

SUBSTITUTE SENATE BILL 6497

State of Washington 66th Legislature 2020 Regular Session

By Senate Transportation (originally sponsored by Senators Hobbs and Saldaña; by request of Office of Financial Management)

READ FIRST TIME 02/28/20.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 36.79.020, 82.32.385, 47.66.110, 82.44.200, 82.44.135,
3 and 46.68.395; amending 2019 c 416 ss 103, 105, 108, 109, 201-223,
4 301, 303-311, 313, 401-408, 601, 606, and 701 (uncodified); adding
5 new sections to 2019 c 416 (uncodified); making appropriations and
6 authorizing expenditures for capital improvements; and declaring an
7 emergency.

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

2019-2021 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

11 **Sec. 101.** 2019 c 416 s 103 (uncodified) is amended to read as
12 follows:

13 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

14	Motor Vehicle Account—State Appropriation	((\$1,403,000))
15		<u>\$1,419,000</u>
16	Multimodal Transportation Account—State Appropriation. . . .	\$300,000
17	Puget Sound Ferry Operations Account—State Appropriation ((\$116,000))	
18		<u>\$121,000</u>
19	TOTAL APPROPRIATION.	((\$1,819,000))

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

(1) \$300,000 of the multimodal transportation account—state appropriation is provided solely for the office of financial management, in direct coordination with the office of state treasurer, to evaluate, coordinate, and assist in efforts by state agencies in developing cost recovery mechanisms for credit card and other financial transaction fees currently paid from state funds. This may include disbursing interagency reimbursements for the implementation costs incurred by the affected agencies. As part of the first phase of this effort, the office of financial management, with the assistance of relevant agencies, must develop implementation plans and take all necessary steps to ensure that the actual cost-recovery mechanisms will be in place by January 1, 2020, for the vehicles and drivers programs of the department of licensing. By November 1, 2019, the office of financial management must provide a report to the joint transportation committee on the phase 1 implementation plan and options to expand similar cost recovery mechanisms to other state agencies and programs, including the ferries division.

(2) Within existing resources, the office of financial management shall issue a request for information for an account-based system capable of processing state tolling, state ferry ticketing and reservations, and state parks discover pass transactions.

Sec. 102. 2019 c 416 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation	(\$1,357,000)
	<u>\$1,358,000</u>

Sec. 103. 2019 c 416 s 108 (uncodified) is amended to read as follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation	(\$5,228,000)
	<u>\$6,037,000</u>

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

1 (1) \$3,125,000 of the pilotage account—state appropriation is
2 provided solely for self-insurance liability premium expenditures;
3 however, this appropriation is contingent upon the board:

4 (a) Annually depositing the first one hundred fifty thousand
5 dollars collected through Puget Sound pilotage district pilotage
6 tariffs into the pilotage account; and

7 (b) Assessing a self-insurance premium surcharge of sixteen
8 dollars per pilotage assignment on vessels requiring pilotage in the
9 Puget Sound pilotage district.

10 (2) The board of pilotage commissioners shall file the annual
11 report to the governor and chairs of the transportation committees
12 required under RCW 88.16.035(1)(f) by September 1, 2019, and annually
13 thereafter. The report must include the continuation of policies and
14 procedures necessary to increase the diversity of pilots, trainees,
15 and applicants, including a diversity action plan. The diversity
16 action plan must articulate a comprehensive vision of the board's
17 diversity goals and the steps it will take to reach those goals.

18 **Sec. 104.** 2019 c 416 s 109 (uncodified) is amended to read as
19 follows:

20 **FOR THE HOUSE OF REPRESENTATIVES**

21 Motor Vehicle Account—State Appropriation (~~(\$2,861,000)~~)
22 \$3,081,000

23 **TRANSPORTATION AGENCIES—OPERATING**

24 **Sec. 201.** 2019 c 416 s 201 (uncodified) is amended to read as
25 follows:

26 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

27 Highway Safety Account—State Appropriation (~~(\$4,588,000)~~)
28 \$4,672,000

29 Highway Safety Account—Federal Appropriation (~~(\$27,035,000)~~)
30 \$27,047,000

31 Highway Safety Account—Private/Local Appropriation \$118,000

32 School Zone Safety Account—State Appropriation \$850,000

33 TOTAL APPROPRIATION. (~~(\$32,591,000)~~)
34 \$32,687,000

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

1 (1) \$150,000 of the highway safety account—state appropriation is
2 provided solely for the implementation of chapter 54 (~~((Substitute~~
3 ~~Senate Bill No. 5710))~~), Laws of 2019 (Cooper Jones Active
4 Transportation Safety Council). If chapter 54 (~~((Substitute Senate~~
5 ~~Bill No. 5710))~~), Laws of 2019 is not enacted by June 30, 2019, the
6 amount provided in this subsection lapses.

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

11 (a) Any programs authorized by the commission must be authorized
12 by December 31, (~~(2019))~~ 2020.

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

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

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

25 (ii) The law enforcement agency of the city or county government
26 shall (~~((plainly mark the locations))~~) install two signs facing
27 opposite directions within two hundred feet, or otherwise consistent
28 with the uniform manual on traffic control devices, where the
29 automated vehicle noise enforcement camera is used (~~((by placing signs~~
30 ~~on street locations that clearly indicate to a driver that he or she~~
31 ~~is entering a zone where traffic laws violations are being detected~~
32 ~~by automated vehicle noise enforcement cameras that record both audio~~
33 ~~and video))~~) that state "Street Racing Noise Pilot Program in
34 Progress";

35 (iii) Cities testing the use of automated vehicle noise
36 enforcement cameras must (~~((provide periodic notice by mail to its~~
37 ~~residents))~~) post information on the city web site and notify local
38 media outlets indicating the zones in which the automated vehicle
39 noise enforcement cameras will be used;

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

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

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

19 (vii) By June 30, 2021, the participating cities shall provide a
20 report to the commission and appropriate committees of the
21 legislature regarding the use, public acceptance, outcomes, warnings
22 issued, data retention and use, and other relevant issues regarding
23 automated vehicle noise enforcement cameras demonstrated by the pilot
24 projects.

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

1 completion of the demonstration project. No warnings or notices of
2 infraction may be issued under the demonstration project.

3 For purposes of the demonstration project, an automated
4 enforcement technology device may record an image of a driver and
5 passenger of a motor vehicle. The county and PTBA must erect signs
6 marking the locations where the automated enforcement for HOV
7 passenger requirements is occurring.

8 The PTBA, in consultation with the Washington traffic safety
9 commission, must provide a report to the transportation committees of
10 the legislature with the number of violations detected during the
11 demonstration project, whether the technology used was accurate and
12 any recommendations for future use of automated enforcement
13 technology for HOV lane enforcement by June 30, 2021.

14 **Sec. 202.** 2019 c 416 s 202 (uncodified) is amended to read as
15 follows:

16 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation	((\$1,137,000))
	<u>\$1,127,000</u>
Motor Vehicle Account—State Appropriation	((\$2,803,000))
	<u>\$2,780,000</u>
County Arterial Preservation Account—State	
Appropriation	((\$1,677,000))
	<u>\$1,662,000</u>
TOTAL APPROPRIATION.	((\$5,617,000))
	<u>\$5,569,000</u>

26 **Sec. 203.** 2019 c 416 s 203 (uncodified) is amended to read as
27 follows:

28 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State	
Appropriation	((\$4,526,000))
	<u>\$3,825,000</u>

32 **Sec. 204.** 2019 c 416 s 204 (uncodified) is amended to read as
33 follows:

34 **FOR THE JOINT TRANSPORTATION COMMITTEE**

Motor Vehicle Account—State Appropriation	((\$1,938,000))
	<u>\$1,936,000</u>

1	Multimodal Transportation Account—State Appropriation.	((\$750,000))
2		<u>\$682,000</u>
3	Highway Safety Account—State Appropriation.	\$275,000
4	TOTAL APPROPRIATION.	((\$2,963,000))
5		<u>\$2,893,000</u>

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

8 (1) \$400,000 of the motor vehicle account—state appropriation and
9 \$50,000 of the multimodal transportation account—state appropriation
10 is for the joint transportation committee to conduct a comprehensive
11 assessment of statewide transportation needs and priorities, and
12 existing and potential transportation funding mechanisms to address
13 those needs and priorities. The assessment must include: (a)
14 Recommendations on the critical state and local transportation
15 projects, programs, and services needed to achieve an efficient,
16 effective, statewide transportation system over the next ten years;
17 (b) a comprehensive menu of funding options for the legislature to
18 consider to address the identified transportation system investments;
19 ~~((and))~~ (c) recommendations on whether a revision to the statewide
20 transportation policy goals in RCW 47.04.280 is warranted in light of
21 the recommendations and options identified in (a) and (b) of this
22 subsection; and (d) an analysis of the economic impacts of a range of
23 future transportation investments. The assessment must be submitted
24 to the transportation committees of the legislature by June 30, 2020.
25 Starting July 1, 2020, and concluding by December 31, 2020, a
26 committee-appointed commission or panel shall review the assessment
27 and make final recommendations to the legislature for consideration
28 during the 2021 legislative session on a realistic, achievable plan
29 for funding transportation programs, projects, and services over the
30 next ten years including a timeline for legislative action on funding
31 the identified transportation system needs shortfall.

32 (2) (a) ((~~\$450,000~~)) \$382,000 of the multimodal transportation
33 account—state appropriation is for the joint transportation committee
34 to conduct an analysis of the electrification of public fleets in
35 Washington state. The study must include the following:

36 (i) An inventory of existing public fleets for the state of
37 Washington, counties, a sampling of cities, and public transit
38 agencies. The inventory must differentiate among battery and fuel
39 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,

1 and any other functional categories. Three cities from each of the
2 following population ranges must be selected for the analysis:

3 (A) Population up to and including twenty-five thousand;

4 (B) Population greater than twenty-five thousand and up to and
5 including fifty thousand;

6 (C) Population greater than fifty thousand and up to and
7 including one hundred thousand;

8 (D) Population greater than one hundred thousand;

9 (ii) A review of currently available battery and fuel cell
10 electric vehicle alternatives to the vehicle types most commonly used
11 by the state, counties, cities, and public transit agencies. The
12 review must include:

13 (A) The average vehicle cost differential among the commercially
14 available fuel options;

15 (B) A cost benefit analysis of the conversion of different
16 vehicle classes; and

17 (C) Recommendations for the types of vehicles that should be
18 excluded from consideration due to insufficient alternatives,
19 unreliable technology, or excessive cost;

20 (iii) The projected costs of achieving substantial conversion to
21 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
22 the state, counties, cities, and public transit agencies. This cost
23 estimate must include:

24 (A) Vehicle acquisition costs, charging and refueling
25 infrastructure costs, and other associated costs;

26 (B) Financial constraints of each type of entity to transition to
27 an electric vehicle fleet; and

28 (C) Any other identified barriers to transitioning to a battery
29 and/or fuel cell electric vehicle fleet;

30 (iv) Identification and analysis of financing mechanisms that
31 could be used to finance the transition of publicly owned vehicles to
32 battery and fuel cell electric vehicles. These mechanisms include,
33 but are not limited to: Energy or carbon savings performance
34 contracting, utility grants and rebates, revolving loan funds, state
35 grant programs, private third-party financing, fleet management
36 services, leasing, vehicle use optimization, and vehicle to grid
37 technology; and

38 (v) The predicted number and location profile of electric vehicle
39 fueling stations needed statewide to provide fueling for the fleets
40 of the state, counties, cities, and public transit agencies.

1 (b) In developing and implementing the study, the joint
2 transportation committee must solicit input from representatives of
3 the department of enterprise services, the department of
4 transportation, the department of licensing, the department of
5 commerce, the Washington state association of counties, the
6 association of Washington cities, the Washington state transit
7 association, transit agencies, and others as deemed appropriate.

8 (c) The joint transportation committee must issue a report of its
9 findings and recommendations to the transportation committees of the
10 legislature by September 30, 2020.

11 (3) (a) \$250,000 of the multimodal transportation account—state
12 appropriation is for the joint transportation committee to conduct a
13 study of the feasibility of an east-west intercity passenger rail
14 system. The study must include the following elements:

- 15 (i) Projections of potential ridership;
- 16 (ii) Review of relevant planning studies;
- 17 (iii) Establishment of an advisory group and associated meetings;
- 18 (iv) Development of a Stampede Pass corridor alignment to
19 maximize ridership, revenue, and rationale, considering service to
20 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
21 Toppenish, and Spokane;
- 22 (v) Assessment of current infrastructure conditions, including
23 station stop locations;
- 24 (vi) Identification of equipment needs; and
- 25 (vii) Identification of operator options.

26 (b) A report of the study findings and recommendations is due to
27 the transportation committees of the legislature by June 30, 2020.

28 (4) (a) \$275,000 of the highway safety fund—state appropriation is
29 for a study of vehicle subagents in Washington state. The study must
30 consider and include recommendations, as necessary, on the following:

- 31 (i) The relevant statutes, rules, and/or regulations authorizing
32 vehicle subagents and any changes made to the relevant statutes,
33 rules, and/or regulations;
- 34 (ii) The current process of selecting and authorizing a vehicle
35 subagent, including the change of ownership process and the
36 identification of any barriers to entry into the vehicle subagent
37 market;
- 38 (iii) The annual business expenditures borne by each of the
39 vehicle subagent businesses since fiscal year 2010 and identification
40 of any materials, including office equipment and supplies, provided

1 by the department of licensing to each vehicle subagent since fiscal
2 year 2010. To accomplish this task, each vehicle subagent must
3 provide expenditure data to the joint transportation committee for
4 the purposes of this study;

5 (iv) The oversight provided by the county auditors and/or the
6 department of licensing over the vehicle subagent businesses;

7 (v) The history of service fees, how increases to the service fee
8 rate are made, and how the requested fee increase is determined;

9 (vi) The online vehicle registration renewal process and any
10 potential improvements to the online process;

11 (vii) The department of licensing's ability to provide more
12 vehicle licensing services directly, particularly taking into account
13 the increase in online vehicle renewal transactions;

14 (viii) The potential expansion of services that can be performed
15 by vehicle subagents; and

16 (ix) The process by which the geographic locations of vehicle
17 subagents are determined.

18 (b) In conducting the study, the joint transportation committee
19 must consult with the department of licensing, a representative of
20 county auditors, and a representative of vehicle subagents.

21 (c) The joint transportation committee may collect any data from
22 the department of licensing, county auditors, and vehicle subagents
23 that is necessary to conduct the study.

24 (d) The joint transportation committee must issue a report of
25 its findings and recommendations to the transportation committees of
26 the legislature by September 30, 2020.

27 **Sec. 205.** 2019 c 416 s 205 (uncodified) is amended to read as
28 follows:

29 **FOR THE TRANSPORTATION COMMISSION**

30 Motor Vehicle Account—State Appropriation	((\$2,893,000))
31	<u>\$2,171,000</u>
32 ((Multimodal Transportation Account—State Appropriation	\$112,000))
33 Interstate 405 <u>and state Route Number 167</u> Express Toll Lanes	
34 ((Operations))	
35 Account—State Appropriation.	((\$250,000))
36	<u>\$410,000</u>
37 <u>State Route Number 520 Corridor Account—State</u>	
38 <u>Appropriation.</u>	<u>\$271,000</u>

1	<u>Tacoma Narrows Toll Bridge Account—State</u>	
2	<u>Appropriation.</u>	\$158,000
3	<u>Alaskan Way Viaduct Replacement Project</u>	
4	<u>Account—State Appropriation.</u>	\$136,000
5	TOTAL APPROPRIATION.	((\$3,255,000))
6		<u>\$3,146,000</u>

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

9 (1) (a) The commission shall reconvene the road usage charge
10 steering committee, with the same membership described in chapter
11 297, Laws of 2018, and shall report at least once every three months
12 to the steering committee with updates on report development for the
13 completed road usage charge pilot project until the final report is
14 submitted. The final report on the road usage charge pilot project is
15 due to the transportation committees of the legislature by January 1,
16 2020, and should include recommendations for necessary next steps to
17 consider impacts to communities of color, low-income households,
18 vulnerable populations, and displaced communities. Any legislative
19 vacancies on the steering committee must be appointed by the speaker
20 of the house of representatives for a house of representatives member
21 vacancy, and by the president of the senate for a senate member
22 vacancy.

23 (b) The commission shall coordinate with the department of
24 transportation to jointly seek federal funds available through the
25 federal surface transportation system funding alternatives grant
26 program, applying toll credits for meeting match requirements. One or
27 more grant applications may be developed that, at a minimum, propose
28 to:

29 (i) (A) Update the recommended road usage charge operational
30 concepts and business case presented to the road usage charge
31 steering committee to reflect a range of scenarios regarding fleet
32 electrification and use of shared vehicles. The operational concepts
33 must include technological or system features necessary to ensure
34 collection of the road usage charge from electric vehicles and fleets
35 of shared and/or autonomous vehicles, if applicable. The business
36 case must assess a range of gross revenue impacts to a road usage
37 charge and fuel taxes resulting from changes to total vehicle miles
38 traveled under scenarios with varying degrees of shared, autonomous,
39 and/or electric vehicle adoption rates;

1 (B) Develop a detailed plan for phasing in the implementation of
2 road usage charges for vehicles operated in Washington, incorporating
3 any updates to road usage charge policy recommendations made in (a)
4 and (b) (i) (A) of this subsection and including consideration of
5 methods for reducing the cost of collections for a road usage charge
6 system in Washington state; and

7 (C) Examine the allocation of current gas tax revenues and
8 possible frameworks for the allocation of road usage charge revenues
9 that could be used to evaluate policy choices once road usage charge
10 revenues comprise a significant share of state revenues for
11 transportation purposes.

12 (ii) A year-end report on the status of any federally-funded
13 project for which federal funding is secured must be provided to the
14 governor's office and the transportation committees of the
15 legislature by January 1, 2020.

16 (c) If additional federal funding becomes available after January
17 1, 2020, the transportation commission, jointly with the department
18 of licensing, must develop an implementation plan for imposing a per
19 mile fee on electric, hybrid, and state fleet vehicles that builds
20 off the ongoing work of the transportation commission in evaluating a
21 road usage charge. The plan must include, but is not limited to:

22 (i) Different mileage reporting options;

23 (ii) Recommended fee methods and rates for achieving cost
24 efficiency, fairness, minimal administrative cost, payment
25 compliance, consumer choice, and preserving individual privacy;

26 (iii) Options for variable rates based on the factors listed in
27 (c)(ii) of this subsection and vehicle classifications of vehicles,
28 ensuring vehicles are paying for their proportional impact on road
29 preservation and maintenance costs, climate emission impacts, fuel
30 efficiency, or other policy levers that the legislature may want to
31 consider;

32 (iv) Alternatives in the payment method to allow for monthly or
33 quarterly payment rather than payment on an annual basis;

34 (v) Any recommended statutory changes, including suggested
35 offsets or rebates to the per mile fee to recognize other taxes and
36 fees paid by electric and hybrid vehicle owners;

37 (vi) Specific recommendations to better align the system with
38 other vehicle-related charges and potentially establish the framework
39 for broader implementation of a per mile funding system, including
40 analysis of the preferred method for addressing eighteenth amendment

1 restriction considerations and options to incorporate existing gas
2 tax distributions and allocations into a per mile funding system at
3 the time these revenues comprise a significant share of state
4 revenues for transportation purposes; and

5 (vii) A recommended implementation and governance structure, and
6 transition plan with the department as the designated lead agency to
7 operate and administer the per mile funding system.

8 (2) (a) \$250,000 of the Interstate 405 and state route number 167
9 express toll lanes ((operations)) account—state appropriation is
10 provided solely for the transportation commission to conduct a study,
11 applicable to the Interstate 405 express toll lanes, of discounted
12 tolls and other similar programs for low-income drivers that are
13 provided by other states, countries, or other entities and how such a
14 program could be implemented in the state of Washington. The
15 transportation commission may contract with a consultant to conduct
16 all or a portion of this study.

17 (b) In conducting this study, the transportation commission shall
18 consult with both the department of transportation and the department
19 of social and health services.

20 (c) The transportation commission shall, at a minimum, consider
21 the following issues when conducting the study of discounted tolls
22 and other similar programs for low-income drivers:

23 (i) The benefits, requirements, and any potential detriments to
24 the users of a program;

25 (ii) The most cost-effective way to implement a program given
26 existing financial commitments, shared cost requirements across
27 facilities, and technical requirements to execute and maintain a
28 program;

29 (iii) The implications of a program for tolling policies,
30 revenues, costs, operations, and enforcement; and

31 (iv) Any implications to tolled facilities based on the type of
32 tolling implemented on a particular facility.

33 (d) The transportation commission shall provide a report
34 detailing the findings of this study and recommendations for
35 implementing a discounted toll or other appropriate program in the
36 state of Washington to the transportation committees of the
37 legislature by June 30, 2021.

38 (3) \$160,000 of the Interstate 405 and state route number 167
39 express toll lanes account—state appropriation, \$271,000 of the state

1 route number 520 corridor account—state appropriation, \$158,000 of
2 the Tacoma Narrows toll bridge account—state appropriation, and
3 \$136,000 of the Alaskan Way viaduct replacement project account—state
4 appropriation are provided solely for the transportation commission's
5 proportional share of time spent supporting tolling operations for
6 the respective tolling facilities.

7 (4) Beginning July 1, 2020, the commission shall convene a ferry
8 capital construction oversight committee. The committee shall meet at
9 least two times every year to review the Washington state ferries
10 capital construction plan and make recommendations to control costs
11 and ensure that ferry capital investments meet projected future
12 needs. The commission shall support the committee within existing
13 resources. Members of the committee must include at least four
14 citizen representatives from communities served by Washington state
15 ferries.

16 (5) The legislature requests that the commission commence
17 proceedings to name state route number 165 as The Glacier Highway to
18 commemorate the significance of glaciers to the state of Washington.

19 **Sec. 206.** 2019 c 416 s 206 (uncodified) is amended to read as
20 follows:

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

22 Freight Mobility Investment Account—State
23 Appropriation ((~~\$813,000~~))
24 \$772,000

25 **Sec. 207.** 2019 c 416 s 207 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account—State Appropriation . . ((~~\$508,503,000~~))
29 \$498,832,000
30 State Patrol Highway Account—Federal Appropriation . ((~~\$16,069,000~~))
31 \$16,078,000
32 State Patrol Highway Account—Private/Local
33 Appropriation \$4,257,000
34 Highway Safety Account—State Appropriation \$1,188,000
35 Ignition Interlock Device Revolving Account—State
36 Appropriation \$7,010,000
37 Multimodal Transportation Account—State

1	Appropriation	((\$286,000))
2		<u>\$4,286,000</u>
3	<u>Interstate 405 and State Route Number 167 Express</u>	
4	<u>Toll Lanes Account—State Appropriation.</u>	\$1,182,000
5	<u>State Route Number 520 Corridor Account—State</u>	
6	<u>Appropriation.</u>	\$1,988,000
7	<u>Tacoma Narrows Toll Bridge Account—State Appropriation.</u>	\$1,158,000
8	<u>Alaskan Way Viaduct Replacement Project</u>	
9	<u>Account—State Appropriation.</u>	\$996,000
10	TOTAL APPROPRIATION.	((\$537,313,000))
11		<u>\$536,975,000</u>

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

14 (1) Washington state patrol officers engaged in off-duty
15 uniformed employment providing traffic control services to the
16 department of transportation or other state agencies may use state
17 patrol vehicles for the purpose of that employment, subject to
18 guidelines adopted by the chief of the Washington state patrol. The
19 Washington state patrol must be reimbursed for the use of the vehicle
20 at the prevailing state employee rate for mileage and hours of usage,
21 subject to guidelines developed by the chief of the Washington state
22 patrol.

23 (2) \$510,000 of the ignition interlock device revolving account—
24 state appropriation is provided solely for the ignition interlock
25 program at the Washington state patrol to provide funding for two
26 staff to work and provide support for the program in working with
27 manufacturers, service centers, technicians, and participants in the
28 program.

29 (3) \$1,424,000 of the state patrol highway account—state
30 appropriation is provided solely to enter into an agreement for
31 upgraded land mobile software, hardware, and equipment.

32 (4) \$2,582,000 of the state patrol highway account—state
33 appropriation is provided solely for the replacement of radios and
34 other related equipment.

35 (5) \$343,000 of the state patrol highway account—state
36 appropriation is provided solely for aerial criminal investigation
37 tools, including software licensing and maintenance, and annual
38 certification.

1 (6) \$514,000 of the state patrol highway account—state
2 appropriation is provided solely for additional staff to address the
3 increase in the number of toxicology cases from impaired driving and
4 death investigations.

5 (7) \$580,000 of the state patrol highway account—state
6 appropriation is provided solely for the operation of and
7 administrative support to the license investigation unit to enforce
8 vehicle registration laws in southwestern Washington. The Washington
9 state patrol, in consultation with the department of revenue, shall
10 maintain a running estimate of the additional vehicle registration
11 fees, sales and use taxes, and local vehicle fees remitted to the
12 state pursuant to activity conducted by the license investigation
13 unit. Beginning October 1, 2019, and quarterly thereafter, the
14 Washington state patrol shall submit a report detailing the
15 additional revenue amounts generated since July 1, 2017, to the
16 director of the office of financial management and the transportation
17 committees of the legislature. At the end of the calendar quarter in
18 which it is estimated that more than \$625,000 in state sales and use
19 taxes have been remitted to the state since July 1, 2017, the
20 Washington state patrol shall notify the state treasurer and the
21 state treasurer shall transfer funds pursuant to section 406 (~~of~~
22 ~~this act~~), chapter 416, Laws of 2019.

23 (8) \$18,000 of the state patrol highway account—state
24 appropriation is provided solely for the license investigation unit
25 to procure an additional license plate reader and related costs.

26 (9) The Washington state patrol and the office of financial
27 management must be consulted by the department of transportation
28 during the design phase of any improvement or preservation project
29 that could impact Washington state patrol weigh station operations.
30 During the design phase of any such project, the department of
31 transportation must estimate the cost of designing around the
32 affected weigh station's current operations, as well as the cost of
33 moving the affected weigh station.

34 (10) \$4,210,000 of the state patrol highway account—state
35 appropriation is provided solely for a third arming and a third
36 trooper basic training class. The cadet class is expected to graduate
37 in June 2021.

38 (11) \$65,000 of the state patrol highway account—state
39 appropriation is provided solely for the implementation of chapter

1 440 (~~((Engrossed Second Substitute Senate Bill No. 5497))~~), Laws of
2 2019 (immigrants in the workplace). If chapter 440 (~~((Engrossed
3 Second Substitute Senate Bill No. 5497))~~), Laws of 2019 is not
4 enacted by June 30, 2019, the amount provided in this subsection
5 lapses.

6 (12)(a) The Washington state patrol must report quarterly to the
7 house and senate transportation committees on the status of
8 recruitment and retention activities as follows:

9 (i) A summary of recruitment and retention strategies;

10 (ii) The number of transportation funded staff vacancies by major
11 category;

12 (iii) The number of applicants for each of the positions by these
13 categories;

14 (iv) The composition of workforce; and

15 (v) Other relevant outcome measures with comparative information
16 with recent comparable months in prior years.

17 (b) By January 1, 2020, the Washington state patrol must submit
18 to the transportation committees of the legislature and the governor
19 a workforce diversity plan. The plan must identify ongoing, and both
20 short-term and long-term, specific comprehensive outreach and
21 recruitment strategies to increase populations underrepresented
22 within both commissioned and noncommissioned employee groups.

23 (13) \$1,182,000 of the Interstate 405 and state route number 167
24 express toll lanes account—state appropriation, \$1,988,000 of the
25 state route number 520 corridor account—state appropriation,
26 \$1,158,000 of the Tacoma Narrows toll bridge account—state
27 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
28 project account—state appropriation are provided solely for the
29 Washington state patrol's proportional share of time spent supporting
30 tolling operations and enforcement for the respective tolling
31 facilities.

32 (14) \$100,000 of the state patrol highway account—state
33 appropriation is provided solely for the implementation of Senate
34 Bill No. 6218, Laws of 2020 (Washington state patrol retirement
35 definition of salary), which reflects an increase in the Washington
36 state patrol retirement system pension contribution rate of 0.15
37 percent for changes to the definition of salary. If Senate Bill No.
38 6218, Laws of 2020 is not enacted by June 30, 2020, the amount
39 provided in this subsection lapses.

1 (15) \$4,000,000 of the multimodal transportation account—state
2 appropriation is provided solely as restitutive expenditure authority
3 for the state patrol and may be spent only if a court of final
4 jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws
5 of 2020 is unconstitutional in its entirety.

6 (16) The Washington state patrol is directed to terminate its
7 "Agreement for Utility Connection and Reimbursement of Water
8 Extension Expenses" with the city of Shelton, belatedly recorded on
9 June 12, 2017, subject to the city of Shelton's consent to terminate
10 the agreement. The legislature finds that the water connection
11 extension constructed by the Washington state patrol from the city of
12 Shelton's water facilities to the Washington state patrol academy was
13 necessary to meet the water supply needs of the academy. The
14 legislature also finds that the water connection provides an ongoing
15 water supply that is necessary to the operation of the training
16 facility, that the state is making use of the water connection for
17 these public activities, and that any future incidental use of the
18 municipal infrastructure put in place to support these activities
19 will not impede the Washington state patrol's ongoing use of the
20 water connection extension. Therefore, the legislature determines
21 that under the public policy of this state, reimbursement by any
22 other entity is not required, notwithstanding any prior condition
23 regarding contributions of other entities that Washington state
24 patrol was required to satisfy prior to expenditure of the funds for
25 construction of the extension, and that the Washington state patrol
26 shall terminate the agreement.

27 **Sec. 208.** 2019 c 416 s 208 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF LICENSING**

30 Marine Fuel Tax Refund Account—State Appropriation	\$34,000
31 Motorcycle Safety Education Account—State	
32 Appropriation	(\$5,044,000)
33	<u>\$5,048,000</u>
34 State Wildlife Account—State Appropriation	(\$536,000)
35	<u>\$561,000</u>
36 Highway Safety Account—State Appropriation	(\$243,189,000)
37	<u>\$241,859,000</u>
38 Highway Safety Account—Federal Appropriation	\$1,294,000

1	Motor Vehicle Account—State Appropriation	((\$77,219,000))
2		<u>\$72,812,000</u>
3	<u>Motor Vehicle Account—Federal Appropriation.</u>	<u>\$186,000</u>
4	Motor Vehicle Account—Private/Local Appropriation	((\$2,858,000))
5		<u>\$10,008,000</u>
6	Ignition Interlock Device Revolving Account—State	
7	Appropriation	((\$6,143,000))
8		<u>\$5,777,000</u>
9	Department of Licensing Services Account—State	
10	Appropriation	((\$8,012,000))
11		<u>\$7,654,000</u>
12	License Plate Technology Account—State	
13	Appropriation	\$4,250,000
14	Abandoned Recreational Vehicle Account—State	
15	Appropriation.	\$2,925,000
16	Limousine Carriers Account—State Appropriation.	\$113,000
17	<u>Electric Vehicle Account—State Appropriation.</u>	<u>\$264,000</u>
18	DOL Technology Improvement & Data Management	
19	Account—State Appropriation.	\$2,250,000
20	Agency Financial Transaction Account—State	
21	Appropriation.	\$11,903,000
22	TOTAL APPROPRIATION.	((\$365,770,000))
23		<u>\$366,939,000</u>

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

26 (1) \$139,000 of the motorcycle safety education account—state
27 appropriation is provided solely for the implementation of chapter 65
28 ((~~Substitute House Bill No. 1116~~)), Laws of 2019 (motorcycle
29 safety). If chapter 65 ((~~Substitute House Bill No. 1116~~)), Laws of
30 2019 is not enacted by June 30, 2019, the amount provided in this
31 subsection lapses.

32 (2) \$404,000 of the highway safety account—state appropriation is
33 provided solely for a new driver testing system at the department.
34 Pursuant to RCW 43.135.055 and 46.82.310, the department is
35 authorized to increase driver training school license application and
36 renewal fees in fiscal years 2020 and 2021, as necessary to fully
37 support the cost of activities related to administration of the
38 driver training school program, including the cost of the new driver
39 testing system described in this subsection.

1 (3) \$25,000 of the motorcycle safety education account—state
2 appropriation, \$4,000 of the state wildlife account—state
3 appropriation, \$1,708,000 of the highway safety account—state
4 appropriation, \$576,000 of the motor vehicle account—state
5 appropriation, \$22,000 of the ignition interlock device revolving
6 account—state appropriation, and \$28,000 of the department of
7 licensing services account—state appropriation are provided solely
8 for the department to fund the appropriate staff(~~(, other than data~~
9 ~~stewards,)~~) and necessary equipment and software for data management,
10 data analytics, and data compliance activities. The department must,
11 in consultation with the office of the chief information officer,
12 construct a framework with goals for providing better data
13 stewardship and a plan to achieve those goals. The department must
14 provide the framework and plan to the transportation committees of
15 the legislature by December 31, 2019, and an update by May 1, 2020.
16 Appropriations provided for the data stewardship and privacy project
17 described in this subsection are subject to the conditions,
18 limitations, and review provided in section 701 of this act.

19 (4) Appropriations provided for the cloud continuity of
20 operations project in this section are subject to the conditions,
21 limitations, and review provided in section 701 of this act.

22 ~~((+6))~~ (5) \$24,028,000 of the highway safety account—state
23 appropriation is provided solely for costs necessary to accommodate
24 increased demand for enhanced drivers' licenses and enhanced
25 identicards. The department shall report on a quarterly basis on the
26 use of these funds, associated workload, and information with
27 comparative information with recent comparable months in prior years.
28 The report must include detailed statewide and by licensing service
29 office information on staffing levels, average monthly wait times,
30 the number of enhanced drivers' licenses and enhanced identicards
31 issued/renewed, and the number of primary drivers' licenses and
32 identicards issued/renewed. Within the amounts provided in this
33 subsection, the department shall implement efficiency measures to
34 reduce the time for licensing transactions and wait times including,
35 but not limited to, the installation of additional cameras at
36 licensing service offices that reduce bottlenecks and align with the
37 "keep your customer" initiative.

38 ~~((+8))~~ (6) \$507,000 of the motor vehicle account—state
39 appropriation is provided solely for the implementation of

1 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019
2 (vehicle service fees) or chapter 417 (~~((Engrossed House Bill No.
3 1789))~~), Laws of 2019 (vehicle service fees). If neither
4 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or
5 chapter 417 (~~((Engrossed House Bill No. 1789))~~), Laws of 2019 are
6 enacted by June 30, 2019, the amount provided in this subsection
7 lapses.

8 ~~((10))~~ (7) \$25,000 of the motor vehicle account—state
9 appropriation is provided solely for the implementation of chapter
10 177 (~~((Engrossed House Bill No. 1996))~~), Laws of 2019 (San Juan
11 Islands license plate). If chapter 177 (~~((Engrossed House Bill No.
12 1996))~~), Laws of 2019 is not enacted by June 30, 2019, the amount
13 provided in this subsection lapses.

14 ~~((11))~~ (8) \$24,000 of the motor vehicle account—state
15 appropriation is provided solely for the implementation of chapter
16 384 (~~((House Bill No. 2062))~~), Laws of 2019 (Seattle Storm license
17 plate). If chapter 384 (~~((House Bill No. 2062))~~), Laws of 2019 is not
18 enacted by June 30, 2019, the amount provided in this subsection
19 lapses.

20 ~~((13))~~ (9) \$65,000 of the highway safety account—state
21 appropriation is provided solely for the implementation of chapter
22 440 (~~((Engrossed Second Substitute Senate Bill No. 5497))~~), Laws of
23 2019 (immigrants in the workplace). If chapter 440 (~~((Engrossed
24 Second Substitute Senate Bill No. 5497))~~), Laws of 2019 is not
25 enacted by June 30, 2019, the amount provided in this subsection
26 lapses.

27 ~~((14))~~ (10) The appropriations in this section assume
28 implementation of additional cost recovery mechanisms to recoup at
29 least \$11,903,000 in credit card and other financial transaction
30 costs as part of charges imposed for driver and vehicle fee
31 transactions beginning January 1, 2020. At the direction of the
32 office of financial management, the department must develop a method
33 of tracking the additional amount of credit card and other financial
34 cost-recovery revenues. In consultation with the office of financial
35 management, the department must notify the state treasurer of these
36 amounts and the state treasurer must deposit these revenues in the
37 agency financial transaction account created in section 717 (~~((of this
38 act))~~), chapter 416, Laws of 2019 on a quarterly basis.

1 ~~((18))~~ (11) \$1,281,000 of the department of licensing service
2 account—state appropriation is provided solely for savings from the
3 implementation of chapter 417 ~~((Engrossed House Bill No. 1789))~~,
4 Laws of 2019 (vehicle service fees). If chapter 417 ~~((Engrossed
5 House Bill No. 1789))~~, Laws of 2019 is enacted by June 30, 2019, the
6 amount provided in this subsection lapses.

7 ~~((19))~~ (12) \$2,650,000 of the abandoned recreational vehicle
8 disposal account—state appropriation is provided solely for providing
9 reimbursements in accordance with the department's abandoned
10 recreational vehicle disposal reimbursement program. It is the intent
11 of the legislature that the department prioritize this funding for
12 allowable and approved reimbursements and not to build a reserve of
13 funds within the account.

14 ~~((20))~~ (13) \$20,000 of the motor vehicle account—state
15 appropriation is provided solely for the implementation of chapter
16 210 ~~((Substitute House Bill No. 1197))~~, Laws of 2019 (Gold Star
17 license plate). If chapter 210 ~~((Substitute House Bill No. 1197))~~,
18 Laws of 2019 is not enacted by June 30, 2019, the amount provided in
19 this subsection lapses.

20 ~~((21))~~ (14) \$31,000 of the motor vehicle account—state
21 appropriation is provided solely for the implementation of chapter
22 262 ~~((Substitute House Bill No. 1436))~~, Laws of 2019 (snow bikes).
23 If chapter 262 ~~((Substitute House Bill No. 1436))~~, Laws of 2019 is
24 not enacted by June 30, 2019, the amount provided in this subsection
25 lapses.

26 ~~((22))~~ (15) \$24,000 of the motor vehicle account—state
27 appropriation is provided solely for the implementation of chapter
28 139 ~~((House Bill No. 2058))~~, Laws of 2019 (Purple Heart license
29 plate). If chapter 139 ~~((House Bill No. 2058))~~, Laws of 2019 is not
30 enacted by June 30, 2019, the amount provided in this subsection
31 lapses.

32 ~~((23))~~ (16) \$24,000 of the motor vehicle account—state
33 appropriation is provided solely for the implementation of chapter
34 278 ~~((Engrossed House Bill No. 2067))~~, Laws of 2019 (vehicle and
35 vessel owner information). If chapter 278 ~~((Engrossed House Bill No.
36 2067))~~, Laws of 2019 is not enacted by June 30, 2019, the amount
37 provided in this subsection lapses.

38 ~~((25))~~ (17) \$600,000 of the highway safety account—state
39 appropriation is provided solely for the department to provide an

1 interagency transfer to the department of social and health services,
2 children's administration division for the purpose of providing
3 driver's license support to a larger population of foster youth than
4 is already served within existing resources. Support services include
5 reimbursement of driver's license issuance costs, fees for driver
6 training education, and motor vehicle liability insurance costs.

7 ~~((26))~~ (18) The department must place personal and company data
8 elements in separate data fields to allow the department to select
9 discrete data elements when providing information or data to persons
10 or entities outside the department. Pursuant to the restrictions in
11 federal and state law, a person's photo, social security number, or
12 medical information must not be made available through public
13 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

14 ~~((30))~~ (19) \$91,000 of the highway safety account—state
15 appropriation is provided solely for the department's costs related
16 to the one Washington project.

17 ~~((31))~~ (20) \$974,000 of the highway safety account—state
18 appropriation is provided solely for communication and outreach
19 activities necessary to inform the public of federally acceptable
20 identification options including, but not limited to, enhanced
21 drivers' licenses and enhanced identicards. The department shall
22 continue the outreach plan that includes informational material that
23 can be effectively communicated to all communities and populations in
24 Washington. To accomplish this work, the department shall contract
25 with an external vendor with demonstrated experience and expertise in
26 outreach and marketing to underrepresented communities in a
27 culturally-responsive fashion.

28 (21) Due to the passage of chapter 1 (Initiative Measure No.
29 976), Laws of 2020, the department, working with the office of
30 financial management, shall provide a monthly report on the number of
31 registrations involved and differences between actual collections and
32 collections if the initiative was not subject to a temporary
33 injunction as of December 5, 2019.

34 (22) \$35,000 of the motor vehicle account—state appropriation and
35 \$50,000 of the state wildlife account—state appropriation are
36 provided solely for the implementation of Engrossed Substitute Senate
37 Bill No. 6156, Laws of 2020 (collector vehicle license plates). If
38 Engrossed Substitute Senate Bill No. 6156, Laws of 2020 is not

1 enacted by June 30, 2020, the amounts provided in this subsection
2 lapse.

3 (23) \$19,000 of the motor vehicle account—state appropriation is
4 provided solely for the implementation of Engrossed Senate Bill No.
5 6032, Laws of 2020 (apples special license plate). If Engrossed
6 Senate Bill No. 6032, Laws of 2020 is not enacted by June 30, 2020,
7 the amount provided in this subsection lapses.

8 (24) \$14,000 of the motor vehicle account—state appropriation is
9 provided solely for the implementation of Senate Bill No. 6115, Laws
10 of 2020 (off road vehicle registrations). If Senate Bill No. 6115,
11 Laws of 2020 is not enacted by June 30, 2020, the amount provided in
12 this subsection lapses.

13 (25) \$105,000 of the motor vehicle account—state appropriation is
14 provided solely for the implementation of Senate Bill No. 6251, Laws
15 of 2020 (tribal vehicles compact). If Senate Bill No. 6251, Laws of
16 2020 is not enacted by June 30, 2020, the amount provided in this
17 subsection lapses.

18 (26) \$107,000 of the highway safety account—state appropriation
19 is provided solely for the implementation of Second Substitute Senate
20 Bill No. 5544, Laws of 2020 (veteran commercial driver's license
21 waivers). If Second Substitute Senate Bill No. 5544, Laws of 2020 is
22 not enacted by June 30, 2020, the amount provided in this subsection
23 lapses.

24 (27) \$57,000 of the state wildlife account—state appropriation is
25 provided solely for the implementation of Substitute Senate Bill No.
26 6072, Laws of 2020 (state wildlife account). If Substitute Senate
27 Bill No. 6072, Laws of 2020 is not enacted by June 30, 2020, the
28 amount provided in this subsection lapses.

29 (28) The appropriations in this section assume full cost recovery
30 for the administration and collection of a motor vehicle excise tax
31 on behalf of any regional transit authority pursuant to section 706
32 of this act.

33 (29) \$1,624,000 of the motor vehicle account—state appropriation
34 is provided solely for the department to implement a pilot program
35 allowing the registered owner, or the registered owner's authorized
36 representative, of a vehicle that is subject to a motor vehicle
37 excise tax to enter into either a quarterly or monthly payment plan
38 with the department for the amount of motor vehicle excise tax due.
39 To defray the cost of administering the pilot, the department may

1 charge a fee of not more than one percent of each vehicle
2 registration transaction when paid with a quarterly or monthly
3 payment plan and this fee must be deposited in the motor vehicle fund
4 created in RCW 46.68.070. It is the intent of the legislature that
5 under the pilot, payments made after the application for a renewal
6 vehicle registration are not subject to additional fees under RCW
7 46.17.040(1)(b), 46.17.005, 46.17.025, or 46.17.015.

8 **Sec. 209.** 2019 c 416 s 209 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
11 **—PROGRAM B**

12 (~~High Occupancy Toll Lanes Operations Account—State~~
13 ~~Appropriation \$3,774,000~~
14 ~~Motor Vehicle Account—State Appropriation \$513,000~~)
15 State Route Number 520 Corridor Account—State
16 ~~Appropriation ((\$43,773,000))~~
17 \$59,056,000
18 State Route Number 520 Civil Penalties Account—State
19 ~~Appropriation \$4,145,000~~
20 Tacoma Narrows Toll Bridge Account—State
21 ~~Appropriation ((\$27,807,000))~~
22 \$33,805,000
23 Alaskan Way Viaduct Replacement Project Account—State
24 ~~Appropriation. ((\$20,061,000))~~
25 \$21,616,000
26 Interstate 405 and State Route Number 167 Express
27 ~~Toll Lanes ((Operations)) Account—State~~
28 ~~Appropriation. ((\$18,329,000))~~
29 \$27,456,000
30 TOTAL APPROPRIATION. ~~(((\$118,402,000))~~
31 \$146,078,000

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

34 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
35 appropriation and ~~(((\$11,034,000))~~ \$11,925,000 of the state route
36 number 520 corridor account—state appropriation are provided solely
37 for the purposes of addressing unforeseen operations and maintenance
38 costs on the Tacoma Narrows bridge and the state route number 520

1 bridge, respectively. The office of financial management shall place
2 the amounts provided in this subsection, which represent a portion of
3 the required minimum fund balance under the policy of the state
4 treasurer, in unallotted status. The office may release the funds
5 only when it determines that all other funds designated for
6 operations and maintenance purposes have been exhausted.

7 (2) As long as the facility is tolled, the department must
8 provide quarterly reports to the transportation committees of the
9 legislature on the Interstate 405 express toll lane project
10 performance measures listed in RCW 47.56.880(4). These reports must
11 include:

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

22 (b) A month-to-month comparison of travel times and travel time
23 reliability for the entire corridor and commonly made trips in the
24 corridor as specified in (a) of this subsection since implementation
25 of the express toll lanes and, to the extent available, a comparison
26 to the travel times and travel time reliability prior to
27 implementation of the express toll lanes;

28 (c) Total express toll lane and total general purpose lane
29 traffic volumes, as well as per lane traffic volumes for each type of
30 lane (i) compared to total express toll lane and total general
31 purpose lane traffic volumes, as well as per lane traffic volumes for
32 each type of lane, on this segment of Interstate 405 prior to
33 implementation of the express toll lanes and (ii) compared to total
34 express toll lane and total general purpose lane traffic volumes, as
35 well as per lane traffic volumes for each type of lane, from month to
36 month since implementation of the express toll lanes; and

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

1 (3) (a) (~~(\$71,000)~~) \$2,114,000 of the (~~(high—occupancy)~~)
2 Interstate 405 and state route number 167 express toll lanes
3 (~~(operations)~~) account—state appropriation, (~~(\$1,238,000)~~) \$4,920,000
4 of the state route number 520 corridor account—state appropriation,
5 (~~(\$532,000)~~) \$2,116,000 of the Tacoma Narrows toll bridge account—
6 state appropriation, (~~(\$460,000 of the Interstate 405 express toll~~
7 ~~lanes operations account state appropriation,)~~) and (~~(\$699,000)~~)
8 \$2,776,000 of the Alaskan Way viaduct replacement project account—
9 state appropriation are provided solely for the department to finish
10 implementing a new tolling customer service toll collection system,
11 and are subject to the conditions, limitations, and review provided
12 in section 701 of this act.

13 (b) The department shall continue to work with the office of
14 financial management, office of the chief information officer, and
15 the transportation committees of the legislature on the project
16 management plan that includes a provision for independent
17 verification and validation of contract deliverables from the
18 successful bidder and a provision for quality assurance that includes
19 reporting independently to the office of the chief information
20 officer on an ongoing basis during system implementation.

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

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

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

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

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

1 (i) The number of notices of civil penalty issued;
2 (ii) The number of recipients who pay before the notice becomes a
3 penalty;
4 (iii) The number of recipients who request a hearing and the
5 number who do not respond;
6 (iv) Workload costs related to hearings;
7 (v) The cost and effectiveness of debt collection activities; and
8 (vi) Revenues generated from notices of civil penalty; and
9 (e) A summary of toll revenue by facility on all operating toll
10 facilities and (~~high-occupancy~~) express toll lane systems, and an
11 itemized depiction of the use of that revenue.

12 (5) (~~(\$17,517,000)~~) \$24,734,000 of the Interstate 405 and state
13 route number 167 express toll lanes (~~operations~~) account—state
14 appropriation is provided solely for operational costs related to the
15 express toll lane facility.

16 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
17 Bridge will have reached the end of its operational life. During the
18 2019-2021 fiscal biennium, the department plans to issue a request
19 for proposals as the first stage of a competitive procurement process
20 that will replace the toll equipment and select a new tolling
21 operator for the Tacoma Narrows Bridge. The request for proposals and
22 subsequent competitive procurement must incorporate elements that
23 prioritize the overall goal of lowering costs per transaction for the
24 facility, such as incentives for innovative approaches which result
25 in lower transactional costs, requests for efficiencies on the part
26 of the bidder that lower operational costs, and incorporation of
27 technologies such as self-serve credit card machines or other point-
28 of-payment technologies that lower costs or improve operational
29 efficiencies.

30 (7) (~~(\$19,362,000)~~) \$18,840,000 of the Alaskan Way viaduct
31 replacement project account—state appropriation is provided solely
32 for the new state route number 99 tunnel toll facility's expected
33 share of collecting toll revenues, operating customer services, and
34 maintaining toll collection systems. The legislature expects to see
35 appropriate reductions to the other toll facility accounts once
36 tolling on the new state route number 99 tunnel toll facility
37 commences and any previously incurred costs for start-up of the new
38 facility are charged back to the Alaskan Way viaduct replacement
39 project account. The office of financial management shall closely
40 monitor the application of the cost allocation model and ensure that

1 the new state route number 99 tunnel toll facility is adequately
2 sharing costs and the other toll facility accounts are not being
3 overspent or subsidizing the new state route number 99 tunnel toll
4 facility.

5 (8) (~~(\$256,000)~~) \$608,000 of the (~~(high occupancy toll lanes~~
6 ~~operations account state appropriation and \$352,000 of the))~~
7 Interstate 405 and state route number 167 express toll lanes
8 (~~operations~~) ~~account state appropriation~~ are provided solely for
9 increased levels of service from the Washington state patrol for
10 enforcement of toll lane violations on the state route number 167
11 high occupancy toll lanes and the Interstate 405 express toll lanes.
12 The department shall compile monthly data on the number of Washington
13 state patrol enforcement hours on each facility and the percentage of
14 time during peak hours that speeds are at or above forty-five miles
15 per hour on each facility. The department shall provide this data in
16 a report to the transportation committees of the legislature on at
17 least a calendar quarterly basis.

18 (9) The department shall develop an ongoing cost allocation
19 method to assign appropriate costs to each of the toll funds for
20 services provided by each Washington state department of
21 transportation program and all relevant transportation agencies,
22 including the Washington state patrol and the transportation
23 commission. This method should update the toll cost allocation method
24 used in the 2020 supplemental transportation appropriations act. By
25 December 1, 2020, a report with the recommended method and any
26 changes shall be submitted to the transportation committees of the
27 legislature and the office of financial management.

28 (10) The legislature intends to allow owners of vehicles subject
29 to a motor vehicle excise tax to pay renewal vehicle registration
30 fees with a "Good to Go!" account beginning no later than 2024.
31 Within existing resources, the department and the department of
32 licensing must jointly report to the governor and chairs of the
33 transportation committees of the legislature by June 30, 2021, with a
34 detailed recommended approach to allow payment of renewal vehicle
35 registration fees with a "Good to Go!" account for owners of vehicles
36 subject to a motor vehicle excise tax.

37 **Sec. 210.** 2019 c 416 s 210 (uncodified) is amended to read as
38 follows:

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

2 **C**

3	Transportation Partnership Account—State Appropriation . . .	\$1,460,000
4	Motor Vehicle Account—State Appropriation	(\$94,993,000)
5		<u>\$95,810,000</u>
6	Puget Sound Ferry Operations Account—State	
7	Appropriation	\$263,000
8	Multimodal Transportation Account—State	
9	Appropriation	\$2,878,000
10	Transportation 2003 Account (Nickel Account)—State	
11	Appropriation	\$1,460,000
12	TOTAL APPROPRIATION.	(\$101,054,000)
13		<u>\$101,871,000</u>

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

16 (1) \$8,114,000 of the motor vehicle account—state appropriation
17 is provided solely for the development of the labor system
18 replacement project and is subject to the conditions, limitations,
19 and review provided in section 701 of this act. It is the intent of
20 the legislature that if any portion of the labor system replacement
21 project is leveraged in the future for the time, leave, and labor
22 distribution of any other agencies, the motor vehicle account will be
23 reimbursed proportionally for the development of the system since
24 amounts expended from the motor vehicle account must be used
25 exclusively for highway purposes in conformance with Article II,
26 section 40 of the state Constitution. This must be accomplished
27 through a loan arrangement with the current interest rate under the
28 terms set by the office of the state treasurer at the time the system
29 is deployed to additional agencies. If the motor vehicle account is
30 not reimbursed for future use of the system, it is further the intent
31 of the legislature that reductions will be made to central service
32 agency charges accordingly. The department shall provide a report to
33 the transportation committees of the legislature by December 31,
34 2019, detailing the project timeline as of July 1, 2019, an updated
35 project timeline if necessary, expenditures made to date for the
36 purposes of this project, and expenditures projected through the
37 remainder of the project timeline.

1 (2) (~~(\$198,000)~~) \$1,375,000 of the motor vehicle account—state
2 appropriation is provided solely for the department's cost related to
3 the one Washington project.

4 (3) \$21,500,000 of the motor vehicle account—state appropriation
5 is provided solely for the activities of the information technology
6 program in developing and maintaining information systems that
7 support the operations and program delivery of the department,
8 ensuring compliance with section 701 of this act, and the
9 requirements of the office of the chief information officer under RCW
10 43.88.092 to evaluate and prioritize any new financial and capital
11 systems replacement or modernization project and any other
12 information technology project. During the 2019-2021 biennium, the
13 department (~~(is prohibited from using)~~) may use the distributed
14 direct program support or (~~(any)~~) other cost allocation method to
15 fund (~~(any)~~) a new (~~(financial and)~~) capital systems replacement or
16 modernization project (~~(without having the project evaluated and~~
17 ~~prioritized by the office of the chief information officer and~~
18 ~~submitting)~~). The department shall submit a decision package for
19 implementation of a new capital systems replacement project to the
20 governor and the transportation committees of the legislature as part
21 of the normal budget process for the 2021-2023 biennium.

22 **Sec. 211.** 2019 c 416 s 211 (uncodified) is amended to read as
23 follows:

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

26 Motor Vehicle Account—State Appropriation	((\$33,149,000))
	<u>\$34,512,000</u>
28 State Route Number 520 Corridor Account—State	
29 Appropriation	\$34,000
30 TOTAL APPROPRIATION.	((\$33,183,000))
	<u>\$34,546,000</u>

32 **Sec. 212.** 2019 c 416 s 212 (uncodified) is amended to read as
33 follows:

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

35 Aeronautics Account—State Appropriation	((\$7,635,000))
	<u>\$7,542,000</u>
37 Aeronautics Account—Federal Appropriation	((\$2,542,000))

1		<u>\$3,043,000</u>
2	Aeronautics Account—Private/Local Appropriation	\$60,000
3	TOTAL APPROPRIATION.	((\$10,237,000))
4		<u>\$10,645,000</u>

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

7 (1) (~~(\$2,751,000)~~) \$2,862,000 of the aeronautics account—state
8 appropriation is provided solely for the airport aid grant program,
9 which provides competitive grants to public use airports for
10 pavement, safety, maintenance, planning, and security.

11 (2) (~~(\$468,000)~~) \$268,000 of the aeronautics account—state
12 appropriation is provided solely for one FTE dedicated to planning
13 aviation emergency services and addressing emerging aeronautics
14 requirements (~~(, and for the implementation of chapter . . . (House~~
15 ~~Bill No. 1397), Laws of 2019 (electric aircraft work group), which~~
16 ~~extends the electric aircraft work group past its current expiration~~
17 ~~and allows WSDOT to employ a consultant to assist with the work~~
18 ~~group. If chapter . . . (House Bill No. 1397), Laws of 2019 is not~~
19 ~~enacted by June 30, 2019, \$200,000 of the amount in this subsection~~
20 ~~lapses)).~~

21 (3) \$200,000 of the aeronautics account—state appropriation is
22 provided solely for the department to convene an electric aircraft
23 work group to study the state of the electrically powered aircraft
24 industry and assess infrastructure needs related to the deployment of
25 electric or hybrid-electric aircraft for commercial air travel in
26 Washington state.

27 (a) The chair of the work group may be a consultant specializing
28 in aeronautics. The work group must include, but is not limited to,
29 representation from the electric aircraft industry, the aircraft
30 manufacturing industry, electric utility districts, the battery
31 industry, the department of commerce, the department of
32 transportation aviation division, the airline pilots association, a
33 primary airport representing an airport association, and the airline
34 industry.

35 (b) The study must include, but is not limited to:

36 (i) Infrastructure requirements necessary to facilitate electric
37 aircraft operations at airports;

38 (ii) Potential economic and public benefits including, but not
39 limited to, the direct and indirect impact on the number of

1 manufacturing and service jobs and the wages from those jobs in
2 Washington state;

3 (iii) Potential incentives for industry in the manufacturing and
4 operation of electric aircraft for regional air travel;

5 (iv) Educational and workforce requirements for manufacturing and
6 maintaining electric aircraft;

7 (v) Demand and forecast for electric aircraft use to include
8 expected timeline of the aircraft entering the market given federal
9 aviation administration certification requirements;

10 (vi) Identification of up to six airports in Washington state
11 that may benefit from a pilot program once an electrically propelled
12 aircraft for commercial use becomes available; and

13 (vii) Recommendations to further the advancement of the
14 electrification of aircraft for regional commercial use within
15 Washington state, including specific, measureable goals for the years
16 2030, 2040, and 2050 that reflect progressive and substantial
17 increases in the utilization of electric and hybrid-electric
18 commercial aircraft.

19 (c) The work group must submit a report and accompanying
20 recommendations to the transportation committees of the legislature
21 by November 15, 2020.

22 ~~((d) If chapter . . . (House Bill No. 1397), Laws of 2019 is
23 enacted by June 30, 2019, the amount provided in this subsection (3)
24 lapses.))~~

25 (4) \$150,000 of the aeronautics account—state appropriation is
26 provided solely for the implementation of chapter 396 ~~((Substitute
27 Senate Bill No. 5370))~~, Laws of 2019 (aviation coordinating
28 commission). ~~((If chapter 396 (Substitute Senate Bill No. 5370), Laws
29 of 2019 is not enacted by June 30, 2019, the amount provided in this
30 subsection lapses.))~~

31 **Sec. 213.** 2019 c 416 s 213 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
34 **SUPPORT—PROGRAM H**

35 Motor Vehicle Account—State Appropriation	(\$59,801,000)
	<u>\$59,093,000</u>
36 Motor Vehicle Account—Federal Appropriation	\$500,000
37 Multimodal Transportation Account—State Appropriation . . .	\$258,000
38	

1 TOTAL APPROPRIATION. (~~(\$60,559,000)~~)
2 \$59,851,000

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

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

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

19 (b) Prior to completing the transfer in this subsection (1), the
20 department must ensure that provisions are made to accommodate
21 private and public utilities and any facilities that predate the
22 department's acquisition of the property, at no cost to those
23 entities. Prior to completing the transfer, the department shall also
24 ensure that provisions, by fair market assessment, are made to
25 accommodate other private and public utilities and any facilities
26 that have been legally allowed by permit or other instrument.

27 (c) The department may sell any adjoining property that is not
28 necessary to support the Rocky Reach Trail and adjacent buffer areas
29 only after the transfer of trail-related property to the Washington
30 state parks and recreation commission is complete. Adjoining property
31 owners must be given the first opportunity to acquire such property
32 that abuts their property, and applicable boundary line or other
33 adjustments must be made to the legal descriptions for recording
34 purposes.

35 (2) With respect to Parcel 12 of the real property conveyed by
36 the state of Washington to the city of Mercer Island under that
37 certain quitclaim deed, dated April 19, 2000, recorded in King county
38 under recording no. 20000425001234, the requirement in the deed that
39 the property be used for road/street purposes only will be deemed

1 satisfied by the department of transportation so long as commuter
2 parking, as part of the vertical development of the property, is one
3 of the significant uses of the property.

4 (3) \$1,600,000 of the motor vehicle account—state appropriation
5 is provided solely for real estate services activities. Consistent
6 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
7 initiating, extending, or renewing any rent or lease agreements with
8 a regional transit authority, consideration of value must be
9 equivalent to one hundred percent of economic or market rent.

10 (4) (a) \$100,000 of the motor vehicle account—state appropriation
11 is provided solely for the department to:

12 (i) Determine the real property owned by the state of Washington
13 and under the jurisdiction of the department in King county that is
14 surplus property located in an area encompassing south of Dearborn
15 Street in Seattle, south of Newcastle, west of SR 515, and north of
16 South 216th to SR 515; and

17 (ii) Use any remaining funds after (a) (i) of this subsection is
18 completed to identify additional real property across the state owned
19 by the state of Washington and under the jurisdiction of the
20 department that is surplus property.

21 (b) The department shall provide a report to the transportation
22 committees of the legislature describing the properties it has
23 identified as surplus property under (a) of this subsection by
24 October 1, 2020.

25 **Sec. 214.** 2019 c 416 s 214 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
28 **PROGRAM K**

29	Motor Vehicle Account—State Appropriation	\$670,000
30	((Electric Vehicle Account—State Appropriation.	\$2,000,000))
31	Multimodal Transportation Account—State Appropriation. ((\$1,634,000))	
32		<u>\$434,000</u>
33	TOTAL APPROPRIATION.	((\$4,304,000))
34		<u>\$1,104,000</u>

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

1 (1) The economic partnerships program must continue to explore
2 retail partnerships at state-owned park and ride facilities, as
3 authorized in RCW 47.04.295.

4 (2) \$350,000 of the multimodal transportation account—state
5 appropriation is provided solely for the department to execute a
6 transit oriented development pilot project at Kingsgate park and ride
7 in Kirkland intended to be completed by December 31, 2023. The
8 purpose of the pilot project is to demonstrate how appropriate
9 department properties may be used to provide multiple public benefits
10 such as affordable and market rate housing, commercial development,
11 and institutional facilities in addition to transportation purposes.
12 To accomplish the pilot project, the department is authorized to
13 exercise all legal and administrative powers authorized in statute
14 that may include, but is not limited to, the transfer, lease, or sale
15 of some or all of the property to another governmental agency, public
16 development authority, or nonprofit developer approved by the
17 department and partner agencies. The department may also partner with
18 sound transit, King county, the city of Kirkland, and any other
19 federal, regional, or local jurisdiction on any policy changes
20 necessary from those jurisdictions to facilitate the pilot project.
21 By December 1, 2019, the department must report to the legislature on
22 any legislative actions necessary to facilitate the pilot project and
23 future transit oriented development projects.

24 (3) (~~(\$2,000,000 of the electric vehicle account state~~
25 ~~appropriation is provided solely)) It is the intent of the
26 legislature that funding for the clean alternative fuel vehicle
27 charging and refueling infrastructure program in chapter 287
28 (~~(Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019
29 (advancing green transportation adoption) will be provided in the
30 2021-2023 fiscal biennium and the department must be ready to issue a
31 call for projects at the beginning of the 2021-2023 fiscal biennium.
32 (~~(If chapter 287 (Engrossed Second Substitute House Bill No. 2042),~~
33 ~~Laws of 2019 is not enacted by June 30, 2019, the amount provided in~~
34 ~~this subsection lapses.))~~)~~

35 (4) (~~(\$1,200,000 of the multimodal transportation account state~~
36 ~~appropriation is provided solely)) It is the intent of the
37 legislature that funding will be provided in the 2021-2023 fiscal
38 biennium for the pilot program established under chapter 287
39 (~~(Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019~~

1 (advancing green transportation adoption) to provide clean
2 alternative fuel vehicle use opportunities to underserved communities
3 and low to moderate income members of the workforce not readily
4 served by transit or located in transportation corridors with
5 emissions that exceed federal or state emissions standards. (~~If~~
6 ~~chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws~~
7 ~~of 2019 is not enacted by June 30, 2019, the amount provided in this~~
8 ~~subsection lapses~~) The department must be ready to issue a call for
9 projects at the beginning of the 2021-2023 fiscal biennium.

10 (5) \$84,000 of the multimodal transportation account—state
11 appropriation is provided solely for an interagency transfer to the
12 department of commerce for the purpose of conducting a study as
13 described in chapter 287 (~~(Engrossed Second Substitute House Bill~~
14 ~~No. 2042))), Laws of 2019 (advancing green transportation adoption)~~
15 to identify opportunities to reduce barriers to electric vehicle
16 adoption by lower income residents of the state through the use of
17 vehicle and infrastructure financing assistance. If chapter 287
18 (~~(Engrossed Second Substitute House Bill No. 2042))), Laws of 2019~~
19 is not enacted by June 30, 2019, the amount provided in this
20 subsection lapses.

21 (6) Building on the information and experience gained from the
22 transit oriented development project at the Kingsgate park and ride,
23 the department must identify a pilot park and ride with future
24 public-private partnership development potential in Pierce county and
25 report back to the transportation committees of the legislature by
26 June 30, 2021, with a proposal for moving forward in the 2021-2023
27 biennium with a pilot project.

28 **Sec. 215.** 2019 c 416 s 215 (uncodified) is amended to read as
29 follows:

30	FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M	
31	Motor Vehicle Account—State Appropriation	((\$495,228,000))
32		<u>\$486,417,000</u>
33	Motor Vehicle Account—Federal Appropriation	\$7,000,000
34	State Route Number 520 Corridor Account—State	
35	Appropriation	\$4,447,000
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation	\$1,549,000
38	Alaskan Way Viaduct Replacement Project	

1	Account—State Appropriation	((\$9,533,000))
2		<u>\$9,535,000</u>
3	Interstate 405 <u>and State Route Number 167</u> Express	
4	Toll Lanes ((Operations)) Account—State	
5	Appropriation.	((\$1,370,000))
6		<u>\$4,528,000</u>
7	TOTAL APPROPRIATION.	((\$519,127,000))
8		<u>\$513,476,000</u>

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

11 (1) (a) \$6,170,000 of the motor vehicle account—state
12 appropriation is provided solely for utility fees assessed by local
13 governments as authorized under RCW 90.03.525 for the mitigation of
14 stormwater runoff from state highways. Plan and reporting
15 requirements as required in chapter 435 (~~(Senate Bill No. 5505)~~),
16 Laws of 2019 (Local Stormwater Charges) shall be consistent with the
17 January 2012 findings of the Joint Transportation Committee Report
18 for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and
19 Efficiencies in Stormwater Management.

20 (b) Pursuant to RCW 90.03.525(3), the department and the
21 utilities imposing charges to the department shall negotiate with the
22 goal of agreeing to rates such that the total charges to the
23 department for the 2019-2021 fiscal biennium do not exceed the amount
24 provided in this subsection. The department shall report to the
25 transportation committees of the legislature on the amount of funds
26 requested, the funds granted, and the strategies used to keep costs
27 down, by January 17, 2021. If chapter 435 (~~(Senate Bill No. 5505)~~),
28 Laws of 2019 (local stormwater charges) is enacted by June 30, 2019,
29 this subsection (1) (b) does not take effect.

30 (2) \$4,447,000 of the state route number 520 corridor account—
31 state appropriation is provided solely to maintain the state route
32 number 520 floating bridge. These funds must be used in accordance
33 with RCW 47.56.830(3).

34 (3) \$1,549,000 of the Tacoma Narrows toll bridge account—state
35 appropriation is provided solely to maintain the new Tacoma Narrows
36 bridge. These funds must be used in accordance with RCW 47.56.830(3).

37 (4) (~~(\$1,370,000)~~) \$2,050,000 of the Interstate 405 and state
38 route number 167 express toll lanes (~~(operations)~~) account—state
39 appropriation is provided solely to maintain the Interstate 405 and

1 state route number 167 express toll lanes between Lynnwood and
2 Bellevue, and Renton and the southernmost point of the express toll
3 lanes. These funds must be used in accordance with RCW 47.56.830(3).

4 (5) \$2,478,000 of the Interstate 405 and state route number 167
5 express toll lanes account—state appropriation is provided solely for
6 maintenance for the 2019-2021 biennium only on the Interstate 405
7 roadway between Renton and Bellevue.

8 ~~(6) ((\$5,000,000))~~ (a) \$3,000,000 of the motor vehicle account—
9 state appropriation is provided solely for a contingency pool for
10 snow and ice removal. The department must notify the office of
11 financial management and the transportation committees of the
12 legislature when they have spent the base budget for snow and ice
13 removal and will begin using the contingency pool funding.

14 (b) \$2,000,000 of the motor vehicle account—state appropriation
15 is provided solely as restitutive expenditure authority for the
16 contingency pool for snow and ice removal, and may be spent only if a
17 court of final jurisdiction holds that chapter 1 (Initiative Measure
18 No. 976), Laws of 2020 is unconstitutional in its entirety.

19 ~~((+6))~~ (7) \$1,025,000 of the motor vehicle account—state
20 appropriation is provided solely for the department to implement
21 safety improvements and debris clean up on department-owned rights-
22 of-way in the city of Seattle at levels above that being implemented
23 as of January 1, 2019. The department must contract out or hire a
24 crew dedicated solely to collecting and disposing of garbage,
25 clearing debris or hazardous material, and implementing safety
26 improvements where hazards exist to the traveling public, department
27 employees, or people encamped upon department-owned rights-of-way.
28 The department may request assistance from the Washington state
29 patrol as necessary in order for both agencies to provide enhanced
30 safety-related activities regarding the emergency hazards along state
31 highway rights-of-way in the Seattle area.

32 ~~((+7))~~ (8) \$1,015,000 of the motor vehicle account—state
33 appropriation is provided solely for a partnership program between
34 the department and the city of Tacoma. The program shall address the
35 safety and public health problems created by homeless encampments on
36 the department's property along state highways within the city
37 limits. \$570,000 is for dedicated department maintenance staff and
38 associated clean-up costs. The department and the city of Tacoma

1 shall enter into a reimbursable agreement to cover up to \$445,000 of
2 the city's expenses for clean-up crews and landfill costs.

3 ~~((8))~~ (9) The department must commence a pilot program for the
4 2019-2021 fiscal biennium at the four highest demand safety rest
5 areas to create and maintain an online calendar for volunteer groups
6 to check availability of weekends for the free coffee program. The
7 calendar must be updated at least weekly and show dates and times
8 that are, or are not, available to participate in the free coffee
9 program. The department must submit a report to the legislature on
10 the ongoing pilot by December 1, 2020, outlining the costs and
11 benefits of the online calendar pilot, and including surveys from the
12 volunteer groups and agency staff to determine its effectiveness.

13 **Sec. 216.** 2019 c 416 s 216 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
16 **OPERATING**

17	Motor Vehicle Account—State Appropriation	(\$70,681,000)
18		<u>\$76,112,000</u>
19	Motor Vehicle Account—Federal Appropriation	\$2,050,000
20	Motor Vehicle Account—Private/Local Appropriation	\$250,000
21	<u>State Route Number 520 Corridor Account—State</u>	
22	<u>Appropriation.</u>	<u>\$53,000</u>
23	<u>Tacoma Narrows Toll Bridge Account—State Appropriation.</u>	<u>\$31,000</u>
24	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
25	<u>State Appropriation.</u>	<u>\$26,000</u>
26	<u>Interstate 405 and State Route Number 167 Express</u>	
27	<u>Toll Lanes Account—State Appropriation.</u>	<u>\$32,000</u>
28	TOTAL APPROPRIATION.	(\$72,981,000)
29		<u>\$78,554,000</u>

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

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

1 (2) (a) During the 2019-2021 fiscal biennium, the department shall
2 continue a pilot program that expands private transportation
3 providers' access to high occupancy vehicle lanes. Under the pilot
4 program, when the department reserves a portion of a highway based on
5 the number of passengers in a vehicle, the following vehicles must be
6 authorized to use the reserved portion of the highway if the vehicle
7 has the capacity to carry eight or more passengers, regardless of the
8 number of passengers in the vehicle: (i) Auto transportation company
9 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
10 carrier vehicles regulated under chapter 81.70 RCW, except marked or
11 unmarked stretch limousines and stretch sport utility vehicles as
12 defined under department of licensing rules; (iii) private nonprofit
13 transportation provider vehicles regulated under chapter 81.66 RCW;
14 and (iv) private employer transportation service vehicles. For
15 purposes of this subsection, "private employer transportation
16 service" means regularly scheduled, fixed-route transportation
17 service that is offered by an employer for the benefit of its
18 employees. Nothing in this subsection is intended to authorize the
19 conversion of public infrastructure to private, for-profit purposes
20 or to otherwise create an entitlement or other claim by private users
21 to public infrastructure.

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

32 (c) The department shall expand the high occupancy vehicle lane
33 access pilot program to organ transport vehicles transporting a time
34 urgent organ for an organ procurement organization as defined in RCW
35 68.64.010. Under the pilot program, when the department reserves a
36 portion of a highway based on the number of passengers in a vehicle,
37 organ transport vehicles that are clearly and identifiably marked as
38 such on all sides of the vehicle are considered emergency vehicles
39 and must be authorized to use the reserved portion of the highway.

1	<u>State Route Number 520 Corridor Account—State</u>	
2	<u>Appropriation.</u>	\$199,000
3	<u>Tacoma Narrows Toll Bridge Account—State Appropriation. . .</u>	\$116,000
4	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
5	<u>State Appropriation.</u>	\$100,000
6	<u>Interstate 405 and State Route Number 167 Express</u>	
7	<u>Toll Lanes Account—State Appropriation.</u>	\$119,000
8	TOTAL APPROPRIATION.	((\$41,791,000))
9		<u>\$41,030,000</u>

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

12 (1) \$2,000,000 of the motor vehicle account—state appropriation
13 is provided solely for a grant program that makes awards for the
14 following: (a) Support for nonprofit agencies, churches, and other
15 entities to help provide outreach to populations underrepresented in
16 the current apprenticeship programs; (b) preapprenticeship training;
17 and (c) child care, transportation, and other supports that are
18 needed to help women, veterans, and minorities enter and succeed in
19 apprenticeship. The department must report on grants that have been
20 awarded and the amount of funds disbursed by December 1st each year.
21 If moneys are provided in the omnibus operating appropriations act
22 for a career connected learning grant program, defined in
23 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
24 otherwise, the amount provided in this subsection lapses.

25 (2) \$150,000 of the motor vehicle account—state appropriation is
26 provided solely for a user-centered and mobile-compatible web site
27 redesign using estimated web site ad revenues.

28 (3) From the revenues generated by the five dollar per studded
29 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—
30 state appropriation is provided solely for the department, in
31 consultation with the appropriate local jurisdictions and relevant
32 stakeholder groups, to establish a pilot media-based public
33 information campaign regarding the damage of studded tire use on
34 state and local roadways in Whatcom county, and to continue the
35 existing pilot information campaign in Spokane county. The reason for
36 the geographic selection of Spokane and Whatcom counties is based on
37 the high utilization of studded tires in these jurisdictions. The
38 public information campaigns must primarily focus on making the
39 consumer aware of the safety implications for other drivers, road

deterioration, financial impact for taxpayers, and, secondarily, the alternatives to studded tires. The Whatcom county pilot media-based public information campaign must begin by September 1, 2020. By January 14, 2021, the department must provide the transportation committees of the legislature an update on the Spokane and Whatcom county pilot media-based public information campaigns.

(4) (~~(\$138,000 of the motor vehicle account state appropriation is provided solely for the implementation of chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 (concerning environmental health disparities). If chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses)~~) \$119,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$199,000 of the state route number 520 corridor account—state appropriation, \$116,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$100,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the transportation management and support program's proportional share of time spent supporting tolling operations for the respective tolling facilities.

Sec. 218. 2019 c 416 s 218 (uncodified) is amended to read as follows:

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

(High Occupancy) <u>Interstate 405 and State Route</u>	
<u>Number 167 Express Toll Lanes</u> (Operations)	
Account—State Appropriation	(\$3,000,000)
	<u>\$3,123,000</u>
Motor Vehicle Account—State Appropriation	(\$29,403,000)
	<u>\$25,638,000</u>
Motor Vehicle Account—Federal Appropriation	(\$29,485,000)
	<u>\$35,385,000</u>
Motor Vehicle Account—Private/Local Appropriation	(\$800,000)
	<u>\$1,200,000</u>
Multimodal Transportation Account—State Appropriation	\$710,000
Multimodal Transportation Account—Federal	
Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local	

1	Appropriation	\$100,000
2	<u>State Route Number 520 Corridor Account—State</u>	
3	<u>Appropriation.</u>	\$207,000
4	<u>Tacoma Narrows Toll Bridge Account—State Appropriation.</u> . . .	\$121,000
5	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
6	<u>State Appropriation.</u>	\$104,000
7	TOTAL APPROPRIATION.	(((\$66,307,000))
8		\$69,397,000

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

11 (1) \$130,000 of the motor vehicle account—state appropriation is
12 provided solely for completion of a corridor study to identify
13 potential improvements between exit 116 and exit 99 of Interstate 5.
14 The study should further develop mid- and long-term strategies from
15 the corridor sketch, and identify potential US 101/I-5 interchange
16 improvements, a strategic plan for the Nisqually River bridges,
17 regional congestion relief options, and ecosystem benefits to the
18 Nisqually River estuary for salmon productivity and flood control.

19 (2) The study on state route number 518 referenced in section
20 218(5), chapter 297, Laws of 2018 must be submitted to the
21 transportation committees of the legislature by November 30, 2019.

22 (3) \$100,000 of the motor vehicle account—state appropriation is
23 provided solely to complete the Tacoma mall direct access feasibility
24 study.

25 (4) \$4,600,000 of the motor vehicle account—federal appropriation
26 is provided solely to complete the road usage charge pilot project
27 overseen by the transportation commission using the remaining unspent
28 amount of the federal grant award. The purpose of the road usage
29 charge pilot project is to explore the viability of a road usage
30 charge as a possible replacement for the gas tax.

31 (5) \$3,000,000 of the ((~~high occupancy~~)) Interstate 405 and state
32 route number 167 express toll lanes ((~~operations~~)) account—state
33 appropriation is provided solely for updating the state route number
34 167 master plan. If neither chapter 421 ((~~Engrossed Substitute~~
35 ~~Senate Bill No. 5825~~)), Laws of 2019 (addressing tolling) nor
36 chapter . . . (House Bill No. 2132), Laws of 2019 (addressing
37 tolling) is enacted by June 30, 2019, the amount provided in this
38 subsection lapses.

1 (6) \$123,000 of the Interstate 405 and state route number 167
2 express toll lanes account—state appropriation, \$207,000 of the state
3 route number 520 corridor account—state appropriation, \$121,000 of
4 the Tacoma Narrows toll bridge account—state appropriation, and
5 \$104,000 of the Alaskan Way viaduct replacement project account—state
6 appropriation are provided solely for the transportation planning,
7 data, and research program's proportional share of time spent
8 supporting tolling operations for the respective tolling facilities.

9 (7)(a) By December 31, 2020, the department shall provide to the
10 governor and the transportation committees of the legislature a
11 report with a sample performance-based evaluation applied to an
12 existing highway capacity project and an existing multimodal
13 transportation project funded in the 2015 Connecting Washington
14 package. The sample performance-based evaluation must consider: (i)
15 The transportation policy goals listed in RCW 47.04.280; and (ii) the
16 themes of health, accessibility, environmental justice, equity, and
17 climate change, and how those themes should be defined in a
18 transportation context.

19 (b) The department must incorporate feedback from interested
20 stakeholders, including traditionally underserved and historically
21 disadvantaged populations, and the report shall include the project
22 evaluation procedures used for the performance-based evaluation. This
23 report will help provide a better path to determining that the most
24 beneficial projects are selected and funded in future transportation
25 budgets.

26 (8) Within existing resources, the department shall conduct a
27 study of options to establish road connections between state route
28 number 704 in Spanaway and Interstate 5. The department shall examine
29 potential benefits to traffic congestion, emergency management, and
30 other benefits or issues of a new road connection. A report of the
31 study must be provided to the transportation committees of the
32 legislature by June 30, 2021.

33 **Sec. 219.** 2019 c 416 s 219 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
36 **PROGRAM U**

37 Motor Vehicle Account—State Appropriation (~~(\$71,996,000)~~)
38 \$78,427,000

1	Multimodal Transportation Account—State	
2	Appropriation	((\$2,491,000))
3		<u>\$2,690,000</u>
4	<u>Interstate 405 and State Route Number 167 Express</u>	
5	<u>Toll Lanes Account—State Appropriation.</u>	<u>\$122,000</u>
6	<u>State Route Number 520 Corridor Account—State</u>	
7	<u>Appropriation.</u>	<u>\$205,000</u>
8	<u>Tacoma Narrows Toll Bridge Account—State</u>	
9	<u>Appropriation.</u>	<u>\$120,000</u>
10	<u>Alaskan Way Viaduct Replacement Project Account—State</u>	
11	<u>Appropriation.</u>	<u>\$102,000</u>
12	TOTAL APPROPRIATION.	((\$74,487,000))
13		<u>\$81,666,000</u>

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

16 (1) ((~~Prior to~~)) After entering into any negotiated settlement of
17 a claim against the state for the department that exceeds five
18 million dollars, the department, in conjunction with the attorney
19 general and the department of enterprise services, shall notify the
20 director of the office of financial management and the transportation
21 committees of the legislature.

22 (2) Beginning October 1, 2019, and quarterly thereafter, the
23 department, in conjunction with the attorney general and the
24 department of enterprise services, shall provide a report with
25 judgments and settlements dealing with the Washington state ferry
26 system to the director of the office of financial management and the
27 transportation committees of the legislature. The report must include
28 information on: (a) The number of claims and settlements by type; (b)
29 the average claim and settlement by type; (c) defense costs
30 associated with those claims and settlements; and (d) information on
31 the impacts of moving legal costs associated with the Washington
32 state ferry system into the statewide self-insurance pool.

33 (3) Beginning October 1, 2019, and quarterly thereafter, the
34 department, in conjunction with the attorney general and the
35 department of enterprise services, shall provide a report with
36 judgments and settlements dealing with the nonferry operations of the
37 department to the director of the office of financial management and
38 the transportation committees of the legislature. The report must
39 include information on: (a) The number of claims and settlements by

1 type; (b) the average claim and settlement by type; and (c) defense
2 costs associated with those claims and settlements.

3 (4) \$122,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$205,000 of the state
5 route number 520 corridor account—state appropriation, \$120,000 of
6 the Tacoma Narrows toll bridge account—state appropriation, and
7 \$102,000 of the Alaskan Way viaduct replacement project account—state
8 appropriation are provided solely for the charges from other
9 agencies' program's proportional share of supporting tolling
10 operations for the respective tolling facilities.

11 **Sec. 220.** 2019 c 416 s 220 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**
14 State Vehicle Parking Account—State Appropriation \$784,000
15 Regional Mobility Grant Program Account—State
16 Appropriation ((~~\$96,630,000~~))
17 \$90,798,000
18 Rural Mobility Grant Program Account—State
19 Appropriation \$32,223,000
20 Multimodal Transportation Account—State
21 Appropriation ((~~\$128,554,000~~))
22 \$146,151,000
23 Multimodal Transportation Account—Federal
24 Appropriation \$3,574,000
25 Multimodal Transportation Account—Local
26 Appropriation \$100,000
27 TOTAL APPROPRIATION. ((~~\$261,865,000~~))
28 \$273,630,000

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

31 (1) ((~~\$62,679,000~~)) \$62,698,000 of the multimodal transportation
32 account—state appropriation is provided solely for a grant program
33 for special needs transportation provided by transit agencies and
34 nonprofit providers of transportation. ((~~If chapter 287 (Engrossed~~
35 ~~Second Substitute House Bill No. 2042), Laws of 2019 (advancing green~~
36 ~~transportation adoption) is not enacted by June 30, 2019, \$10,000,000~~
37 ~~of the amount in this subsection lapses.)) Of this amount:~~

1 (a) (~~(\$14,278,000)~~) \$14,297,000 of the multimodal transportation
2 account—state appropriation is provided solely for grants to
3 nonprofit providers of special needs transportation. Grants for
4 nonprofit providers must be based on need, including the availability
5 of other providers of service in the area, efforts to coordinate
6 trips among providers and riders, and the cost effectiveness of trips
7 provided. (~~(If chapter 287 (Engrossed Second Substitute House Bill~~
8 ~~No. 2042), Laws of 2019 (advancing green transportation adoption) is~~
9 ~~not enacted by June 30, 2019, \$2,278,000 of the amount in this~~
10 ~~subsection lapses.~~)

11 (b) \$48,401,000 of the multimodal transportation account—state
12 appropriation is provided solely for grants to transit agencies to
13 transport persons with special transportation needs. To receive a
14 grant, the transit agency must, to the greatest extent practicable,
15 have a maintenance of effort for special needs transportation that is
16 no less than the previous year's maintenance of effort for special
17 needs transportation. Grants for transit agencies must be prorated
18 based on the amount expended for demand response service and route
19 deviated service in calendar year 2017 as reported in the "Summary of
20 Public Transportation - 2017" published by the department of
21 transportation. No transit agency may receive more than thirty
22 percent of these distributions. (~~(If chapter 287 (Engrossed Second~~
23 ~~Substitute House Bill No. 2042), Laws of 2019 (advancing green~~
24 ~~transportation adoption) is not enacted by June 30, 2019, \$7,722,000~~
25 ~~of the amount in this subsection lapses.~~)

26 (2) \$32,223,000 of the rural mobility grant program account—state
27 appropriation is provided solely for grants to aid small cities in
28 rural areas as prescribed in RCW 47.66.100.

29 (3) (a) (~~(\$10,290,000)~~) \$10,539,000 of the multimodal
30 transportation account—state appropriation is provided solely for a
31 vanpool grant program for: (i) Public transit agencies to add
32 vanpools or replace vans; and (ii) incentives for employers to
33 increase employee vanpool use. The grant program for public transit
34 agencies will cover capital costs only; operating costs for public
35 transit agencies are not eligible for funding under this grant
36 program. Additional employees may not be hired from the funds
37 provided in this section for the vanpool grant program, and
38 supplanting of transit funds currently funding vanpools is not

1 allowed. The department shall encourage grant applicants and
2 recipients to leverage funds other than state funds.

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

5 (4) (~~(\$18,951,000)~~) \$27,483,000 of the regional mobility grant
6 program account—state appropriation is reappropriated and provided
7 solely for the regional mobility grant projects identified in LEAP
8 Transportation Document (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed
9 (~~(April 27, 2019)~~) February 25, 2020, Program - Public Transportation
10 Program (V).

11 (5) (a) (~~(\$77,679,000)~~) \$63,315,000 of the regional mobility grant
12 program account—state appropriation is provided solely for the
13 regional mobility grant projects identified in LEAP Transportation
14 Document (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed (~~(April 27,~~
15 ~~2019)~~) February 25, 2020, Program - Public Transportation Program
16 (V). The department shall review all projects receiving grant awards
17 under this program at least semiannually to determine whether the
18 projects are making satisfactory progress. Any project that has been
19 awarded funds, but does not report activity on the project within one
20 year of the grant award, must be reviewed by the department to
21 determine whether the grant should be terminated. The department
22 shall promptly close out grants when projects have been completed,
23 and any remaining funds must be used only to fund projects identified
24 in the LEAP transportation document referenced in this subsection.
25 The department shall provide annual status reports on December 15,
26 2019, and December 15, 2020, to the office of financial management
27 and the transportation committees of the legislature regarding the
28 projects receiving the grants. It is the intent of the legislature to
29 appropriate funds through the regional mobility grant program only
30 for projects that will be completed on schedule. A grantee may not
31 receive more than twenty-five percent of the amount appropriated in
32 this subsection. Additionally, when allocating funding for the
33 2021-2023 biennium, no more than thirty percent of the total grant
34 program may directly benefit or support one grantee. The department
35 shall not approve any increases or changes to the scope of a project
36 for the purpose of a grantee expending remaining funds on an awarded
37 grant.

38 (b) In order to be eligible to receive a grant under (a) of this
39 subsection during the 2019-2021 fiscal biennium, a transit agency
40 must establish a process for private transportation providers to

1 apply for the use of park and ride facilities. For purposes of this
2 subsection, (i) "private transportation provider" means: An auto
3 transportation company regulated under chapter 81.68 RCW; a passenger
4 charter carrier regulated under chapter 81.70 RCW, except marked or
5 unmarked stretch limousines and stretch sport utility vehicles as
6 defined under department of licensing rules; a private nonprofit
7 transportation provider regulated under chapter 81.66 RCW; or a
8 private employer transportation service provider; and (ii) "private
9 employer transportation service" means regularly scheduled, fixed-
10 route transportation service that is offered by an employer for the
11 benefit of its employees.

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

15 (7) \$7,670,000 of the multimodal transportation account—state
16 appropriation and \$784,000 of the state vehicle parking account—state
17 appropriation are provided solely for CTR grants and activities. Of
18 this amount:

19 (a) \$1,000,000 of the multimodal transportation account—state
20 appropriation is provided solely for the department to continue a
21 pilot transit pass incentive program. Businesses and nonprofit
22 organizations located in a county adjacent to Puget Sound with a
23 population of more than seven hundred thousand that have never
24 offered transit subsidies to employees are eligible to apply to the
25 program for a fifty percent rebate on the cost of employee transit
26 subsidies provided through the regional ORCA fare collection system.
27 No single business or nonprofit organization may receive more than
28 ten thousand dollars from the program.

29 (i) Businesses and nonprofit organizations may apply and be
30 awarded funds prior to purchasing a transit subsidy, but the
31 department may not provide reimbursement until proof of purchase or a
32 contract has been provided to the department.

33 (ii) The department shall update the transportation committees of
34 the legislature on the impact of the program by January 31, 2020, and
35 may adopt rules to administer the program.

36 (b) \$30,000 of the state vehicle parking account—state
37 appropriation is provided solely for the STAR pass program for state
38 employees residing in Mason and Grays Harbor Counties. Use of the
39 pass is for public transportation between Mason County and Thurston

1 County, and Grays Harbor and Thurston County. The pass may also be
2 used within Grays Harbor County. The STAR pass commute trip reduction
3 program is open to any state employee who expresses intent to commute
4 to his or her assigned state worksite using a public transit system
5 currently participating in the STAR pass program.

6 (c) \$1,000,000 of the multimodal transportation account—state
7 appropriation is provided solely for a first mile/last mile
8 connections grant program. Eligible grant recipients include cities,
9 businesses, nonprofits, and transportation network companies with
10 first mile/last mile solution proposals. Transit agencies are not
11 eligible. The commute trip reduction board shall develop grant
12 parameters, evaluation criteria, and evaluate grant proposals. The
13 commute trip reduction board shall provide the transportation
14 committees of the legislature a report on the effectiveness of this
15 grant program and best practices for continuing the program.

16 (8) Except as provided otherwise in this subsection,
17 (~~(\$28,048,000)~~) \$32,377,000 of the multimodal transportation account—
18 state appropriation is provided solely for connecting Washington
19 transit projects identified in LEAP Transportation Document
20 (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed (~~(April 27, 2019)~~)
21 February 25, 2020. It is the intent of the legislature that entities
22 identified to receive funding in the LEAP document referenced in this
23 subsection receive the amounts specified in the time frame specified
24 in that LEAP document. If an entity has already completed a project
25 in the LEAP document referenced in this subsection before the time
26 frame identified, the entity may substitute another transit project
27 or projects that cost a similar or lesser amount.

28 (9) \$2,000,000 of the multimodal transportation account—state
29 appropriation is provided solely for transit coordination grants.

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

32 (11)(a) For projects funded as part of the 2015 connecting
33 Washington transportation package listed on the LEAP transportation
34 document identified in subsection (4) of this section, if the
35 department expects to have substantial reappropriations for the
36 2021-2023 fiscal biennium, the department may, on a pilot basis,
37 apply funding from a project with an appropriation that cannot be
38 used for the current fiscal biennium to advance one or more of the
39 following projects:

- 1 (i) King County Metro - RapidRide Expansion, Burien-Delridge
- 2 (G2000031);
- 3 (ii) King County Metro - Route 40 Northgate to Downtown
- 4 (G2000032);
- 5 (iii) Mason Transit Park & Ride Development (G2000042); or
- 6 (iv) Pierce Transit - SR 7 Express Service (~~(G2000046)~~)
- 7 (G2000045).

8 (b) At least ten business days before advancing a project
9 pursuant to this subsection, the department must notify the office of
10 financial management and the transportation committees of the
11 legislature. The advancement of a project may not hinder the delivery
12 of the projects for which the reappropriations are necessary for the
13 2021-2023 fiscal biennium.

14 (c) To the extent practicable, the department shall use the
15 flexibility and authority granted in this section to minimize the
16 amount of reappropriations needed each biennium.

17 (12) \$750,000 of the multimodal transportation account—state
18 appropriation is provided solely for Intercity Transit for the Dash
19 shuttle program.

20 (13)(a) \$485,000 of the multimodal transportation account—state
21 appropriation is provided solely for King county for:

22 (i) An expanded pilot program to provide certain students in the
23 Highline, Tukwila, and Lake Washington school districts with an ORCA
24 card during these school districts' summer vacations. In order to be
25 eligible for an ORCA card under this program, a student must also be
26 in high school, be eligible for free and reduced-price lunches, and
27 have a job or other responsibility during the summer; and

28 (ii) Providing administrative support to other interested school
29 districts in King county to prepare for implementing similar programs
30 for their students.

31 (b) King county must provide a report to the department and the
32 transportation committees of the legislature by December 15, 2021,
33 regarding:

- 34 (i) The annual student usage of the pilot program;
- 35 (ii) Available ridership data;
- 36 (iii) A cost estimate, including a detailed description of the
37 various expenses leading to the cost estimate, and any other factors
38 relevant to expanding the program to other King county school
39 districts;

1 (iv) A cost estimate, including a detailed description of the
2 various expenses leading to the cost estimate, and any other factors
3 relevant to expanding the program to student populations other than
4 high school or eligible for free and reduced-price lunches;

5 (v) Opportunities for subsidized ORCA cards or local grant or
6 matching funds; and

7 (vi) Any additional information that would help determine if the
8 pilot program should be extended or expanded.

9 (14) (~~(\$12,000,000 of the multimodal transportation account—state~~
10 ~~appropriation is provided solely)~~) It is the intent of the
11 legislature that funding for the green transportation capital grant
12 program established in chapter 287 ((Engrossed Second Substitute
13 House Bill No. 2042)), Laws of 2019 (advancing green transportation
14 adoption) will be provided in the 2021-2023 biennium and that
15 projects submitted by the department for the 2020 legislative session
16 will retain their place on the prioritized list, ahead of any newly
17 submitted projects. ((If chapter 287 (Engrossed Second Substitute
18 House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019,
19 the amount provided in this subsection lapses.))

20 (15) \$555,000 of the multimodal transportation account—state
21 appropriation is provided solely for an interagency transfer to the
22 Washington State University extension energy program to establish and
23 administer a technical assistance and education program for public
24 agencies on the use of alternative fuel vehicles. If chapter 287
25 (~~Engrossed Second Substitute House Bill No. 2042~~), Laws of 2019
26 (advancing green transportation adoption) is not enacted by June 30,
27 2019, \$375,000 of the amount provided in this subsection lapses.

28 (16) As a short-term solution, appropriation authority for the
29 public transportation program in this section is reduced to reflect
30 anticipated underruns in this program, based on historical
31 reappropriation levels. It is the intent of the legislature that no
32 public transportation grants or projects be delayed as a result of
33 revenue reductions, except that funding for the green transportation
34 capital program created by chapter 287, Laws of 2019 be delayed until
35 2021-2023.

36 (17) \$25,000,000 of the multimodal transportation account—state
37 appropriation is provided solely as restitutive expenditure authority
38 for the public transportation program's capital project grants as
39 listed by amount on the LEAP list referenced in subsections (4), (5),

1 and (8) of this section, and may be spent only if a court of final
2 jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws
3 of 2020 is unconstitutional in its entirety.

4 **Sec. 221.** 2019 c 416 s 221 (uncodified) is amended to read as
5 follows:

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

7	Motor Vehicle Account—State Appropriation.	\$250,000
8	Puget Sound Ferry Operations Account—State	
9	Appropriation	((\$540,746,000))
10		<u>\$547,056,000</u>
11	Puget Sound Ferry Operations Account—Federal	
12	Appropriation	\$7,932,000
13	Puget Sound Ferry Operations Account—Private/Local	
14	Appropriation	\$121,000
15	TOTAL APPROPRIATION.	((\$549,049,000))
16		<u>\$555,359,000</u>

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

19 (1) The office of financial management budget instructions
20 require agencies to recast enacted budgets into activities. The
21 Washington state ferries shall include a greater level of detail in
22 its 2019-2021 supplemental and 2021-2023 omnibus transportation
23 appropriations act requests, as determined jointly by the office of
24 financial management, the Washington state ferries, and the
25 transportation committees of the legislature. This level of detail
26 must include the administrative functions in the operating as well as
27 capital programs.

28 (2) For the 2019-2021 fiscal biennium, the department may enter
29 into a distributor controlled fuel hedging program and other methods
30 of hedging approved by the fuel hedging committee, which must include
31 a representative of the department of enterprise services.

32 (3) ((~~\$76,261,000~~)) \$73,161,000 of the Puget Sound ferry
33 operations account—state appropriation is provided solely for auto
34 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
35 reflect cost savings from a reduced biodiesel fuel requirement and,
36 therefore, is contingent upon the enactment of section 703 ((~~of this~~
37 ~~act~~)), chapter 416, Laws of 2019. The amount provided in this
38 subsection represents the fuel budget for the purposes of calculating

1 any ferry fare fuel surcharge. The department shall review future use
2 of alternative fuels and dual fuel configurations, including
3 hydrogen.

4 (4) \$650,000 of the Puget sound ferry operations account—state
5 appropriation is provided solely for increased staffing at Washington
6 ferry terminals to meet increased workload and customer expectations.
7 Within the amount provided in this subsection, the department shall
8 contract with uniformed officers for additional traffic control
9 assistance at the Kingston ferry terminal during peak ferry travel
10 times, with a particular focus on Sundays and holiday weekends.
11 Traffic control methods should include, but not be limited to,
12 holding traffic on the shoulder at Lindvog Road until space opens for
13 cars at the tollbooths and dock, and management of traffic on Highway
14 104 in order to ensure Kingston residents and business owners have
15 access to businesses, roads, and driveways.

16 (5) \$254,000 of the Puget Sound ferry operations account—state
17 appropriation is provided solely for a dedicated inventory logistics
18 manager on a one-time basis.

19 (6) \$500,000 of the Puget Sound ferry operations account—state
20 appropriation is provided solely for operating costs related to
21 moving vessels for emergency capital repairs. Funds may only be spent
22 after approval by the office of financial management.

23 (7) By January 1, 2020, the ferries division must submit a
24 workforce plan for reducing overtime due to shortages of staff
25 available to fill vacant crew positions. The plan must include
26 numbers of crew positions being filled by staff working overtime,
27 strategies for filling these positions with straight time employees,
28 progress toward implementing those strategies, and a forecast for
29 when overtime expenditures will return to historical averages.

30 (8) \$160,000 of the Puget Sound ferry operations account—state
31 appropriation is provided solely for a ferry fleet baseline noise
32 study, conducted by a consultant, for the purpose of establishing
33 plans and data-driven goals to reduce ferry noise when Southern
34 resident orca whales are present. In addition, the study must
35 establish prioritized strategies to address vessels serving routes
36 with the greatest exposure to orca whale movements.

37 (9) ~~((+a))~~ \$250,000 of the motor vehicle account—state
38 appropriation is provided solely for the department ~~((, in~~
39 ~~consultation with the Washington state transportation center, to~~

1 ~~develop a plan for service on the triangle route with a goal of~~
2 ~~providing maximum sailings moving the most passengers to all stops in~~
3 ~~the least travel time, including waits between sailings, within~~
4 ~~budget and resource constraints)) to contract with uniformed officers
5 for additional traffic control assistance at the Fauntleroy ferry
6 terminal.~~

7 ~~((b) The Washington state transportation center must use new~~
8 ~~traffic management models and scheduling tools to examine proposed~~
9 ~~improvements for the triangle route. The department shall report to~~
10 ~~the standing transportation committees of the legislature by January~~
11 ~~15, 2021. The report must include:~~

12 ~~(i) Implementation and status of data collection, modeling,~~
13 ~~scheduling, capital investments, and procedural improvements to allow~~
14 ~~Washington state ferries to schedule more sailings to and from all~~
15 ~~stops on the triangle route with minimum time between sailings;~~

16 ~~(ii) Recommendations for emergency boat allocations, regular~~
17 ~~schedule policies, and emergency schedule policies based on all~~
18 ~~customers alternative travel options to ensure that any dock with no~~
19 ~~road access is prioritized in scheduling and scheduled service is~~
20 ~~provided based on population size, demographics, and local medical~~
21 ~~services;~~

22 ~~(iii) Triangle route pilot economic analysis of Washington state~~
23 ~~ferries fare revenue and fuel cost impact of offering additional,~~
24 ~~better spaced sailings;~~

25 ~~(iv) Results of an economic analysis of the return on investment~~
26 ~~of potentially acquiring and using traffic control infrastructure,~~
27 ~~technology, walk on loading bridges, and Good-to-Go and ORCA~~
28 ~~replacement of current fare sales, validation, collections,~~
29 ~~accounting, and all associated labor and benefits costs that can be~~
30 ~~saved via those capital investments; and~~

31 ~~(v) Recommendation on policies, procedures, or agency~~
32 ~~interpretations of statute that may be adopted to mitigate any delays~~
33 ~~or disruptions to scheduled sailings.~~

34 ~~(c) If at least \$50,000,000 is not made available, by means of~~
35 ~~transfer, deposit, appropriation, or other similar conveyance, to the~~
36 ~~motor vehicle account for stormwater-related activities through the~~
37 ~~enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),~~
38 ~~Laws of 2019 (model toxics control program reform) by June 30, 2019,~~
39 ~~the amount provided in this subsection (9) lapses.))~~

1 (10) \$15,139,000 of the Puget Sound ferry operations account—
2 state appropriation is provided solely for training. Of the amount
3 provided in this subsection:

4 (a) \$2,500,000 is for training for new employees.

5 (b) \$160,000 is for electronic chart display and information
6 system training.

7 (c) \$379,000 is for marine evacuation slide training.

8 **Sec. 222.** 2019 c 416 s 222 (uncodified) is amended to read as
9 follows:

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

11 Multimodal Transportation Account—State

12 Appropriation ((\$75,576,000))
13 \$70,243,000

14 Multimodal Transportation Account—Private/Local

15 Appropriation \$717,000

16 Multimodal Transportation Account—Federal

17 Appropriation \$500,000

18 TOTAL APPROPRIATION. ((\$76,793,000))
19 \$71,460,000

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

22 (1) (a) (i) \$224,000 of the multimodal transportation account—state
23 appropriation and \$671,000 of the multimodal transportation account—
24 private/local appropriation are provided solely for continued
25 analysis of the ultra high-speed ground transportation corridor in a
26 new study, with participation from Washington, Oregon, and British
27 Columbia. No funds may be expended until the department is in receipt
28 of \$671,000 in private/local funding provided solely for this
29 purpose.

30 (ii) The ultra high-speed ground transportation corridor advisory
31 group must include legislative membership.

32 (iii) "Ultra high-speed" means a maximum testing speed of at
33 least two hundred fifty miles per hour.

34 (b) The study must consist of the following:

35 (i) Development of proposed corridor governance, general powers,
36 operating structure, legal instruments, and contracting requirements,
37 in the context of the roles of relevant jurisdictions, including
38 federal, state, provincial, and local governments;

1 (ii) ~~((An assessment of current laws in state and provincial~~
2 ~~jurisdictions and identification of any proposed changes to laws,~~
3 ~~regulations, and/or agreements that are needed to proceed with~~
4 ~~development)) Development of a long-term funding and financing
5 strategy for project initiation, development, construction, and
6 program administration of the high-speed corridor, building on the
7 funding and financing chapter of the 2019 business case analysis and
8 aligned with the recommendations of (b) (i) of this subsection; and~~

9 (iii) Development of ~~((general recommendations for the~~
10 ~~authorization needed to advance the development of the corridor))~~
11 recommendations for a department-led ultra-high speed corridor
12 engagement plan for policy leadership from elected officials.

13 (c) This study must build on the results of the 2018 Washington
14 state ultra high-speed ground transportation business case analysis
15 and the 2019 Washington state ultra high-speed ground transportation
16 study findings report. The department shall consult with the
17 transportation committees of the legislature regarding all issues
18 related to proposed corridor governance.

19 ~~((e))~~ (d) The development work referenced in (b) of this
20 subsection is intended to identify and make recommendations related
21 to specific entities, including interjurisdictional entities,
22 policies, and processes required for the purposes of furthering
23 preliminary analysis efforts for the ultra high-speed ground
24 transportation corridor. This development work is not intended to
25 authorize one or more entities to assume decision making authority
26 for the design, construction, or operation of an ultra high-speed
27 rail corridor.

28 ~~((d))~~ (e) By January 1, 2021, the department shall provide to
29 the governor and the transportation committees of the legislature an
30 interim update on the study required under this subsection (1). By
31 ~~((December))~~ June 1, ((2020)) 2021, the department shall provide to
32 the governor and the transportation committees of the legislature a
33 report of the study's findings regarding the three elements noted in
34 this subsection. As applicable, the report should also be sent to the
35 executive and legislative branches of government in the state of
36 Oregon and appropriate government bodies in the province of British
37 Columbia.

38 (2) The department is directed to continue to pursue efforts to
39 reduce costs, increase ridership, and review Amtrak Cascades fares
40 and fare schedules. Within thirty days of each annual cost/revenue

1 reconciliation under the Amtrak service contract, the department
2 shall report annual credits to the office of financial management and
3 the legislative transportation committees. Annual credits from Amtrak
4 to the department including, but not limited to, credits due to
5 higher ridership, reduced level of service, and fare or fare schedule
6 adjustments, must be used to offset corresponding amounts of the
7 multimodal transportation account—state appropriation, which must be
8 placed in reserve.

9 **Sec. 223.** 2019 c 416 s 223 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
12 **OPERATING**

13	Motor Vehicle Account—State Appropriation	((\$12,190,000))
14		<u>\$12,183,000</u>
15	Motor Vehicle Account—Federal Appropriation	\$2,567,000
16	Multiuse Roadway Safety Account—State Appropriation	\$132,000
17	Multimodal Transportation Account—State	
18	Appropriation	\$350,000
19	TOTAL APPROPRIATION.	((\$15,239,000))
20		<u>\$15,232,000</u>

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

23 (1) \$350,000 of the multimodal transportation account—state
24 appropriation is provided solely for a study by the Puget Sound
25 regional council of new passenger ferry service to better connect
26 communities throughout the twelve county Puget Sound region. The
27 study must assess potential new routes, identify future terminal
28 locations, and provide recommendations to accelerate the
29 electrification of the ferry fleet. The study must identify future
30 passenger only demand throughout Western Washington, analyze
31 potential routes and terminal locations on Puget Sound, Lake
32 Washington, and Lake Union with an emphasis on preserving waterfront
33 opportunities in public ownership and opportunities for partnership.
34 The study must determine whether and when the passenger ferry service
35 achieves a net reduction in carbon emissions including an analysis of
36 the emissions of modes that passengers would otherwise have used. The
37 study must estimate capital and operating costs for routes and
38 terminals. The study must include early and continuous outreach with

1 all interested stakeholders and a report to the legislature and all
2 interested parties by January 31, 2021.

3 (2) \$1,142,000 of the motor vehicle account—state appropriation
4 is provided solely for the department, from amounts set aside out of
5 statewide fuel taxes distributed to counties according to RCW
6 46.68.120(3), to contract with the Washington state association of
7 counties to:

8 (a) In coordination with stakeholders, identify county-owned fish
9 passage barriers, with priority given to barriers that share the same
10 stream system as state-owned fish passage barriers. The study must
11 identify, map, and provide a preliminary assessment of county-owned
12 barriers that need correction, and provide, where possible,
13 preliminary costs estimates for each barrier correction. The study
14 must provide recommendations on:

15 (i) How to prioritize county-owned barriers within the same
16 stream system of state-owned barriers in the current six-year
17 construction plan to maximize state investment; and

18 (ii) How future state six-year construction plans should
19 incorporate county-owned barriers;

20 (b) Update the local agency guidelines manual, including
21 exploring alternatives within the local agency guidelines manual on
22 county priorities;

23 (c) Study the current state of county transportation funding,
24 identify emerging issues, and identify potential future alternative
25 transportation fuel funding sources to meet current and future needs.

26 **TRANSPORTATION AGENCIES—CAPITAL**

27 **Sec. 301.** 2019 c 416 s 301 (uncodified) is amended to read as
28 follows:

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

30 Freight Mobility Investment Account—State

31 Appropriation ((~~\$18,094,000~~))

32 \$16,215,000

33 Highway Safety Account—State Appropriation. \$81,000

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

35 Freight Mobility Multimodal Account—State

36 Appropriation ((~~\$21,220,000~~))

37 \$16,599,000

1	Motor Vehicle Account—Federal Appropriation	((\$2,250,000))
2		<u>\$1,899,000</u>
3	Freight Mobility Multimodal Account—Private/Local	
4	Appropriation	((\$1,320,000))
5		<u>\$1,250,000</u>
6	<u>Multimodal Transportation Account—State Appropriation. . .</u>	<u>\$5,000,000</u>
7	TOTAL APPROPRIATION.	((\$42,884,000))
8		<u>\$46,044,000</u>

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

11 (1) Except as otherwise provided in this section, the entire
12 appropriations in this section are provided solely for the projects
13 by amount, as listed in the LEAP Transportation Document (~~(2019-3 as~~
14 ~~developed April 27, 2019,~~) 2020-3 as developed February 25, 2020,
15 Senate Chair FMSIB Project List.

16 (2) (~~(Until directed by the legislature, the board may not~~
17 ~~initiate a new call for projects. By January 1, 2020, the board must~~
18 ~~report to the legislature on alternative proposals to revise its~~
19 ~~project award and obligation process, which result in lower~~
20 ~~reappropriations.)) It is the intent of the legislature that no
21 capital projects be delayed as a result of revenue reductions, but
22 that as a short-term solution appropriation authority for the freight
23 mobility strategic investment board's capital grant programs is
24 reduced to reflect anticipated underruns in this program, based on
25 historical reappropriation levels.~~

26 (3) \$5,000,000 of the motor vehicle account—state appropriation
27 and \$5,000,000 of the multimodal transportation account—state
28 appropriation are provided solely as restitutive expenditure
29 authority for the freight mobility strategic investment board's
30 capital grant programs, and may be spent only if a court of final
31 jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws
32 of 2020 is unconstitutional in its entirety.

33 **Sec. 302.** 2019 c 416 s 303 (uncodified) is amended to read as
34 follows:

35 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

36	Rural Arterial Trust Account—State Appropriation	((\$65,996,000))
37		<u>\$59,773,000</u>
38	Motor Vehicle Account—State Appropriation	((\$1,456,000))

1		<u>\$4,456,000</u>
2	County Arterial Preservation Account—State	
3	Appropriation	\$39,590,000
4	TOTAL APPROPRIATION.	((\$107,042,000))
5		<u>\$103,819,000</u>

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

8 (1) It is the intent of the legislature that no capital projects
9 be delayed as a result of revenue reductions, but that as a short-
10 term solution appropriation authority for the county road
11 administration board's capital grant programs is reduced to reflect
12 anticipated underruns in this program, based on historical
13 reappropriation levels.

14 (2) \$3,000,000 of the motor vehicle account—state appropriation
15 is provided solely as restitutive expenditure authority for the
16 county road administration board's capital grant programs, and may be
17 spent only if a court of final jurisdiction holds that chapter 1
18 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its
19 entirety.

20 **Sec. 303.** 2019 c 416 s 304 (uncodified) is amended to read as
21 follows:

22 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

23	Small City Pavement and Sidewalk Account—State	
24	Appropriation	\$5,890,000
25	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$5,000,000</u>
26	Transportation Improvement Account—State	
27	Appropriation	((\$228,510,000))
28		<u>\$220,627,000</u>
29	Complete Streets Grant Program Account—State	
30	Appropriation	((\$14,670,000))
31		<u>\$10,200,000</u>
32	TOTAL APPROPRIATION.	((\$249,070,000))
33		<u>\$241,717,000</u>

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

36 (1) \$9,315,000 of the transportation improvement account—state
37 appropriation is provided solely for the Relight Washington Program.

1 (2) It is the intent of the legislature that no capital projects
2 be delayed as a result of revenue reductions, but that as a short-
3 term solution appropriation authority for the transportation
4 improvement board's capital grant programs is reduced to reflect
5 anticipated underruns in this program, based on historical
6 reappropriation levels.

7 (3) \$5,000,000 of the motor vehicle account—state appropriation
8 is provided solely as restitutive expenditure authority for the
9 transportation improvement board's capital grant programs, and may be
10 spent only if a court of final jurisdiction holds that chapter 1
11 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its
12 entirety.

13 **Sec. 304.** 2019 c 416 s 305 (uncodified) is amended to read as
14 follows:

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

17 Motor Vehicle Account—State Appropriation	((\$50,990,000))
	<u>\$51,187,000</u>
19 Connecting Washington Account—State Appropriation . .	((\$42,497,000))
	<u>\$51,523,000</u>
21 TOTAL APPROPRIATION.	((\$93,487,000))
	<u>\$102,710,000</u>

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

25 (1) ((~~\$42,497,000~~)) \$51,523,000 of the connecting Washington
26 account—state appropriation is provided solely for a new Olympic
27 region maintenance and administration facility to be located on the
28 department-owned site at the intersection of Marvin Road and 32nd
29 Avenue in Lacey, Washington.

30 (2) (a) ((~~\$43,100,000~~)) \$43,297,000 of the motor vehicle account—
31 state appropriation is provided solely for the department facility
32 located at 15700 Dayton Ave N in Shoreline. This appropriation is
33 contingent upon the department of ecology signing a not less than
34 twenty-year agreement to pay a share of any financing contract issued
35 pursuant to chapter 39.94 RCW.

36 (b) Payments from the department of ecology as described in this
37 subsection shall be deposited into the motor vehicle account.

38 (c) Total project costs are not to exceed \$46,500,000.

1 (3) \$1,565,000 from the motor vehicle account—state appropriation
 2 is provided solely for furniture for the renovated Northwest Region
 3 Headquarters at Dayton Avenue. The department must efficiently
 4 furnish the renovated building. ((The amount provided in this
 5 subsection is the maximum the department may spend on furniture for
 6 this facility.))

7 **Sec. 305.** 2019 c 416 s 306 (uncodified) is amended to read as
 8 follows:

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

10 ((High Occupancy Toll Lanes Operations
 11 Account—State Appropriation \$7,000,000))
 12 Transportation Partnership Account—State
 13 Appropriation ((\$325,275,000))
 14 \$408,660,000
 15 Motor Vehicle Account—State Appropriation ((\$92,504,000))
 16 \$141,611,000
 17 Motor Vehicle Account—Federal Appropriation ((\$154,337,000))
 18 \$167,313,000
 19 Motor Vehicle Account—Private/Local Appropriation ((\$26,839,000))
 20 \$70,404,000
 21 Connecting Washington Account—State
 22 Appropriation ((\$2,137,381,000))
 23 \$2,413,452,000
 24 Special Category C Account—State Appropriation ((\$81,000,000))
 25 \$72,134,000
 26 Multimodal Transportation Account—State
 27 Appropriation ((\$5,408,000))
 28 \$4,853,000
 29 Alaskan Way Viaduct Replacement Project Account—State
 30 Appropriation \$77,956,000
 31 Transportation 2003 Account (Nickel Account)—State
 32 Appropriation ((\$21,819,000))
 33 \$10,429,000
 34 Interstate 405 and State Route Number 167 Express
 35 Toll Lanes ((Operations)) Account—State
 36 Appropriation ((\$48,036,000))
 37 \$90,027,000
 38 TOTAL APPROPRIATION ((\$2,977,555,000))

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2019-1)~~) 2020-1 as developed (~~(April 27, 2019)~~) February 25, 2020, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed (~~(April 27, 2019)~~) February 25, 2020, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (0BI4001).

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

(4) The connecting Washington account—state appropriation includes up to (~~(\$1,519,899,000)~~) \$1,809,342,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to (~~(\$75,274,000)~~) \$60,534,000 in proceeds from the sale of bonds authorized in RCW (~~(47.10.861)~~) 47.10.812.

1 (6) The transportation partnership account—state appropriation
2 includes up to ~~((\$150,232,000))~~ \$178,407,000 in proceeds from the
3 sale of bonds authorized in RCW ~~((47.10.812))~~ 47.10.873.

4 (7) The Alaskan Way viaduct replacement project account—state
5 appropriation includes up to \$77,956,000 in proceeds from the sale of
6 bonds authorized in RCW 47.10.873.

7 ~~((The multimodal transportation account—state appropriation
8 includes up to \$5,408,000 in proceeds from the sale of bonds
9 authorized in RCW 47.10.867.~~

10 ~~(9) \$90,464,000)~~ \$165,798,000 of the transportation partnership
11 account—state appropriation, ~~((\$7,006,000))~~ \$19,790,000 of the motor
12 vehicle account—private/local appropriation, ~~((\$3,383,000))~~
13 \$3,384,000 of the transportation 2003 account (nickel account)—state
14 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
15 project account—state appropriation, and \$1,838,000 of the multimodal
16 transportation account—state appropriation are provided solely for
17 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is
18 the intent of the legislature that the \$25,000,000 increase in
19 funding provided in the 2021-2023 fiscal biennium be covered by any
20 legal damages paid to the state as a result of a lawsuit related to
21 contractual provisions for construction and delivery of the Alaskan
22 Way viaduct replacement project. The legislature intends that the
23 \$25,000,000 of the transportation partnership account—state funds be
24 repaid when those damages are recovered.

25 ~~((10))~~ (9) \$3,000,000 of the multimodal transportation account—
26 state appropriation is provided solely for transit mitigation for the
27 SR 99/Viaduct Project - Construction Mitigation project (809940B).

28 ~~((11—\$164,000,000))~~ (10) \$168,655,000 of the connecting
29 Washington account—state appropriation ~~((is))~~, \$1,052,000 of the
30 special category C account—state appropriation, and \$738,000 of the
31 motor vehicle account—private/local appropriation are provided solely
32 for the US 395 North Spokane Corridor project (M00800R).

33 ~~((12 (a) \$22,195,000 of the transportation partnership account—
34 state appropriation, \$12,805,000 of the transportation 2003 account
35 (nickel account) state appropriation, and \$48,000,000))~~ (11)
36 \$82,991,000 of the Interstate 405 and state route number 167 express
37 toll lanes ~~((operations))~~ account—state appropriation ~~((are))~~ is
38 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
39 project (L2000234) for activities related to adding capacity on

1 Interstate 405 between state route number 522 and Interstate 5, with
2 the goals of increasing vehicle throughput and aligning project
3 completion with the implementation of bus rapid transit in the
4 vicinity of the project. (~~The transportation partnership account—
5 state appropriation and transportation 2003 account (nickel account)—
6 state appropriation are a transfer or a reappropriation of a transfer
7 from the I-405/Kirkland Vicinity Stage 2 – Widening project (8BI1002)
8 due to savings and will fund right-of-way and construction for an
9 additional phase of this I-405 project.~~

10 ~~(b) If sufficient bonding authority to complete this project is
11 not provided within chapter 421 (Engrossed Substitute Senate Bill No.
12 5825), Laws of 2019 (addressing tolling) or chapter 421 (House Bill
13 No. 2132), Laws of 2019 (addressing tolling), or within a bond
14 authorization act referencing chapter . . . (Engrossed Substitute
15 Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No.
16 2132), Laws of 2019, by June 30, 2019, \$21,000,000 of the Interstate
17 405 express toll lanes operations account state appropriation
18 provided in this subsection lapses, and it is the intent of the
19 legislature to reduce the Interstate 405 express toll lanes
20 operations account state appropriation in the 2021-2023 biennium to
21 \$5,000,000, and in the 2023-2025 biennium to \$0 on the list
22 referenced in subsection (2) of this section.)~~

23 ~~((13)) (12)(a) ((\$395,822,000)) \$422,099,000 of the connecting
24 Washington account—state appropriation(~~(, \$60,000 of the motor
25 vehicle account—state appropriation,)~~) and ~~((342,000))~~ \$456,000 of
26 the motor vehicle account—private/local appropriation are provided
27 solely for the SR 520 Seattle Corridor Improvements - West End
28 project (M00400R).~~

29 (b) Recognizing that the department of transportation requires
30 full possession of parcel number 1-23190 to complete the Montlake
31 Phase of the West End project, the department is directed to:

32 (i) Work with the operator of the Montlake boulevard market
33 located on parcel number 1-23190 to negotiate a lease allowing
34 continued operations up to January 1, 2020. After that time, the
35 department shall identify an area in the vicinity of the Montlake
36 property for a temporary market or other food service to be provided
37 during the period of project construction. Should the current
38 operator elect not to participate in providing that temporary
39 service, the department shall then develop an outreach plan with the

1 city to solicit community input on the food services provided, and
2 then advertise the opportunity to other potential vendors. Further,
3 the department shall work with the city of Seattle and existing
4 permit processes to facilitate vendor access to and use of the area
5 in the vicinity of the Montlake property.

6 (ii) Upon completion of the Montlake Phase of the West End
7 project (current anticipated contract completion of 2023), WSDOT
8 shall sell that portion of the property not used for permanent
9 transportation improvements and initiate a process to convey that
10 surplus property to a subsequent owner.

11 (c) \$60,000 of the motor vehicle account—state appropriation is
12 provided solely for grants to nonprofit organizations located in a
13 city with a population exceeding six hundred thousand persons and
14 that empower artists through equitable access to vital expertise,
15 opportunities, and business services. Funds may be used only for the
16 purpose of preserving, commemorating, and sharing the history of the
17 city of Seattle's freeway protests and making the history of activism
18 around the promotion of more integrated transportation and land use
19 planning accessible to current and future generations through the
20 preservation of Bent 2 of the R. H. Thompson freeway ramp.

21 (~~(14)~~) (13) It is the intent of the legislature that for the
22 I-5 JBLM Corridor Improvements project (M00100R), the department
23 shall actively pursue \$50,000,000 in federal funds to pay for this
24 project to supplant state funds in the future. \$50,000,000 in
25 connecting Washington account funding must be held in unallotted
26 status during the 2021-2023 fiscal biennium. These funds may only be
27 used after the department has provided notice to the office of
28 financial management that it has exhausted all efforts to secure
29 federal funds from the federal highway administration and the
30 department of defense.

31 (~~(15) — \$265,100,000~~) (14) \$310,469,000 of the connecting
32 Washington account—state appropriation is provided solely for the SR
33 167/SR 509 Puget Sound Gateway project (M00600R).

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

36 (b) Proceeds from the sale of any surplus real property acquired
37 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
38 (M00600R) project must be deposited into the motor vehicle account
39 for the purpose of constructing the project.

1 (c) In making budget allocations to the Puget Sound Gateway
2 project, the department shall implement the project's construction as
3 a single corridor investment. The department shall develop a
4 coordinated corridor construction and implementation plan for state
5 route number 167 and state route number 509 in collaboration with
6 affected stakeholders. Specific funding allocations must be based on
7 where and when specific project segments are ready for construction
8 to move forward and investments can be best optimized for timely
9 project completion. Emphasis must be placed on avoiding gaps in fund
10 expenditures for either project.

11 (d) It is the legislature's intent that the department shall
12 construct a full single-point urban interchange at the junction of
13 state route number 161 (Meridian avenue) and state route number 167
14 and a full single-point urban interchange at the junction of state
15 route number 509 and 188th Street. If the department receives
16 additional funds from an outside source for this project after the
17 base project is fully funded, the funds must first be applied toward
18 the completion of these two full single-point urban interchanges.

19 (e) In designing the state route number 509/state route number
20 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
21 project (M00600R), the department shall make every effort to utilize
22 the preferred "4B" design.

23 (f) The department shall explore the development of a multiuse
24 trail for bicyclists, pedestrians, skateboarders, and similar users
25 along the SR 167 right-of-way acquired for the project to connect a
26 network of new and existing trails from Mount Rainier to Point
27 Defiance Park.

28 (g) If sufficient bonding authority to complete this project is
29 not provided within chapter 421 (~~((Engrossed Substitute Senate Bill
30 No. 5825))~~), Laws of 2019 (addressing tolling) or chapter . . .
31 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a
32 bond authorization act referencing chapter 421 (~~((Engrossed
33 Substitute Senate Bill No. 5825))~~), Laws of 2019 or chapter . . .
34 (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the
35 intent of the legislature to return the Puget Sound Gateway project
36 (M00600R) to its previously identified construction schedule by
37 moving \$128,900,000 in connecting Washington account—state
38 appropriation back to the 2027-2029 biennium from the 2023-2025
39 biennium on the list referenced in subsection (2) of this section. If
40 sufficient bonding authority is provided, it is the intent of the

1 legislature to advance the project to allow for earlier completion
2 and inflationary savings.

3 ~~((16))~~ (15) It is the intent of the legislature that, for the
4 I-5/North Lewis County Interchange project (L2000204), the department
5 develop and design the project with the objective of significantly
6 improving access to the industrially zoned properties in north Lewis
7 county. The design must consider the county's process of
8 investigating alternatives to improve such access from Interstate 5
9 that began in March 2015.

10 ~~((18)---\$950,000)~~ (16) \$1,029,000 of the transportation
11 partnership account—state appropriation is provided solely for the
12 U.S. 2 Trestle IJR project (L1000158).

13 ~~((19))~~ (17) The department shall itemize all future requests
14 for the construction of buildings on a project list and submit them
15 through the transportation executive information system as part of
16 the department's annual budget submittal. It is the intent of the
17 legislature that new facility construction must be transparent and
18 not appropriated within larger highway construction projects.

19 ~~((20))~~ (18) Any advisory group that the department convenes
20 during the 2019-2021 fiscal biennium must consider the interests of
21 the entire state of Washington.

22 ~~((21))~~ (19) The legislature finds that there are sixteen
23 companies involved in wood preserving in the state that employ four
24 hundred workers and have an annual payroll of fifteen million
25 dollars. Before the department's switch to steel guardrails, ninety
26 percent of the twenty-five hundred mile guardrail system was
27 constructed of preserved wood and one hundred ten thousand wood
28 guardrail posts were produced annually for state use. Moreover, the
29 policy of using steel posts requires the state to use imported steel.
30 Given these findings, where practicable, and until June 30, 2021, the
31 department shall include the design option to use wood guardrail
32 posts, in addition to steel posts, in new guardrail installations.
33 The selection of posts must be consistent with the agency design
34 manual policy that existed before December 2009.

35 ~~((22))~~ (20) (a) For projects funded as part of the 2015
36 connecting Washington transportation package listed on the LEAP
37 transportation document identified in subsection (1) of this section,
38 if the department expects to have substantial reappropriations for
39 the 2021-2023 fiscal biennium, the department may, on a pilot basis,
40 apply funding from a project in this section with an appropriation

1 that cannot be used for the current fiscal biennium to advance one or
2 more of the following projects:

3 (i) I-82 Yakima - Union Gap Economic Development Improvements
4 (T21100R);

5 (ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R);
6 or

7 (iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522
8 (Design/Engineering) (NPARADI).

9 (b) At least ten business days before advancing a project
10 pursuant to this subsection, the department must notify the office of
11 financial management and the transportation committees of the
12 legislature. The advancement of a project may not hinder the delivery
13 of the projects for which the reappropriations are necessary for the
14 2021-2023 fiscal biennium.

15 (c) For connecting Washington projects that have already begun
16 and are eligible for the authority granted in section 601 of this
17 act, the department shall prioritize advancing the following projects
18 if expected reappropriations become available:

19 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);

20 (ii) SR 305 Construction - Safety Improvements (N30500R);

21 (iii) SR 14/Bingen Underpass (L2220062);

22 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);

23 (v) US Hwy 2 Safety (N00200R);

24 (vi) US-12/Walla Walla Corridor Improvements (T20900R);

25 (vii) I-5 JBLM Corridor Improvements (M00100R);

26 (viii) I-5/Slater Road Interchange - Improvements (L1000099);

27 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or

28 (x) SR 520/124th St Interchange (Design and Right of Way)
29 (L1000098).

30 (d) To the extent practicable, the department shall use the
31 flexibility and authority granted in this section and in section 601
32 of this act to minimize the amount of reappropriations needed each
33 biennium.

34 (~~((23))~~) (21) The legislature continues to prioritize the
35 replacement of the state's aging infrastructure and recognizes the
36 importance of reusing and recycling construction aggregate and
37 recycled concrete materials in our transportation system. To
38 accomplish Washington state's sustainability goals in transportation
39 and in accordance with RCW 70.95.805, the legislature reaffirms its
40 determination that recycled concrete aggregate and other

1 transportation building materials are natural resource construction
2 materials that are too valuable to be wasted and landfilled, and are
3 a commodity as defined in WAC 173-350-100.

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

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

19 ~~((+24))~~ (22) (a) \$17,500,000 of the motor vehicle account—state
20 appropriation is provided solely for staffing of a project office to
21 replace the Interstate 5 bridge across the Columbia river (G2000088).
22 If at least a \$9,000,000 transfer is not authorized in section
23 406(29) ~~((of this act))~~, chapter 416, Laws of 2019, then \$9,000,000
24 of the motor vehicle account—state appropriation lapses.

25 (b) Of the amount provided in this subsection, \$7,780,000 of the
26 motor vehicle account—state appropriation must be placed in
27 unallotted status by the office of financial management until the
28 department develops a detailed plan for the work of this project
29 office in consultation with the chairs and ranking members of the
30 transportation committees of the legislature. The director of the
31 office of financial management shall consult with the chairs and
32 ranking members of the transportation committees of the legislature
33 prior to making a decision to allot these funds.

34 (c) The work of this project office includes, but is not limited
35 to, the reevaluation of the purpose and need identified for the
36 project previously known as the Columbia river crossing, the
37 reevaluation of permits and development of a finance plan, the
38 reengagement of key stakeholders and the public, and the reevaluation
39 of scope, schedule, and budget for a reinvigorated bistate effort for

1 replacement of the Interstate 5 Columbia river bridge. When
2 reevaluating the finance plan for the project, the department shall
3 assume that some costs of the new facility may be covered by tolls.
4 The project office must also study the possible different governance
5 structures for a bridge authority that would provide for the joint
6 administration of the bridges over the Columbia river between Oregon
7 and Washington. As part of this study, the project office must
8 examine the feasibility and necessity of an interstate compact in
9 conjunction with the national center for interstate compacts.

10 (d) Within the amount provided in this subsection, the department
11 must implement chapter 137 (~~((Engrossed Substitute House Bill No.
12 1994))~~), Laws of 2019 (projects of statewide significance).

13 (e) The department shall have as a goal to:

14 (i) Reengage project stakeholders and reevaluate the purpose and
15 need and environmental permits by July 1, 2020;

16 (ii) Develop a finance plan by December 1, 2020; and

17 (iii) Have made significant progress toward beginning the
18 supplemental environmental impact statement process by June 30, 2021.
19 The department shall aim to provide a progress report on these
20 activities to the governor and the transportation committees of the
21 legislature by December 1, 2019, and a final report to the governor
22 and the transportation committees of the legislature by December 1,
23 2020.

24 (~~((25))~~) (23) \$17,500,000 of the motor vehicle account—state
25 appropriation is provided solely to begin the pre-design phase on the
26 I-5/Columbia River Bridge project (G2000088); however, if at least
27 \$50,000,000 is not made available, by means of transfer, deposit,
28 appropriation, or other similar conveyance, to the motor vehicle
29 account for stormwater-related activities through the enactment of
30 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
31 2019 (model toxics control program reform) by June 30, 2019, the
32 amount provided in this subsection lapses.

33 (~~((26))~~) (24) (a) (~~(\$36,500,000)~~) \$191,360,000 of the connecting
34 Washington account—state appropriation, (~~(\$44,961,000)~~) \$47,655,000
35 of the motor vehicle account—federal appropriation, \$11,179,000 of
36 the motor vehicle account—private/local appropriation, \$6,100,000 of
37 the motor vehicle account—state appropriation, and (~~(\$18,539,000)~~)
38 \$18,706,000 of the transportation partnership account—state
39 appropriation are provided solely for the Fish Passage Barrier

1 project (OBI4001) with the intent of fully complying with the court
2 injunction by 2030.

3 (b) Of the amounts provided in this subsection, \$320,000 of the
4 connecting Washington account—state appropriation is provided solely
5 to remove the fish passage barrier on state route number 6 that
6 interfaces with Boistfort Valley water utilities near milepost 46.6.

7 (c) The department shall coordinate with the Brian Abbott fish
8 passage barrier removal board to use a watershed approach to maximize
9 habitat gain by replacing both state and local culverts. The
10 department shall deliver high habitat value fish passage barrier
11 corrections that it has identified, guided by the following factors:
12 Opportunity to bundle projects, ability to leverage investments by
13 others, presence of other barriers, project readiness, other
14 transportation projects in the area, and transportation impacts.

15 (d) The department must keep track of, for each barrier removed:
16 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
17 amount spent to comply with the injunction.

18 (e) It is the intent of the legislature that for the amount
19 listed for the 2021-2023 biennium for the Fish Barriers project
20 (G2000091) on the LEAP list referenced in subsection (1) of this
21 section, that accrued practical design savings deposited in the
22 transportation future funding program account be used to help fund
23 the cost of fully complying with the court injunction by 2030.

24 (~~(27)~~—\$14,750,000) (25) \$16,649,000 of the connecting
25 Washington account—state appropriation, \$373,000 of the motor vehicle
26 account—state appropriation, and \$6,000,000 of the motor vehicle
27 account—private/local appropriation are provided solely for the I-90/
28 Barker to Harvard - Improve Interchanges & Local Roads project
29 (L2000122). The connecting Washington account appropriation for the
30 improvements that fall within the city of Liberty Lake may only be
31 expended if the city of Liberty Lake agrees to cover any project
32 costs within the city of Liberty Lake above the \$20,900,000 of state
33 appropriation provided for the total project in LEAP Transportation
34 Document (~~(2019-1)~~) 2020-1 as developed (~~(April 27, 2019)~~) February
35 25, 2020, Program - Highway Improvements (I).

36 (~~(28)~~) (26) (a) (~~(\$7,060,000)~~) \$6,799,000 of the motor vehicle
37 account—federal appropriation, (~~(\$72,000)~~) \$31,000 of the motor
38 vehicle account—state appropriation, (~~(\$3,580,000)~~) \$3,812,000 of the
39 transportation partnership account—state appropriation, and

1 \$7,000,000 of the (~~(high occupancy)~~) Interstate 405 and state route
2 number 167 express toll lanes (~~((operations))~~) account—state
3 appropriation are provided solely for the SR 167/SR 410 to SR 18 -
4 Congestion Management project (316706C).

5 (b) If sufficient bonding authority to complete this project is
6 not provided within chapter 421 (~~((Engrossed Substitute Senate Bill~~
7 ~~No. 5825))),~~ Laws of 2019 (addressing tolling) or chapter . . .
8 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a
9 bond authorization act referencing chapter 421 (~~((Engrossed~~
10 ~~Substitute Senate Bill No. 5825))),~~ Laws of 2019 or chapter . . .
11 (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the
12 intent of the legislature to remove the \$100,000,000 in toll funding
13 from this project on the list referenced in subsection (2) of this
14 section.

15 (~~((29))~~) (27) For the I-405/North 8th Street Direct Access Ramp
16 in Renton project (L1000280), if sufficient bonding authority to
17 begin this project is not provided within chapter 421 (~~((Engrossed~~
18 ~~Substitute Senate Bill No. 5825))),~~ Laws of 2019 (addressing tolling)
19 or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing
20 tolling), or within a bond authorization act referencing chapter 421
21 (~~((Engrossed Substitute Senate Bill No. 5825))),~~ Laws of 2019 or
22 chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019,
23 it is the intent of the legislature to remove the project from the
24 list referenced in subsection (2) of this section.

25 (~~((30) \$7,900,000))~~ (28) \$7,985,000 of the Special Category C
26 account—state appropriation and \$1,000,000 of the motor vehicle
27 account—private/local appropriation are provided solely for the SR 18
28 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for
29 improving and widening state route number 18 to four lanes from
30 Issaquah-Hobart Road to Raging River.

31 (~~((31))~~) (29) \$2,250,000 of the motor vehicle account—state
32 appropriation is provided solely for the I-5 Corridor from Mounts
33 Road to Tumwater project (L1000231) for completing a National and
34 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
35 and long-term environmental impacts associated with future
36 improvements along the I-5 corridor from Tumwater to DuPont.

37 (~~((32) \$1,290,000))~~ (30) \$622,000 of the motor vehicle account—
38 state appropriation is provided solely for the US 101/East Sequim
39 Corridor Improvements project (L2000343); however, if at least

1 \$50,000,000 is not made available, by means of transfer, deposit,
2 appropriation, or other similar conveyance, to the motor vehicle
3 account for stormwater-related activities through the enactment of
4 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
5 2019 (model toxics control program reform) by June 30, 2019, the
6 amount provided in this subsection lapses.

7 ~~((33))~~ ~~(\$12,800,000)~~ (31) \$12,916,000 of the motor vehicle
8 account—state appropriation is provided solely for the SR 522/
9 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
10 project (NPARADI); however, if at least \$50,000,000 is not made
11 available, by means of transfer, deposit, appropriation, or other
12 similar conveyance, to the motor vehicle account for stormwater-
13 related activities through the enactment of chapter 422 (~~((Engrossed
14 Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics
15 control program reform) by June 30, 2019, the amount provided in this
16 subsection lapses.

17 ~~((34))~~ (32) \$1,000,000 of the motor vehicle account—state
18 appropriation is provided solely for the US 101/Morse Creek Safety
19 Barrier project (L1000247); however, if at least \$50,000,000 is not
20 made available, by means of transfer, deposit, appropriation, or
21 other similar conveyance, to the motor vehicle account for
22 stormwater-related activities through the enactment of chapter 422
23 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model
24 toxics control program reform) by June 30, 2019, the amount provided
25 in this subsection lapses.

26 ~~((35))~~ (33) \$1,000,000 of the motor vehicle account—state
27 appropriation is provided solely for the SR 162/410 Interchange
28 Design and Right of Way project (L1000276); however, if at least
29 \$50,000,000 is not made available, by means of transfer, deposit,
30 appropriation, or other similar conveyance, to the motor vehicle
31 account for stormwater-related activities through the enactment of
32 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
33 2019 (model toxics control program reform) by June 30, 2019, the
34 amount provided in this subsection lapses.

35 ~~((36))~~ ~~(\$1,000,000)~~ (34) \$679,000 of the motor vehicle account—
36 state appropriation is provided solely for the I-5/Rush Road
37 Interchange Improvements project (L1000223); however, if at least
38 \$50,000,000 is not made available, by means of transfer, deposit,
39 appropriation, or other similar conveyance, to the motor vehicle

1 account for stormwater-related activities through the enactment of
2 chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of
3 2019 (model toxics control program reform) by June 30, 2019, the
4 amount provided in this subsection lapses.

5 (35) It is the intent of the legislature that no capital projects
6 be delayed as a result of revenue reductions, but that as a short-
7 term solution appropriation authority for this program is reduced to
8 reflect anticipated underruns in this program, based on historical
9 reappropriation levels.

10 (36) \$45,000,000 of the motor vehicle account—state appropriation
11 is provided solely as restitutive expenditure authority for projects
12 as listed by amount on the LEAP list referenced in subsection (2) of
13 this section, and may be spent only if a court of final jurisdiction
14 holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is
15 unconstitutional in its entirety.

16 **Sec. 306.** 2019 c 416 s 307 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

19 Recreational Vehicle Account—State Appropriation	((\$1,744,000))
	<u>\$2,971,000</u>
21 Transportation Partnership Account—State	
22 Appropriation	((\$23,706,000))
23	<u>\$20,248,000</u>
24 Motor Vehicle Account—State Appropriation	((\$74,885,000))
25	<u>\$82,447,000</u>
26 Motor Vehicle Account—Federal Appropriation	((\$454,758,000))
27	<u>\$490,744,000</u>
28 Motor Vehicle Account—Private/Local	
29 Appropriation	((\$5,159,000))
30	<u>\$7,408,000</u>
31 State Route Number 520 Corridor Account—State	
32 Appropriation	((\$544,000))
33	<u>\$326,000</u>
34 Connecting Washington Account—State Appropriation	((\$189,771,000))
35	<u>\$204,630,000</u>
36 Tacoma Narrows Toll Bridge Account—State	
37 Appropriation	((\$7,906,000))
38	<u>\$8,350,000</u>

1	Alaskan Way Viaduct Replacement Project Account—State	
2	Appropriation	\$10,000
3	<u>Interstate 405 and State Route Number 167 Express</u>	
4	<u>Toll Lanes Account—State Appropriation</u>	<u>\$3,018,000</u>
5	Transportation 2003 Account (Nickel Account)—State	
6	Appropriation	((\$9,617,000))
7		<u>\$17,892,000</u>
8	TOTAL APPROPRIATION.	((\$768,100,000))
9		<u>\$838,044,000</u>

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

12 (1) Except as provided otherwise in this section, the entire
13 connecting Washington account—state appropriation and the entire
14 transportation partnership account—state appropriation are provided
15 solely for the projects and activities as listed by fund, project,
16 and amount in LEAP Transportation Document ((~~2019-1~~)) 2020-1 as
17 developed ((~~April 27, 2019~~)) February 25, 2020, Program - Highway
18 Preservation Program (P). However, limited transfers of specific
19 line-item project appropriations may occur between projects for those
20 amounts listed subject to the conditions and limitations in section
21 601 of this act.

22 (2) Except as provided otherwise in this section, the entire
23 motor vehicle account—state appropriation and motor vehicle account—
24 federal appropriation are provided solely for the projects and
25 activities listed in LEAP Transportation Document ((~~2019-2~~)) 2020-2
26 ALL PROJECTS as developed ((~~April 27, 2019~~)) February 25, 2020,
27 Program - Highway Preservation Program (P). Any federal funds gained
28 through efficiencies, adjustments to the federal funds forecast,
29 additional congressional action not related to a specific project or
30 purpose, or the federal funds redistribution process must then be
31 applied to highway and bridge preservation activities or fish passage
32 barrier corrections (0BI4001).

33 (3) Within the motor vehicle account—state appropriation and
34 motor vehicle account—federal appropriation, the department may
35 transfer funds between programs I and P, except for funds that are
36 otherwise restricted in this act. Ten days prior to any transfer, the
37 department must submit its request to the office of financial
38 management and the transportation committees of the legislature and
39 consider any concerns raised. The department shall submit a report on

1 fiscal year funds transferred in the prior fiscal year using this
2 subsection as part of the department's annual budget submittal.

3 (4) (~~(\$25,036,000)~~) \$26,683,000 of the connecting Washington
4 account—state appropriation is provided solely for the land mobile
5 radio upgrade (G2000055) and is subject to the conditions,
6 limitations, and review provided in section 701 of this act. The land
7 mobile radio project is subject to technical oversight by the office
8 of the chief information officer. The department, in collaboration
9 with the office of the chief information officer, shall identify
10 where existing or proposed mobile radio technology investments should
11 be consolidated, identify when existing or proposed mobile radio
12 technology investments can be reused or leveraged to meet multiagency
13 needs, increase mobile radio interoperability between agencies, and
14 identify how redundant investments can be reduced over time. The
15 department shall also provide quarterly reports to the technology
16 services board on project progress.

17 (5) (~~(\$2,500,000)~~) \$4,000,000 of the motor vehicle account—state
18 appropriation is provided solely for extraordinary costs incurred
19 from litigation awards, settlements, or dispute mitigation activities
20 not eligible for funding from the self-insurance fund. The amount
21 provided in this subsection must be held in unallotted status until
22 the department submits a request to the office of financial
23 management that includes documentation detailing litigation-related
24 expenses. The office of financial management may release the funds
25 only when it determines that all other funds designated for
26 litigation awards, settlements, and dispute mitigation activities
27 have been exhausted. No funds provided in this subsection may be
28 expended on any legal fees related to the SR 99/Alaskan Way viaduct
29 replacement project (809936Z).

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

34 (7) (~~(\$22,729,000)~~) \$21,289,000 of the motor vehicle account—
35 federal appropriation and (~~(\$553,000)~~) \$840,000 of the motor vehicle
36 account—state appropriation are provided solely for the preservation
37 of structurally deficient bridges or bridges that are at risk of
38 becoming structurally deficient (L1000068). These funds must be used
39 widely around the state of Washington. When practicable, the

1 department shall pursue design-build contracts for these bridge
2 projects to expedite delivery. The department shall provide a report
3 that identifies the progress of each project funded in this
4 subsection as part of its annual agency budget request.

5 (8) The department must consult with the Washington state patrol
6 and the office of financial management during the design phase of any
7 improvement or preservation project that could impact Washington
8 state patrol weigh station operations. During the design phase of any
9 such project, the department must estimate the cost of designing
10 around the affected weigh station's current operations, as well as
11 the cost of moving the affected weigh station.

12 (9) During the course of any planned resurfacing or other
13 preservation activity on state route number 26 between Colfax and
14 Othello in the 2019-2021 fiscal biennium, the department must add
15 dug-in reflectors.

16 (10)(a) For projects funded as part of the 2015 connecting
17 Washington transportation package listed on the LEAP transportation
18 document identified in subsection (1) of this section, if the
19 department expects to have substantial reappropriations for the
20 2021-2023 fiscal biennium, the department may, on a pilot basis,
21 apply funding from a project in this section with an appropriation
22 that cannot be used for the current fiscal biennium to advance the SR
23 4/Abernathy Creek Br - Replace Bridge project (400411A).

24 (b) At least ten business days before advancing the project
25 pursuant to this subsection, the department must notify the office of
26 financial management and the transportation committees of the
27 legislature. The advancement of the project may not hinder the
28 delivery of the projects for which the reappropriations are necessary
29 for the 2021-2023 fiscal biennium.

30 (c) To the extent practicable, the department shall use the
31 flexibility and authority granted in this section and in section 601
32 of this act to minimize the amount of reappropriations needed each
33 biennium.

34 (11) Within the connecting Washington account—state
35 appropriation, the department may transfer funds from Highway System
36 Preservation (L1100071) to other preservation projects listed in the
37 LEAP transportation document identified in subsection (1) of this
38 section, if it is determined necessary for completion of these high
39 priority preservation projects. The department's next budget

1 submittal after using this subsection must appropriately reflect the
2 transfer.

3 **Sec. 307.** 2019 c 416 s 308 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
6 **CAPITAL**

7	Motor Vehicle Account—State Appropriation	((\$7,311,000))
8		<u>\$8,433,000</u>
9	Motor Vehicle Account—Federal Appropriation	((\$5,331,000))
10		<u>\$6,137,000</u>
11	Motor Vehicle Account—Private/Local Appropriation	((\$500,000))
12		<u>\$579,000</u>
13	<u>Interstate 405 and State Route Number 167 Express</u>	
14	<u>Toll Lanes Account—State Appropriation.</u>	<u>\$100,000</u>
15	TOTAL APPROPRIATION.	((\$13,142,000))
16		<u>\$15,249,000</u>

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

19 (1) \$700,000 of the motor vehicle account—state appropriation is
20 provided solely for the SR 99 Aurora Bridge ITS project (L2000338);
21 however, if at least \$50,000,000 is not made available, by means of
22 transfer, deposit, appropriation, or other similar conveyance, to the
23 motor vehicle account for stormwater-related activities through the
24 enactment of chapter 422 ((~~Engrossed Substitute Senate Bill No.~~
25 5993)), Laws of 2019 (model toxics control program reform) by June
26 30, 2019, the amount provided in this subsection lapses.

27 (2) It is the intent of the legislature that no capital projects
28 be delayed as a result of revenue reductions, but that as a short-
29 term solution appropriation authority for this program is reduced to
30 reflect anticipated underruns in this program, based on historical
31 reappropriation levels.

32 (3) \$700,000 of the motor vehicle account—state appropriation is
33 provided solely as restitutive expenditure authority for projects as
34 listed by amount in LEAP Transportation Document 2020-2 ALL PROJECTS
35 as developed February 25, 2020, Program - Traffic Operations (Q), and
36 may be spent only if a court of final jurisdiction holds that chapter
37 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in
38 its entirety.

1 **Sec. 308.** 2019 c 416 s 309 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**

4 **CONSTRUCTION—PROGRAM W**

5	Puget Sound Capital Construction Account—State	
6	Appropriation	((\$111,076,000))
7		<u>\$114,953,000</u>
8	Puget Sound Capital Construction Account—Federal	
9	Appropriation	((\$141,750,000))
10		<u>\$198,688,000</u>
11	Puget Sound Capital Construction Account—Private/Local	
12	Appropriation	((\$350,000))
13		<u>\$4,779,000</u>
14	Transportation Partnership Account—State	
15	Appropriation	((\$4,936,000))
16		<u>\$6,582,000</u>
17	Connecting Washington Account—State Appropriation	((\$92,766,000))
18		<u>\$96,617,000</u>
19	Capital Vessel Replacement Account—State	
20	Appropriation.	((\$99,000,000))
21		<u>\$96,030,000</u>
22	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$5,000,000</u>
23	<u>Transportation 2003 Account (Nickel Account)—State</u>	
24	Appropriation.	<u>\$986,000</u>
25	TOTAL APPROPRIATION.	((\$449,878,000))
26		<u>\$523,635,000</u>

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

29 (1) Except as provided otherwise in this section, the entire
30 appropriations in this section are provided solely for the projects
31 and activities as listed in LEAP Transportation Document ((~~2019-2~~)
32 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~)) February 25,
33 2020, Program - Washington State Ferries Capital Program (W).

34 (2) ((~~\$1,461,000~~)) \$2,857,000 of the Puget Sound capital
35 construction account—state appropriation, ((~~\$59,650,000~~)) \$17,832,000
36 of the Puget Sound capital construction account—federal
37 appropriation, and \$63,789,000 of the connecting Washington account—
38 state appropriation, are provided solely for the Mukilteo ferry
39 terminal (952515P). To the extent practicable, the department shall

1 avoid the closure of, or disruption to, any existing public access
2 walkways in the vicinity of the terminal project during construction.

3 (3) (~~(\$73,089,000)~~) \$102,641,000 of the Puget Sound capital
4 construction account—federal appropriation(~~(, —\$33,089,000)~~) and
5 \$34,998,000 of the connecting Washington account—state
6 appropriation(~~(, —and —\$8,778,000 —of —the —Puget —Sound —capital~~
7 ~~construction account—state appropriation)~~) are provided solely for
8 the Seattle Terminal Replacement project (900010L).

9 (4) (~~(\$5,000,000)~~) \$5,357,000 of the Puget Sound capital
10 construction account—state appropriation is provided solely for
11 emergency capital repair costs (999910K). Funds may only be spent
12 after approval by the office of financial management.

13 (5) \$2,300,000 of the Puget Sound capital construction account—
14 state appropriation is provided solely for the ORCA acceptance
15 project (L2000300). The ferry system shall work with Washington
16 technology solutions and the tolling division on the development of a
17 new, interoperable ticketing system.

18 (6) \$495,000 of the Puget Sound capital construction account—
19 state appropriation is provided solely for an electric ferry planning
20 team (G2000087) to develop ten-year and twenty-year implementation
21 plans to efficiently deploy hybrid-electric vessels, including a
22 cost-benefit analysis of construction and operation of hybrid-
23 electric vessels with and without charging infrastructure. The plan
24 includes, but is not limited to, vessel technology and feasibility,
25 vessel and terminal deployment schedules, project financing, and
26 workforce requirements. The plan shall be submitted to the office of
27 financial management and the transportation committees of the
28 legislature by June 30, 2020.

29 (7) \$35,000,000 of the Puget Sound capital construction account—
30 state appropriation and (~~(\$6,500,000)~~) \$8,000,000 of the Puget Sound
31 capital construction account—federal appropriation are provided
32 solely for the conversion of up to two Jumbo Mark II vessels to
33 electric hybrid propulsion (G2000084). The department shall seek
34 additional funds for the purposes of this subsection. The department
35 may spend from the Puget Sound capital construction account—state
36 appropriation in this section only as much as the department receives
37 in Volkswagen settlement funds for the purposes of this subsection.

38 (8) \$400,000 of the Puget Sound capital construction account—
39 state appropriation is provided solely for a request for proposals

1 for a new maintenance management system (project L2000301) and is
2 subject to the conditions, limitations, and review provided in
3 section 701 of this act.

4 (9) (~~(\$99,000,000)~~) \$96,030,000 of the capital vessel replacement
5 account—state appropriation is provided solely for the acquisition of
6 a 144-car hybrid-electric vessel. The vendor must present to the
7 joint transportation committee and the office of financial
8 management, by September 15, 2019, a list of options that will result
9 in significant cost savings changes in terms of construction or the
10 long-term maintenance and operations of the vessel. The vendor must
11 allow for exercising the options without a penalty. It is the intent
12 of the legislature to provide an additional \$88,000,000 in funding in
13 the 2021-23 biennium. (~~(Unless (a) chapter 431 (Engrossed Substitute~~
14 ~~House Bill No. 2161), Laws of 2019 (capital surcharge) or~~
15 ~~chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019~~
16 ~~(capital surcharge) is enacted by June 30, 2019, and (b) chapter 417~~
17 ~~(Engrossed House Bill No. 1789), Laws of 2019 (service fees) or~~
18 ~~chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019~~
19 ~~(service fees) is enacted by June 30, 2019, the amount provided in~~
20 ~~this subsection lapses.)) The reduction provided in this subsection
21 is an assumed underrun pursuant to subsection (11) of this section.~~

22 (10) The capital vessel replacement account—state appropriation
23 includes up to (~~(\$99,000,000)~~) \$96,030,000 in proceeds from the sale
24 of bonds authorized in RCW 47.10.873.

25 (11) It is the intent of the legislature that no capital projects
26 be delayed as a result of revenue reductions, but that as a short-
27 term solution appropriation authority for this program is reduced to
28 reflect anticipated underruns in this program, based on historical
29 reappropriation levels.

30 (12) \$5,000,000 of the motor vehicle account—state appropriation
31 is provided solely as restitutive expenditure authority for projects
32 as listed by amount in LEAP Transportation Document 2020-2 ALL
33 PROJECTS as developed February 25, 2020, Program - Washington State
34 Ferries Capital Program (W), and may be spent only if a court of
35 final jurisdiction holds that chapter 1 (Initiative Measure No. 976),
36 Laws of 2020 is unconstitutional in its entirety.

37 **Sec. 309.** 2019 c 416 s 310 (uncodified) is amended to read as
38 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL	
2	Motor Vehicle Account—State Appropriation	\$1,750,000
3	Essential Rail Assistance Account—State Appropriation	((500,000))
4		<u>\$716,000</u>
5	Transportation Infrastructure Account—State	
6	Appropriation	((7,554,000))
7		<u>\$7,503,000</u>
8	Multimodal Transportation Account—State	
9	Appropriation	((85,441,000))
10		<u>\$95,125,000</u>
11	Multimodal Transportation Account—Federal	
12	Appropriation	((8,302,000))
13		<u>\$8,601,000</u>
14	Multimodal Transportation Account—Local	
15	Appropriation	\$336,000
16	TOTAL APPROPRIATION.	((103,883,000))
17		<u>\$114,031,000</u>

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

20 (1) Except as provided otherwise in this section, the entire
21 appropriations in this section are provided solely for the projects
22 and activities as listed by project and amount in LEAP Transportation
23 Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April-27,~~
24 ~~2019))~~ February 25, 2020, Program - Rail Program (Y).

25 (2) \$7,136,000 of the transportation infrastructure account—state
26 appropriation is provided solely for new low-interest loans approved
27 by the department through the freight rail investment bank (FRIB)
28 program. The department shall issue FRIB program loans with a
29 repayment period of no more than ten years, and charge only so much
30 interest as is necessary to recoup the department's costs to
31 administer the loans. The department shall report annually to the
32 transportation committees of the legislature and the office of
33 financial management on all FRIB loans issued.

34 (3) ~~((8,112,000))~~ \$7,968,000 of the multimodal transportation
35 account—state appropriation ~~((, — \$51,000 — of — the — transportation~~
36 ~~infrastructure account state appropriation, and \$135,000 of the~~
37 ~~essential rail assistance account state appropriation are))~~ is
38 provided solely for new statewide emergent freight rail assistance

1 projects identified in the LEAP transportation document referenced in
2 subsection (1) of this section.

3 (4) \$367,000 of the transportation infrastructure account—state
4 appropriation and \$1,100,000 of the multimodal transportation account
5 —state appropriation are provided solely to reimburse Highline Grain,
6 LLC for approved work completed on Palouse River and Coulee City
7 (PCC) railroad track in Spokane county between the BNSF Railway
8 Interchange at Cheney and Geiger Junction and must be administered in
9 a manner consistent with freight rail assistance program projects.
10 The value of the public benefit of this project is expected to meet
11 or exceed the cost of this project in: Shipper savings on
12 transportation costs; jobs saved in rail-dependent industries; and/or
13 reduced future costs to repair wear and tear on state and local
14 highways due to fewer annual truck trips (reduced vehicle miles
15 traveled). The amounts provided in this subsection are not a
16 commitment for future legislatures, but it is the legislature's
17 intent that future legislatures will work to approve biennial
18 appropriations until the full \$7,337,000 cost of this project is
19 reimbursed.

20 (5) (a) (~~(\$365,000)~~) \$716,000 of the essential rail assistance
21 account—state appropriation (~~(is)~~) and \$82,000 of the multimodal
22 transportation account—state appropriation are provided solely for
23 the purpose of the rehabilitation and maintenance of the Palouse
24 river and Coulee City railroad line (F01111B).

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

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

30 (ii) Revenues from trackage rights agreement fees paid by
31 shippers; and

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

36 (6) The department shall issue a call for projects for the
37 freight rail assistance program, and shall evaluate the applications
38 in a manner consistent with past practices as specified in section
39 309, chapter 367, Laws of 2011. By November 15, 2020, the department

1 shall submit a prioritized list of recommended projects to the office
2 of financial management and the transportation committees of the
3 legislature.

4 (7) \$10,000,000 of the multimodal transportation account—state
5 appropriation is provided solely as expenditure authority for any
6 insurance proceeds received by the state for Passenger Rail Equipment
7 Replacement (project 700010C.) The department must use this
8 expenditure authority only to purchase (~~new train sets~~) replacement
9 equipment that (~~have~~) has been competitively procured and for
10 service recovery needs and corrective actions related to the December
11 2017 derailment.

12 (8) (~~(\$600,000)~~) \$898,000 of the multimodal transportation
13 account—federal appropriation and (~~(\$6,000)~~) \$8,000 of the multimodal
14 transportation account—state appropriation are provided solely for
15 the Ridgefield Rail Overpass (project 725910A). Total costs for this
16 project may not exceed \$909,000 across fiscal biennia.

17 (9) (a) For projects funded as part of the 2015 connecting
18 Washington transportation package listed on the LEAP transportation
19 document identified in subsection (1) of this section, if the
20 department expects to have substantial reappropriations for the
21 2021-2023 fiscal biennium, the department may, on a pilot basis,
22 apply funding from a project in this section with an appropriation
23 that cannot be used for the current fiscal biennium to advance the
24 South Kelso Railroad Crossing project (L1000147).

25 (b) At least ten business days before advancing the project
26 pursuant to this subsection, the department must notify the office of
27 financial management and the transportation committees of the
28 legislature. The advancement of the project may not hinder the
29 delivery of the projects for which the reappropriations are necessary
30 for the 2021-2023 fiscal biennium.

31 (c) To the extent practicable, the department shall use the
32 flexibility and authority granted in this section to minimize the
33 amount of reappropriations needed each biennium.

34 (10) The multimodal transportation account—state appropriation
35 includes up to (~~(\$19,592,000)~~) \$25,000,000 in proceeds from the sale
36 of bonds authorized in RCW 47.10.867.

37 (11) The department must report to the joint transportation
38 committee on the progress made on freight rail investment bank

1 projects and freight rail assistance projects funded during this
2 biennium by January 1, 2020.

3 (12) \$1,500,000 of the multimodal transportation account—state
4 appropriation is provided solely for the Chelatchie Prairie railroad
5 roadbed rehabilitation project (L1000233).

6 (13) \$250,000 of the multimodal transportation account—state
7 appropriation is provided solely for the Port of Moses Lake Northern
8 Columbia Basin railroad feasibility study (L1000235).

9 (14) \$500,000 of the multimodal transportation account—state
10 appropriation is provided solely for the Spokane airport transload
11 facility project (L1000242).

12 (15) \$1,000,000 of the motor vehicle account—state appropriation
13 is provided solely for the grade separation at Bell road project
14 (L1000239) (~~if however, if at least \$50,000,000 is not made available,~~
15 ~~by means of transfer, deposit, appropriation, or other similar~~
16 ~~conveyance, to the motor vehicle account for stormwater-related~~
17 ~~activities through the enactment of chapter 422 (Engrossed Substitute~~
18 ~~Senate Bill No. 5993), Laws of 2019 (model toxics control program~~
19 ~~reform) by June 30, 2019, the amount provided in this subsection~~
20 ~~lapses)).~~

21 (16) \$750,000 of the motor vehicle account—state appropriation
22 ((is)) and \$399,000 of the multimodal transportation account—state
23 appropriation are provided solely for the rail crossing improvements
24 at 6th Ave. and South 19th St. project (L2000289) (~~if however, if at~~
25 ~~least \$50,000,000 is not made available, by means of transfer,~~
26 ~~deposit, appropriation, or other similar conveyance, to the motor~~
27 ~~vehicle account for stormwater-related activities through the~~
28 ~~enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),~~
29 ~~Laws of 2019 (model toxics control program reform) by June 30, 2019,~~
30 ~~the amount provided in this subsection lapses)).~~

31 (17) It is the intent of the legislature that no capital projects
32 be delayed as a result of revenue reductions, but that as a short-
33 term solution appropriation authority for this program is reduced to
34 reflect anticipated underruns in this program, based on historical
35 reappropriation levels.

36 (18) \$5,000,000 of the multimodal transportation account—state
37 appropriation is provided solely as restitutive expenditure authority
38 for projects as listed by amount in LEAP Transportation Document
39 2020-2 ALL PROJECTS as developed February 25, 2020, Program - Rail

1 Program (Y), and may be spent only if a court of final jurisdiction
2 holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is
3 unconstitutional in its entirety.

4 **Sec. 310.** 2019 c 416 s 311 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
7 **CAPITAL**

8 Highway Infrastructure Account—State Appropriation . . .	((\$793,000))
	<u>\$1,276,000</u>
9 Highway Infrastructure Account—Federal Appropriation . .	((\$981,000))
	<u>\$1,337,000</u>
10 Highway Infrastructure Account—Federal Appropriation . .	((\$981,000))
	<u>\$1,337,000</u>
11 Highway Infrastructure Account—Federal Appropriation . .	((\$981,000))
	<u>\$1,337,000</u>
12 Transportation Partnership Account—State	
13 Appropriation	((\$750,000))
	<u>\$1,380,000</u>
14 Highway Safety Account—State Appropriation	((\$800,000))
	<u>\$1,314,000</u>
15 Highway Safety Account—State Appropriation	((\$800,000))
	<u>\$1,314,000</u>
16 Motor Vehicle Account—State Appropriation	((\$30,878,000))
	<u>\$38,707,000</u>
17 Motor Vehicle Account—State Appropriation	((\$30,878,000))
	<u>\$38,707,000</u>
18 Motor Vehicle Account—Federal Appropriation	((\$33,813,000))
	<u>\$67,690,000</u>
19 Motor Vehicle Account—Federal Appropriation	((\$33,813,000))
	<u>\$67,690,000</u>
20 Motor Vehicle Account—Private/Local Appropriation . .	((\$21,500,000))
	<u>\$29,000,000</u>
21 Motor Vehicle Account—Private/Local Appropriation . .	((\$21,500,000))
	<u>\$29,000,000</u>
22 Connecting Washington Account—State Appropriation . .	((\$172,454,000))
	<u>\$155,550,000</u>
23 Connecting Washington Account—State Appropriation . .	((\$172,454,000))
	<u>\$155,550,000</u>
24 Multimodal Transportation Account—State	
25 Appropriation	((\$72,269,000))
	<u>\$87,469,000</u>
26 TOTAL APPROPRIATION.	((\$334,238,000))
	<u>\$383,723,000</u>
27	
28	
29	

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

32 (1) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects
34 and activities as listed by project and amount in LEAP Transportation
35 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27,
36 2019)) February 25, 2020, Program - Local Programs Program (Z).

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

4 (a) \$18,380,000 of the multimodal transportation account—state
5 appropriation is provided solely for newly selected pedestrian and
6 bicycle safety program projects. (~~(\$5,940,000)~~) \$18,577,000 of the
7 multimodal transportation account—state appropriation and
8 (~~(\$750,000)~~) \$1,380,000 of the transportation partnership account—
9 state appropriation are reappropriated for pedestrian and bicycle
10 safety program projects selected in the previous biennia (L2000188).

11 (b) \$11,400,000 of the motor vehicle account—federal
12 appropriation and \$7,750,000 of the multimodal transportation account
13 —state appropriation are provided solely for newly selected safe
14 routes to school projects. (~~(\$6,690,000)~~) \$11,354,000 of the motor
15 vehicle account—federal appropriation, (~~(\$2,320,000)~~) \$4,640,000 of
16 the multimodal transportation account—state appropriation, and
17 (~~(\$800,000)~~) \$1,314,000 of the highway safety account—state
18 appropriation are reappropriated for safe routes to school projects
19 selected in the previous biennia (L2000189). The department may
20 consider the special situations facing high-need areas, as defined by
21 schools or project areas in which the percentage of the children
22 eligible to receive free and reduced-price meals under the national
23 school lunch program is equal to, or greater than, the state average
24 as determined by the department, when evaluating project proposals
25 against established funding criteria while ensuring continued
26 compliance with federal eligibility requirements.

27 (3) The department shall submit a report to the transportation
28 committees of the legislature by December 1, 2019, and December 1,
29 2020, on the status of projects funded as part of the pedestrian
30 safety/safe routes to school grant program. The report must include,
31 but is not limited to, a list of projects selected and a brief
32 description of each project's status.

33 (4) (~~(\$28,319,000)~~) \$37,537,000 of the multimodal transportation
34 account—state appropriation is provided solely for bicycle and
35 pedestrian projects listed in the LEAP transportation document
36 referenced in subsection (1) of this section.

37 (5) (~~(\$19,160,000)~~) \$23,926,000 of the connecting Washington
38 account—state appropriation is provided solely for the Covington
39 Connector (L2000104). The amounts described in the LEAP

1 transportation document referenced in subsection (1) of this section
2 are not a commitment by future legislatures, but it is the
3 legislature's intent that future legislatures will work to approve
4 appropriations in the 2019-2021 fiscal biennium to reimburse the city
5 of Covington for approved work completed on the project up to the
6 full \$24,000,000 cost of this project.

7 (6) (a) For projects funded as part of the 2015 connecting
8 Washington transportation package listed on the LEAP transportation
9 document identified in subsection (1) of this section, if the
10 department expects to have substantial reappropriations for the
11 2021-2023 fiscal biennium, the department may, on a pilot basis,
12 apply funding from a project in this section with an appropriation
13 that cannot be used for the current fiscal biennium to advance one or
14 more of the following projects:

15 (i) East-West Corridor Overpass and Bridge (L2000067);

16 (ii) 41st Street Rucker Avenue Freight Corridor Phase 2
17 (L2000134);

18 (iii) Mottman Rd Pedestrian & Street Improvements (L1000089);

19 (iv) I-5/Port of Tacoma Road Interchange (L1000087);

20 (v) Complete SR 522 Improvements-Kenmore (T10600R);

21 (vi) SR 99 Revitalization in Edmonds (NEDMOND); or

22 (vii) SR 523 145th Street (L1000148);

23 (b) At least ten business days before advancing a project
24 pursuant to this subsection, the department must notify the office of
25 financial management and the transportation committees of the
26 legislature. The advancement of a project may not hinder the delivery
27 of the projects for which the reappropriations are necessary for the
28 2021-2023 fiscal biennium.

29 (c) To the extent practicable, the department shall use the
30 flexibility and authority granted in this section to minimize the
31 amount of reappropriations needed each biennium.

32 (7) It is the expectation of the legislature that the department
33 will be administering a local railroad crossing safety grant program
34 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

35 (8) (a) (~~(\$15,213,000)~~) \$41,483,000 of the motor vehicle account—
36 federal appropriation is provided solely for national highway freight
37 network projects identified on the project list submitted in
38 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
39 October 31, 2016.

1 (b) In advance of the expiration of the fixing America's surface
2 transportation (FAST) act in 2020, the department must work with the
3 Washington state freight advisory committee to agree on a framework
4 for allocation of any new national highway freight funding that may
5 be approved in a new federal surface transportation reauthorization
6 act. The department and representatives of the advisory committee
7 must report to the joint transportation committee by October 1, 2020,
8 on the status of planning for allocating new funds for this program.

9 (9) \$1,000,000 of the motor vehicle account—state appropriation
10 is provided solely for the Beech Street Extension project (L1000222)
11 (~~(; however, if at least \$50,000,000 is not made available, by means~~
12 ~~of transfer, deposit, appropriation, or other similar conveyance, to~~
13 ~~the motor vehicle account for stormwater-related activities through~~
14 ~~the enactment of chapter 422 (Engrossed Substitute Senate Bill No.~~
15 ~~5993), Laws of 2019 (model toxics control program reform) by June 30,~~
16 ~~2019, the amount provided in this subsection lapses)).~~

17 (10) \$3,900,000 of the motor vehicle account—state appropriation
18 is provided solely for the Dupont-Steilacoom road improvements
19 project (L1000224) (~~(; however, if at least \$50,000,000 is not made~~
20 ~~available, by means of transfer, deposit, appropriation, or other~~
21 ~~similar conveyance, to the motor vehicle account for stormwater-~~
22 ~~related activities through the enactment of chapter 422 (Engrossed~~
23 ~~Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control~~
24 ~~program reform) by June 30, 2019, the amount provided in this~~
25 ~~subsection lapses)).~~

26 (11) \$650,000 of the motor vehicle account—state appropriation is
27 provided solely for the SR 104/40th place northeast roundabout
28 project (L1000244) (~~(; however, if at least \$50,000,000 is not made~~
29 ~~available, by means of transfer, deposit, appropriation, or other~~
30 ~~similar conveyance, to the motor vehicle account for stormwater-~~
31 ~~related activities through the enactment of chapter 422 (Engrossed~~
32 ~~Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control~~
33 ~~program reform) by June 30, 2019, the amount provided in this~~
34 ~~subsection lapses)).~~

35 (12) \$860,000 of the multimodal transportation account—state
36 appropriation is provided solely for the Clinton to Ken's corner
37 trail project (L1000249).

38 (13) \$210,000 of the motor vehicle account—state appropriation is
39 provided solely for the I-405/44th gateway signage and green-scaping

1 improvements project (L1000250) (~~(; however, if at least \$50,000,000~~
2 ~~is not made available, by means of transfer, deposit, appropriation,~~
3 ~~or other similar conveyance, to the motor vehicle account for~~
4 ~~stormwater-related activities through the enactment of chapter 422~~
5 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
6 ~~toxics control program reform) by June 30, 2019, the amount provided~~
7 ~~in this subsection lapses)).~~

8 (14) (~~(\$750,000 of the multimodal transportation account state~~
9 ~~appropriation is provided solely for the Edmonds waterfront connector~~
10 ~~project (L1000252).~~

11 ~~(15))~~ \$650,000 of the motor vehicle account—state appropriation
12 is provided solely for the Wallace Kneeland and Shelton springs road
13 intersection improvements project (L1000260) (~~(; however, if at least~~
14 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
15 ~~appropriation, or other similar conveyance, to the motor vehicle~~
16 ~~account for stormwater-related activities through the enactment of~~
17 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
18 ~~(model toxics control program reform) by June 30, 2019, the amount~~
19 ~~provided in this subsection lapses)).~~

20 ~~((16))~~ (15) \$1,000,000 of the motor vehicle account—state
21 appropriation and \$500,000 of the multimodal transportation account—
22 state appropriation are provided solely for the complete 224th Phase
23 two project (L1000270) (~~(; however, if at least \$50,000,000 is not~~
24 ~~made available, by means of transfer, deposit, appropriation, or~~
25 ~~other similar conveyance, to the motor vehicle account for~~
26 ~~stormwater-related activities through the enactment of chapter 422~~
27 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
28 ~~toxics control program reform) by June 30, 2019, the amount in this~~
29 ~~subsection provided from the motor vehicle account—state~~
30 ~~appropriation lapses)).~~

31 ~~((17))~~ (16) \$60,000 of the multimodal transportation account—
32 state appropriation is provided solely for the installation of an
33 updated meteorological station at the Colville airport (L1000279).

34 ~~((18))~~ (17)(a) \$700,000 of the motor vehicle account—state
35 appropriation is provided solely for the Ballard-Interbay Regional
36 Transportation system plan project (L1000281) (~~(; however, if at least~~
37 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
38 ~~appropriation, or other similar conveyance, to the motor vehicle~~
39 ~~account for stormwater-related activities through the enactment of~~

1 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
2 ~~(model toxics control program reform) by June 30, 2019, the amount~~
3 ~~provided in this subsection lapses)).~~

4 (b) Funding in this subsection is provided solely for the city of
5 Seattle to develop a plan and report for the Ballard-Interbay
6 Regional Transportation System project to improve mobility for people
7 and freight. The plan must be developed in coordination and
8 partnership with entities including but not limited to the city of
9 Seattle, King county, the Port of Seattle, Sound Transit, the
10 Washington state military department for the Seattle armory, and the
11 Washington state department of transportation. The plan must examine
12 replacement of the Ballard bridge and the Magnolia bridge, which was
13 damaged in the 2001 Nisqually earthquake. The city must provide a
14 report on the plan that includes recommendations to the Seattle city
15 council, King county council, and the transportation committees of
16 the legislature by November 1, 2020. The report must include
17 recommendations on how to maintain the current and future capacities
18 of the Magnolia and Ballard bridges, an overview and analysis of all
19 plans between 2010 and 2020 that examine how to replace the Magnolia
20 bridge, and recommendations on a timeline for constructing new
21 Magnolia and Ballard bridges.

22 ~~((19))~~ (18) \$750,000 of the motor vehicle account—state
23 appropriation is provided solely for the Mickelson Parkway project
24 (L1000282) ~~((; however, if at least \$50,000,000 is not made available,~~
25 ~~by means of transfer, deposit, appropriation, or other similar~~
26 ~~conveyance, to the motor vehicle account for stormwater-related~~
27 ~~activities through the enactment of chapter 422 (Engrossed Substitute~~
28 ~~Senate Bill No. 5993), Laws of 2019 (model toxics control program~~
29 ~~reform) by June 30, 2019, the amount provided in this subsection~~
30 ~~lapses)).~~

31 ~~((20))~~ (19) \$300,000 of the motor vehicle account—state
32 appropriation is provided solely for the South 314th Street
33 Improvements project (L1000283) ~~((; however, if at least \$50,000,000~~
34 ~~is not made available, by means of transfer, deposit, appropriation,~~
35 ~~or other similar conveyance, to the motor vehicle account for~~
36 ~~stormwater-related activities through the enactment of chapter 422~~
37 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
38 ~~toxics control program reform) by June 30, 2019, the amount provided~~
39 ~~in this subsection lapses)).~~

1 ~~((21))~~ (20) \$250,000 of the motor vehicle account—state
2 appropriation is provided solely for the Ridgefield South I-5 Access
3 Planning project (L1000284) ~~((; however, if at least \$50,000,000 is
4 not made available, by means of transfer, deposit, appropriation, or
5 other similar conveyance, to the motor vehicle account for
6 stormwater-related activities through the enactment of chapter 422
7 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
8 toxics control program reform) by June 30, 2019, the amount provided
9 in this subsection lapses))~~).

10 ~~((22))~~ (21) \$300,000 of the motor vehicle account—state
11 appropriation is provided solely for the Washougal 32nd Street
12 Underpass Design and Permitting project (L1000285) ~~((; however, if at
13 least \$50,000,000 is not made available, by means of transfer,
14 deposit, appropriation, or other similar conveyance, to the motor
15 vehicle account for stormwater-related activities through the
16 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
17 Laws of 2019 (model toxics control program reform) by June 30, 2019,
18 the amount provided in this subsection lapses))~~).

19 ~~((23))~~ (22) \$600,000 of the Connecting Washington account—state
20 appropriation, \$150,000 of the motor vehicle account—state
21 appropriation, and ~~((50,000))~~ \$267,000 of the multimodal
22 transportation account—state appropriation are provided solely for
23 the Bingen Walnut Creek and Maple Railroad Crossing (L2000328) ~~((;
24 however, if at least \$50,000,000 is not made available, by means of
25 transfer, deposit, appropriation, or other similar conveyance, to the
26 motor vehicle account for stormwater-related activities through the
27 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
28 Laws of 2019 (model toxics control program reform) by June 30, 2019,
29 the amount in this subsection provided from the motor vehicle account
30 —state appropriation lapses))~~).

31 ~~((24))~~ (23) \$1,500,000 of the motor vehicle account—state
32 appropriation is provided solely for the SR 303 Warren Avenue Bridge
33 Pedestrian Improvements project (L2000339) ~~((; however, if at least
34 \$50,000,000 is not made available, by means of transfer, deposit,
35 appropriation, or other similar conveyance, to the motor vehicle
36 account for stormwater-related activities through the enactment of
37 chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019
38 (model toxics control program reform) by June 30, 2019, the amount
39 provided in this subsection lapses))~~).

1 ~~((25))~~ (24) \$1,000,000 of the motor vehicle account—state
2 appropriation is provided solely for the 72nd/Washington Improvements
3 in Yakima project (L2000341) ~~((; however, if at least \$50,000,000 is~~
4 ~~not made available, by means of transfer, deposit, appropriation, or~~
5 ~~other similar conveyance, to the motor vehicle account for~~
6 ~~stormwater-related activities through the enactment of chapter 422~~
7 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
8 ~~toxics control program reform) by June 30, 2019, the amount provided~~
9 ~~in this subsection lapses)).~~

10 ~~((26))~~ (25) \$650,000 of the motor vehicle account—state
11 appropriation is provided solely for the 48th/Washington Improvements
12 in Yakima project (L2000342) ~~((; however, if at least \$50,000,000 is~~
13 ~~not made available, by means of transfer, deposit, appropriation, or~~
14 ~~other similar conveyance, to the motor vehicle account for~~
15 ~~stormwater-related activities through the enactment of chapter 422~~
16 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
17 ~~toxics control program reform) by June 30, 2019, the amount provided~~
18 ~~in this subsection lapses)).~~

19 (26) It is the intent of the legislature that no capital projects
20 be delayed as a result of revenue reductions, but that as a short-
21 term solution appropriation authority for this program is reduced to
22 reflect anticipated underruns in this program, based on historical
23 reappropriation levels.

24 (27) \$7,000,000 of the motor vehicle account—state appropriation
25 and \$10,000,000 of the multimodal transportation account—state
26 appropriation are provided solely as restitutive expenditure
27 authority for projects as listed by amount in LEAP Transportation
28 Document 2020-2 ALL PROJECTS as developed February 25, 2020, Program
29 - Local Programs Program (Z), and may be spent only if a court of
30 final jurisdiction holds that chapter 1 (Initiative Measure No. 976),
31 Laws of 2020 is unconstitutional in its entirety.

32 **Sec. 311.** 2019 c 416 s 313 (uncodified) is amended to read as
33 follows:

34 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

35 On a quarterly basis, the department of transportation shall
36 provide to the office of financial management and the legislative
37 transportation committees the following reports for all capital
38 programs:

1 (1) For active projects, the report must include:

2 (a) A TEIS version containing actual capital expenditures for all
3 projects consistent with the structure of the most recently enacted
4 budget;

5 (b) Anticipated cost savings, cost increases, reappropriations,
6 and schedule adjustments for all projects consistent with the
7 structure of the most recently enacted budget;

8 (c) The award amount, the engineer's estimate, and the number of
9 bidders for all active projects consistent with the structure of the
10 most recently enacted budget;

11 (d) Projected costs and schedule for individual projects that are
12 funded at a programmatic level for projects relating to bridge rail,
13 guard rail, fish passage barrier removal, roadside safety projects,
14 and seismic bridges. Projects within this programmatic level funding
15 must be completed on a priority basis and scoped to be completed
16 within the current programmatic budget;

17 (e) Highway projects that may be reduced in scope and still
18 achieve a functional benefit;

19 (f) Highway projects that have experienced scope increases and
20 that can be reduced in scope;

21 (g) Highway projects that have lost significant local or regional
22 contributions that were essential to completing the project; and

23 (h) Contingency amounts for all projects consistent with the
24 structure of the most recently enacted budget.

25 (2) For completed projects, the report must:

26 (a) Compare the costs and operationally complete date for
27 projects with budgets of twenty million dollars or more that are
28 funded with preexisting funds to the original project cost estimates
29 and schedule; and

30 (b) Provide a list of nickel (~~and~~), TPA, and connecting
31 Washington projects charging to the nickel/TPA/CWA environmental
32 mitigation reserve (OBI4ENV) and the amount each project is charging.

33 (3) For prospective projects, the report must:

34 (a) Identify the estimated advertisement date for all projects
35 consistent with the structure of the most recently enacted
36 transportation budget that are going to advertisement during the
37 current fiscal biennium;

38 (b) Identify the anticipated operationally complete date for all
39 projects consistent with the structure of the most recently enacted

1 transportation budget that are going to advertisement during the
2 current fiscal biennium; and

3 (c) Identify the estimated cost of completion for all projects
4 consistent with the structure of the most recently enacted
5 transportation budget that are going to advertisement during the
6 current fiscal biennium.

7 **TRANSFERS AND DISTRIBUTIONS**

8 **Sec. 401.** 2019 c 416 s 401 (uncodified) is amended to read as
9 follows:

10 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
11 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
12 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
13 **REVENUE**

14	Special Category C Account—State Appropriation.	((\$376,000))
15		<u>\$278,000</u>
16	Multimodal Transportation Account—State Appropriation.	\$125,000
17	Transportation Partnership Account—State Appropriation ((\$1,636,000))	
18		<u>\$1,412,000</u>
19	Connecting Washington Account—State Appropriation.	((\$7,599,000))
20		<u>\$7,433,000</u>
21	Highway Bond Retirement Account—State	
22	Appropriation.	((\$1,327,766,000))
23		<u>\$1,268,249,000</u>
24	Ferry Bond Retirement Account—State Appropriation.	\$25,077,000
25	Transportation Improvement Board Bond Retirement	
26	Account—State Appropriation.	\$12,684,000
27	Nondebt-Limit Reimbursable Bond Retirement	
28	Account—State Appropriation.	((\$29,594,000))
29		<u>\$29,584,000</u>
30	Toll Facility Bond Retirement Account—State	
31	Appropriation.	((\$86,493,000))
32		<u>\$86,483,000</u>
33	TOTAL APPROPRIATION.	((\$1,491,340,000))
34		<u>\$1,431,325,000</u>

1 **Sec. 402.** 2019 c 416 s 402 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
5 **FISCAL AGENT CHARGES**

6	Multimodal Transportation Account—State Appropriation. . . .	\$25,000
7	Transportation Partnership Account—State	
8	Appropriation.	((\$327,000))
9		<u>\$282,000</u>
10	Connecting Washington Account—State Appropriation. . . .	((\$1,520,000))
11		<u>\$1,541,000</u>
12	Special Category C Account—State Appropriation.	((\$75,000))
13		<u>\$56,000</u>
14	TOTAL APPROPRIATION.	((\$1,947,000))
15		<u>\$1,904,000</u>

16 **Sec. 403.** 2019 c 416 s 403 (uncodified) is amended to read as
17 follows:

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

19	Motor Vehicle Account—State Appropriation:	
20	For motor vehicle fuel tax distributions to	
21	cities and counties.	((\$518,198,000))
22		<u>\$508,276,000</u>

23 **Sec. 404.** 2019 c 416 s 404 (uncodified) is amended to read as
24 follows:

25 **FOR THE STATE TREASURER—TRANSFERS**

26	Motor Vehicle Account—State Appropriation:	
27	For motor vehicle fuel tax refunds and	
28	statutory transfers.	((\$2,188,945,000))
29		<u>\$2,146,790,000</u>

30 **Sec. 405.** 2019 c 416 s 405 (uncodified) is amended to read as
31 follows:

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

33	Motor Vehicle Account—State Appropriation:	
34	For motor vehicle fuel tax refunds and	
35	transfers.	((\$220,426,000))

Sec. 406. 2019 c 416 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. ((\$10,000,000)) \$54,000,000

(2) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State. \$50,000,000

(3) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State. ((\$7,000,000)) \$57,000,000

(4) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State. ((\$8,511,000)) \$970,000

~~(5) ((Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State. \$4,844,000~~

~~(6))~~ (6) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State. ((\$9,688,000)) \$1,101,000

~~((7) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State. \$44,000,000~~

~~(8))~~ (6) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. \$52,000,000

(7) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. \$55,000,000

(8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. \$3,000,000

(9) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to

1 the State Route Number 520 Corridor

2 Account—State. \$1,434,000

3 (10) Capital Vessel Replacement Account—State

4 Appropriation: For transfer to the Connecting

5 Washington Account—State. ((~~\$50,000,000~~))

6 \$60,000,000

7 (11) Multimodal Transportation Account—State

8 Appropriation: For transfer to the Freight

9 Mobility Multimodal Account—State. ((~~\$8,511,000~~))

10 \$1,011,000

11 (12) (~~Multimodal Transportation Account—State~~

12 ~~Appropriation: For transfer to the Puget Sound~~

13 ~~Capital Construction Account—State. \$15,000,000~~

14 ~~(13) Multimodal Transportation Account—State~~

15 ~~Appropriation: For transfer to the Puget Sound~~

16 ~~Ferry Operations Account—State. \$45,000,000~~

17 ~~(14)) Multimodal Transportation Account—State~~

18 Appropriation: For transfer to the Regional

19 Mobility Grant Program Account—State. ((~~\$27,679,000~~))

20 \$11,215,000

21 ((~~15~~)) (13) Multimodal Transportation Account—State

22 Appropriation: For transfer to the Rural

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

24 ((~~16~~)) (14) Transportation 2003 Account (Nickel Account)—

25 State Appropriation: For transfer to the Puget

26 Sound Capital Construction Account—State. ((~~\$20,000,000~~))

27 \$15,000,000

28 ((~~17~~)) (15)(a) Alaskan Way Viaduct Replacement Project

29 Account—State Appropriation: For transfer to the

30 Motor Vehicle Account—State. \$9,992,000

31 (b) The transfer identified in this subsection is provided solely

32 to repay in full the motor vehicle account—state appropriation loan

33 from section 1005(21) (~~of this act~~), chapter 416, Laws of 2019.

34 ((~~18~~)) (16)(a) Transportation Partnership Account—State

35 Appropriation: For transfer to the Alaskan Way Viaduct

36 Replacement Project Account—State. ((~~\$77,951,000~~))

37 \$77,956,000

38 (b) The amount transferred in this subsection represents that

39 portion of the up to \$200,000,000 in proceeds from the sale of bonds

1 authorized in RCW 47.10.873, intended to be sold through the
2 2021-2023 fiscal biennium, used only for construction of the SR 99/
3 Alaskan Way Viaduct Replacement project (809936Z), and that must be
4 repaid from the Alaskan Way viaduct replacement project account
5 consistent with RCW 47.56.864.

6 ~~((+19))~~ (17) Motor Vehicle Account—State Appropriation:
7 For transfer to the County Arterial Preservation
8 Account—State. ~~(((\$4,844,000))~~
9 \$4,829,000

10 ~~((+20))~~ (18)(a) General Fund Account—State Appropriation:
11 For transfer to the State Patrol Highway
12 Account—State. \$625,000

13 (b) The state treasurer shall transfer the funds only after
14 receiving notification from the Washington state patrol under section
15 207(7) ~~((of this act))~~, chapter 416, Laws of 2019.

16 ~~((+21))~~ (19) Capital Vessel Replacement Account—State
17 Appropriation: For transfer to the Transportation
18 Partnership Account—State. ~~(((\$3,293,000))~~
19 \$2,312,000

20 ~~((+22))~~ (20)(a) Alaskan Way Viaduct Replacement Project
21 Account—State Appropriation: For transfer to the
22 Transportation Partnership Account—State. ~~(((\$19,262,000))~~
23 \$15,858,000

24 (b) The amount transferred in this subsection represents
25 repayment of debt service incurred for the construction of the SR 99/
26 Alaskan Way Viaduct Replacement project (809936Z).

27 ~~((+23))~~ (21) Tacoma Narrows Toll Bridge Account—State
28 Appropriation: For transfer to the Motor
29 Vehicle Account—State. \$950,000

30 ~~((+24))~~ (22)(a) Tacoma Narrows Toll Bridge Account—State
31 Appropriation:
32 For transfer to the Motor Vehicle
33 Account—State. \$5,000,000

34 (b) A transfer in the amount of \$5,000,000 was made from the
35 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
36 April 2019. It is the intent of the legislature that this transfer
37 was to be temporary, for the purpose of minimizing the impact of toll
38 increases, and this is an equivalent reimbursing transfer to occur in
39 November 2019.

1 Account—State Appropriation: For transfer to the Capital Vessel
 2 Replacement Account—State. (~~(\$99,000,000)~~)
 3 \$96,030,000

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

6 (30) Electric Vehicle Account—State Appropriation: For transfer
 7 to the Multimodal Transportation Account—State. \$1,000,000

8 (31) Rural Arterial Trust Account—State Appropriation: For
 9 transfer to the Motor Vehicle Account—State. \$1,389,000

10 (32) Connecting Washington Account—State Appropriation: For
 11 transfer to the Motor Vehicle Account—State. \$95,000,000

12 **Sec. 407.** 2019 c 416 s 407 (uncodified) is amended to read as
 13 follows:

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

15 Multimodal Transportation Account—State
 16 Appropriation: For distribution to cities and
 17 counties. \$26,786,000
 18 Motor Vehicle Account—State Appropriation: For
 19 distribution to cities and counties. \$23,438,000
 20 TOTAL APPROPRIATION. \$50,224,000

21 **Sec. 408.** 2019 c 416 s 408 (uncodified) is amended to read as
 22 follows:

23 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 24 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
 25 **STATUTORILY PRESCRIBED REVENUE**

26 Toll Facility Bond Retirement Account—Federal
 27 Appropriation \$199,522,000
 28 Toll Facility Bond Retirement Account—State
 29 Appropriation \$25,372,000
 30 TOTAL APPROPRIATION. (~~(\$225,273,000)~~)
 31 \$224,894,000

32 **COMPENSATION**

33 NEW SECTION. **Sec. 501.** A new section is added to 2019 c 416
 34 (uncodified) to read as follows:

35 **COLLECTIVE BARGAINING AGREEMENTS**

1 Sections 502 and 503 of this act represent the results of the
2 negotiations for fiscal year 2021 collective bargaining agreement
3 changes, permitted under chapter 47.64 RCW. Provisions of the
4 collective bargaining agreements contained in sections 502 and 503 of
5 this act are described in general terms. Only major economic terms
6 are included in the descriptions. These descriptions do not contain
7 the complete contents of the agreements. The collective bargaining
8 agreements contained in sections 502 and 503 of this act may also be
9 funded by expenditures from nonappropriated accounts. If positions
10 are funded with lidded grants or dedicated fund sources with
11 insufficient revenue, additional funding from other sources is not
12 provided.

13 NEW SECTION. **Sec. 502.** A new section is added to 2019 c 416
14 (uncodified) to read as follows:

15 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
16 **AGREEMENTS—MEBA-UL**

17 An agreement has been reached between the governor and the marine
18 engineers' beneficial association unlicensed engine room employees
19 pursuant to chapter 47.64 RCW for the 2021 fiscal year. Funding is
20 provided to ensure training opportunities are available to all
21 bargaining unit employees.

22 NEW SECTION. **Sec. 503.** A new section is added to 2019 c 416
23 (uncodified) to read as follows:

24 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
25 **AGREEMENTS—MEBA-L**

26 An agreement has been reached between the governor and the marine
27 engineers' beneficial association licensed engineer officers pursuant
28 to chapter 47.64 RCW for the 2021 fiscal year. Funding is provided to
29 ensure training opportunities are available to all bargaining unit
30 employees.

31 NEW SECTION. **Sec. 504.** A new section is added to 2019 c 416
32 (uncodified) to read as follows:

33 **GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS**

34 Except as otherwise provided in sections 501 through 503 of this
35 act, state employee compensation adjustments will be provided in
36 accordance with funding adjustments provided in the 2020 supplemental
37 omnibus appropriations act.

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2019 c 416 s 601 (uncodified) is amended to read as
3 follows:

4 **FUND TRANSFERS**

5 (1) The 2005 transportation partnership projects or improvements
6 and 2015 connecting Washington projects or improvements are listed in
7 the LEAP Transportation Document (~~(2019-1)~~) 2020-1 as developed
8 (~~(April 27, 2019)~~) February 25, 2020, which consists of a list of
9 specific projects by fund source and amount over a sixteen-year
10 period. Current fiscal biennium funding for each project is a line-
11 item appropriation, while the outer year funding allocations
12 represent a sixteen-year plan. The department of transportation is
13 expected to use the flexibility provided in this section to assist in
14 the delivery and completion of all transportation partnership account
15 and connecting Washington account projects on the LEAP transportation
16 document referenced in this subsection. For the 2019-2021 project
17 appropriations, unless otherwise provided in this act, the director
18 of the office of financial management may provide written
19 authorization for a transfer of appropriation authority between
20 projects funded with transportation partnership account
21 appropriations or connecting Washington account appropriations to
22 manage project spending and efficiently deliver all projects in the
23 respective program under the following conditions and limitations:

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

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

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

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

34 (e) Transfers may not be made while the legislature is in
35 session;

36 (f) Transfers to a project may not be made with funds designated
37 as attributable to practical design savings as described in RCW
38 47.01.480;

1 (g) Each transfer between projects may only occur if the director
2 of the office of financial management finds that any resulting change
3 will not hinder the completion of the projects as approved by the
4 legislature. Until the legislature reconvenes to consider the 2020
5 supplemental omnibus transportation appropriations act, any
6 unexpended 2017-2019 appropriation balance as approved by the office
7 of financial management, in consultation with the chairs and ranking
8 members of the house of representatives and senate transportation
9 committees, may be considered when transferring funds between
10 projects; and

11 (h) Transfers between projects may be made by the department of
12 transportation without the formal written approval provided under
13 this subsection (1), provided that the transfer amount does not
14 exceed two hundred fifty thousand dollars or ten percent of the total
15 project, whichever is less. These transfers must be reported
16 quarterly to the director of the office of financial management and
17 the chairs of the house of representatives and senate transportation
18 committees.

19 (2) The department of transportation must submit quarterly all
20 transfers authorized under this section in the transportation
21 executive information system. The office of financial management must
22 maintain a legislative baseline project list identified in the LEAP
23 transportation documents referenced in this act, and update that
24 project list with all authorized transfers under this section.

25 (3) At the time the department submits a request to transfer
26 funds under this section, a copy of the request must be submitted to
27 the chairs and ranking members of the transportation committees of
28 the legislature.

29 (4) Before approval, the office of financial management shall
30 work with legislative staff of the house of representatives and
31 senate transportation committees to review the requested transfers in
32 a timely manner and consider any concerns raised by the chairs and
33 ranking members of the transportation committees.

34 (5) No fewer than ten days after the receipt of a project
35 transfer request, the director of the office of financial management
36 must provide written notification to the department of any decision
37 regarding project transfers, with copies submitted to the
38 transportation committees of the legislature.

1 (6) The department must submit annually as part of its budget
2 submittal a report detailing all transfers made pursuant to this
3 section.

4 **Sec. 602.** 2019 c 416 s 606 (uncodified) is amended to read as
5 follows:

6 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

7 (1) By November 15th of each year, the department of
8 transportation must report on amounts expended to benefit transit,
9 bicycle, or pedestrian elements within all connecting Washington
10 projects in programs I, P, and Z identified in LEAP Transportation
11 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April-27,
12 2019)) February 25, 2020. The report must address each modal category
13 separately and identify if eighteenth amendment protected funds have
14 been used and, if not, the source of funding.

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

19 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

20 **Sec. 701.** 2019 c 416 s 701 (uncodified) is amended to read as
21 follows:

22 **INFORMATION TECHNOLOGY OVERSIGHT**

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

35 (2) (a) Each project must have a technology budget. The technology
36 budget must use a method similar to the state capital budget,
37 identifying project costs, each fund source, and anticipated

1 deliverables through each stage of the entire project investment and
2 across fiscal periods and biennia from project onset through
3 implementation and close out.

4 (b) As part of the development of a technology budget and at each
5 request for funding, the agency shall submit detailed financial
6 information to the office of financial management and the office of
7 the state chief information officer. The technology budget must
8 describe the total cost of the project by fiscal month to include and
9 identify:

10 (i) Fund sources;

11 (ii) Full-time equivalent staffing level to include job
12 classification assumptions;

13 (iii) A discreet appropriation index and program index;

14 (iv) Object and subobject codes of expenditures; and

15 (v) Anticipated deliverables.

16 (c) If a project technology budget changes and a revised
17 technology budget is completed, a comparison of the revised
18 technology budget to the last approved technology budget must be
19 posted to the dashboard, to include a narrative rationale on what
20 changed, why, and how that impacts the project in scope, budget, and
21 schedule.

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

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

25 (ii) The office of the state chief information officer staff
26 assigned to the project;

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

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

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

36 (vi) Financial budget coding to include at least discrete program
37 index and subobject codes.

38 (4) Projects with estimated costs greater than one hundred
39 million dollars from initiation to completion and implementation may
40 be divided into discrete subprojects as determined by the office of

1 the state chief information officer. Each subproject must have a
2 technology budget and investment plan as provided in this section.

3 (5) (a) The office of the state chief information officer shall
4 maintain an information technology project dashboard that provides
5 updated information each fiscal month on projects subject to this
6 section. This includes, at least:

7 (i) Project changes each fiscal month;

8 (ii) Noting if the project has a completed market requirements
9 document;

10 (iii) Financial status of information technology projects under
11 oversight; (~~and~~)

12 (iv) Coordination with agencies;

13 (v) Monthly quality assurance reports, if applicable;

14 (vi) Monthly office of the state chief information officer status
15 reports;

16 (vii) Historical project budget and expenditures through fiscal
17 year 2019;

18 (viii) Budget and expenditures each fiscal month; and

19 (ix) Estimated annual maintenance and operations costs by fiscal
20 year.

21 (b) The dashboard must retain a roll up of the entire project
22 cost, including all subprojects, that can be displayed the subproject
23 detail.

24 (6) If the project affects more than one agency:

25 (a) A separate technology budget and investment plan must be
26 prepared for each agency; and

27 (b) The dashboard must contain a statewide project technology
28 budget roll up that includes each affected agency at the subproject
29 level.

30 (7) For any project that exceeds two million dollars in total
31 funds to complete, requires more than one biennium to complete, or is
32 financed through financial contracts, bonds, or other indebtedness:

33 (a) Quality assurance for the project must report independently
34 the office of the chief information officer;

35 (b) The office of the chief information officer must review, and,
36 if necessary, revise the proposed project to ensure it is flexible
37 and adaptable to advances in technology;

38 (c) The technology budget must specifically identify the uses of
39 any financing proceeds. No more than thirty percent of the financing

1 proceeds may be used for payroll-related costs for state employees
2 assigned to project management, installation, testing, or training;

3 (d) The agency must consult with the office of the state
4 treasurer during the competitive procurement process to evaluate
5 early in the process whether products and services to be solicited
6 and the responsive bids from a solicitation may be financed; and

7 (e) The agency must consult with the contracting division of the
8 department of enterprise services for a review of all contracts and
9 agreements related to the project's information technology
10 procurements.

11 (8) The office of the state chief information officer must
12 evaluate the project at each stage and certify whether the project is
13 planned, managed, and meeting deliverable targets as defined in the
14 project's approved technology budget and investment plan.

15 (9) The office of the state chief information officer may suspend
16 or terminate a project at any time if it determines that the project
17 is not meeting or not expected to meet anticipated performance and
18 technology outcomes. Once suspension or termination occurs, the
19 agency shall unallot any unused funding and shall not make any
20 expenditure for the project without the approval of the office of
21 financial management. The office of the state chief information
22 officer must report on July 1st and December 1st each calendar year,
23 beginning July 1, 2020, any suspension or termination of a project in
24 the previous six month period to legislative fiscal committees.

25 (10) The office of the state chief information officer, in
26 consultation with the office of financial management, may identify
27 additional projects to be subject to this section, including projects
28 that are not separately identified within an agency budget. The
29 office of the state chief information officer must report on July 1st
30 and December 1st each calendar year, beginning July 1, 2020, any
31 additional projects to be subjected to this section that were
32 identified in the previous six month period to legislative fiscal
33 committees.

34 (11) The following department of transportation projects are
35 subject to the conditions, limitations, and review provided in this
36 section: Labor System Replacement, New Ferry Division Dispatch
37 System, Maintenance Management System, Land Mobile Radio System
38 Replacement, and New CSC System and Operator.

1 **Sec. 702.** RCW 36.79.020 and 1997 c 81 s 2 are each amended to
2 read as follows:

3 There is created in the motor vehicle fund the rural arterial
4 trust account. All moneys deposited in the motor vehicle fund to be
5 credited to the rural arterial trust account shall be expended for
6 (1) the construction and improvement of county rural arterials and
7 collectors, (2) the construction of replacement bridges funded by the
8 federal bridge replacement program on access roads in rural areas,
9 and (3) those expenses of the board associated with the
10 administration of the rural arterial program. However, during the
11 2019-2021 fiscal biennium, the legislature may direct the state
12 treasurer to make transfers of moneys in the rural arterial trust
13 account to the motor vehicle fund.

14 **Sec. 703.** RCW 82.32.385 and 2015 3rd sp.s. c 44 s 420 are each
15 amended to read as follows:

16 (1) Beginning September 2019 and ending (~~June—2021~~) December
17 2019, by the last day of September(~~(7)~~) and December(~~(7, March, and~~
18 ~~June of each year)~~), the state treasurer must transfer from the
19 general fund to the connecting Washington account created in RCW
20 46.68.395 thirteen million six hundred eighty thousand dollars.

21 (2) Beginning March 2020 and ending June 2021, by the last day of
22 September, December, March, and June of each year, the state
23 treasurer must transfer from the general fund to the multimodal
24 transportation account created in RCW 47.66.070 thirteen million six
25 hundred eighty thousand dollars.

26 (3) Beginning September 2021 and ending June 2023, by the last
27 day of September, December, March, and June of each year, the state
28 treasurer must transfer from the general fund to the connecting
29 Washington account created in RCW 46.68.395 thirteen million eight
30 hundred five thousand dollars.

31 (~~(3)~~) (4) Beginning September 2023 and ending June 2025, by the
32 last day of September, December, March, and June of each year, the
33 state treasurer must transfer from the general fund to the connecting
34 Washington account created in RCW 46.68.395 thirteen million nine
35 hundred eighty-seven thousand dollars.

36 (~~(4)~~) (5) Beginning September 2025 and ending June 2027, by the
37 last day of September, December, March, and June of each year, the
38 state treasurer must transfer from the general fund to the connecting

1 Washington account created in RCW 46.68.395 eleven million six
2 hundred fifty-eight thousand dollars.

3 ~~((5))~~ (6) Beginning September 2027 and ending June 2029, by the
4 last day of September, December, March, and June of each year, the
5 state treasurer must transfer from the general fund to the connecting
6 Washington account created in RCW 46.68.395 seven million five
7 hundred sixty-four thousand dollars.

8 ~~((6))~~ (7) Beginning September 2029 and ending June 2031, by the
9 last day of September, December, March, and June of each year, the
10 state treasurer must transfer from the general fund to the connecting
11 Washington account created in RCW 46.68.395 four million fifty-six
12 thousand dollars.

13 **Sec. 704.** RCW 47.66.110 and 2015 3rd sp.s. c 11 s 4 are each
14 amended to read as follows:

15 (1) The transit coordination grant program is created in the
16 department. The purpose of the transit coordination grant program is
17 to encourage joint planning and coordination on the part of central
18 Puget Sound transit systems in order to improve the user experience,
19 increase ridership, and make the most effective use of tax dollars.
20 The department shall oversee, manage, score, select, and evaluate
21 transit coordination grant program project applications, and shall
22 select transit coordination grant recipients annually. A transit
23 agency located in a county or counties with a population of seven
24 hundred thousand or more that border Puget Sound is eligible to apply
25 to the department for transit coordination grants.

26 (2) Projects eligible for transit coordination grants include,
27 but are not limited to, projects that:

28 (a) Integrate marketing efforts;

29 (b) Align fare structures;

30 (c) Integrate service planning;

31 (d) Coordinate long-range planning, including capital projects
32 planning and implementation;

33 (e) Integrate other administrative functions and internal
34 business processes as appropriate; and

35 (f) Integrate certain customer-focused tools and initiatives.

36 (3) Transit coordination grants must, at a minimum, be proposed
37 jointly by two or more eligible transit agencies and must include a
38 description of the:

39 (a) Issue or problem to be addressed;

- 1 (b) Specific solution and measurable outcomes;
- 2 (c) Benefits such as cost savings, travel time improvements,
3 improved coordination, and improved customer experience; and
- 4 (d) Performance measurements and an evaluation plan that includes
5 the identification of milestones towards successful completion of the
6 project.
- 7 (4) Transit coordination grant applications must include
8 measurable outcomes for the project including, but not limited to,
9 the following:
- 10 (a) Impacts on service, such as increased service, improved
11 service delivery, and improved transfers and coordination across
12 transit service;
- 13 (b) Impacts on customer service, such as: Improved reliability;
14 improved outreach and coordination with customers, employers, and
15 communities; improvements in customer service functions, such as
16 customer response time and web-based and other communications; and
- 17 (c) Impacts on administration, such as improved marketing and
18 outreach efforts, integrated customer-focused tools, and improved
19 cross-agency communications.
- 20 (5) Transit coordination grant applications must also include:
- 21 (a) Project budget and cost details; and
- 22 (b) A commitment and description of local matching funding of at
23 least ten percent of the project cost.
- 24 (6) Upon completion of the project, transit coordination grant
25 recipients must provide a report to the department that includes an
26 overview of the project, how the grant funds were spent, and the
27 extent to which the identified project outcomes were met. In
28 addition, such reports must include a description of best practices
29 that could be transferred to other transit agencies faced with
30 similar issues to those addressed by the transit coordination grant
31 recipient. The department must report annually to the transportation
32 committees of the legislature on the transit coordination grants that
33 were awarded, and the report must include data to determine if
34 completed transit coordination grant projects produced the
35 anticipated outcomes included in the grant applications.
- 36 (7) This section expires July 1, (~~2020~~) 2021.

37 **Sec. 705.** RCW 82.44.200 and 2019 c 287 s 15 are each amended to
38 read as follows:

1 The electric vehicle account is created in the transportation
2 infrastructure account. Proceeds from the principal and interest
3 payments made on loans from the account must be deposited into the
4 account. Expenditures from the account may be used only for the
5 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
6 the support of other transportation electrification and alternative
7 fuel related purposes. Moneys in the account may be spent only after
8 appropriation. During the 2019-2021 fiscal biennium, the legislature
9 may direct the state treasurer to make transfers of moneys in the
10 electric vehicle account to the multimodal transportation account.

11 **Sec. 706.** RCW 82.44.135 and 2006 c 318 s 9 are each amended to
12 read as follows:

13 (1) Before a local government subject to this chapter may impose
14 a motor vehicle excise tax, the local government must contract with
15 the department for the collection of the tax. The department may
16 charge a reasonable amount, not to exceed one percent of tax
17 collections, or two and one-half percent during the 2019-2021
18 biennium, for the administration and collection of the tax.

19 (2) For fiscal year 2021, the department shall charge a minimum
20 of seven million eight hundred two thousand dollars, which is the
21 reasonable amount aimed at achieving full cost recovery for the
22 administration and collection of a motor vehicle excise tax. The
23 amount of the full reimbursement for the administration and
24 collection of the motor vehicle excise tax must be deducted before
25 distributing any revenues to a regional transit authority. Any
26 reimbursement to ensure full cost recovery beyond the amount
27 specified in this subsection may be negotiated between the department
28 and the regional transit authority if full cost recovery has not been
29 achieved, or if based on emergent issues.

30 **Sec. 707.** RCW 46.68.395 and 2015 3rd sp.s. c 44 s 106 are each
31 amended to read as follows:

32 (1) The connecting Washington account is created in the motor
33 vehicle fund. Moneys in the account may be spent only after
34 appropriation. Expenditures from the account must be used only for
35 projects or improvements identified as connecting Washington projects
36 or improvements in a transportation appropriations act, including any
37 principal and interest on bonds authorized for the projects or
38 improvements.

1 (2) Moneys in the connecting Washington account may not be
2 expended on the state route number 99 Alaskan Way viaduct replacement
3 project.

4 (3) During the 2019-2021 fiscal biennium, the legislature may
5 direct the state treasurer to make transfers of moneys in the
6 connecting Washington account to the motor vehicle fund.

7 **MISCELLANEOUS**

8 NEW SECTION. **Sec. 801.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

12 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of
14 the state government and its existing public institutions, and takes
15 effect immediately.

(End of Bill)

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