, including the costs of: The customer service center; cash
10 collections on the Tacoma Narrows bridge; electronic payment
11 processing; and toll collection equipment maintenance, renewal, and
12 replacement.

13 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
14 appropriation and \$6,000,000 of the state route number 520 corridor
15 account--state appropriation are provided solely for the purposes of
16 addressing unforeseen operations and maintenance costs on the Tacoma
17 Narrows bridge and the state route number 520 bridge, respectively.
18 The office of financial management shall place the amounts provided in
19 this section, which represent a portion of the required minimum fund
20 balance under the policy of the state treasurer, in unallotted status.
21 The office may release the funds only when it determines that all other
22 funds designated for operations and maintenance purposes have been
23 exhausted.

24 (5) (~~(\$4,169,000)~~) \$4,156,000 of the state route number 520 civil
25 penalties account--state appropriation and \$1,039,000 of the Tacoma
26 Narrows toll bridge account--state appropriation are provided solely
27 for expenditures related to the toll adjudication process. The
28 department shall report on the civil penalty process to the office of
29 financial management and the house of representatives and senate
30 transportation committees by the end of each calendar quarter. The
31 reports must include a summary table for each toll facility that
32 includes: The number of notices of civil penalty issued; the number of
33 recipients who pay before the notice becomes a penalty; the number of
34 recipients who request a hearing and the number who do not respond;
35 workload costs related to hearings; the cost and effectiveness of debt
36 collection activities; and revenues generated from notices of civil
37 penalty.

1 (6) The Tacoma Narrows toll bridge account--state appropriation in
2 this section reflects reductions in management costs of \$1,235,000.

3 (7) The department shall make detailed quarterly expenditure
4 reports available to the transportation commission and to the public on
5 the department's web site using current department resources. The
6 reports must include a summary of toll revenue by facility on all
7 operating toll facilities and high occupancy toll lane systems, and an
8 itemized depiction of the use of that revenue.

9 (8) The department shall make detailed quarterly reports to the
10 governor and the transportation committees of the legislature on the
11 use of consultants in the tolling program. The reports must include
12 the 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 consulting contracts.

15 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
16 appropriation is provided solely for the development of a plan to
17 integrate and transition customer service, reservation, and payment
18 systems currently provided by the marine division to ferry users into
19 the statewide tolling customer service center.

20 (b)(i) The department shall develop a plan that addresses:

21 (A) A phased implementation approach, beginning with "Good To Go"
22 as a payment option for ferry users;

23 (B) The feasibility, schedule, and cost of creating a single
24 account-based system for toll road and ferry users;

25 (C) Transitioning customer service currently provided by the marine
26 division to the statewide tolling customer service center; and

27 (D) Transitioning existing and planned ferry reservation system
28 support from the marine division to the statewide tolling customer
29 service center.

30 (ii) The plan must be provided to the office of financial
31 management and the transportation committees of the legislature by
32 January 14, 2014.

33 (10)(a) \$2,019,000 of the Interstate 405 express toll lanes
34 operations account--state appropriation is provided solely for
35 operating and maintenance costs of the Interstate 405 express toll
36 lanes program, including staff costs related to operating an additional
37 toll facility, consulting support for operations, purchase of
38 transponders, costs related to adjudication, credit card fees, printing

1 and postage, and customer service center support. Of the amount
2 provided in this subsection, \$519,000 of the Interstate 405 express
3 toll lanes operations account--state appropriation must be placed in
4 unallotted status by the office of financial management until a plan to
5 begin tolling the Interstate 405 express toll lanes during the summer
6 of 2015 is finalized and approved by the office of financial
7 management, in consultation with the chairs and ranking member of the
8 transportation committees of the legislature.

9 (b) The funds provided in (a) of this subsection are provided
10 through a transfer from the motor vehicle account--state appropriation
11 in section 407(19) of this act. These funds are a loan to the
12 Interstate 405 express toll lanes operations account--state
13 appropriation, and the legislature assumes that these funds will be
14 reimbursed to the motor vehicle account at a later date when the
15 Interstate 405 express toll lanes are operational.

16 (11) \$1,060,000 of the Tacoma narrows toll bridge account--state
17 appropriation, \$2,003,000 of the state route number 520 corridor
18 account--state appropriation, and \$99,000 of the high occupancy toll
19 lanes operations account--state appropriation are provided solely in
20 anticipation of, and to prepare for, the procurement of a new tolling
21 customer service center. Of the amounts provided in this subsection,
22 \$480,000 of the Tacoma narrows toll bridge account--state
23 appropriation, \$906,000 of the state route number 520 corridor
24 account--state appropriation, and \$45,000 of the high occupancy toll
25 lanes operations account--state appropriation must be placed in
26 unallotted status by the office of financial management until a
27 procurement plan is finalized and approved by the office of financial
28 management, in consultation with the chairs and ranking member of the
29 transportation committees of the legislature. Beginning July 1, 2014,
30 the department shall report quarterly to the governor, legislature, and
31 state auditor on: (a) The department's effort to mitigate risk to the
32 state, (b) the development of a request for proposals, and (c) the
33 overall progress towards procuring a new tolling customer service
34 center.

35 **Sec. 210.** 2013 c 306 s 210 (uncodified) is amended to read as
36 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM	
2	C	
3	Transportation Partnership Account--State	
4	Appropriation	\$1,460,000
5	Motor Vehicle Account--State Appropriation	((\$68,773,000))
6		<u>\$65,936,000</u>
7	Multimodal Transportation Account--State	
8	Appropriation	((\$363,000))
9		<u>\$2,883,000</u>
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	\$1,460,000
12	<u>Puget Sound Ferry Operations Account--State</u>	
13	<u>Appropriation</u>	<u>\$263,000</u>
14	TOTAL APPROPRIATION	((\$72,056,000))
15		<u>\$72,002,000</u>

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

18 (1) \$290,000 of the motor vehicle account--state appropriation is
19 provided solely for the department's compliance with its national
20 pollution discharge elimination system permit.

21 (2) \$1,460,000 of the transportation partnership account--state
22 appropriation and \$1,460,000 of the transportation 2003 account (nickel
23 account)--state appropriation are provided solely for maintaining the
24 department's project management reporting system.

25 **Sec. 211.** 2013 c 306 s 211 (uncodified) is amended to read as
26 follows:

27	FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE,	
28	OPERATIONS, AND CONSTRUCTION--PROGRAM D--OPERATING	
29	Motor Vehicle Account--State Appropriation	((\$26,251,000))
30		<u>\$26,114,000</u>

31 The appropriation in this section is subject to the following
32 conditions and limitations: \$850,000 of the motor vehicle account--
33 state appropriation is provided solely for the department's compliance
34 with its national pollution discharge elimination system permit.

35 **Sec. 212.** 2013 c 306 s 212 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

2 Aeronautics Account--State Appropriation ((~~\$7,361,000~~))

3 \$7,909,000

4 Aeronautics Account--Federal Appropriation \$2,150,000

5 TOTAL APPROPRIATION ((~~\$9,511,000~~))

6 \$10,059,000

7 The appropriations in this section are subject to the following

8 conditions and limitations: ((~~\$3,500,000~~)) \$4,065,000 of the

9 aeronautics account--state appropriation is provided solely for airport

10 investment studies and the airport aid grant program, which provides

11 competitive grants to public airports for pavement, safety,

12 maintenance, planning, and security.

13 **Sec. 213.** 2013 c 306 s 213 (uncodified) is amended to read as

14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**

16 **SUPPORT--PROGRAM H**

17 Motor Vehicle Account--State Appropriation ((~~\$47,607,000~~))

18 \$48,687,000

19 Motor Vehicle Account--Federal Appropriation \$500,000

20 Multimodal Transportation Account--State

21 Appropriation \$250,000

22 TOTAL APPROPRIATION ((~~\$48,357,000~~))

23 \$49,437,000

24 The appropriations in this section are subject to the following

25 conditions and limitations:

26 (1) \$4,423,000 of the motor vehicle account--state appropriation is

27 provided solely for the department's compliance with its national

28 pollution discharge elimination system permit.

29 (2) The real estate services division of the department must

30 recover the cost of its efforts from sale proceeds and fund additional

31 future sales from those proceeds.

32 (3) The legislature recognizes that the Dryden pit site (WSDOT

33 Inventory Control (IC) No. 2-04-00103) is unused state-owned real

34 property under the jurisdiction of the department, and that the public

35 would benefit significantly from the complete enjoyment of the natural

36 scenic beauty and recreational opportunities available at the site.

37 Therefore, pursuant to RCW 47.12.080, the legislature declares that

1 transferring the property to the department of fish and wildlife for
2 recreational use and fish and wildlife restoration efforts is
3 consistent with the public interest in order to preserve the area for
4 the use of the public and the betterment of the natural environment.
5 The department shall work with the department of fish and wildlife and
6 transfer and convey the Dryden pit site to the department of fish and
7 wildlife as-is for an adjusted fair market value reflecting site
8 conditions, the proceeds of which must be deposited in the motor
9 vehicle fund. The department is not responsible for any costs
10 associated with the cleanup or transfer of this property. This
11 subsection expires June 30, 2014.

12 (4) The legislature recognizes that the trail known as the Apple
13 Capital Loop, and its extensions, serve to separate motor vehicle
14 traffic from pedestrians and bicyclists, increasing motor vehicle
15 safety on existing state route number 28. Consistent with chapter
16 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
17 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
18 and 2-09-04569 to Douglas county and the city of East Wenatchee is
19 consistent with the public interest. The legislature directs the
20 department to transfer the property to Douglas county and the city of
21 East Wenatchee. The department must be paid fair market value for any
22 portions of the transferred real property that is later abandoned,
23 vacated, or ceases to be publicly maintained for trail purposes.
24 Douglas county and the city of East Wenatchee must agree to accept
25 responsibility for trail segments within their respective jurisdictions
26 and sign an agreement with the state that the transfer of these parcels
27 to their respective jurisdictions extinguishes any state obligations to
28 improve, maintain, or be in any way responsible for these assets. This
29 subsection expires June 30, 2014.

30 (5) The legislature recognizes that the SR 20/Cook Road realignment
31 and extension project in the city of Sedro-Woolley will enhance the
32 state and local highway systems by providing a more direct route from
33 state route number 20 and state route number 9 to Interstate 5, and
34 will reduce traffic on state route number 20 and state route number 9,
35 improving the capacity of each route. Furthermore, the legislature
36 declares that certain portions of the department's property held for
37 highway purposes located primarily to the north and west of state route
38 number 20, between state route number 20 to the south and F and S Grade

1 Road to the north, in the incorporated limits of Sedro-Woolley in
2 Skagit county, can help facilitate completion of the project.
3 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
4 is the intent of the legislature that the department sell, transfer, or
5 lease, as appropriate, to the city of Sedro-Woolley only those portions
6 of the property necessary to construct the project, including necessary
7 staging areas. However, any staging areas should revert to the
8 department within three years of completion of the project.

9 (6) Within the amounts provided in this section, the department
10 shall create a quality assurance position. This position must provide
11 independent project quality assurance validation and ensure that
12 quality assurance audit functions are accountable at the highest level
13 of the organization.

14 (7) To maximize available resources, the department's efforts to
15 eliminate fish passage barriers caused by state roads and highways must
16 be based on the principle of maximizing habitat recovery through a
17 coordinated investment strategy that, to the maximum extent practical
18 and allowable, prioritizes opportunities: To correct multiple fish
19 barriers in whole streams rather than through individual, isolated
20 projects; to coordinate with other entities sponsoring barrier
21 removals, such as regional fisheries enhancement groups, in a manner
22 that achieves the greatest cost savings to all parties; and to
23 eliminate barriers located furthest downstream in a stream system. The
24 department must also recognize that many of the barriers owned by the
25 state are located in the same stream systems as barriers that are owned
26 by cities and counties with limited financial resources for correction
27 and that state/local partnership opportunities should be sought to
28 address these barriers. This subsection takes effect if chapter . . .
29 (Second Substitute House Bill No. 2251), Laws of 2014 is not enacted by
30 June 30, 2014.

31 (8) \$1,453,000 of the motor vehicle account--state appropriation is
32 provided solely to support increased departmental efforts to dispose of
33 surplus property as directed in subsection (2) of this section. These
34 additional funds are expected to result in up to \$5,000,000 per fiscal
35 biennium in additional revenues through increasing the sale of surplus
36 property. By December 1, 2014, the department shall report to the
37 governor and the chairs and ranking members of the senate and house of

1 representatives transportation committees on the number of surplus
2 property parcels sold and the amount of revenue generated from those
3 sales during 2014.

4 **Sec. 214.** 2013 c 306 s 214 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
7 **K**

8 Motor Vehicle Account--State Appropriation	(\$570,000)
9	<u>\$589,000</u>

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

12 (1) The legislature finds that the efforts started in the 2011-2013
13 fiscal biennium regarding the transition to a road usage charge system
14 represent an important first step in the policy and conceptual
15 development of potential alternative systems to fund transportation
16 projects, but that the governance for the development needs
17 clarification. The legislature also finds that significant amounts of
18 research and public education are occurring in similar efforts in
19 several states and that these efforts can and should be leveraged to
20 advance the evaluation in Washington. The legislature intends,
21 therefore, that the transportation commission and its staff lead the
22 policy development of the business case for a road usage charge system,
23 with the goal of providing the business case to the governor and the
24 legislative committees of the legislature in time for inclusion in the
25 2014 supplemental omnibus transportation appropriations act. The
26 legislature intends for additional oversight in the business case
27 development, with guidance from a steering committee as provided in
28 chapter 86, Laws of 2012 for the transportation commission, augmented
29 with participation by the joint transportation committee. The
30 legislature further intends that, through the economic partnerships
31 program, the department continue to address administrative, technical,
32 and conceptual operational issues related to road usage charge systems,
33 and that the department serve as a resource for information gleaned
34 from other states on this topic for the transportation commission's
35 efforts.

36 (2) The economic partnerships program must continue to explore

1 retail partnerships at state-owned park-and-ride facilities, as
2 authorized in RCW 47.04.295.

3 (3) The department, in collaboration with the transportation
4 commission, shall work with the office of the state treasurer and the
5 state's bond counsel to explore legal approaches for ensuring that any
6 reduction, refunding, crediting, or repeal of the motor vehicle fuel
7 tax, in whole or in part, can be accomplished without unlawfully
8 impairing the legal rights of motor vehicle fuel tax bond holders. The
9 results of this work must be shared with the transportation committees
10 of the legislature and the office of financial management by September
11 1, 2014.

12 (4) \$21,000 of the motor vehicle account--state appropriation is
13 provided solely as matching funds for the department to partner with
14 other transportation agencies located in the western region of North
15 America to develop strategies and methods for reporting, collecting,
16 crediting, and remitting road usage charges resulting from inter-
17 jurisdictional travel. At least one partnering jurisdiction must share
18 a common border with Washington. The results of this work must be
19 reported to the governor, the transportation commission, and the
20 transportation committees of the legislature by September 1, 2014.

21 **Sec. 215.** 2013 c 306 s 215 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

24 Highway Safety Account--State Appropriation	\$10,000,000
25 Motor Vehicle Account--State Appropriation	((\$390,040,000))
26	<u>\$391,358,000</u>
27 Motor Vehicle Account--Federal Appropriation	\$7,000,000
28 TOTAL APPROPRIATION	((\$407,040,000))
29	<u>\$408,358,000</u>

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

32 ~~(1) ((\$377,779,000 — of — the — motor — vehicle — account — state~~
33 ~~appropriation — and — \$10,000,000 — of — the — highway — safety — account — state~~
34 ~~appropriation — are — provided — solely — for — the — maintenance — program — to~~
35 ~~achieve — specific — levels — of — service — on — the — thirty — maintenance — targets~~
36 ~~listed by statewide priority in LEAP Transportation Document 2013-4 as~~
37 ~~developed April 23, 2013. Beginning in February 2014, the department~~

1 shall report to the legislature annually on its updated maintenance
2 accountability process targets and whether or not the department was
3 able to achieve its targets.

4 ~~((2) \$8,450,000))~~ \$10,910,000 of the motor vehicle account--state
5 appropriation is provided solely for the department's compliance with
6 its national pollution discharge elimination system permit.

7 ~~((3) \$1,305,000))~~ (2) \$2,605,000 of the motor vehicle account--
8 state appropriation is provided solely for utility fees assessed by
9 local governments as authorized under RCW 90.03.525 for the mitigation
10 of storm water runoff from state highways.

11 ~~((4))~~ (3) The department shall submit a budget decision for the
12 2014 legislative session package that details all costs associated with
13 utility fees assessed by local governments as authorized under RCW
14 90.03.525.

15 ~~((5))~~ (4) \$50,000 of the motor vehicle account--state
16 appropriation is provided solely for clearing and pruning dangerous
17 trees along state route number 542 between mile markers 43 and 48 to
18 prevent safety hazards and delays.

19 ~~((6))~~ (5) \$2,277,000 of the motor vehicle account--state
20 appropriation is provided solely to replace or rehabilitate critical
21 equipment needed to perform snow and ice removal activities and roadway
22 maintenance. These funds may not be used to purchase passenger cars as
23 defined in RCW 46.04.382.

24 **Sec. 216.** 2013 c 306 s 216 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
27 **OPERATING**

28	Motor Vehicle Account--State Appropriation	(((\$50,504,000))
29		<u>\$50,055,000</u>
30	Motor Vehicle Account--Federal Appropriation	\$2,050,000
31	Motor Vehicle Account--Private/Local Appropriation	\$250,000
32	TOTAL APPROPRIATION	(((\$52,804,000))
33		<u>\$52,355,000</u>

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

36 (1) \$6,000,000 of the motor vehicle account--state appropriation is
37 provided solely for low-cost enhancements. The department shall give

1 priority to low-cost enhancement projects that improve safety or
2 provide congestion relief. The department shall prioritize low-cost
3 enhancement projects on a statewide rather than regional basis. By
4 September 1st of each even-numbered year, the department shall provide
5 a report to the legislature listing all low-cost enhancement projects
6 prioritized on a statewide rather than regional basis completed in the
7 prior year.

8 (2) \$9,000,000 of the motor vehicle account--state appropriation is
9 provided solely for the department's incident response program.

10 (3) During the 2013-2015 fiscal biennium, the department shall
11 continue a pilot program that expands private transportation providers'
12 access to high occupancy vehicle lanes. Under the pilot program, when
13 the department reserves a portion of a highway based on the number of
14 passengers in a vehicle, the following vehicles must be authorized to
15 use the reserved portion of the highway if the vehicle has the capacity
16 to carry eight or more passengers, regardless of the number of
17 passengers in the vehicle: (a) Auto transportation company vehicles
18 regulated under chapter 81.68 RCW; (b) passenger charter carrier
19 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
20 stretch limousines and stretch sport utility vehicles as defined under
21 department of licensing rules; (c) private nonprofit transportation
22 provider vehicles regulated under chapter 81.66 RCW; and (d) private
23 employer transportation service vehicles. For purposes of this
24 subsection, "private employer transportation service" means regularly
25 scheduled, fixed-route transportation service that is offered by an
26 employer for the benefit of its employees. Nothing in this subsection
27 is intended to authorize the conversion of public infrastructure to
28 private, for-profit purposes or to otherwise create an entitlement or
29 other claim by private users to public infrastructure.

30 (4) The department shall work with the cities of Lynnwood and
31 Edmonds to provide traffic light synchronization on state route number
32 524.

33 ~~((+6))~~ (5) The department, in consultation with the Washington
34 state patrol, must continue a pilot program for the state patrol to
35 issue infractions based on information from automated traffic safety
36 cameras in roadway construction zones on state highways. For the
37 purpose of this pilot program, during the 2013-2015 fiscal biennium, a
38 roadway construction zone includes areas where public employees or

1 private contractors may be present or where a driving condition exists
2 that would make it unsafe to drive at higher speeds, such as, when the
3 department is redirecting or realigning lanes on any public roadway
4 pursuant to ongoing construction. The department shall use the
5 following guidelines to administer the program:

6 (a) Automated traffic safety cameras may only take pictures of the
7 vehicle and vehicle license plate and only while an infraction is
8 occurring. The picture must not reveal the face of the driver or of
9 passengers in the vehicle;

10 (b) The department shall plainly mark the locations where the
11 automated traffic safety cameras are used by placing signs on locations
12 that clearly indicate to a driver that he or she is entering a roadway
13 construction zone where traffic laws are enforced by an automated
14 traffic safety camera;

15 (c) Notices of infractions must be mailed to the registered owner
16 of a vehicle within fourteen days of the infraction occurring;

17 (d) The owner of the vehicle is not responsible for the violation
18 if the owner of the vehicle, within fourteen days of receiving
19 notification of the violation, mails to the patrol, a declaration under
20 penalty of perjury, stating that the vehicle involved was, at the time,
21 stolen or in the care, custody, or control of some person other than
22 the registered owner, or any other extenuating circumstances;

23 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
24 infractions detected through the use of automated traffic safety
25 cameras are not part of the registered owner's driving record under RCW
26 46.52.101 and 46.52.120. Additionally, infractions generated by the
27 use of automated traffic safety cameras must be processed in the same
28 manner as parking infractions for the purposes of RCW 3.50.100,
29 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
30 fine issued under this subsection (~~((+6+))~~) (5) for an infraction
31 generated through the use of an automated traffic safety camera is one
32 hundred thirty-seven dollars. The court shall remit thirty-two dollars
33 of the fine to the state treasurer for deposit into the state patrol
34 highway account; and

35 (f) If a notice of infraction is sent to the registered owner and
36 the registered owner is a rental car business, the infraction must be
37 dismissed against the business if it mails to the patrol, within
38 fourteen days of receiving the notice, a declaration under penalty of

1 perjury of the name and known mailing address of the individual driving
2 or renting the vehicle when the infraction occurred. If the business
3 is unable to determine who was driving or renting the vehicle at the
4 time the infraction occurred, the business must sign a declaration
5 under penalty of perjury to this effect. The declaration must be
6 mailed to the patrol within fourteen days of receiving the notice of
7 traffic infraction. Timely mailing of this declaration to the issuing
8 agency relieves a rental car business of any liability under this
9 section for the notice of infraction. A declaration form suitable for
10 this purpose must be included with each automated traffic safety camera
11 infraction notice issued, along with instructions for its completion
12 and use.

13 ~~((7))~~ (6) \$102,000 of the motor vehicle account--state
14 appropriation is provided solely to replace or rehabilitate critical
15 equipment needed to perform traffic control. These funds may not be
16 used to purchase passenger cars as defined in RCW 46.04.382.

17 **Sec. 217.** 2013 c 306 s 217 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
20 **SUPPORT--PROGRAM S**

21	Motor Vehicle Account--State Appropriation	((\$27,281,000))
22		<u>\$27,079,000</u>
23	Motor Vehicle Account--Federal Appropriation	((\$30,000))
24		<u>\$280,000</u>
25	Multimodal Transportation Account--State	
26	Appropriation	((\$973,000))
27		<u>\$1,131,000</u>
28	TOTAL APPROPRIATION	((\$28,284,000))
29		<u>\$28,490,000</u>

30 The appropriations in this section are subject to the following
31 conditions and limitations: \$200,000 of the motor vehicle account--
32 state appropriation is provided solely for enhanced disadvantaged
33 business enterprise outreach to increase the pool of disadvantaged
34 businesses available for department contracts. The department must
35 submit a status report on disadvantaged business enterprise outreach to
36 the transportation committees of the legislature by November 15, 2014.
37

1 The appropriations in this section are subject to the following
2 conditions and limitations: The department of enterprise services must
3 provide a detailed accounting of the revenues and expenditures of the
4 self-insurance fund to the transportation committees of the legislature
5 on December 31st and June 30th of each year.

6 **Sec. 220.** 2013 c 306 s 220 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
9 **V**

10	State Vehicle Parking Account--State Appropriation	((\$452,000))
11		<u>\$754,000</u>
12	Regional Mobility Grant Program Account--State	
13	Appropriation	((\$49,948,000))
14		<u>\$51,111,000</u>
15	Rural Mobility Grant Program Account--State	
16	Appropriation	\$17,000,000
17	Multimodal Transportation Account--State	
18	Appropriation	((\$39,057,000))
19		<u>\$39,325,000</u>
20	Multimodal Transportation Account--Federal	
21	Appropriation	\$3,280,000
22	<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$160,000</u>
23	TOTAL APPROPRIATION	((\$109,737,000))
24		<u>\$111,630,000</u>

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

27 (1) \$25,000,000 of the multimodal transportation account--state
28 appropriation is provided solely for a grant program for special needs
29 transportation provided by transit agencies and nonprofit providers of
30 transportation. Of this amount:

31 (a) \$5,500,000 of the multimodal transportation account--state
32 appropriation is provided solely for grants to nonprofit providers of
33 special needs transportation. Grants for nonprofit providers must be
34 based on need, including the availability of other providers of service
35 in the area, efforts to coordinate trips among providers and riders,
36 and the cost effectiveness of trips provided.

1 (b) \$19,500,000 of the multimodal transportation account--state
2 appropriation is provided solely for grants to transit agencies to
3 transport persons with special transportation needs. To receive a
4 grant, the transit agency must, to the greatest extent practicable,
5 have a maintenance of effort for special needs transportation that is
6 no less than the previous year's maintenance of effort for special
7 needs transportation. Grants for transit agencies must be prorated
8 based on the amount expended for demand response service and route
9 deviated service in calendar year 2011 as reported in the "Summary of
10 Public Transportation - 2011" published by the department of
11 transportation. No transit agency may receive more than thirty percent
12 of these distributions.

13 (2) \$17,000,000 of the rural mobility grant program account--state
14 appropriation is provided solely for grants to aid small cities in
15 rural areas as prescribed in RCW 47.66.100.

16 (3)(a) \$6,000,000 of the multimodal transportation account--state
17 appropriation is provided solely for a vanpool grant program for: (a)
18 Public transit agencies to add vanpools or replace vans; and (b)
19 incentives for employers to increase employee vanpool use. The grant
20 program for public transit agencies will cover capital costs only;
21 operating costs for public transit agencies are not eligible for
22 funding under this grant program. Additional employees may not be
23 hired from the funds provided in this section for the vanpool grant
24 program, and supplanting of transit funds currently funding vanpools is
25 not allowed. The department shall encourage grant applicants and
26 recipients to leverage funds other than state funds.

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

29 (c) \$520,000 of the amount provided in this subsection is provided
30 solely for the purchase of additional vans for use by vanpools serving
31 ~~((soldiers and civilian employees at))~~ or traveling through the Joint
32 Base Lewis-McChord I-5 corridor between mile post 116 and 127.

33 (4) ~~((\$9,948,000))~~ \$11,111,000 of the regional mobility grant
34 program account--state appropriation is reappropriated and provided
35 solely for the regional mobility grant projects identified in LEAP
36 Transportation Document ~~((2013-2))~~ 2014-2 ALL PROJECTS - Public
37 Transportation - Program (V) as developed ~~((April 23, 2013))~~ March 10,
38 2014.

1 (5)(a) \$40,000,000 of the regional mobility grant program account--
2 state appropriation is provided solely for the regional mobility grant
3 projects identified in LEAP Transportation Document ((2013-2)) 2014-2
4 ALL PROJECTS - Public Transportation - Program (V) as developed ((April
5 ~~23, 2013~~) March 10, 2014. The department shall review all projects
6 receiving grant awards under this program at least semiannually to
7 determine whether the projects are making satisfactory progress. Any
8 project that has been awarded funds, but does not report activity on
9 the project within one year of the grant award, must be reviewed by the
10 department to determine whether the grant should be terminated. The
11 department shall promptly close out grants when projects have been
12 completed, and any remaining funds must be used only to fund projects
13 identified in the LEAP transportation document referenced in this
14 subsection. The department shall provide annual status reports on
15 December 15, 2013, and December 15, 2014, to the office of financial
16 management and the transportation committees of the legislature
17 regarding the projects receiving the grants. It is the intent of the
18 legislature to appropriate funds through the regional mobility grant
19 program only for projects that will be completed on schedule. A
20 grantee may not receive more than twenty-five percent of the amount
21 appropriated in this subsection. The department shall not approve any
22 increases or changes to the scope of a project for the purpose of a
23 grantee expending remaining funds on an awarded grant.

24 (b) In order to be eligible to receive a grant under (a) of this
25 subsection during the 2013-2015 fiscal biennium, a transit agency must
26 establish a process for private transportation providers to apply for
27 the use of park and ride facilities. For purposes of this subsection,
28 (i) "private transportation provider" means: An auto transportation
29 company regulated under chapter 81.68 RCW; a passenger charter carrier
30 regulated under chapter 81.70 RCW, except marked or unmarked stretch
31 limousines and stretch sport utility vehicles as defined under
32 department of licensing rules; a private nonprofit transportation
33 provider regulated under chapter 81.66 RCW; or a private employer
34 transportation service provider; and (ii) "private employer
35 transportation service" means regularly scheduled, fixed-route
36 transportation service that is offered by an employer for the benefit
37 of its employees.

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

4 (7) (~~(\$6,122,000)~~) \$6,424,000 of the total appropriation in this
5 section is provided solely for CTR grants and activities. Of this
6 amount:

7 (a) \$3,900,000 of the multimodal transportation account--state
8 appropriation is provided solely for grants to local jurisdictions,
9 selected by the CTR board, for the purpose of assisting employers meet
10 CTR goals;

11 (b) \$1,770,000 of the multimodal transportation account--state
12 appropriation is provided solely for state costs associated with CTR.
13 The department shall develop more efficient methods of CTR assistance
14 and survey procedures; and

15 (c) (~~(\$452,000)~~) \$754,000 of the state vehicle parking account--
16 state appropriation is provided solely for CTR-related expenditures,
17 including all expenditures related to the guaranteed ride home program
18 and the STAR pass program.

19 (8) An affected urban growth area that has not previously
20 implemented a commute trip reduction program as of the effective date
21 of this section is exempt from the requirements in RCW 70.94.527.

22 (9) \$200,000 of the multimodal transportation account--state
23 appropriation is contingent on the timely development of an annual
24 report summarizing the status of public transportation systems as
25 identified under RCW 35.58.2796.

26 (10) \$160,000 of the motor vehicle account--federal appropriation
27 is provided solely for King county metro to study demand potential for
28 a state route number 18 and Interstate 90 park and ride location, to
29 size the facilities appropriately, to perform site analysis, and to
30 develop preliminary design concepts. When studying potential park and
31 ride locations pursuant to this subsection, King county metro must take
32 into consideration the effect of the traffic using the weigh station at
33 the Interstate 90 and state route number 18 interchange at exit 25 and,
34 to the maximum extent practicable, choose a park and ride location that
35 minimizes traffic impacts for the Interstate 90 and state route number
36 18 interchange and the weigh station.

1 **Sec. 221.** 2013 c 306 s 221 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

4 Puget Sound Ferry Operations Account--State

5 Appropriation	((\$485,076,000))
6	<u>\$483,404,000</u>
7 Puget Sound Ferry Operations Account--Private/Local	
8 Appropriation	\$121,000
9 TOTAL APPROPRIATION	((\$485,197,000))
10	<u>\$483,525,000</u>

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

13 (1) The office of financial management budget instructions require
14 agencies to recast enacted budgets into activities. The Washington
15 state ferries shall include a greater level of detail in its 2013-2015
16 supplemental and 2015-2017 omnibus transportation appropriations act
17 requests, as determined jointly by the office of financial management,
18 the Washington state ferries, and the transportation committees of the
19 legislature. This level of detail must include the administrative
20 functions in the operating as well as capital programs.

21 (2) Until a reservation system is operational on the San Juan
22 islands inter-island route, the department shall provide the same
23 priority loading benefits on the San Juan islands inter-island route to
24 home health care workers as are currently provided to patients
25 traveling for purposes of receiving medical treatment.

26 (3) For the 2013-2015 fiscal biennium, the department may enter
27 into a distributor controlled fuel hedging program and other methods of
28 hedging approved by the fuel hedging committee.

29 (4) ((~~\$112,342,000~~)) \$113,157,000 of the Puget Sound ferry
30 operations account--state appropriation is provided solely for auto
31 ferry vessel operating fuel in the 2013-2015 fiscal biennium, which
32 reflect cost savings from a reduced biodiesel fuel requirement and,
33 therefore, are contingent upon the enactment of section 701 ((~~of this~~
34 ~~act~~)), chapter 306, Laws of 2013. The amount provided in this
35 subsection represent the fuel budget for the purposes of calculating
36 any ferry fare fuel surcharge. The department shall develop a fuel
37 reduction plan to be submitted as part of its 2014 supplemental budget

1 proposal. The plan must include fuel saving proposals, such as vessel
2 modifications, vessel speed reductions, and changes to operating
3 procedures, along with anticipated fuel saving estimates.

4 (5) \$100,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely for the department's compliance with
6 its national pollution discharge elimination system permit.

7 (6) When purchasing uniforms that are required by collective
8 bargaining agreements, the department shall contract with the lowest
9 cost provider.

10 (7) \$3,049,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the operating program share of the
12 \$7,259,000 in lease payments for the ferry division's headquarters
13 building. Consistent with the 2012 facilities oversight plan, the
14 department shall strive to consolidate office space in downtown Seattle
15 by the end of 2015. The department shall consider renewing the lease
16 for the ferry division's current headquarters building only if the
17 lease rate is reduced at least fifty percent and analysis shows that
18 this is the least cost and risk option for the department.
19 Consolidation with other divisions or state agencies, or a reduction in
20 leased space, must also be considered as part of any headquarters lease
21 renewal analysis.

22 (8) \$5,000,000 of the Puget Sound ferry operations account--state
23 appropriation is provided solely for the purchase of a 2013-2015 marine
24 insurance policy. Within this amount, the department is expected to
25 purchase a policy with the lowest deductible possible, while
26 maintaining at least existing coverage levels for ferry vessels, and
27 providing coverage for all terminals.

28 (9) Within existing resources, the department must evaluate the
29 feasibility of using re-refined used motor oil processed in Washington
30 state as a ferry fuel source. The evaluation must include, but is not
31 limited to, research on existing entities currently using the process
32 for re-refined fuel, any required combustible engine modifications,
33 additional needed equipment on the vessels or fueling locations, cost
34 analysis, compatibility with B-5 blended diesel, and meeting engine
35 performance specifications. The department must establish an
36 evaluation group that includes, but is not limited to, persons
37 experienced in the re-refined motor oil industry. The department must

1 deliver a report containing the results of the evaluation to the
2 transportation committees of the legislature and the office of
3 financial management by December 1, 2014.

4 (10) \$71,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely for one traffic attendant for ferry
6 terminal traffic control at the Fauntleroy ferry terminal.

7 **Sec. 222.** 2013 c 306 s 222 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

10 Multimodal Transportation Account--State

11 Appropriation ((\$32,924,000))
12 \$46,026,000

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

15 (1) ((\$27,319,000)) \$40,289,000 of the multimodal transportation
16 account--state appropriation is provided solely for (~~the Amtrak~~
17 ~~service contract and Talgo maintenance contract associated with~~
18 ~~providing~~) operating and maintaining state-supported passenger rail
19 service. In recognition of the increased costs the state is expected
20 to absorb due to changes in federal law, the department is directed to
21 analyze the Amtrak contract proposal and find cost saving alternatives.
22 The department shall report to the transportation committees of the
23 legislature before the 2014 regular legislative session on its
24 revisions to the Amtrak contract, including a review of the appropriate
25 costs within the contract for concession services, policing, host
26 railroad incentives, and station services and staffing needs. Within
27 thirty days of each annual cost/revenue reconciliation under the Amtrak
28 service contract, the department shall report any changes that would
29 affect the state subsidy amount appropriated in this subsection.
30 Through a competitive process, the department may contract with a
31 private entity for services related to operations and maintenance of
32 the Amtrak Cascades route, including, but not limited to, concession
33 services.

34 (2) Amtrak Cascades runs may not be eliminated.

35 (3) The department shall continue a pilot program by partnering
36 with the travel industry on the Amtrak Cascades service between
37 Vancouver, British Columbia, and Seattle to test opportunities for

1 increasing ridership, maximizing farebox recovery, and stimulating
2 private investment. The pilot program must run from December 31, 2013,
3 to December 31, 2014, and evaluate seasonal differences in the program
4 and the effect of advertising. The department may offer to Washington
5 universities an opportunity for business students to work as interns on
6 the analysis of the pilot program process and results. The department
7 shall report on the results of the pilot program to the office of
8 financial management and the legislature by January 31, 2015.

9 (4) \$150,000 of the multimodal transportation account--state
10 appropriation is provided solely for the department to develop an
11 inventory of short line rail infrastructure that can be used to support
12 a data-driven approach to identifying system needs. The department
13 shall work with short line rail owners and operators within the state,
14 provide status updates periodically to the joint transportation
15 committee, submit a progress report of its findings to the
16 transportation committees of the legislature and the office of
17 financial management by December 15, 2014, submit a preliminary report
18 of key findings and recommendations to the transportation committees of
19 the legislature and the office of financial management by March 1,
20 2015, and submit a final report to the transportation committees of the
21 legislature and the office of financial management by June 30, 2015.

22 **Sec. 223.** 2013 c 306 s 223 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **OPERATING**

26	Motor Vehicle Account--State Appropriation	(\$8,737,000)
27		<u>\$8,672,000</u>
28	Motor Vehicle Account--Federal Appropriation	\$2,567,000
29	TOTAL APPROPRIATION	(\$11,304,000)
30		<u>\$11,239,000</u>

31 **TRANSPORTATION AGENCIES--CAPITAL**

32 **Sec. 301.** 2013 c 306 s 301 (uncodified) is amended to read as
33 follows:

1 the Marysville district office and vehicle inspection building and
2 Spokane East office.

3 (3) \$450,000 of the state patrol highway account--state
4 appropriation is provided solely for upgrades to scales at Ridgefield
5 Port of Entry, Dryden, South Pasco, Deer Park, and Kelso required to
6 meet current certification requirements.

7 (4) (~~(\$850,000)~~) \$1,200,000 of the state patrol highway account--
8 state appropriation is provided solely for the replacement of the
9 damaged and unrepairable scale house at the Everett southbound I-5
10 weigh scales, including equipment, weigh-in-motion technology, and an
11 ALPR camera.

12 (5) The Washington state patrol, in cooperation with the Washington
13 state department of transportation, must study the federal funding
14 options available for weigh station construction and improvements on
15 the national highway system. A study report must be provided by July
16 1, 2014, to the office of financial management and the transportation
17 committees of the legislature with recommendations on utilizing federal
18 funds for weigh station projects.

19 **Sec. 303.** 2013 c 306 s 303 (uncodified) is amended to read as
20 follows:

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

22	Rural Arterial Trust Account--State	
23	Appropriation	((\$35,894,000))
24		<u>\$57,394,000</u>
25	Highway Safety Account--State Appropriation	\$10,000,000
26	Motor Vehicle Account--State Appropriation	\$706,000
27	County Arterial Preservation Account--State	
28	Appropriation	((\$30,000,000))
29		<u>\$32,000,000</u>
30	TOTAL APPROPRIATION	((\$76,600,000))
31		<u>\$100,100,000</u>

32 **Sec. 304.** 2013 c 306 s 304 (uncodified) is amended to read as
33 follows:

34 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

35	Small City Pavement and Sidewalk Account--State	
36	Appropriation	((\$3,500,000))

1 Pursuant to RCW 47.12.063, the department shall work with the owner
 2 of King county parcel number 7643400010, which abuts both parcels of
 3 the Marginal Way site, and shall convey the Marginal Way site to that
 4 abutting property owner for the appraised fair market value of the
 5 parcels, the proceeds of which must be deposited in the motor vehicle
 6 fund. The conveyance is conditional upon the purchaser's agreement to
 7 commit the use of the Marginal Way site to operations with the goal of
 8 ending hunger in western Washington. The department may not make this
 9 conveyance before September 1, 2013, and may not make this conveyance
 10 after (~~January 15~~) September 1, 2014.

11 The Washington department of transportation is not responsible for
 12 any costs associated with the cleanup or transfer of the Marginal Way
 13 site.

14 (2) (~~(\$13,425,000)~~) \$14,390,000 of the transportation partnership
 15 account--state appropriation is provided solely for the construction of
 16 a new traffic management and emergency operations center on property
 17 owned by the department on Dayton Avenue in Shoreline (project
 18 100010T). Consistent with the office of financial management's 2012
 19 study, it is the intent of the legislature to appropriate no more than
 20 \$15,000,000 for the total construction costs. The department shall
 21 report to the transportation committees of the legislature and the
 22 office of financial management by June 30, 2014, on the progress of the
 23 construction of the traffic management and emergency operations center,
 24 including a schedule for terminating the current lease of the Goldsmith
 25 building in Seattle.

26 **Sec. 306.** 2013 c 306 s 306 (uncodified) is amended to read as
 27 follows:

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

29 Multimodal Transportation Account--State

30	Appropriation	\$1,000,000
31	Transportation Partnership Account--State	
32	Appropriation	((\$1,536,032,000))
33		<u>\$1,313,555,000</u>
34	Motor Vehicle Account--State Appropriation	((\$61,508,000))
35		<u>\$69,478,000</u>
36	Motor Vehicle Account--Federal Appropriation	((\$473,359,000))
37		<u>\$516,181,000</u>

1 "Contingency (Unfunded) Highway Preservation Projects" as identified in
2 LEAP Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS as
3 developed (~~(April-23, -2013)~~) March 10, 2014, Program - Highway
4 Preservation Program (P). However, no additional federal funds may be
5 allocated to the I- 5/Columbia River Crossing project (400506A).

6 (3) Within the motor vehicle account--state appropriation and
7 motor vehicle account--federal appropriation, the department may
8 transfer funds between programs I and P, except for funds that are
9 otherwise restricted in this act.

10 (4) The transportation 2003 account (nickel account)--state
11 appropriation includes up to (~~(\$217,604,000)~~) \$246,710,000 in proceeds
12 from the sale of bonds authorized by RCW 47.10.861.

13 (5) The transportation partnership account--state appropriation
14 includes up to (~~(\$1,156,217,000)~~) \$811,595,000 in proceeds from the
15 sale of bonds authorized in RCW 47.10.873.

16 (6) The motor vehicle account--state appropriation includes up to
17 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
18 47.10.843.

19 (~~(+8)~~) (7)(a) (~~(\$5,000,000)~~) \$6,174,000 of the motor vehicle
20 account--federal appropriation and (~~(\$200,000)~~) \$269,000 of the motor
21 vehicle account--state appropriation are provided solely for the I-90
22 Comprehensive Tolling Study and Environmental Review project (100067T).
23 The department shall prepare a detailed environmental impact statement
24 that complies with the national environmental policy act regarding
25 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
26 purposes of both managing traffic and providing funding for the
27 construction of the unfunded state route number 520 from Interstate 5
28 to Medina project. As part of the preparation of the statement, the
29 department must review any impacts to the network of highways and roads
30 surrounding Lake Washington. In developing this statement, the
31 department must provide significant outreach to potential affected
32 communities. The department may consider traffic management options
33 that extend as far east as Issaquah.

34 (b)(i) As part of the project in this subsection (~~(+8)~~) (7), the
35 department shall perform a study of all funding alternatives to tolling
36 Interstate 90 to provide funding for construction of the unfunded state
37 route number 520 and explore and evaluate options to mitigate the

1 effect of tolling on affected residents and all other users of the
2 network of highways and roads surrounding Lake Washington including,
3 but not limited to:

4 (A) Allowing all Washington residents to traverse a portion of the
5 tolled section of Interstate 90 without paying a toll. Residents may
6 choose either (I) the portion of Interstate 90 between the easternmost
7 landing west of Mercer Island and the westernmost landing on Mercer
8 Island, or (II) the portion of Interstate 90 between the westernmost
9 landing east of Mercer Island and the easternmost landing on Mercer
10 Island;

11 (B) Assessing a toll only when a driver traverses, in either
12 direction, the entire portion of Interstate 90 between the easternmost
13 landing west of Mercer Island and the westernmost landing east of
14 Mercer Island; and

15 (C) Allowing affected residents to choose one portion of the tolled
16 section of Interstate 90 upon which they may travel without paying a
17 toll. Residents may choose either (I) the portion of Interstate 90
18 between the easternmost landing west of Mercer Island and the
19 westernmost landing on Mercer Island, or (II) the portion of Interstate
20 90 between the westernmost landing east of Mercer Island and the
21 easternmost landing on Mercer Island.

22 (ii) The department may also consider any alternative mitigation
23 options that conform to the purpose of this subsection (~~((+8))~~) (7).

24 (iii) For the purposes of this subsection (~~((+8))~~) (7), "affected
25 resident" means anyone who must use a portion of Interstate 90 west of
26 Interstate 405 upon which tolling is considered in order to access
27 necessary medical services, such as a hospital.

28 (~~((+9) - \$541,901,000)~~) (8) \$490,796,000 of the transportation
29 partnership account--state appropriation, (~~((+144,954,000))~~) \$156,979,000
30 of the motor vehicle account--federal appropriation, (~~((+129,779,000))~~)
31 \$132,191,000 of the motor vehicle account--private/local appropriation,
32 and (~~((+78,004,000))~~) \$123,305,000 of the transportation 2003 account
33 (nickel account)--state appropriation are provided solely for the SR
34 99/Alaskan Way Viaduct - Replacement project (809936Z). Amounts
35 appropriated in this subsection may not be spent for the purpose of
36 public transportation mitigation, except pursuant to an agreement or
37 agreements between the department and King county as that agreement or
38 agreements existed on January 1, 2013.

1 ~~((10))~~ (9) The department shall reconvene an expert review panel
2 of no more than three members as described under RCW 47.01.400 for the
3 purpose of updating the work that was previously completed by the panel
4 on the Alaskan Way viaduct replacement project and to ensure that an
5 appropriate and viable financial plan is created and regularly
6 reviewed. The expert review panel must be selected cooperatively by
7 the chairs of the senate and house of representatives transportation
8 committees, the secretary of transportation, and the governor. The
9 expert review panel must report findings and recommendations to the
10 transportation committees of the legislature, the governor's Alaskan
11 Way viaduct project oversight committee, and the transportation
12 commission annually until the project is operationally complete. This
13 subsection takes effect if chapter ... (Substitute House Bill No.
14 1957), Laws of 2013 is not enacted by June 30, 2013.

15 ~~((11) — \$7,408,000))~~ (10) — \$7,103,000 of the transportation
16 partnership account--state appropriation, ~~((14,594,000))~~ \$22,774,000
17 of the transportation 2003 account (nickel account)--state
18 appropriation, ~~((3,730,000 — of — the — motor — vehicle — account — state~~
19 ~~appropriation,))~~ \$1,000,000 of the multimodal transportation account--
20 state appropriation, and ~~((41,395,000))~~ \$51,712,000 of the motor
21 vehicle account--federal appropriation are provided solely for the US
22 395/North Spokane Corridor projects (600010A & 600003A). Any future
23 savings on the projects must stay on the US 395/Interstate 90 corridor
24 and be made available to the current phase of the North Spokane
25 corridor projects or any future phase of the projects.

26 ~~((12) — \$114,369,000))~~ (11) — \$129,952,000 of the transportation
27 partnership account--state appropriation and ~~((53,755,000))~~
28 \$58,583,000 of the transportation 2003 account (nickel account)--state
29 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
30 2 - Widening project (8BI1002). This project must be completed as soon
31 as practicable as a design-build project. Any future savings on this
32 project or other Interstate 405 corridor projects must stay on the
33 Interstate 405 corridor and be made available to either the I-405/SR
34 167 Interchange - Direct Connector project (140504C) or the I-405
35 Renton to Bellevue project.

36 ~~((13))~~ (12)(a) The SR 520 Bridge Replacement and HOV project
37 ~~((0BI1003))~~ (8BI1003) is supported over time from multiple sources,

1 including a \$300,000,000 TIFIA loan, (~~(\$819,524,625)~~) \$923,000,000 in
2 Garvee bonds, toll revenues, state bonds, interest earnings, and other
3 miscellaneous sources.

4 (b) The state route number 520 corridor account--state
5 appropriation includes up to (~~(\$668,142,000)~~) \$814,784,000 in proceeds
6 from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

7 (c) The state route number 520 corridor account--federal
8 appropriation includes up to \$300,000,000 in proceeds from the sale of
9 bonds authorized in RCW 47.10.879 and 47.10.886.

10 (d) (~~(\$153,124,000)~~) \$165,175,000 of the transportation partnership
11 account--state appropriation, \$300,000,000 of the state route number
12 520 corridor account--federal appropriation, and (~~(\$737,205,000)~~)
13 \$880,111,000 of the state route number 520 corridor account--state
14 appropriation are provided solely for the SR 520 Bridge Replacement and
15 HOV project (~~(+0BI1003)~~) (8BI1003). Of the amounts appropriated in
16 this subsection (~~(+13)~~) (12)(d), (~~(\$105,085,000)~~) \$84,001,000 of the
17 state route number 520 corridor account--federal appropriation and
18 (~~(\$227,415,000)~~) \$354,411,000 of the state route number 520 corridor
19 account--state appropriation must be put into unallotted status and are
20 subject to review by the office of financial management. The director
21 of the office of financial management shall consult with the joint
22 transportation committee prior to making a decision to allot these
23 funds.

24 (e) When developing the financial plan for the project, the
25 department shall assume that all maintenance and operation costs for
26 the new facility are to be covered by tolls collected on the toll
27 facility and not by the motor vehicle account.

28 (f) The legislature finds that the most appropriate way to pay for
29 the cost overruns related to change orders, additional sales tax, and
30 future risks associated with pontoon design errors is for the state to
31 issue triple pledge bonds in the 2015-2017 fiscal biennium resulting in
32 \$110,961,000 in proceeds, and use efficiencies, including the use of
33 least cost planning or practical design, and favorable bids in the
34 highway construction program to generate an additional \$61,066,000
35 towards paying for the estimated project overruns. Of this additional
36 \$61,066,000, \$33,866,000 should come from the transportation
37 partnership account--state appropriation and \$27,200,000 should come
38 from federal funds. As the department identifies savings in federal

1 funds during the 2013-2015 fiscal biennium, the department shall
2 prioritize the use of these funds towards the anticipated \$27,200,000
3 in federal funds needed to address cost overruns before expending state
4 funds during this fiscal biennium. The legislature assumes that
5 issuing bonds to complete this project as listed in LEAP Transportation
6 Document 2014-1 as developed March 10, 2014, does not require a
7 comprehensive financial plan for a project that completes the state
8 route number 520 corridor to Interstate 5.

9 (g) The department's 2014 supplemental budget allotment submittal
10 must include a project-specific plan detailing how the department will
11 achieve the mandatory budget savings in (f) of this subsection,
12 including the use of least cost planning or practical design as a means
13 to generate savings, as referenced in subsection (23) of this section.
14 The use of least cost planning or practical design may result in a
15 reduction of project cost, but not a reduction of functional scope.
16 The director of financial management shall notify the transportation
17 committees of the legislature in writing seven days prior to approving
18 any allotment modifications under this subsection.

19 (13) Within the amounts provided in this section, the department
20 must continue to work with the Seattle department of transportation in
21 their joint planning, design, outreach, and operation of the remaining
22 west side elements including, but not limited to, the Montlake lid, the
23 bicycle/pedestrian path, the effective network of transit connections,
24 and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV
25 project.

26 (14) (~~(\$1,100,000)~~) \$1,062,000 of the motor vehicle account--
27 federal appropriation is provided solely for the 31st Ave SW Overpass
28 Widening and Improvement project (L1100048).

29 (15) (~~(\$22,602,000)~~) \$25,243,000 of the motor vehicle account--
30 state appropriation is provided solely to advance the design,
31 preliminary engineering, and rights-of-way acquisition for the priority
32 projects identified in LEAP Transportation Document (~~(2013-3)~~) 2014-3
33 as developed (~~(April 23, 2013)~~) March 10, 2014. Funds must be used to
34 advance the emergent, initial development of these projects for the
35 purpose of expediting delivery of the associated major investments when
36 funding for such investments becomes available. Funding may be
37 reallocated between projects to maximize the accomplishment of design
38 and preliminary engineering work and rights-of-way acquisition,

1 provided that all projects are addressed. It is the intent of the
2 legislature that, while seeking to maximize the outcomes in this
3 section, the department shall provide for continuity of both the state
4 and consulting engineer workforce, while strategically utilizing
5 private sector involvement to ensure consistency with the department's
6 business plan for staffing in the highway construction program in the
7 current fiscal biennium.

8 (16) If a planned roundabout in the vicinity of state route number
9 526 and 84th Street SW would divert commercial traffic onto
10 neighborhood streets, the department may not proceed with improvements
11 at state route number 526 and 84th Street SW until the traffic impacts
12 in the vicinity of state route number 526 and 40th Avenue West are
13 addressed.

14 (17) The legislature finds that there are sixteen companies
15 involved in wood preserving in the state that employ four hundred
16 workers and have an annual payroll of fifteen million dollars. Prior
17 to the department's switch to steel guardrails, ninety percent of the
18 twenty-five hundred mile guardrail system was constructed of preserved
19 wood and one hundred ten thousand wood guardrail posts were produced
20 annually for state use. Moreover, the policy of using steel posts
21 requires the state to use imported steel. Given these findings, where
22 practicable, and until June 30, 2015, the department shall include the
23 design option to use wood guardrail posts, in addition to steel posts,
24 in new guardrail installations. The selection of posts must be
25 consistent with the agency design manual policy that existed before
26 December 2009.

27 (18) The legislature finds that "right-sizing" is a lean,
28 metric-based approach to determining project investments. This concept
29 entails compromise between project cost and design, incorporating local
30 community needs, desired outcomes, and available funding. Furthermore,
31 the legislature finds that the concepts and principles the department
32 has utilized in the safety analyst program have been effective tools to
33 prioritize projects and reduce project costs. Therefore, the
34 department shall establish a pilot project on the SR 3/Belfair Bypass
35 - New Alignment (300344C) to begin implementing the concept of
36 "right-sizing" in the highway construction program.

37 (19) For urban corridors that are all or partially within a
38 metropolitan planning organization boundary, for which the department

1 has not initiated environmental review, and that require an
2 environmental impact statement, at least one alternative must be
3 consistent with the goals set out in RCW 47.01.440.

4 (20) The department shall itemize all future requests for the
5 construction of buildings on a project list and submit them through the
6 transportation executive information system as part of the department's
7 2014 budget submittal. It is the intent of the legislature that new
8 facility construction must be transparent and not appropriated within
9 larger highway construction projects.

10 (21) (~~(\$28,963,000)~~) \$19,513,000 of the motor vehicle account--
11 state appropriation (~~(is)~~) and \$9,450,000 of the motor vehicle
12 account--federal appropriation are provided solely for improvement
13 program support activities (095901X). \$18,000,000 of this amount must
14 be held in unallotted status until the office of financial management
15 certifies that the department's 2014 supplemental budget request
16 conforms to the terms of subsection (20) of this section.

17 (~~(+23+)~~) (22) Any new advisory group that the department convenes
18 during the 2013-2015 fiscal biennium must be representative of the
19 interests of the entire state of Washington.

20 (23) Practical design offers targeted benefits to a state
21 transportation system within available fiscal resources. This delivers
22 value not just for individual projects, but for the entire system.
23 Applying practical design standards will also preserve and enhance
24 safety and mobility. The department shall implement a practical design
25 strategy for transportation design standards. By June 30, 2015, the
26 department shall report to the governor and the house of
27 representatives and senate transportation committees on where practical
28 design has been applied or is intended to be applied in the department
29 and the cost savings resulting from the use of practical design.

30 (24) The department of transportation shall accept transfer to the
31 state highway system of Quarry Road (also known as the Granite Falls
32 Alternate Route) as a partially controlled limited access facility,
33 consistent with the right-of-way and limited access plan adopted by
34 Snohomish county and the city of Granite Falls in 2008. The department
35 of transportation shall defend any and all claims related to access and
36 challenges to the limited access designation. This subsection takes
37 effect ninety days after the date the governor signs this act if an

1 agreement between the department of transportation and Snohomish county
2 has not been signed by the effective date of this act.

3 **Sec. 307.** 2013 c 306 s 307 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

6	Transportation Partnership Account--State	
7	Appropriation	((\$36,480,000))
8		<u>\$34,966,000</u>
9	Highway Safety Account--State Appropriation	((\$10,000,000))
10		<u>\$13,500,000</u>
11	Motor Vehicle Account--State Appropriation	((\$58,503,000))
12		<u>\$59,796,000</u>
13	Motor Vehicle Account--Federal Appropriation	((\$580,062,000))
14		<u>\$595,604,000</u>
15	Motor Vehicle Account--Private/Local Appropriation	((\$11,270,000))
16		<u>\$11,827,000</u>
17	Transportation 2003 Account (Nickel Account)--State	
18	Appropriation	((\$2,285,000))
19		<u>\$2,650,000</u>
20	<u>Tacoma Narrows Toll Bridge Account--State Appropriation</u>	<u>\$120,000</u>
21	TOTAL APPROPRIATION	((\$698,600,000))
22		<u>\$718,463,000</u>

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

25 (1) Except as provided otherwise in this section, the entire
26 transportation 2003 account (nickel account) appropriation and the
27 entire transportation partnership account appropriation are provided
28 solely for the projects and activities as listed by fund, project, and
29 amount in LEAP Transportation Document ((~~2013-1~~)) 2014-1 as developed
30 ((~~April-23,-2013~~)) March 10, 2014, Program - Highway Preservation
31 Program (P). However, limited transfers of specific line-item project
32 appropriations may occur between projects for those amounts listed
33 subject to the conditions and limitations in section ((~~603~~)) 601 of
34 this act.

35 (2) Except as provided otherwise in this section, the entire motor
36 vehicle account--state appropriation and motor vehicle account--federal
37 appropriation are provided solely for the projects and activities

1 listed in LEAP Transportation Document ((2013-2)) 2014-2 ALL PROJECTS
2 as developed ((April-23,-2013)) March 10, 2014, Program - Highway
3 Preservation Program (P). ((It is the intent of the legislature to
4 direct)) The department ((to give first priority of)) shall apply any
5 federal funds gained through efficiencies or the redistribution process
6 in an amount up to \$27,200,000 for cost overruns related to the pontoon
7 design errors on the SR 520 Bridge Replacement and HOV project
8 (8BI1003) as described in section 306(12)(f) of this act. Any federal
9 funds gained through efficiencies or the redistribution process that
10 are in excess of \$27,200,000 must then be applied to the "Contingency
11 (Unfunded) Highway Preservation Projects" as identified in LEAP
12 Transportation Document ((2013-2)) 2014-2 ALL PROJECTS as developed
13 ((April-23,-2013)) March 10, 2014, Program - Highway Preservation
14 Program (P). However, no additional federal funds may be allocated to
15 the I-5/Columbia River Crossing project (400506A).

16 (3) Within the motor vehicle account--state appropriation and motor
17 vehicle account--federal appropriation, the department may transfer
18 funds between programs I and P, except for funds that are otherwise
19 restricted in this act.

20 (4) ((~~\$27,278,000~~)) \$26,610,000 of the motor vehicle account--
21 federal appropriation, \$51,000 ((and ~~\$1,141,000~~)) of the motor vehicle
22 account--state appropriation, and \$769,000 of the highway safety
23 account--state appropriation are provided solely for the SR
24 167/Puyallup River Bridge Replacement project (316725A). This project
25 must be completed as a design-build project. The department must work
26 with local jurisdictions and the community during the environmental
27 review process to develop appropriate esthetic design elements, at no
28 additional cost to the department, and traffic management plans
29 pertaining to this project. The department must report to the
30 transportation committees of the legislature on estimated cost and/or
31 time savings realized as a result of using the design-build process.

32 (5) The department shall examine the use of electric arc furnace
33 slag for use as an aggregate for new roads and paving projects in high
34 traffic areas and report back to the legislature on its current use in
35 other areas of the country and any characteristics that can provide
36 greater wear resistance and skid resistance in new pavement
37 construction.

1 **Sec. 308.** 2013 c 306 s 308 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
4 **CAPITAL**

5	Motor Vehicle Account--State Appropriation	((\$3,194,000))
6		<u>\$4,915,000</u>
7	Motor Vehicle Account--Federal Appropriation	((\$7,959,000))
8		<u>\$9,152,000</u>
9	<u>Motor Vehicle Account--Private/Local Appropriation</u>	<u>\$200,000</u>
10	TOTAL APPROPRIATION	((\$11,153,000))
11		<u>\$14,267,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations: ((~~\$694,000~~)) \$195,000 of the motor vehicle
14 account--state appropriation is provided solely for project 000005Q as
15 state matching funds for federally selected competitive grants or
16 congressional earmark projects. These moneys must be placed into
17 reserve status until such time as federal funds are secured that
18 require a state match.

19 **Sec. 309.** 2013 c 306 s 309 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
22 **CONSTRUCTION--PROGRAM W**

23	Puget Sound Capital Construction Account--State	
24	Appropriation	((\$53,036,000))
25		<u>\$63,825,000</u>
26	Puget Sound Capital Construction Account--Federal	
27	Appropriation	((\$91,692,000))
28		<u>\$118,444,000</u>
29	Puget Sound Capital Construction Account--Private/Local	
30	Appropriation	((\$1,145,000))
31		<u>\$1,312,000</u>
32	Multimodal Transportation Account--State	
33	Appropriation	((\$1,534,000))
34		<u>\$2,588,000</u>
35	Transportation 2003 Account (Nickel Account)--State	
36	Appropriation	((\$143,941,000))
37		<u>\$190,031,000</u>

1 Transportation Partnership Account--State

2	<u>Appropriation</u>	<u>\$2,813,000</u>
3	TOTAL APPROPRIATION	<u>((\$291,348,000)</u>
4		<u>\$379,013,000</u>

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

7 (1) Except as provided otherwise in this section, the entire
8 appropriations in this section are provided solely for the projects and
9 activities as listed in LEAP Transportation Document ((~~2013-2~~)) 2014-2
10 ALL PROJECTS as developed ((~~April 23, 2013~~)) March 10, 2014, Program -
11 Washington State Ferries Capital Program (W).

12 (2) The Puget Sound capital construction account--state
13 appropriation includes up to \$20,000,000 in proceeds from the sale of
14 bonds authorized in RCW 47.10.843.

15 (3) ((~~\$143,633,000~~)) \$137,425,000 of the transportation 2003
16 account (nickel account)--state appropriation ((~~is~~)), \$2,338,000 of the
17 transportation partnership account--state appropriation, and \$300,000
18 of the Puget Sound capital construction account--federal appropriation
19 are provided solely for the acquisition of two 144-car vessels
20 (projects L2200038 and L2200039). The department shall use as much
21 already procured equipment as practicable on the 144-car vessels.

22 (4) ((~~\$8,270,000~~)) \$14,728,000 of the Puget Sound capital
23 construction account--federal appropriation, ((~~\$3,935,000~~)) \$4,038,000
24 of the Puget Sound capital construction account--state appropriation,
25 and ((~~\$1,534,000~~)) \$1,535,000 of the multimodal transportation
26 account--state appropriation are provided solely for the Mukilteo ferry
27 terminal (project 952515P). To the greatest extent practicable, the
28 department shall seek additional federal funding for this project.
29 Within the multimodal transportation account--state appropriation
30 amount provided in this subsection, the department shall lease to the
31 city in which the project is located a portion of the department's
32 property associated with this project to provide safe, temporary public
33 access from the easterly terminus of First Street to the vicinity of
34 Front Street. The department shall provide the lease at no cost in
35 recognition of the impacts of this project to the city and require
36 appropriate liability and maintenance coverage in the terms of the
37 lease. Public access must be installed and removed at no cost to the
38 state prior to construction of the multimodal terminal project.

1 (5) (~~(\$4,000,000)~~) \$4,935,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for
3 emergency capital repair costs (project 999910K). Funds may only be
4 spent after approval by the office of financial management.

5 (6) Consistent with RCW 47.60.662, which requires the Washington
6 state ferry system to collaborate with passenger-only ferry and transit
7 providers to provide service at existing terminals, the department
8 shall ensure that multimodal access, including for passenger-only
9 ferries and transit service providers, is not precluded by any future
10 modifications at the terminal.

11 (7) (~~(\$3,800,000)~~) \$4,026,000 of the Puget Sound capital
12 construction account--state appropriation is provided solely for the
13 reservation and communications system projects (L200041 & L200042).

14 (8) \$4,210,000 of the Puget Sound capital construction account--
15 state appropriation is provided solely for the capital program share of
16 \$7,259,000 in lease payments for the ferry division's headquarters
17 building. Consistent with the 2012 facilities oversight plan, the
18 department shall strive to consolidate office space in downtown Seattle
19 by the end of 2015. The department shall consider renewing the lease
20 for the ferry division's current headquarters building only if the
21 lease rate is reduced at least fifty percent and analysis shows that
22 this is the least cost and risk option for the department.
23 Consolidation with other divisions or state agencies, or a reduction in
24 leased space, must also be considered as part of any headquarters lease
25 renewal analysis.

26 (9) (~~(\$21,950,000)~~) \$23,737,000 of the total appropriation is for
27 preservation work on the Hyak super class vessel (project 944431D),
28 including installation of a power management system and more efficient
29 propulsion systems, that in combination are anticipated to save up to
30 twenty percent in fuel and reduce maintenance costs. Upon completion
31 of this project, the department shall provide a report to the
32 transportation committees of the legislature on the fuel and
33 maintenance savings achieved for this vessel and the potential to save
34 additional funds through other vessel conversions.

35 (10) The transportation 2003 account (nickel account)--state
36 appropriation includes up to \$50,000,000 in proceeds from the sale of
37 bonds authorized in RCW 47.10.861.

1 (11) \$50,000,000 of the transportation 2003 account (nickel
2 account)--state appropriation is provided solely for the acquisition of
3 one 144-car vessel (project L1000063). If chapter . . . (Engrossed
4 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
5 replacement) is not enacted by June 30, 2014, the amount provided in
6 the subsection lapses.

7 (12) If the department pursues a conversion of the existing diesel
8 powered Issaquah class fleet to a different fuel source or engine
9 technology, the department must use a design-build procurement process.

10 (13) \$350,000 of the Puget Sound capital construction account--
11 state appropriation is provided solely for the issuance of a request
12 for proposals to convert the Issaquah class vessels to use liquefied
13 natural gas and to provide a one-time stipend to the entity awarded the
14 conversion contract. Of the amounts provided in this subsection:

15 (a) \$100,000 of the Puget Sound capital construction account--state
16 appropriation is for the department to issue a request for proposals
17 for a design-build contract consistent with RCW 47.20.780 to convert
18 six Issaquah class vessels to be powered by liquefied natural gas.
19 Consistent with RCW 47.56.030(2)(c), the legislature finds that the
20 performance needs of the department in converting to liquefied natural
21 gas are for engines with the lowest life-cycle costs, and the
22 department must weigh this criteria as a priority when evaluating the
23 proposals. To encourage cost saving ideas, the department shall limit
24 prescribing design elements in the proposal to those approved or
25 required by the United States coast guard in the liquefied natural gas
26 waterways suitability assessment or those otherwise essential to
27 provide clear direction to bidders. The request for proposals must
28 include a process for evaluating proposals that may include alternative
29 financing arrangements that are in compliance with state private
30 financing law. When evaluating the financial merits of any liquefied
31 natural gas conversion request for proposals, the department shall give
32 consideration to the inability of the state to fund a liquefied natural
33 gas conversion using currently available public resources. The
34 department shall issue the request for proposals within forty-five days
35 of rejecting the liquefied natural gas request for proposals issued
36 under section 308(11), chapter 86, Laws of 2012 or receiving final
37 findings from the United States coast guard on the liquefied natural
38 gas waterways suitability assessment, whichever is later.

1 (b) \$250,000 of the Puget Sound capital construction account--state
2 appropriation is for the entity awarded the contract pursuant to this
3 subsection.

4 **Sec. 310.** 2013 c 306 s 310 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

7	Essential Rail Assistance Account--State	
8	Appropriation	((\$861,000))
9		<u>\$1,020,000</u>
10	Transportation Infrastructure Account--State	
11	Appropriation	((\$8,582,000))
12		<u>\$9,190,000</u>
13	Multimodal Transportation Account--State	
14	Appropriation	((\$33,156,000))
15		<u>\$44,085,000</u>
16	Multimodal Transportation Account--Federal	
17	Appropriation	((\$333,881,000))
18		<u>\$430,193,000</u>
19	<u>Multimodal Transportation Account--Private/Local</u>	
20	<u>Appropriation</u>	<u>\$409,000</u>
21	TOTAL APPROPRIATION	((\$376,480,000))
22		<u>\$484,897,000</u>

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

25 (1)(a) Except as provided otherwise in this section, the entire
26 appropriations in this section are provided solely for the projects and
27 activities as listed by project and amount in LEAP Transportation
28 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
29 March 10, 2014, Program - Rail ((~~Capital~~)) Program (Y).

30 (b) Within the amounts provided in this section, ((~~\$7,332,000~~))
31 \$7,669,000 of the transportation infrastructure account--state
32 appropriation is for low-interest loans through the freight rail
33 investment bank program identified in the LEAP transportation document
34 referenced in (a) of this subsection. The department shall issue
35 freight rail investment bank program loans with a repayment period of
36 no more than ten years, and only so much interest as is necessary to
37 recoup the department's costs to administer the loans.

1 (c) Within the amounts provided in this section, (~~(\$2,439,000)~~)
2 \$2,440,000 of the multimodal transportation account--state
3 appropriation, \$1,250,000 of the transportation infrastructure
4 account--state appropriation, and \$311,000 of the essential rail
5 assistance account--state appropriation are for statewide emergent
6 freight rail assistance projects identified in the LEAP transportation
7 document referenced in (a) of this subsection.

8 (2) Unsuccessful 2012 freight rail assistance program grant
9 applicants may be awarded freight rail investment bank program loans,
10 if eligible. (~~(If any funds remain in the freight rail investment bank~~
11 ~~or freight rail assistance program reserves (projects F01001A and~~
12 ~~F01000A), or any approved grants or loans are terminated,)) The
13 department shall issue a call for projects for the freight rail
14 investment bank loan program and the freight rail assistance grant
15 program, and shall evaluate the applications in a manner consistent
16 with past practices as specified in section 309, chapter 367, Laws of
17 2011. By November 1, (~~(2013)~~) 2014, the department shall submit a
18 prioritized list of recommended projects to the office of financial
19 management and the transportation committees of the legislature.~~

20 (3) (~~(\$314,647,000)~~) \$424,400,000 of the multimodal transportation
21 account--federal appropriation and (~~(\$4,867,000)~~) \$10,658,000 of the
22 multimodal transportation account--state appropriation are provided
23 solely for expenditures related to passenger high-speed rail grants.
24 Except for the Mount Vernon project (P01101A), the multimodal
25 transportation account--state appropriation funds reflect one and one-
26 half percent of the total project funds, and are provided solely for
27 expenditures that are not eligible for federal reimbursement. Of the
28 amounts provided in this subsection, \$31,500,000 of the multimodal
29 transportation account--federal appropriation is provided solely for
30 the purchase of two new train sets for the state-supported intercity
31 passenger rail service. The department must apply for any federal
32 waivers required to purchase the new train sets, as allowable under
33 existing competitive bidding practices, and seek federal funds in
34 addition to those available from the high-speed rail grants.

35 (4) As allowable under federal rail authority rules and existing
36 competitive bidding practices, when purchasing new train sets, the
37 department shall give preference to bidders that propose train sets

1 with characteristics and maintenance requirements most similar to those
2 currently owned by the department.

3 (5) The department shall provide quarterly reports to the office of
4 financial management and the transportation committees of the
5 legislature regarding applications that the department submits for
6 federal funds and the status of such applications.

7 (6)(a) (~~(\$550,000)~~) \$709,000 of the essential rail assistance
8 account--state appropriation, \$241,000 of the transportation
9 infrastructure account--state appropriation, and \$1,893,000 of the
10 multimodal transportation account--state appropriation are provided
11 solely for the purpose of rehabilitation and maintenance of the Palouse
12 river and Coulee City railroad line (project F01111B). The department
13 shall complete an evaluation and assessment of future maintenance needs
14 on the line to ensure appropriate levels of state investment.

15 (b) Expenditures from the essential rail assistance account--state
16 appropriation in this section may not exceed the combined total of:

17 (i) Revenues deposited into the essential rail assistance account
18 from leases and sale of property pursuant to RCW 47.76.290; and

19 (ii) Revenues transferred from the miscellaneous program account to
20 the essential rail assistance account, pursuant to RCW 47.76.360, for
21 the purpose of sustaining the grain train program by maintaining the
22 Palouse river and Coulee City railroad line.

23 (~~(\$31,500,000 of the multimodal transportation account--federal~~
24 ~~appropriation is provided solely for the purchase of two new train sets~~
25 ~~for the state-supported intercity passenger rail service. The~~
26 ~~department must apply for any federal waivers required to purchase the~~
27 ~~new train sets, as allowable under existing competitive bidding~~
28 ~~practices, and seek federal funds in addition to those available from~~
29 ~~the high-speed rail grants)) (a) When the department identifies a
30 prospective rail project that may have strategic significance for the
31 state, or at the request of a proponent of a prospective rail project
32 or a member of the legislature, the department shall evaluate the
33 prospective project according to the cost-benefit methodology developed
34 during the 2008 interim using the legislative priorities specified in
35 (b) of this subsection. The department shall report its cost-benefit
36 evaluation of the prospective rail project, as well as the department's
37 best estimate of an appropriate construction schedule and total project~~

1 costs, to the office of financial management and the transportation
2 committees of the legislature.

3 (b) The legislative priorities to be used in the cost-benefit
4 methodology are, in order of relative importance:

5 (i) Economic, safety, or environmental advantages of freight
6 movement by rail compared to alternative modes;

7 (ii) Self-sustaining economic development that creates family-wage
8 jobs;

9 (iii) Preservation of transportation corridors that would otherwise
10 be lost;

11 (iv) Increased access to efficient and cost-effective transport to
12 market for Washington's agricultural and industrial products;

13 (v) Better integration and cooperation within the regional,
14 national, and international systems of freight distribution; and

15 (vi) Mitigation of impacts of increased rail traffic on
16 communities.

17 **Sec. 311.** 2013 c 306 s 311 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
20 **CAPITAL**

21 Highway Infrastructure Account--State Appropriation	\$207,000
22 Highway Infrastructure Account--Federal	
23 Appropriation	\$1,602,000
24 (Freight Mobility Investment Account--State	
25 Appropriation	\$11,794,000)
26 Transportation Partnership Account--State	
27 Appropriation	(\$7,214,000)
28	<u>\$9,236,000</u>
29 Highway Safety Account--State Appropriation	(\$11,255,000)
30	<u>\$8,915,000</u>
31 Motor Vehicle Account--State Appropriation	(\$6,918,000)
32	<u>\$2,201,000</u>
33 Motor Vehicle Account--Federal Appropriation	(\$28,413,000)
34	<u>\$34,581,000</u>
35 (Freight Mobility Multimodal Account--State	
36 Appropriation	\$9,736,000
37 Freight Mobility Multimodal Account--Private/Local	

1	Appropriation	\$1,320,000))
2	Multimodal Transportation Account--State	
3	Appropriation	((\$13,913,000))
4		<u>\$18,740,000</u>
5	TOTAL APPROPRIATION	((\$92,372,000))
6		<u>\$75,482,000</u>

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
10 appropriations in this section are provided solely for the projects and
11 activities as listed by project and amount in LEAP Transportation
12 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
13 March 10, 2014, Program - Local Programs (Z).

14 (2) With each department budget submittal, the department shall
15 provide an update on the status of the repayment of the twenty million
16 dollars of unobligated federal funds authority advanced by the
17 department in September 2010 to the city of Tacoma for the Murray
18 Morgan/11th Street bridge project. The department may negotiate with
19 the city of Tacoma an agreement for repayment of the funds over a
20 period of up to twenty-five years at terms agreed upon by the
21 department and the city. The funds previously advanced by the
22 department to the city are not to be considered a general obligation of
23 the city but instead an obligation payable from identified revenues set
24 aside for the repayment of the funds.

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

28 (a) ((~~\$12,160,000~~)) \$16,543,000 of the multimodal transportation
29 account--state appropriation, ((~~\$6,824,000~~)) \$8,724,000 of the
30 transportation partnership account--state appropriation, and \$62,000 of
31 the motor vehicle account--federal appropriation are provided solely
32 for pedestrian and bicycle safety program projects.

33 (b) \$11,700,000 of the motor vehicle account--federal
34 appropriation((~~7 - \$5,200,000 - of - the - motor - vehicle - account - state~~
35 ~~appropriation~~)) and \$6,750,000 of the highway safety account--state
36 appropriation are provided solely for newly selected safe routes to
37 school projects, and ((~~\$3,400,000~~)) \$6,503,000 of the motor vehicle
38 account--federal appropriation and ((~~\$2,055,000~~)) \$2,165,000 of the

1 highway safety account--state appropriation are reappropriated for safe
2 routes to school projects selected in the previous biennia. The amount
3 provided for new projects is consistent with federal funding levels
4 from the 2011-2013 omnibus transportation appropriations act and the
5 intent of the fee increases in chapter 74, Laws of 2012 and chapter 80,
6 Laws of 2012. ~~((The motor vehicle account--state appropriation in this
7 subsection (3)(b) is the amount made available by the repeal of the
8 deduction from motor vehicle fuel tax liability for handling losses of
9 motor vehicle fuel, as identified in chapter . . . (Substitute House
10 Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel).
11 If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not
12 enacted -- by -- June -- 30, -- 2013, -- the -- motor -- vehicle -- account--state
13 appropriation in this subsection (3)(b) lapses.))~~

14 (4) ~~(((\$84,000 of the motor vehicle account--state appropriation,
15 \$3,250,000 of the motor vehicle account--federal--appropriation,
16 \$2,450,000 of the highway safety account--state--appropriation,
17 \$11,794,000 of the freight mobility investment account--state
18 appropriation, \$9,736,000 of the freight mobility multimodal account--
19 state appropriation, and \$1,320,000 of the freight mobility multimodal
20 account--private/local--appropriation are provided solely for the
21 projects and activities as listed by project and amount in LEAP
22 Transportation Document 2013-B as developed April 23, 2013. If chapter
23 . . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June
24 30, 2013, the amounts provided in this subsection lapse.~~

25 ~~(5))~~ The department may enter into contracts and make expenditures
26 for projects on behalf of and selected by the freight mobility
27 strategic investment board from the amounts provided in section 301 of
28 this act.

29 ~~((+6))~~ (5) The department shall submit a report to the
30 transportation committees of the legislature by December 1, 2013, and
31 December 1, 2014, on the status of projects funded as part of the
32 pedestrian safety/safe routes to school grant program (0LP600P). The
33 report must include, but is not limited to, a list of projects selected
34 and a brief description of each project's status.

35 ~~((+7))~~ (6) \$50,000 of the motor vehicle account--state
36 appropriation is provided solely for the installation of a guard rail
37 on Deer Harbor Road in San Juan county (L2220054).

1 Appropriation: For transfer to the Puget Sound
2 Ferry Operations Account--State \$13,000,000
3 (3) Rural Mobility Grant Program Account--State
4 Appropriation: For transfer to the Multimodal
5 Transportation Account--State \$3,000,000
6 (4) Motor Vehicle Account--State
7 Appropriation: For transfer to the Special Category C
8 Account--State \$1,500,000
9 (5) Capital Vessel Replacement Account--State
10 Appropriation: For transfer to the Transportation 2003
11 Account (Nickel Account)--State (~~(\$7,702,000)~~)
12 \$7,571,000
13 (6) Multimodal Transportation Account--State
14 Appropriation: For transfer to the Public Transportation
15 Grant Program Account--State \$26,000,000
16 (7) Motor Vehicle Account--State Appropriation:
17 For transfer to the Puget Sound Ferry Operations
18 Account--State \$28,000,000
19 (8) Motor Vehicle Account--State Appropriation:
20 For transfer to the Puget Sound Capital Construction
21 Account--State \$28,000,000
22 (9) State Route Number 520 Civil Penalties
23 Account--State Appropriation: For transfer to the
24 State Route Number 520 Corridor Account--State \$886,000
25 (10) Multimodal Transportation Account--State
26 Appropriation: For transfer to the Highway Safety
27 Account--State (~~(\$10,000,000)~~)
28 \$14,000,000
29 (11) Motor Vehicle Account--State Appropriation:
30 For transfer to the State Patrol Highway
31 Account--State \$27,000,000
32 (12) Highway Safety Account--State Appropriation:
33 For transfer to the Puget Sound Ferry Operations
34 Account--State \$42,000,000
35 (13) Advanced Environmental Mitigation Revolving
36 Account--State Appropriation: For transfer to the Motor
37 Vehicle Account--State \$2,000,000
38 (14) Advanced Right-of-Way Revolving Fund--State

1 Appropriation: For transfer to the Motor Vehicle
2 Account--State \$6,000,000
3 (15) Tacoma Narrows Toll Bridge Account--State
4 Appropriation: For transfer to the Motor Vehicle
5 Account--State \$950,000
6 (16) License Plate Technology Account--State
7 Appropriation: For transfer to the Highway Safety
8 Account--State \$3,000,000
9 (17) Motor Vehicle Account--State Appropriation:
10 For transfer to the Transportation Equipment
11 Fund--State \$3,915,000
12 (18) (~~Multimodal Transportation Account--State~~
13 ~~Appropriation: For transfer to the Motor Vehicle~~
14 ~~Account--State \$10,000,000~~)
15 (a) Capital Vessel Replacement Account--State
16 Appropriation: For transfer to Transportation 2003
17 Account (Nickel Account)--State \$11,128,000
18 (b) If chapter . . . (Engrossed Second Substitute House Bill No.
19 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June
20 30, 2014, the amount transferred in (a) of this subsection lapses.
21 (19) Motor Vehicle Account--State Appropriation: For
22 transfer to the Interstate 405 Express Toll Lanes
23 Operations Account--State \$2,019,000

24 **COMPENSATION**

25 **Sec. 501.** 2013 c 306 s 517 (uncodified) is amended to read as
26 follows:

27 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
28 **BENEFITS**

29 No agreement has been reached between the governor and the health
30 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
31 biennium. Appropriations in this act for fiscal year 2014 for state
32 agencies, including institutions of higher education, are sufficient to
33 continue the provisions of the 2011-2013 collective bargaining
34 agreement. An agreement was reached between the governor and the
35 health care super coalition under chapter 41.80 RCW for fiscal year

1 2015. The agreement includes employer contributions to premiums at
2 eighty-five percent of the total weighted average of the projected
3 health care premiums. Appropriations in this act for fiscal year 2015
4 are sufficient to fund the provisions of the fiscal year 2015
5 collective bargaining agreement, and are subject to the following
6 conditions and limitations:

7 (1)(a) The monthly employer funding rate for insurance benefit
8 premiums, public employees' benefits board administration, and the
9 uniform medical plan must not exceed \$809 per eligible employee for
10 fiscal year 2014. For fiscal year 2015, the monthly employer funding
11 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

12 (b) In order to achieve the level of funding provided for health
13 benefits, the public employees' benefits board must require any of the
14 following: Employee premium copayments; increases in point-of-service
15 cost sharing; the implementation of managed competition; or other
16 changes to benefits consistent with the collective bargaining agreement
17 and RCW 41.05.065.

18 (c) The health care authority shall deposit any moneys received on
19 behalf of the uniform medical plan as a result of rebates on
20 prescription drugs, audits of hospitals, subrogation payments, or any
21 other moneys recovered as a result of prior uniform medical plan claims
22 payments into the public employees' and retirees' insurance account to
23 be used for insurance benefits. Such receipts must not be used for
24 administrative expenditures.

25 (2) The health care authority, subject to the approval of the
26 public employees' benefits board, shall provide subsidies for health
27 benefit premiums to eligible retired or disabled public employees and
28 school district employees who are eligible for medicare, pursuant to
29 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
30 \$150.00 per month.

31 **Sec. 502.** 2013 c 306 s 518 (uncodified) is amended to read as
32 follows:

33 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
34 **BENEFITS**

35 Appropriations for state agencies in this act are sufficient for
36 represented employees outside the super coalition for health benefits
37 and are subject to the following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan must not exceed \$809 per eligible employee for
4 fiscal year 2014. For fiscal year 2015, the monthly employer funding
5 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

6 (b) In order to achieve the level of funding provided for health
7 benefits, the public employees' benefits board shall require any of the
8 following: Employee premium copayments; increases in point-of-service
9 cost sharing; the implementation of managed competition; or other
10 changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on
12 behalf of the uniform medical plan as a result of rebates on
13 prescription drugs, audits of hospitals, subrogation payments, or any
14 other moneys recovered as a result of prior uniform medical plan claims
15 payments into the public employees' and retirees' insurance account to
16 be used for insurance benefits. Such receipts must not be used for
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the
19 public employees' benefits board, shall provide subsidies for health
20 benefit premiums to eligible retired or disabled public employees and
21 school district employees who are eligible for medicare, pursuant to
22 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
23 \$150.00 per month.

24 **Sec. 503.** 2013 c 306 s 519 (uncodified) is amended to read as
25 follows:

26 **COMPENSATION--NONREPRESENTED EMPLOYEES--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:

31 (1)(a) The monthly employer funding rate for insurance benefit
32 premiums, public employees' benefits board administration, and the
33 uniform medical plan must not exceed \$809 per eligible employee for
34 fiscal year 2014. For fiscal year 2015, the monthly employer funding
35 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

36 (b) In order to achieve the level of funding provided for health
37 benefits, the public employees' benefits board shall require any of the

1 following: Employee premium copayments; increases in point-of-service
2 cost sharing; the implementation of managed competition; or make other
3 changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on
5 behalf of the uniform medical plan as a result of rebates on
6 prescription drugs, audits of hospitals, subrogation payments, or any
7 other moneys recovered as a result of prior uniform medical plan claims
8 payments into the public employees' and retirees' insurance account to
9 be used for insurance benefits. Such receipts must not be used for
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the
12 public employees' benefits board, shall provide subsidies for health
13 benefit premiums to eligible retired or disabled public employees and
14 school district employees who are eligible for medicare, pursuant to
15 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
16 \$150.00 per month.

17 **IMPLEMENTING PROVISIONS**

18 **Sec. 601.** 2013 c 306 s 603 (uncodified) is amended to read as
19 follows:

20 **FUND TRANSFERS**

21 (1) The transportation 2003 projects or improvements and the 2005
22 transportation partnership projects or improvements are listed in the
23 LEAP list titled (~~(2013-1)~~) 2014-1, as developed (~~(April-23, 2013)~~)
24 March 10, 2014, which consists of a list of specific projects by fund
25 source and amount over a ten-year period. Current fiscal biennium
26 funding for each project is a line-item appropriation, while the outer
27 year funding allocations represent a ten-year plan. The department is
28 expected to use the flexibility provided in this section to assist in
29 the delivery and completion of all transportation partnership account
30 and transportation 2003 account (nickel account) projects on the LEAP
31 transportation documents referenced in this act. However, this section
32 does not apply to the I-5/Columbia River Crossing project (400506A).
33 For the 2011-2013 and 2013-2015 project appropriations, unless
34 otherwise provided in this act, the director of financial management
35 may authorize a transfer of appropriation authority between projects

1 funded with transportation 2003 account (nickel account)
2 appropriations, or transportation partnership account appropriations,
3 in order to manage project spending and efficiently deliver all
4 projects in the respective program under the following conditions and
5 limitations:

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

8 (b) Transfers from a project may not be made as a result of the
9 reduction of the scope of a project or be made to support increases in
10 the scope of a project;

11 (c) Each transfer between projects may only occur if the director
12 of financial management finds that any resulting change will not hinder
13 the completion of the projects as approved by the legislature. Until
14 the legislature reconvenes to consider the 2014 supplemental omnibus
15 transportation appropriations act, any unexpended 2011-2013
16 appropriation balance as approved by the office of financial
17 management, in consultation with the legislative staff of the house of
18 representatives and senate transportation committees, may be considered
19 when transferring funds between projects;

20 (d) Transfers from a project may be made if the funds appropriated
21 to the project are in excess of the amount needed to complete the
22 project;

23 (e) Transfers may not occur for projects not identified on the
24 applicable project list;

25 (f) Transfers may not be made while the legislature is in session;
26 and

27 (g) Transfers between projects may be made, without the approval of
28 the director of the office of financial management, by the department
29 of transportation until the transfer amount by project exceeds two
30 hundred fifty thousand dollars, or ten percent of the total project,
31 whichever is less. These transfers must be reported quarterly to the
32 director of financial management and the chairs of the house of
33 representatives and senate transportation committees.

34 (2) At the time the department submits a request to transfer funds
35 under this section, a copy of the request must be submitted to the
36 transportation committees of the legislature.

37 (3) The office of financial management shall work with legislative

1 staff of the house of representatives and senate transportation
2 committees to review the requested transfers in a timely manner.

3 (4) The office of financial management shall document approved
4 transfers and schedule changes in the transportation executive
5 information system, compare changes to the legislative baseline funding
6 and schedules identified by project identification number identified in
7 the LEAP transportation documents referenced in this act, and transmit
8 revised project lists to chairs of the transportation committees of the
9 legislature on a quarterly basis.

10 NEW SECTION. **Sec. 602.** A new section is added to 2013 c 306
11 (uncodified) to read as follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION**

13 Except as otherwise provided in this act, the department may enter
14 into a new agreement with King county for the purpose of public
15 transportation mitigation for the SR 99/Alaskan Way Viaduct -
16 Replacement project through the end of the 2013-2015 fiscal biennium.
17 Before expending any funds, the department must inform the
18 transportation committees of the legislature of the amount and source
19 of the funds.

20 NEW SECTION. **Sec. 603.** A new section is added to 2013 c 306
21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION**

23 (1) The department shall submit a report to the transportation
24 committees of the legislature detailing engineering errors on highway
25 construction projects resulting in project cost increases in excess of
26 five hundred thousand dollars. The department must submit a full
27 report within ninety days of the negotiated change order resulting from
28 the engineering error.

29 (2) The department's full report must include an assessment and
30 review of:

31 (a) How the engineering error happened;

32 (b) The department of the employee or employees responsible for the
33 engineering error, without disclosing the name of the employee or
34 employees;

35 (c) What corrective action was taken;

1 (d) The estimated total cost of the engineering error and how the
2 department plans to mitigate that cost;

3 (e) Whether the cost of the engineering error will impact the
4 overall project financial plan; and

5 (f) What action the secretary has recommended to avoid similar
6 engineering errors in the future.

7 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

8 **Sec. 701.** RCW 47.28.030 and 2011 c 367 s 710 are each amended to
9 read as follows:

10 (1)(a) A state highway shall be constructed, altered, repaired, or
11 improved, and improvements located on property acquired for
12 right-of-way purposes may be repaired or renovated pending the use of
13 such right-of-way for highway purposes, by contract or state forces.
14 The work or portions thereof may be done by state forces when the
15 estimated costs thereof are less than fifty thousand dollars and
16 effective July 1, 2005, sixty thousand dollars.

17 (b) When delay of performance of such work would jeopardize a state
18 highway or constitute a danger to the traveling public, the work may be
19 done by state forces when the estimated cost thereof is less than
20 eighty thousand dollars and effective July 1, 2005, one hundred
21 thousand dollars.

22 (c) When the department of transportation determines to do the work
23 by state forces, it shall enter a statement upon its records to that
24 effect, stating the reasons therefor.

25 (d) To enable a larger number of small businesses and veteran,
26 minority, and women contractors to effectively compete for department
27 of transportation contracts, the department may adopt rules providing
28 for bids and award of contracts for the performance of work, or
29 furnishing equipment, materials, supplies, or operating services
30 whenever any work is to be performed and the engineer's estimate
31 indicates the cost of the work would not exceed eighty thousand dollars
32 and effective July 1, 2005, one hundred thousand dollars.

33 (2) The rules adopted under this section:

1 (a) Shall provide for competitive bids to the extent that
2 competitive sources are available except when delay of performance
3 would jeopardize life or property or inconvenience the traveling
4 public; and

5 (b) Need not require the furnishing of a bid deposit nor a
6 performance bond, but if a performance bond is not required then
7 progress payments to the contractor may be required to be made based on
8 submittal of paid invoices to substantiate proof that disbursements
9 have been made to laborers, material suppliers, mechanics, and
10 subcontractors from the previous partial payment; and

11 (c) May establish prequalification standards and procedures as an
12 alternative to those set forth in RCW 47.28.070, but the
13 prequalification standards and procedures under RCW 47.28.070 shall
14 always be sufficient.

15 (3) The department of transportation shall comply with such goals
16 and rules as may be adopted by the office of minority and women's
17 business enterprises to implement chapter 39.19 RCW with respect to
18 contracts entered into under this chapter. The department may adopt
19 such rules as may be necessary to comply with the rules adopted by the
20 office of minority and women's business enterprises under chapter 39.19
21 RCW.

22 (4)(a) For the period of March 15, (~~(2010)~~) 2014, through June 30,
23 (~~(2013)~~) 2015, work for less than one hundred twenty thousand dollars
24 may be performed on ferry vessels and terminals by state forces.

25 (b) The department shall hire a disinterested, third party to
26 conduct an independent analysis to identify methods of reducing out-of-
27 service times for vessel maintenance, preservation, and improvement
28 projects. The analysis must include options that consider
29 consolidating work while vessels are at shipyards by having state
30 forces perform services traditionally performed at Eagle Harbor at the
31 shipyard and decreasing the allowable time at shipyards. The analysis
32 must also compare the out-of-service vessel times of performing
33 services by state forces versus contracting out those services which in
34 turn must be used to form a recommendation as to what the threshold of
35 work performed on ferry vessels and terminals by state forces should
36 be. This analysis must be presented to the transportation committees
37 of the senate and house of representatives by December 1, 2010.

1 (c) The department shall develop a proposed ferry vessel
2 maintenance, preservation, and improvement program and present it to
3 the transportation committees of the senate and house of
4 representatives by December 1, 2010. The proposed program must:

5 (i) Improve the basis for budgeting vessel maintenance,
6 preservation, and improvement costs and for projecting those costs into
7 a sixteen-year financial plan;

8 (ii) Limit the amount of planned out-of-service time to the
9 greatest extent possible, including options associated with department
10 staff as well as commercial shipyards; and

11 (iii) Be based on the service plan in the capital plan, recognizing
12 that vessel preservation and improvement needs may vary by route.

13 (d) In developing the proposed ferry vessel maintenance,
14 preservation, and improvement program, the department shall consider
15 the following, related to reducing vessel out-of-service time:

16 (i) The costs compared to benefits of Eagle Harbor repair and
17 maintenance facility operations options to include staffing costs and
18 benefits in terms of reduced out-of-service time;

19 (ii) The maintenance requirements for on-vessel staff, including
20 the benefits of a systemwide standard;

21 (iii) The costs compared to benefits of staff performing
22 preservation or maintenance work, or both, while the vessel is
23 underway, tied up between sailings, or not deployed;

24 (iv) A review of the department's vessel maintenance, preservation,
25 and improvement program contracting process and contractual
26 requirements;

27 (v) The costs compared to benefits of allowing for increased costs
28 associated with expedited delivery;

29 (vi) A method for comparing the anticipated out-of-service time of
30 proposed projects and other projects planned during the same
31 construction period;

32 (vii) Coordination with required United States coast guard dry
33 dockings;

34 (viii) A method for comparing how proposed projects relate to the
35 service requirements of the route on which the vessel normally
36 operates; and

37 (ix) A method for evaluating the ongoing maintenance and
38 preservation costs associated with proposed improvement projects.

1 **Sec. 702.** RCW 81.53.281 and 2003 c 190 s 3 are each amended to
2 read as follows:

3 There is hereby created in the state treasury a "grade crossing
4 protective fund" to carry out the provisions of RCW 81.53.261,
5 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or
6 subsidies to public, private, and nonprofit entities for rail safety
7 projects authorized or ordered by the commission; and for personnel and
8 associated costs related to supervising and administering rail safety
9 grants and/or subsidies. During the 2013-2015 fiscal biennium, funds
10 in this account may also be used to conduct the study required under
11 section 102 of this act. The commission shall transfer from the public
12 service revolving fund's miscellaneous fees and penalties accounts
13 moneys appropriated for these purposes as needed. At the time the
14 commission makes each allocation of cost to said grade crossing
15 protective fund, it shall certify that such cost shall be payable out
16 of said fund. When federal-aid highway funds are involved, the
17 department of transportation shall, upon entry of an order by the
18 commission requiring the installation or upgrading of a grade crossing
19 protective device, submit to the commission an estimate for the cost of
20 the proposed installation and related work. Upon receipt of the
21 estimate the commission shall pay to the department of transportation
22 the percentage of the estimate specified in RCW 81.53.295, as now or
23 hereafter amended, to be used as the grade crossing protective fund
24 portion of the cost of the installation and related work.

25 The commission may adopt rules for the allocation of money from the
26 grade crossing protective fund.

27 NEW SECTION. **Sec. 703.** A new section is added to 2013 c 306
28 (uncodified) to read as follows:

29 The office of the state treasurer shall explore the fiscal
30 implications with respect to outstanding motor vehicle fuel
31 transportation bonds and to future transportation bond sales, relating
32 to any reduction, refunding, crediting, or repeal of the motor vehicle
33 fuel tax, in whole or in part, that may occur in a transition to a
34 potential road usage charge by which transportation activities may be
35 funded in the future. The exploration of fiscal implications must
36 examine possible effects on the state credit rating, interest rates,
37 and other factors that affect the cost of financing transportation

1 projects. The draft report of this work must be shared with the
2 transportation committees of the legislature, the transportation
3 commission, and the office of financial management by September 1,
4 2014. A final report must be provided to the transportation committees
5 of the legislature, the transportation commission, and the office of
6 financial management by December 31, 2014.

7 **Sec. 704.** RCW 82.70.020 and 2013 c 306 s 718 are each amended to
8 read as follows:

9 (1) Employers in this state who are taxable under chapter 82.04 or
10 82.16 RCW and provide financial incentives to their own or other
11 employees for ride sharing, for using public transportation, for using
12 car sharing, or for using nonmotorized commuting before July 1,
13 ((2014)) 2015, are allowed a credit against taxes payable under
14 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
15 employees for ride sharing in vehicles carrying two or more persons,
16 for using public transportation, for using car sharing, or for using
17 nonmotorized commuting, not to exceed sixty dollars per employee per
18 fiscal year.

19 (2) Property managers who are taxable under chapter 82.04 or 82.16
20 RCW and provide financial incentives to persons employed at a worksite
21 in this state managed by the property manager for ride sharing, for
22 using public transportation, for using car sharing, or for using
23 nonmotorized commuting before July 1, ((2014)) 2015, are allowed a
24 credit against taxes payable under chapters 82.04 and 82.16 RCW for
25 amounts paid to or on behalf of these persons for ride sharing in
26 vehicles carrying two or more persons, for using public transportation,
27 for using car sharing, or for using nonmotorized commuting, not to
28 exceed sixty dollars per person per fiscal year.

29 (3) The credit under this section is equal to the amount paid to or
30 on behalf of each employee multiplied by fifty percent, but may not
31 exceed sixty dollars per employee per fiscal year. No refunds may be
32 granted for credits under this section.

33 (4) A person may not receive credit under this section for amounts
34 paid to or on behalf of the same employee under both chapters 82.04 and
35 82.16 RCW.

36 (5) A person may not take a credit under this section for amounts
37 claimed for credit by other persons.

1 **Sec. 705.** RCW 82.70.040 and 2013 c 306 s 719 are each amended to
2 read as follows:

3 (1)(a)(i) The department shall keep a running total of all credits
4 allowed under RCW 82.70.020 during each fiscal year. The department
5 shall not allow any credits that would cause the total amount allowed
6 to exceed two million seven hundred fifty thousand dollars in any
7 fiscal year. This limitation includes any deferred credits carried
8 forward under subsection (2)(b)(i) of this section from prior years.

9 (ii) During the 2013-2015 fiscal biennium, the department shall not
10 allow any credits that would cause the total amount allowed to exceed
11 one million five hundred thousand dollars in any fiscal year. This
12 limitation includes any deferred credits carried forward under
13 subsection (2)(b)(i) of this section from prior years.

14 (b) If the total amount of credit applied for by all applicants in
15 any year exceeds the limit in this subsection, the department shall
16 ratably reduce the amount of credit allowed for all applicants so that
17 the limit in this subsection is not exceeded. If a credit is reduced
18 under this subsection, the amount of the reduction may not be carried
19 forward and claimed in subsequent fiscal years.

20 (2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess
21 of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

22 (b)(i) Through June 30, 2005, a person with taxes equal to or in
23 excess of the credit under RCW 82.70.020, and therefore not subject to
24 the limitation in (a) of this subsection, may elect to defer tax
25 credits for a period of not more than three years after the year in
26 which the credits accrue. No credits deferred under this subsection
27 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
28 credits under this subsection (2)(b)(i) must submit an application as
29 provided in RCW 82.70.025 in the year in which the deferred tax credits
30 will be used. This application is subject to the provisions of
31 subsection (1) of this section for the year in which the tax credits
32 will be applied. If a deferred credit is reduced under subsection
33 (1)(b) of this section, the amount of deferred credit disallowed
34 because of the reduction may be carried forward as long as the period
35 of deferral does not exceed three years after the year in which the
36 credit was earned.

37 (ii) For credits approved by the department after June 30, 2005,
38 the approved credit may be carried forward to subsequent years until

1 used. Credits carried forward as authorized by this subsection are
2 subject to the limitation in subsection (1)(a) of this section for the
3 fiscal year for which the credits were originally approved.

4 (3) No person shall be approved for tax credits under RCW 82.70.020
5 in excess of two hundred thousand dollars in any fiscal year. This
6 limitation does not apply to credits carried forward from prior years
7 under subsection (2)(b) of this section.

8 (4) No person may claim tax credits after June 30, (~~(2014)~~) 2015.

9 (5) Credits may not be carried forward other than as authorized in
10 subsection (2)(b) of this section.

11 (6) No person is eligible for tax credits under RCW 82.70.020 if
12 the additional revenues for the multimodal transportation account
13 created by Engrossed Substitute House Bill No. 2231 are terminated.

14 **Sec. 706.** RCW 82.70.050 and 2003 c 364 s 5 are each amended to
15 read as follows:

16 (1) During the 2013-2015 fiscal biennium, the director shall on the
17 25th of February, May, August, and November of each year advise the
18 state treasurer of the amount of credit taken under RCW 82.70.020
19 during the preceding calendar quarter ending on the last day of
20 December, March, June, and September, respectively.

21 (2) On the last day of March, June, September, and December of each
22 year, the state treasurer, based upon information provided by the
23 department, shall deposit to the general fund a sum equal to the dollar
24 amount of the credit provided under RCW 82.70.020 from the multimodal
25 transportation account.

26 **Sec. 707.** RCW 82.70.900 and 2013 c 306 s 720 are each amended to
27 read as follows:

28 This chapter expires (~~(July 1, 2014, except for RCW 82.70.050,~~
29 ~~which expires January 1, 2015)) June 30, 2015.~~

30 **Sec. 708.** RCW 90.03.525 and 2005 c 319 s 140 are each amended to
31 read as follows:

32 (1) The rate charged by a local government utility to the
33 department of transportation with respect to state highway right-of-way
34 or any section of state highway right-of-way for the construction,
35 operation, and maintenance of storm water control facilities under

1 chapters 35.67, 35.92, 36.89, 36.94, 57.08, and 86.15 RCW, shall be
2 thirty percent of the rate for comparable real property, except as
3 otherwise provided in this section. The rate charged to the department
4 with respect to state highway right-of-way or any section of state
5 highway right-of-way within a local government utility's jurisdiction
6 shall not, however, exceed the rate charged for comparable city street
7 or county road right-of-way within the same jurisdiction. The
8 legislature finds that the aforesaid rates are presumptively fair and
9 equitable because of the traditional and continuing expenditures of the
10 department of transportation for the construction, operation, and
11 maintenance of storm water control facilities designed to control
12 surface water or storm water runoff from state highway rights-of-way.

13 (2) Charges paid under subsection (1) of this section by the
14 department of transportation must be used solely for storm water
15 control facilities that directly reduce (~~(state-highway)~~) runoff
16 impacts or implementation of best management practices that will reduce
17 the need for such facilities. (~~(By January 1st of each year, beginning~~
18 ~~with calendar year 1997, the local government utility, in coordination~~
19 ~~with the department, shall develop a plan for the expenditure of the~~
20 ~~charges for that calendar year. The plan must be consistent with the~~
21 ~~objectives identified in RCW 90.78.010. In addition, beginning with~~
22 ~~the submittal for 1998, the utility shall provide a progress report on~~
23 ~~the use of charges assessed for the prior year. No charges may be paid~~
24 ~~until the plan and report have been submitted to the department.)~~)

25 (3) The utility imposing the charge and the department of
26 transportation may, however, agree to either higher or lower rates with
27 respect to the construction, operation, or maintenance of any specific
28 storm water control facilities (~~(based upon the annual plan prescribed~~
29 ~~in subsection (2) of this section)~~). If, after mediation, the local
30 government utility and the department of transportation cannot agree
31 upon the proper rate, either may commence an action in the superior
32 court for the county in which the state highway right-of-way is located
33 to establish the proper rate. The court in establishing the proper
34 rate shall take into account the extent and adequacy of storm water
35 control facilities constructed by the department and the actual
36 benefits to the sections of state highway rights-of-way from storm
37 water control facilities constructed, operated, and maintained by the
38 local government utility. Control of surface water runoff and storm

1 water runoff from state highway rights-of-way shall be deemed an actual
2 benefit to the state highway rights-of-way. The rate for sections of
3 state highway right-of-way as determined by the court shall be set
4 forth in terms of the percentage of the rate for comparable real
5 property, but shall in no event exceed the rate charged for comparable
6 city street or county road right-of-way within the same jurisdiction.

7 (4) The legislature finds that the federal clean water act
8 (national pollutant discharge elimination system, 40 C.F.R. parts 122-
9 124), the state water pollution control act, chapter 90.48 RCW, and the
10 highway runoff program under chapter 90.71 RCW, mandate the treatment
11 and control of storm water runoff from state highway rights-of-way
12 owned by the department of transportation. Appropriations made by the
13 legislature to the department of transportation for the construction,
14 operation, and maintenance of storm water control facilities are
15 intended to address applicable federal and state mandates related to
16 storm water control and treatment. This section is not intended to
17 limit opportunities for sharing the costs of storm water improvements
18 between cities, counties, and the state.

19 **MISCELLANEOUS**

20 NEW SECTION. **Sec. 801.** If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 802.** Section 701 of this act takes effect if
25 chapter . . . (Engrossed House Bill No. 2684), Laws of 2014 (ferry
26 vessel and terminal work) is not enacted by April 15, 2014.

27 NEW SECTION. **Sec. 803.** Section 708 of this act expires June 30,
28 2015.

29 NEW SECTION. **Sec. 804.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

(End of Bill)

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