

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 2190

Chapter 86, Laws of 2012

(partial veto)

62nd Legislature
2012 Regular Session

SUPPLEMENTAL TRANSPORTATION BUDGET

EFFECTIVE DATE: 03/23/12 - Except sections 701 through 713, 805,
and 806, which become effective 06/07/12.

Passed by the House March 8, 2012
Yeas 85 Nays 13

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 8, 2012
Yeas 43 Nays 6

BRAD OWEN

President of the Senate

Approved March 23, 2012, 12:20 a.m.,
with the exception of Sections 102(9),
604, 212(2), 216(7), 602(4), and 717
which are vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of
the House of Representatives of
the State of Washington, do hereby
certify that the attached is
**ENGROSSED SUBSTITUTE HOUSE BILL
2190** as passed by the House of
Representatives and the Senate on
the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 23, 2012

**Secretary of State
State of Washington**

1 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

2 Motor Vehicle Account--State Appropriation ((~~\$430,000~~))
3 \$416,000

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

9 *Sec. 102. 2011 c 367 s 103 (uncodified) is amended to read as
10 follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

12 Motor Vehicle Account--State Appropriation ((~~\$2,216,000~~))
13 \$2,128,000

14 Puget Sound Ferry Operations Account--State
15 Appropriation ((~~\$4,624,000~~))
16 \$1,260,000

17 Multimodal Transportation Account--State
18 Appropriation \$350,000

19 TOTAL APPROPRIATION ((~~\$6,840,000~~))
20 \$3,738,000

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

23 (1) The office of financial management, in consultation with the
24 transportation committees of the legislature, shall conduct a budget
25 evaluation study for the new traffic management center proposed by the
26 department of transportation. The study must consider data resulting
27 from the plan identified in section 604 of this act. The budget
28 evaluation study team approach using value engineering techniques must
29 be utilized by the office of financial management in conducting the
30 study. The office of financial management shall select the budget
31 evaluation study team members, contract for the study, and report the
32 results to the transportation committees of the legislature and the
33 department of transportation in a timely manner following the study.
34 Options reviewed must include use of existing facilities, including the
35 Wheeler building data center in Olympia. Funds allocated for the new
36 traffic management center must be used by the office of financial

1 management through an interagency agreement with the department of
2 transportation to cover the cost of the study.

3 ~~(2) ((\$4,480,000 of the Puget Sound ferry operations account--state~~
4 ~~appropriation -- is -- provided -- solely -- for -- marine -- insurance. -- The~~
5 ~~appropriation -- is -- intended -- to -- fully -- fund -- a -- two -- year -- policy, -- and -- the~~
6 ~~office -- of -- financial -- management -- shall -- increase -- the -- deductible -- to~~
7 ~~\$10,000,000 and reduce components of the policy in order to keep the~~
8 ~~total cost of the two-year policy at or below the appropriation in this~~
9 ~~subsection.~~

10 (+5)) \$1,116,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for marine insurance. The amount in
12 this subsection as well as the amount in section 103(2) of this act is
13 intended to fully fund a two-year policy. For fiscal year 2012, the
14 office of financial management shall increase the deductible to ten
15 million dollars and reduce components of the policy in order to keep
16 the total cost of the two-year policy at or below the appropriation in
17 this subsection and section 103(2) of this act.

18 (3) \$840,000 of the motor vehicle account--state appropriation is
19 provided out of funds set aside out of statewide fuel taxes distributed
20 to counties according to RCW 46.68.120(3) solely for the office of
21 financial management to contract with the Washington state association
22 of counties to identify, evaluate, and implement performance measures
23 associated with county transportation activities. The performance
24 measures must include, at a minimum, those related to safety, system
25 preservation, mobility, environmental protection, and project
26 completion. A report on the county transportation performance
27 implementation project must be provided to the transportation
28 committees of the legislature by December 31, 2012.

29 ~~((+6))~~ (4) \$169,000 of the motor vehicle account--state
30 appropriation is provided solely for the office of regulatory
31 assistance integrated permitting project.

32 ~~((+7))~~ (5) \$40,000 of the Puget Sound ferry operations account--
33 state appropriation is provided solely for the state's share of the
34 marine salary survey.

35 ~~((+8))~~ (6) The office of financial management shall study the
36 available data regarding statewide transit, bicycle, and pedestrian
37 trips and recommend additional performance measures that will
38 effectively measure the state's performance in increasing transit

1 ridership and bicycle and pedestrian trips. The office of financial
2 management shall report its findings and recommendations to the
3 transportation committees of the legislature by November 15, 2011, and
4 integrate the new performance measures into the report prepared by the
5 office of financial management pursuant to RCW 47.04.280 regarding
6 progress towards achieving Washington state's transportation system
7 policy goals.

8 (7) \$350,000 of the multimodal transportation account--state
9 appropriation is provided solely for the office of financial management
10 to contract with a statewide organization representing Washington
11 cities and a statewide organization representing Washington counties to
12 work with the Washington state governor's office of regulatory
13 assistance to:

14 (a) Fulfill completion of recent iPRMT enhancements developed to
15 consolidate applications and expedite local, state, and regional
16 transportation and public works maintenance permitting related to (i)
17 general hydraulic project approval permits issued consistent with
18 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
19 consultations completed under the national historic preservation act;

20 (b) Work with local, state, and regional transportation and public
21 works maintenance agencies to continue to support development of iPRMT
22 enhancements and customizations based on applicant needs; and

23 (c) Provide outreach and training to advance the state's interest
24 in continuing to leverage iPRMT web infrastructure to support and
25 accelerate local, regional, and state transportation and public works
26 planning, permitting, and compliance.

27 (8) \$400,000 of the motor vehicle account--state appropriation is
28 from the cities statewide fuel tax distributions under RCW 46.68.110(2)
29 for the department of transportation to contract with the department of
30 fish and wildlife to inventory, assess, and prioritize fish passage
31 barriers associated with city roads and streets in the Puget Sound
32 region. The department of transportation shall submit the results to
33 the office of financial management and the transportation committees of
34 the legislature by December 31, 2013.

35 **(9) The office of financial management through the chief**
36 **information officer shall conduct a technical review of the Washington**
37 **state patrol's conversion to narrowbanding and the decision to utilize**
38 **the United States department of justice's integrated wireless network**

1 for that transition. The technical review must include an analysis of
2 whether the conversion constitutes an appropriate opportunity for the
3 state to leverage existing infrastructure, mitigates any communication
4 gaps, provides for a risk mitigation strategy, provides opportunities
5 to move to future emerging technologies, and is consistent with the
6 elements of the chief information officer's state technology strategy.
7 The chief information officer must provide a report of findings to the
8 joint transportation committee by September 1, 2012. The
9 recommendations must include any essential elements of the conversion
10 that are necessary to ensure the existence of a comprehensive,
11 interoperable, and reliable communication system within the United
12 States department of justice's integrated wireless network with
13 appropriate risk mitigation plans in place.

**Sec. 102 was partially vetoed. See message at end of chapter.*

14 NEW SECTION. Sec. 103. A new section is added to 2011 c 367
15 (uncodified) to read as follows:

16 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

17 Motor Vehicle Account--State Appropriation \$462,000
18 Puget Sound Ferry Operations Account--State
19 Appropriation \$3,360,000
20 TOTAL APPROPRIATION \$3,822,000

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

- 23 (1) \$462,000 of the motor vehicle account--state appropriation is
24 provided solely for the transportation executive information system.
25 (2) \$3,360,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for marine insurance. The amount in
27 this subsection as well as the amount in section 102(2) of this act is
28 intended to fully fund a two-year policy. For fiscal year 2013, the
29 department of enterprise services shall increase the deductible to ten
30 million dollars and reduce components of the policy in order to keep
31 the total cost of the two-year policy at or below the appropriation in
32 this subsection and section 102(2) of this act.

33 NEW SECTION. Sec. 104. A new section is added to 2011 c 367
34 (uncodified) to read as follows:

35 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

36 Puget Sound Ferry Operations Account--State

1 Appropriation \$75,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: \$75,000 of the Puget Sound ferry
4 operations account--state appropriation is provided solely for
5 implementing chapter 16, Laws of 2011 1st sp. sess. (Washington state
6 ferry system). \$43,200 of the appropriation is provided solely for
7 closing out the marine employees' commission lease agreement in fiscal
8 year 2012, and the remainder of the appropriation is provided solely
9 for costs associated with marine employees' commission commissioner
10 payments and travel.

11 **Sec. 105.** 2011 c 367 s 105 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF AGRICULTURE**
14 Motor Vehicle Account--State Appropriation (~~(\$1,210,000)~~)
15 \$1,185,000

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

18 (1) \$351,000 of the motor vehicle account--state appropriation is
19 provided solely for costs associated with the motor fuel quality
20 program.

21 (2) \$686,000 of the motor vehicle account--state appropriation is
22 provided solely to test the quality of biofuel. The department must
23 test fuel quality at the biofuel manufacturer, distributor, and
24 retailer.

25 **Sec. 106.** 2011 c 367 s 106 (uncodified) is amended to read as
26 follows:

27 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**
28 Motor Vehicle Account--State Appropriation (~~(\$513,000)~~)
29 \$494,000

30 **TRANSPORTATION AGENCIES--OPERATING**

31 **Sec. 201.** 2011 c 367 s 201 (uncodified) is amended to read as
32 follows:

1 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

2	Highway Safety Account--State Appropriation	((\$3,003,000))
3		<u>\$2,983,000</u>
4	Highway Safety Account--Federal Appropriation	((\$42,625,000))
5		<u>\$42,507,000</u>
6	Highway Safety Account-- <u>Private</u> /Local Appropriation	\$50,000
7	School Zone Safety Account--State Appropriation	\$3,340,000
8	TOTAL APPROPRIATION	((\$49,018,000))
9		<u>\$48,880,000</u>

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

12 (1) \$1,673,900 of the highway safety account--federal appropriation
13 is provided solely for the conclusion of the target zero trooper pilot
14 program, which the commission has developed and implemented in
15 collaboration with the Washington state patrol. The pilot program must
16 continue to demonstrate the effectiveness of intense, high visibility,
17 driving under the influence enforcement in Washington. The commission
18 shall continue to apply to the national highway traffic safety
19 administration for federal highway safety grants to cover the cost of
20 the pilot program. State funding is provided in section 207 of this
21 act for the state patrol to continue the target zero trooper program in
22 fiscal year 2013.

23 (2) The commission may oversee pilot projects implementing the use
24 of automated traffic safety cameras to detect speed violations within
25 cities west of the Cascade mountains that have a population over one
26 hundred ninety-five thousand. For the purposes of pilot projects in
27 this subsection, no more than one automated traffic safety camera may
28 be used to detect speed violations within any one jurisdiction.

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

31 (b) In order to ensure adequate time in the 2011-2013 fiscal
32 biennium to evaluate the effectiveness of the pilot projects, any
33 projects authorized by the commission must be authorized by December
34 31, 2011.

35 (c) By January 1, 2013, the commission shall provide a report to
36 the legislature regarding the use, public acceptance, outcomes, and
37 other relevant issues regarding automated traffic safety cameras
38 demonstrated by the pilot projects.

1 (3) \$460,000 of the highway safety account--state appropriation is
2 provided solely for the implementation of chapter ... (Engrossed Second
3 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
4 accountability). If chapter ... (Engrossed Second Substitute House
5 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
6 amount provided in this subsection lapses.

7 (4) The commission shall conduct a review of the literature on
8 potential safety benefits realized from drivers using their headlights
9 and windshield wipers simultaneously and shall report to the
10 transportation committees of the legislature by December 1, 2011.

11 (5) \$22,000,000 of the highway safety account--federal
12 appropriation is provided solely for federal funds that may be
13 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
14 2011-2013 fiscal biennium.

15 **Sec. 202.** 2011 c 367 s 202 (uncodified) is amended to read as
16 follows:

17 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account--State Appropriation	((\$948,000))
	<u>\$915,000</u>
Motor Vehicle Account--State Appropriation	((\$2,161,000))
	<u>\$2,088,000</u>
County Arterial Preservation Account--State Appropriation	((\$1,480,000))
	<u>\$1,428,000</u>
TOTAL APPROPRIATION	((\$4,589,000))
	<u>\$4,431,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: The county road administration board shall
29 submit a report to the transportation committees of the legislature by
30 December 1, 2011, on the implementation of the recommendations that
31 resulted from the evaluation of efficiencies in the delivery of
32 transportation funding and services to local governments that was
33 required under section 204(8), chapter 247, Laws of 2010. The report
34 must include a description of how recommendations were implemented,
35 what efficiencies were achieved, and an explanation of any
36 recommendations that were not implemented.

1 or otherwise manage storm water runoff from state highways within their
2 jurisdiction; (c) case studies from a representative cross-section of
3 cities on how the department and cities have used RCW 90.03.525; and
4 (d) recommendations on how to achieve efficiencies in the cost and
5 management of state highway storm water runoff within cities under RCW
6 90.03.525.

7 ~~((4))~~ (3) \$425,000 of the motor vehicle account--state
8 appropriation is for the joint transportation committee to conduct a
9 study to evaluate the potential for financing state transportation
10 projects using public-private partnerships. The study must compare the
11 costs, advantages, and disadvantages of various forms of public-private
12 partnerships with conventional financing. Projects to be evaluated
13 include Interstate 405, state route number 509, state route number 167,
14 the Columbia River crossing, and the Monroe bypass. At a minimum, the
15 study must identify the public interest in the financing and
16 construction of transportation projects, the public interest in the
17 operation of transportation projects, and the provisions in public-
18 private partnership agreements that best protect the public interest.
19 To the extent possible, the study must identify the lowest-cost and
20 best-value model for each project that best protects the public
21 interest. In addition, the study must evaluate whether public-private
22 partnerships serve the defined public interest including, but not
23 limited to, the advantage and disadvantage of risk allocation, the
24 effects of private versus public financing on the state's bonding
25 capacity, the state's ability to retain public ownership of the asset,
26 the process that would allow for the most transparency during the
27 negotiation of terms of a public-private partnership agreement, and the
28 state's ability to oversee the private entity's management of the
29 asset. The study must identify any barriers to the implementation of
30 funding models that best protect the public interest, including
31 statutory and constitutional barriers. The committee shall issue a
32 report of its evaluation to the house of representatives and senate
33 transportation committees by December 16, 2011.

34 ~~((5))~~ (4) \$100,000 of the motor vehicle account--state
35 appropriation is for an investigation of the use of liquid natural gas
36 on existing Washington state ferry vessels as well as the 144-car class
37 vessels and report to the legislature by December 31, 2011.

1 (5) The joint transportation committee shall convene a study group
2 to evaluate the most appropriate organization for the aviation search
3 and rescue program, currently operating from the department of
4 transportation's aviation division. The joint transportation committee
5 shall invite a representative from the following organizations to
6 participate in meetings in the city of Olympia: The aircraft owners
7 and pilots association; the Washington pilots association; the
8 Washington wing of the civil air patrol; the civil air patrol - United
9 States air force; the Washington department of transportation, aviation
10 division; the emergency management division of the military department;
11 the Washington association of search and rescue; and the Washington
12 state patrol. The committee shall issue a report of its findings to
13 the legislature by December 14, 2012, to include the following
14 information:

15 (a) Where should aviation search and rescue operations be located
16 to provide the maximum benefit for these searches?

17 (b) How should the duplication of services and training be
18 addressed?

19 (c) Is the current structure the best use of state and federal
20 funding?

21 (d) If aviation search and rescue is relocated, what should be the
22 source of funding?

23 (6) The joint transportation committee shall convene a series of
24 meetings between representatives of the Washington state ferries and
25 British Columbia ferries services as well as the respective shipyard
26 contractors for new vessel construction for each system. The purpose
27 of the meetings is to explore joint procurement of additional 144-car
28 capacity ferry vessels for use in either ferry system. Benefits from
29 this joint procurement include, but are not limited to, construction
30 savings accruing to both ferry systems due to the economies of scale of
31 purchasing multiple vessels, additional relief vessel capacity
32 available to both ferry systems, and enhanced service on the
33 international route connecting Washington and British Columbia.

34 (7) The Columbia River Crossing bridge project is a major
35 initiative to address congestion problems on Interstate 5 between
36 Portland, Oregon and Vancouver, Washington that requires support by not
37 only the governors of both states but the legislatures as well. The
38 joint transportation committee must convene a subcommittee for

1 legislative oversight of the I-5/Columbia River Crossing bridge
2 replacement project. The Columbia River Crossing legislative oversight
3 subcommittee must be made up of six members, two appointed by the chair
4 and ranking member of the senate transportation committee, two
5 appointed by the chair and ranking member of the house of
6 representatives transportation committee, one designee of the governor,
7 and one citizen jointly appointed by the four members of the joint
8 transportation executive committee. The citizen appointee must be a
9 Washington state resident of the area served by the bridge. At least
10 two of the legislative members must be from the legislative districts
11 served by the bridge. In addition to reviewing project and financing
12 information, the subcommittee must also coordinate with the Oregon
13 legislative oversight committee for the Columbia River Crossing bridge.

14 (8)(a) The joint transportation committee shall convene a study
15 group to evaluate the effectiveness, transparency, and priorities by
16 which the department of transportation expends federal transportation
17 funds. The study group must include representatives from the
18 department of transportation, the office of financial management, and
19 local representatives of the federal highway administration. The study
20 group shall make recommendations on how to:

21 (i) Make the process for programming federal funds more
22 transparent;

23 (ii) Evaluate assumptions used to predict the availability of
24 federal funds in future biennia and how those funds will be programmed
25 between different federal funding programs;

26 (iii) Develop a process for linking statewide priorities to
27 distributing federal funds from project savings and the redistribution
28 of federal funds from other states; and

29 (iv) Develop a process for incorporating stakeholder feedback when
30 developing federal grant and loan applications.

31 (b) The joint transportation committee shall issue a report of its
32 evaluation to the house of representatives and senate transportation
33 committees by December 16, 2012.

34 (9) Within the amounts provided in this section, the joint
35 transportation committee shall conduct research to evaluate the fiscal
36 health of public transportation in Washington. With the assistance of
37 staff from the standing transportation committees of the legislature,
38 the joint transportation committee shall collect and review known and

1 conventional sources of transit financial and operational data as it
2 pertains to Washington transit entities. The joint transportation
3 committee shall evaluate changes to the fiscal and operational status
4 of transit entities over the last fifteen years. The joint
5 transportation committee shall compare fiscal results in aggregate
6 during selected years of the time period examined with state funding
7 for transportation in the same years. The joint transportation
8 committee shall report its findings to the standing transportation
9 committees of the legislature by December 1, 2012.

10 **Sec. 205.** 2011 c 367 s 205 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION COMMISSION**

13	Motor Vehicle Account--State Appropriation	((\$2,142,000))
14		<u>\$3,028,000</u>
15	Multimodal Transportation Account--State Appropriation	\$112,000
16	TOTAL APPROPRIATION	((\$2,254,000))
17		<u>\$3,140,000</u>

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

20 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
21 during the 2011-2013 fiscal biennium, the legislature authorizes the
22 transportation commission to periodically review and, if necessary,
23 adjust the schedule of fares for the Washington state ferry system only
24 in amounts not greater than those sufficient to generate the amount of
25 revenue required by the biennial transportation budget. When adjusting
26 ferry fares, the commission must consider input from affected ferry
27 users by public hearing and by review with the affected ferry advisory
28 committees, in addition to the data gathered from the current ferry
29 user survey.

30 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
31 2011-2013 fiscal biennium, the legislature authorizes the
32 transportation commission to periodically review and, if necessary,
33 adjust the schedule of toll charges applicable to the Tacoma Narrows
34 bridge only in amounts not greater than those sufficient to support (a)
35 any required costs for operating and maintaining the toll bridge,
36 including the cost of insurance, (b) any amount required by law to meet

1 the redemption of bonds and applicable interest payments, and (c)
2 repayment of the motor vehicle fund.

3 ~~((4))~~ (3) Consistent with its authority in RCW 47.56.840, the
4 transportation commission shall consider the need for a citizen
5 advisory group that provides oversight on new tolled facilities.

6 (4) \$775,000 of the motor vehicle account--state appropriation is
7 provided solely to determine the feasibility of transitioning from the
8 gas tax to a road user assessment system of paying for transportation.

9 (a) The transportation commission, with direction from the steering
10 committee created in (b) of this subsection, must: Review relevant
11 reports and data related to models of road user assessments and methods
12 of transitioning to a road user assessment system; analyze the research
13 to identify issues for policy decisions in Washington; make
14 recommendations for the design of systemwide trials; develop a plan to
15 assess public perspectives and educate the public on the current
16 transportation funding system and options for a new system; and perform
17 other tasks as deemed necessary by the steering committee.

18 (b) The transportation commission must convene a steering committee
19 to provide direction to and guide the transportation commission's work.
20 Membership of the steering committee must include, but is not limited
21 to, members representing the following interests: The trucking
22 industry; business; cities and counties; public transportation;
23 environmental; user fee technology; auto and light truck manufacturers;
24 and the motoring public. In addition, a member from each of the two
25 largest caucuses of the senate, appointed by the president of the
26 senate, and a member from each of the two largest caucuses of the house
27 of representatives, appointed by the speaker of the house of
28 representatives, must serve on the steering committee.

29 (c) The transportation commission must update the governor and the
30 legislature on this work by January 1, 2013. In addition, this update
31 must include a plan and budget request for work to be completed during
32 the 2013-2015 fiscal biennium.

33 (5) \$160,000 of the motor vehicle account--state appropriation is
34 provided solely for the transportation commission to establish a
35 statewide transportation survey panel and conduct two surveys on
36 transportation funding and policy issues during the 2011-2013 fiscal
37 biennium. At a minimum, the results of the first survey must be
38 submitted to the legislature by January 2013.

1 **Sec. 206.** 2011 c 367 s 206 (uncodified) is amended to read as
2 follows:

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

4 Motor Vehicle Account--State Appropriation ((~~\$702,000~~))
5 \$781,000

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

8 (1) \$100,000 of the motor vehicle account--state appropriation is
9 provided solely for an additional staff person for the freight mobility
10 strategic investment board.

11 (2) The freight mobility strategic investment board shall submit a
12 report to the transportation committees of the legislature by December
13 1, 2011, on the implementation of the recommendations that resulted
14 from the evaluation of efficiencies in the delivery of transportation
15 funding and services to local governments that was required under
16 section 204(8), chapter 247, Laws of 2010. The report must include a
17 description of how recommendations were implemented, what efficiencies
18 were achieved, and an explanation of any recommendations that were not
19 implemented.

20 **Sec. 207.** 2011 c 367 s 207 (uncodified) is amended to read as
21 follows:

22 **FOR THE WASHINGTON STATE PATROL**

23 (~~Vehicle Licensing Fraud Account--State Appropriation \$100,000~~)
24 Multimodal Transportation Account--State Appropriation \$132,000

25 Ignition Interlock Device Revolving Account--
26 State Appropriation \$212,000

27 State Patrol Highway Account--State
28 Appropriation ((~~\$349,812,000~~))
29 \$350,605,000

30 State Patrol Highway Account--Federal
31 Appropriation \$10,903,000

32 State Patrol Highway Account--Private/Local
33 Appropriation ((~~\$3,369,000~~))
34 \$3,494,000

35 Highway Safety Account--State Appropriation \$432,000

36 TOTAL APPROPRIATION ((~~\$364,184,000~~))
37 \$365,778,000

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

3 (1) Washington state patrol officers engaged in off-duty uniformed
4 employment providing traffic control services to the department of
5 transportation or other state agencies may use state patrol vehicles
6 for the purpose of that employment, subject to guidelines adopted by
7 the chief of the Washington state patrol. The Washington state patrol
8 must be reimbursed for the use of the vehicle at the prevailing state
9 employee rate for mileage and hours of usage, subject to guidelines
10 developed by the chief of the Washington state patrol. Cessna pilots
11 funded from the state patrol highway account who are certified to fly
12 the King Airs may pilot those aircraft for general fund purposes with
13 the general fund reimbursing the state patrol highway account an hourly
14 rate to cover the costs incurred during the flights since the aviation
15 section is no longer part of the Washington state patrol cost
16 allocation system as of July 1, 2009.

17 (2) The Washington state patrol shall continue to collaborate with
18 the Washington traffic safety commission on the target zero trooper
19 pilot program referenced in section 201(1) of this act.

20 (3) \$370,000 of the state patrol highway account--state
21 appropriation is provided solely for costs associated with the pilot
22 program described under section 216(5) of this act. The Washington
23 state patrol may incur costs related only to the assignment of cadets
24 and necessary computer equipment and to the reimbursement of the
25 Washington state department of transportation for contract costs. The
26 appropriation in this subsection must be funded from the portion of the
27 automated traffic safety camera fines deposited into the state patrol
28 highway account; however, if the fines deposited into the state patrol
29 highway account from automated traffic safety camera infractions do not
30 reach three hundred seventy thousand dollars, the department of
31 transportation shall remit funds necessary to the Washington state
32 patrol to ensure the completion of the pilot program. The Washington
33 state patrol may not incur overtime as a result of this pilot program.
34 The Washington state patrol shall not assign troopers to operate or
35 deploy the pilot program equipment used in the roadway construction
36 zones.

37 (4) (~~(\$12,655,000)~~) \$12,160,000 of the total appropriation is
38 provided solely for automobile fuel in the 2011-2013 fiscal biennium.

1 The Washington state patrol shall analyze their fuel consumption and
2 submit a report to the legislative transportation committees by
3 December 31, 2011, on fuel conservation methods that could be used to
4 minimize costs and ensure that the Washington state patrol is managing
5 fuel consumption effectively.

6 (5) (~~(\$7,421,000)~~) \$7,672,000 of the total appropriation is
7 provided solely for the purchase of pursuit vehicles.

8 (6) (~~(\$6,611,000)~~) \$6,686,000 of the total appropriation is
9 provided solely for vehicle repair and maintenance costs of vehicles
10 used for highway purposes.

11 (7) \$1,724,000 of the total appropriation is provided solely for
12 the purchase of mission vehicles used for highway purposes in the
13 commercial vehicle and traffic investigation sections of the Washington
14 state patrol.

15 (8) \$1,200,000 of the total appropriation is provided solely for
16 outfitting officers. The Washington state patrol shall prepare a cost-
17 benefit analysis of the standard trooper uniform as compared to a
18 battle dress uniform and uniforms used by other states and
19 jurisdictions. The Washington state patrol shall report the results of
20 the analysis to the transportation committees of the legislature by
21 December 1, 2011.

22 (9) The Washington state patrol shall not account for or record
23 locally provided DUI cost reimbursement payments as expenditure credits
24 to the state patrol highway account. The patrol shall report the
25 amount of expected locally provided DUI cost reimbursements to the
26 office of financial management and transportation committees of the
27 legislature by September 30th of each year.

28 (10) During the 2011-2013 fiscal biennium, the Washington state
29 patrol shall continue to perform traffic accident investigations on
30 Thurston county roads, and shall work with Thurston county to
31 transition the traffic accident investigations on Thurston county roads
32 to Thurston county by July 1, 2013.

33 (~~(\$100,000 of the vehicle licensing fraud account state~~
34 ~~appropriation is provided solely to support the transportation portion~~
35 ~~of the vehicle license fraud program during the 2011-2013 fiscal~~
36 ~~biennium)~~) \$2,187,000 of the state patrol highway account--state
37 appropriation is provided solely for mobile office platforms.

1 (12) \$2,731,000 of the state patrol highway account--state
2 appropriation is provided solely for the continuation of the target
3 zero trooper program.

4 (13) \$432,000 of the highway safety account--state appropriation is
5 provided solely for the implementation of chapter . . . (Second
6 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
7 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
8 not enacted by June 30, 2012, the amount provided in this subsection
9 lapses. Additionally, the total highway safety account--state
10 appropriation in this section assumes the revenue generated by the fees
11 that the Washington state patrol is authorized to charge manufacturers,
12 technicians, and other providers under Second Substitute House Bill No.
13 2443. Within the amounts provided in this subsection is funding for
14 three additional troopers to provide oversight of the ignition
15 interlock industry.

16 (14) \$212,000 of the ignition interlock device revolving account--
17 state appropriation is provided solely for two additional troopers to
18 provide oversight of the ignition interlock industry. If chapter . . .
19 (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by
20 June 30, 2012, the amount provided in this subsection lapses.

21 (15) \$132,000 of the multimodal transportation account--state
22 appropriation is provided solely for the implementation of chapter
23 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
24 alert system). If chapter . . . (Engrossed Substitute House Bill No.
25 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
26 provided in this subsection lapses.

27 **Sec. 208.** 2011 c 367 s 208 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF LICENSING**

30 Marine Fuel Tax Refund Account--State Appropriation	\$32,000
31 Motorcycle Safety Education Account--State	
32 Appropriation	(\$4,411,000)
33	<u>\$4,367,000</u>
34 Wildlife Account--State Appropriation	(\$859,000)
35	<u>\$826,000</u>
36 Highway Safety Account--State Appropriation	(\$149,904,000)
37	<u>\$148,666,000</u>

1 (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June
2 30, 2011, the amount provided in this subsection lapses.

3 ~~((4) The department may seek federal funds to implement a driver's~~
4 ~~license and identicard biometric matching system pilot program to~~
5 ~~verify the identity of applicants for, and holders of, drivers'~~
6 ~~licenses and identicards if applicants are provided the opportunity to~~
7 ~~opt out of participating in the program, which meets the requirement of~~
8 ~~RCW 46.20.037 that such a program be voluntary. If funds are received,~~
9 ~~the department shall report any benefits or problems identified during~~
10 ~~the course of the pilot program to the transportation committees of the~~
11 ~~legislature upon the completion of the program.~~

12 ~~(5) \$1,938,000))~~ (3) \$4,299,000 of the highway safety account--
13 federal appropriation is for federal funds that may be received during
14 the 2011-2013 fiscal biennium. Upon receipt of the funds, the
15 department shall provide a report on the use of the funds to the
16 transportation committees of the legislature and the office of
17 financial management.

18 ~~((6))~~ (4) By December 31, 2011, the department shall submit to
19 the office of financial management and the transportation committees of
20 the legislature draft legislation that rewrites the tow truck statutes
21 (chapter 46.55 RCW) in plain language and is revenue and policy
22 neutral.

23 ~~((7))~~ (5) \$128,000 of the highway safety account--state
24 appropriation is provided solely for the implementation of chapter ...
25 (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's
26 license exams). If chapter ... (Engrossed Substitute House Bill No.
27 1635), Laws of 2011 is not enacted by June 30, 2011, the amount
28 provided in this subsection lapses.

29 ~~((8))~~ (6) \$68,000 of the highway safety account--state
30 appropriation is provided solely for the implementation of chapter ...
31 (Engrossed Second Substitute House Bill No. 1789), Laws of 2011
32 ~~((driving under the influence))~~ (addressing DUI accountability). If
33 chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of
34 2011 is not enacted by June 30, 2011, the amount provided in this
35 subsection lapses.

36 ~~((9))~~ (7) \$63,000 of the highway safety account--state
37 appropriation is provided solely for the implementation of chapter ...
38 (Substitute House Bill No. 1237), Laws of 2011 (selective service

1 system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011
2 is not enacted by June 30, 2011, the amount provided in this subsection
3 lapses.

4 ~~((+10+))~~ (8) \$340,000 of the motor vehicle account--private/local
5 appropriation is provided solely for the implementation of chapter ...
6 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
7 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
8 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
9 provided in this subsection lapses.

10 ~~((+12+))~~ (9) \$1,738,000 of the department of licensing services
11 account--state appropriation is provided solely for purchasing
12 equipment for field licensing service offices and subagent offices.

13 (10) \$2,500,000 of the highway safety account--state appropriation
14 is provided solely for information technology field system
15 modernization.

16 (11) \$963,000 of the highway safety account--state appropriation is
17 provided solely for implementation of chapter 374, Laws of 2011
18 (limousine carriers) and chapter 298, Laws of 2011 (master license
19 service program).

20 (12) \$99,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of chapter . . . (Substitute
22 House Bill No. 2299), Laws of 2012 (special license plates). If
23 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not
24 enacted by June 30, 2012, the amount provided in this subsection
25 lapses.

26 (13) \$174,000 of the highway safety account--state appropriation is
27 provided solely for the implementation of chapter . . . (Substitute
28 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
29 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
30 enacted by June 30, 2012, the amount provided in this subsection
31 lapses. Additionally, the total appropriation in this section assumes
32 the revenue generated by the fee established in Substitute Senate Bill
33 No. 6075. Within the amounts provided in this subsection, the
34 department must improve on the information that the department makes
35 publicly available to victims of domestic violence and sexual assault
36 on how to better protect their personal information, especially their
37 residential addresses. Specifically, the department must provide a
38 link to the secretary of state's address confidentiality program web

1 site. The department also must provide information regarding a
2 person's ability to provide a mailing address in addition to the
3 person's residential address when registering a vehicle with the
4 department.

5 (14) \$289,000 of the highway safety account--state appropriation is
6 provided solely for the implementation of chapter . . . (Engrossed
7 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
8 matching system). If chapter . . . (Engrossed Substitute Senate Bill
9 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
10 provided in this subsection lapses.

11 (15) \$397,000 of the highway safety account--state appropriation is
12 provided solely for the implementation of chapter . . . (Engrossed
13 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
14 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
15 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
16 provided in this subsection lapses. Additionally, the total highway
17 safety account--state appropriation in this section assumes the revenue
18 generated by the policy changes in chapter . . . (Engrossed Substitute
19 Senate Bill No. 6284), Laws of 2012.

20 (16) \$222,000 of the motor vehicle account--state appropriation and
21 \$36,000 of the highway safety account--state appropriation are provided
22 solely for the implementation of chapter . . . (Engrossed Substitute
23 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If
24 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
25 is not enacted by June 30, 2012, the amount provided in this subsection
26 lapses.

27 (17) \$274,000 of the motor vehicle account--state appropriation is
28 provided solely for the implementation of chapter . . . (Engrossed
29 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
30 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
31 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
32 provided in this subsection lapses.

33 (18) Within the amounts provided in this section, the department
34 must develop a transition plan for moving to a paperless renewal notice
35 for drivers' licenses and vehicle registrations. The plan must
36 consider people that do not have access to the internet and must
37 include an opportunity for people to opt-in to a paper renewal notice.

1 Prior to the implementation of a paperless renewal system, the
2 department must consult with the joint transportation committee.

3 (19) Within existing resources, the department shall develop a plan
4 to transition to a ten-year license plate replacement cycle. At a
5 minimum, the plan must include the following provisions: (a) A ten-
6 year replacement cycle for license plates only on vehicles that are
7 subject to annual vehicle registration renewal; (b) a requirement that
8 new license plates and registration, including all fees and taxes due
9 upon annual registration, are required when a vehicle changes
10 ownership, except when a vehicle is sold to a vehicle dealer for
11 resale, in which case they are due only when the dealer sells the
12 vehicle; (c) an original issue license plate fee that is equal to the
13 current license plate replacement fee; and (d) an estimate of the
14 plan's costs to implement and revenues generated. The department shall
15 submit the plan with draft legislation implementing the plan to the
16 transportation committees of the legislature by December 31, 2012.

17 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
18 2011-2013 fiscal biennium, the legislature authorizes the department to
19 adjust the business and vehicle fees for the for hire licensing program
20 in amounts sufficient to recover the costs of administering the for
21 hire licensing program.

22 (21) The legislature intends to establish a veteran designation for
23 drivers' licenses and identicards issued under chapter 46.20 RCW, as
24 proposed under House Bill No. 2378, during the 2013 legislative
25 session. The designation would serve to establish a person's service
26 in the armed forces and be granted to a person who provides a United
27 States department of defense discharge document, DD Form 214, that
28 shows a discharge status of "honorable" or "general under honorable
29 conditions." The department shall report to the transportation
30 committees of the legislature by December 1, 2012, with a plan to
31 implement the designation. The plan must include the most cost-
32 effective options for implementation, a proposed fee amount to cover
33 the costs of the designation, and any other recommendations on the
34 implementation of the designation.

35 (22) \$59,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of chapter . . . (Substitute
37 House Bill No. 2312), Laws of 2012 (military service award emblems).

1 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
2 enacted by June 30, 2012, the amount provided in this subsection
3 lapses.

4 (23) \$656,000 of the ignition interlock device revolving account--
5 state appropriation is provided solely for the implementation of
6 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
7 (DUI accountability). If chapter . . . (Second Substitute House Bill
8 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
9 provided in this subsection lapses.

10 (24) \$134,000 of the highway safety account--state appropriation
11 and \$134,000 of the motor vehicle account--state appropriation are
12 provided solely for the implementation of chapter . . . (Engrossed
13 Second Substitute House Bill No. 2373), Laws of 2012 (state
14 recreational resources). If chapter . . . (Engrossed Second Substitute
15 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
16 amount provided in this subsection lapses.

17 **Sec. 209.** 2011 c 367 s 209 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
20 **MAINTENANCE--PROGRAM B**

21	High Occupancy Toll Lanes Operations Account--State	
22	Appropriation	((\$1,295,000))
23		<u>\$1,276,000</u>
24	Motor Vehicle Account--State Appropriation	((\$550,000))
25		<u>\$538,000</u>
26	Tacoma Narrows Toll Bridge Account--State	
27	Appropriation	((\$23,429,000))
28		<u>\$23,365,000</u>
29	State Route Number 520 Corridor Account--State	
30	Appropriation	\$27,295,000
31	State Route Number 520 Civil Penalties	
32	Account--State Appropriation	((\$4,622,000))
33		<u>\$3,622,000</u>
34	TOTAL APPROPRIATION	((\$57,191,000))
35		<u>\$56,096,000</u>

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

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

7 (2) (~~(\$4,622,000)~~) \$3,622,000 of the state route number 520 civil
8 penalties account--state appropriation and \$1,458,000 of the Tacoma
9 Narrows toll bridge account--state appropriation are provided solely
10 for expenditures related to the toll adjudication process. All costs
11 associated with the toll adjudication process are anticipated to be
12 covered by revenue collected from the toll adjudication process. The
13 department shall report quarterly on the civil penalty process to the
14 office of financial management and the house of representatives and
15 senate transportation committees beginning September 30, 2011. The
16 reports must include a summary table for each toll facility that
17 includes: The number of notices of civil penalty issued; the number of
18 recipients who pay before the notice becomes a penalty; the number of
19 recipients who request a hearing and the number who do not respond;
20 workload costs related to hearings; the cost and effectiveness of debt
21 collection activities; and revenues generated from notices of civil
22 penalty.

23 (3) It is the intent of the legislature that transitioning to a
24 statewide tolling operations center and preparing for all-electronic
25 tolling on certain toll facilities will have no adverse revenue or
26 expenditure impact on the Tacoma Narrows toll bridge account. Any
27 increased costs related to this transition shall not be allocated to
28 the Tacoma Narrows toll bridge account. All costs associated with the
29 toll adjudication process are anticipated to be covered by revenue
30 collected from the toll adjudication process.

31 (4) The department shall ensure that, at no cost to the Tacoma
32 Narrows toll bridge account, new electronic tolling tag readers are
33 installed on the Tacoma Narrows bridge as soon as practicable that are
34 able to read existing and new electronic tolling tags.

35 (5) \$17,786,000 of the state route number 520 corridor account--
36 state appropriation is provided solely for nonvendor costs associated
37 with tolling the state route number 520 bridge. Funds from the state
38 route number 520 corridor account--state appropriation shall not be

1 used to pay for items prohibited by Executive Order No. 1057, including
2 subscriptions to technical publications, employee educational expenses,
3 professional membership dues and fees, employee recognition and safety
4 awards, meeting meals and light refreshments, commute trip reduction
5 incentives, and employee travel.

6 **Sec. 210.** 2011 c 367 s 210 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
9 **C**

10	Motor Vehicle Account--State Appropriation	((\$69,107,000))
11		<u>\$67,398,000</u>
12	Transportation Partnership Account--State	
13	Appropriation	\$1,460,000
14	Multimodal Transportation Account--State	
15	Appropriation	\$363,000
16	Transportation 2003 Account (Nickel Account)--State	
17	Appropriation	\$1,460,000
18	TOTAL APPROPRIATION	((\$72,390,000))
19		<u>\$70,681,000</u>

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

22 (1) The department shall consult with the office of financial
23 management and the department of (~~information~~) enterprise services
24 to: (a) Ensure that the department's current and future system
25 development is consistent with the overall direction of other key state
26 systems; and (b) when possible, use or develop common statewide
27 information systems to encourage coordination and integration of
28 information used by the department and other state agencies and to
29 avoid duplication.

30 (2) \$1,460,000 of the transportation partnership account--state
31 appropriation and \$1,460,000 of the transportation 2003 account (nickel
32 account)--state appropriation are provided solely for maintaining the
33 department's project management reporting system.

34 (3) \$210,000 of the motor vehicle account--state appropriation is
35 provided solely for the department's compliance with its national
36 pollution discharge elimination system permit.

1 (2) The department of transportation's aviation stakeholder forum
2 shall submit a final report regarding the possible move of the aviation
3 division from Arlington, Washington to Olympia, Washington by December
4 31, 2012, to the legislature. The legislature shall consider the
5 recommendations and make a final determination on the proposed move
6 during the 2013 legislative session. Until that decision has been
7 made, the aviation division must remain in its existing location.

*Sec. 212 was partially vetoed. See message at end of chapter.

8 **Sec. 213.** 2011 c 367 s 213 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
11 **SUPPORT--PROGRAM H**

12 Motor Vehicle Account--State Appropriation	(((\$47,418,000))
	\$45,796,000
14 Motor Vehicle Account--Federal Appropriation	\$500,000
15 Multimodal Transportation Account--State	
16 Appropriation	\$250,000
17 TOTAL APPROPRIATION	(((\$48,168,000))
	\$46,546,000

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

21 ~~((The department shall provide updated information on six~~
22 ~~project milestones for all active projects, funded in part or in whole~~
23 ~~with 2005 transportation partnership account funds or 2003 nickel~~
24 ~~account funds, on a quarterly basis in the transportation executive~~
25 ~~information system. The department shall also provide updated~~
26 ~~information on six project milestones for projects funded with~~
27 ~~preexisting funds and that are agreed to by the legislature, office of~~
28 ~~financial management, and the department, on a quarterly basis.~~

29 ~~(2))~~ \$3,754,000 of the motor vehicle account--state appropriation
30 is provided solely for the department's compliance with its national
31 pollution discharge elimination system permit.

32 ~~((3))~~ (2) It is the intent of the legislature that the real
33 estate services division of the department will recover the cost of its
34 efforts from future sale proceeds.

35 ~~((4))~~ (3) The legislature recognizes that the Dryden pit site
36 (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned
37 real property under the jurisdiction of the department of

1 transportation, and that the public would benefit significantly from
2 the complete enjoyment of the natural scenic beauty and recreational
3 opportunities available at the site. Therefore, pursuant to RCW
4 47.12.080, the legislature declares that transferring the property to
5 the department of fish and wildlife for recreational use and fish and
6 wildlife restoration efforts is consistent with the public interest in
7 order to preserve the area for the use of the public and the betterment
8 of the natural environment. The department of transportation shall
9 work with the department of fish and wildlife, and shall transfer and
10 convey the Dryden pit site to the department of fish and wildlife as is
11 for an adjusted fair market value reflecting site conditions, the
12 proceeds of which must be deposited in the motor vehicle fund. The
13 department of transportation is not responsible for any costs
14 associated with the cleanup or transfer of this property. By July 1,
15 2011, and annually thereafter until the entire Dryden pit property has
16 been transferred, the department shall submit a status report regarding
17 the transaction to the chairs of the legislative transportation
18 committees.

19 (4) The legislature recognizes that the trail known as the Apple
20 Capital Loop, and its extensions, serve to separate motor vehicle
21 traffic from pedestrians and bicyclists, increasing motor vehicle
22 safety on existing state route number 28. Consistent with chapter
23 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
24 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
25 and 2-09-04569 to Douglas county and the city of East Wenatchee is
26 consistent with the public interest. The legislature directs the
27 department to transfer the property to Douglas county and the city of
28 East Wenatchee. The department must be paid fair market value for any
29 portions of the transferred real property that is later abandoned,
30 vacated, or ceases to be publicly maintained for trail purposes.
31 Douglas county and the city of East Wenatchee must agree to accept
32 responsibility for trail segments within their respective jurisdictions
33 and sign an agreement with the state that the transfer of these parcels
34 to their respective jurisdictions extinguishes any state obligations to
35 improve, maintain, or be in any way responsible for these assets. The
36 department shall report to the transportation committees of the
37 legislature by June 30, 2013, and annually thereafter, on the status of
38 the transfer until complete.

1 **Sec. 214.** 2011 c 367 s 214 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
4 **K**

5 Motor Vehicle Account--State Appropriation	(\$622,000)
	<u>\$827,000</u>
6 Multimodal Transportation Account--State Appropriation	\$110,000
7 TOTAL APPROPRIATION	(\$732,000)
	<u>\$937,000</u>

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

12 (1)(a) \$225,000 of the motor vehicle account--state appropriation
13 is provided solely to carry out work related to assessing the
14 operational feasibility of a road user assessment, including
15 technology, agency administration, multistate and federal standards,
16 and other necessary elements. This work must be carried out under the
17 guidance of the steering committee and in coordination with the
18 transportation commission's policy assessment and public outreach
19 planning authorized in section 205(4) of this act.

20 (b) If subsequent appropriations are provided, the department may
21 conduct a limited scope pilot project to test the feasibility of a road
22 user assessment system to be applied to electric vehicles. The pilot
23 project must be carried out under the guidance of the steering
24 committee described under section 205(4) of this act and in
25 coordination with the transportation commission.

26 (2) The department shall conduct a study on the potential to
27 generate revenue from off-premise outdoor advertising signs that are
28 erected or maintained adjacent and visible to the interstate system
29 highways, primary system highways, or scenic system highways. The
30 study must provide an evaluation of the market for outdoor advertising
31 signs, including an evaluation of the number of potential advertisers
32 and the amount charged by other jurisdictions for sign permits, and
33 must provide a recommendation for a revised fee structure that
34 recognizes the market value for off-premise signs and considers
35 charging differential fees based on the size, type, and location of the
36 sign.

37 (3) The public-private partnerships office must explore retail
38 partnerships at state-owned park-and-ride facilities, as authorized in

1 RCW 47.04.295, and if feasible, solicit proposals to implement a retail
2 partnership pilot project at one park-and-ride facility by June 30,
3 2013.

4 **Sec. 215.** 2011 c 367 s 215 (uncodified) is amended to read as
5 follows:

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

7 Motor Vehicle Account--State Appropriation	((\$380,327,000))
	<u>\$373,709,000</u>
8 Motor Vehicle Account--Federal Appropriation	\$7,000,000
9 TOTAL APPROPRIATION	((\$387,327,000))
	<u>\$380,709,000</u>

10
11

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

14 (1) The department shall request an unanticipated receipt for any
15 federal moneys received for emergency snow and ice removal and shall
16 place an equal amount of the motor vehicle account--state appropriation
17 into unallotted status. This exchange shall not affect the amount of
18 funding available for snow and ice removal.

19 (2) \$7,000,000 of the motor vehicle account--state appropriation is
20 provided solely for third-party damages to the highway system where the
21 responsible party is known and reimbursement is anticipated. The
22 department shall request additional appropriation authority for any
23 funds received for reimbursements of third-party damages that are in
24 excess of this appropriation.

25 (3) \$7,000,000 of the motor vehicle account--federal appropriation
26 is for unanticipated federal funds that may be received during the
27 2011-2013 fiscal biennium. Upon receipt of the funds, the department
28 shall provide a report on the use of the funds to the transportation
29 committees of the legislature and the office of financial management.

30 (4) The department may work with the department of corrections to
31 utilize corrections crews for the purposes of litter pickup on state
32 highways.

33 (5) \$4,530,000 of the motor vehicle account--state appropriation is
34 provided solely for the department's compliance with its national
35 pollution discharge elimination system permit.

36 (6) The department shall continue to report maintenance

1 accountability process (MAP) targets and achievements on an annual
2 basis. The department shall use available funding to target and
3 deliver a minimum MAP grade of C for the activity of roadway striping.

4 (7) \$6,884,000 of the motor vehicle account--state appropriation is
5 provided solely for the high priority maintenance backlog. Addressing
6 the maintenance backlog must result in increased levels of service. If
7 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
8 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
9 appropriation provided in this subsection lapses.

10 (8) (~~(\$317,000 of the motor vehicle account--state appropriation is~~
11 ~~provided solely for maintaining a new active traffic management system~~
12 ~~on Interstate 5, Interstate 90, and state route number 520.)) The~~
13 department shall track the costs associated with ((these)) active
14 traffic management systems on a corridor basis and report to the
15 transportation committees of the legislature on the costs and benefits
16 of the systems by December 1, ((2011)) 2012.

17 *Sec. 216. 2011 c 367 s 216 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
20 **OPERATING**

21	Motor Vehicle Account--State Appropriation	(((\$50,166,000))
22		<u>\$48,818,000</u>
23	Motor Vehicle Account--Federal Appropriation	\$2,050,000
24	Motor Vehicle Account--Private/Local Appropriation	(((\$127,000))
25		<u>\$250,000</u>
26	TOTAL APPROPRIATION	(((\$52,343,000))
27		<u>\$51,118,000</u>

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

30 (1) \$6,000,000 of the motor vehicle account--state appropriation is
31 provided solely for low-cost enhancements. Of this amount, \$10,000 of
32 the motor vehicle account--state appropriation is provided solely for
33 the department to install additional farm machinery signs to promote
34 safety in agricultural areas along state highways. The department
35 shall give priority to low-cost enhancement projects that improve
36 safety or provide congestion relief. The department shall prioritize
37 low-cost enhancement projects on a statewide rather than regional

1 basis. By September 1st of each even-numbered year, the department
2 shall provide a report to the legislature listing all low-cost
3 enhancement projects prioritized on a statewide rather than regional
4 basis completed in the prior year.

5 (2) \$145,000 of the motor vehicle account--state appropriation is
6 provided solely for the department to continue a pilot tow truck
7 incentive program and to expand the program to other areas of the
8 state. The department may provide incentive payments to towing
9 companies that meet clearance goals on accidents that involve heavy
10 trucks.

11 (3) During the 2011-2013 fiscal biennium, the department shall
12 implement a pilot program that expands private transportation
13 providers' access to high occupancy vehicle lanes. Under the pilot
14 program, when the department reserves a portion of a highway based on
15 the number of passengers in a vehicle, the following vehicles must be
16 authorized to use the reserved portion of the highway if the vehicle
17 has the capacity to carry eight or more passengers, regardless of the
18 number of passengers in the vehicle: (a) Auto transportation company
19 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
20 carrier vehicles regulated under chapter 81.70 RCW, except marked or
21 unmarked stretch limousines and stretch sport utility vehicles as
22 defined under department of licensing rules; (c) private nonprofit
23 transportation provider vehicles regulated under chapter 81.66 RCW; and
24 (d) private employer transportation service vehicles. For purposes of
25 this subsection, "private employer transportation service" means
26 regularly scheduled, fixed-route transportation service that is offered
27 by an employer for the benefit of its employees. By June 30, 2013, the
28 department shall report to the transportation committees of the
29 legislature on whether private transportation provider use of high
30 occupancy vehicle lanes under the pilot program reduces the speeds of
31 high occupancy vehicle lanes. Nothing in this subsection is intended
32 to authorize the conversion of public infrastructure to private, for-
33 profit purposes or to otherwise create an entitlement or other claim by
34 private users to public infrastructure. If chapter ... (Substitute
35 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
36 subsection is null and void.

37 (4) \$9,000,000 of the motor vehicle account--state appropriation is
38 provided solely for the department's incident response program.

1 (5) The department, in consultation with the Washington state
2 patrol, must continue a pilot program for the patrol to issue
3 infractions based on information from automated traffic safety cameras
4 in roadway construction zones on state highways. The department must
5 report to the joint transportation committee by January 1, 2012, and
6 January 1, 2013, on the status of this pilot program. For the purpose
7 of this pilot program, during the 2011-2013 fiscal biennium, a roadway
8 construction zone includes areas where public employees or private
9 contractors may be present or where a driving condition exists that
10 would make it unsafe to drive at higher speeds, such as, when the
11 department is redirecting or realigning lanes on any public roadway
12 pursuant to ongoing construction. The department shall use the
13 following guidelines to administer the program:

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

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

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

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

31 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
32 infractions detected through the use of automated traffic safety
33 cameras are not part of the registered owner's driving record under RCW
34 46.52.101 and 46.52.120. Additionally, infractions generated by the
35 use of automated traffic safety cameras must be processed in the same
36 manner as parking infractions for the purposes of RCW 3.50.100,
37 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
38 fine issued under this subsection (5) for an infraction generated

1 through the use of an automated traffic safety camera is one hundred
2 thirty-seven dollars. The court shall remit thirty-two dollars of the
3 fine to the state treasurer for deposit into the state patrol highway
4 account; and

5 (f) If a notice of infraction is sent to the registered owner and
6 the registered owner is a rental car business, the infraction must be
7 dismissed against the business if it mails to the patrol, within
8 fourteen days of receiving the notice, a declaration under penalty of
9 perjury of the name and known mailing address of the individual driving
10 or renting the vehicle when the infraction occurred. If the business
11 is unable to determine who was driving or renting the vehicle at the
12 time the infraction occurred, the business must sign a declaration
13 under penalty of perjury to this effect. The declaration must be
14 mailed to the patrol within fourteen days of receiving the notice of
15 traffic infraction. Timely mailing of this declaration to the issuing
16 agency relieves a rental car business of any liability under this
17 section for the notice of infraction. A declaration form suitable for
18 this purpose must be included with each automated traffic infraction
19 notice issued, along with instructions for its completion and use.

20 (6) The department shall track the costs associated with active
21 traffic management systems on a corridor basis and report to the
22 transportation committees of the legislature on the cost and benefits
23 of the systems by December 1, 2011.

24 (7) State university research and extension centers serve as
25 important research hubs for university graduate students and, as such,
26 there is a safety concern with any centers being located on a state
27 highway. Therefore, consistent with RCW 46.61.415, and upon request of
28 a county with a state university research and extension center located
29 on a state highway within its respective jurisdiction, the secretary of
30 transportation shall approve a reduction of the maximum speed limit on
31 the state highway in the vicinity of the center. The speed on the
32 state highway may be less than the maximum speed permitted under RCW
33 46.61.400(2).

*Sec. 216 was partially vetoed. See message at end of chapter.

34 **Sec. 217.** 2011 c 367 s 217 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**

1 **SUPPORT--PROGRAM S**

2	Motor Vehicle Account--State Appropriation	((\$28,430,000))
3		<u>\$27,389,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$30,000
5	Multimodal Transportation Account--State	
6	Appropriation	\$973,000
7	TOTAL APPROPRIATION	((\$29,433,000))
8		<u>\$28,392,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The department shall utilize existing
11 resources and customer service staff to develop and implement new
12 policies and procedures to ensure compliance with new federal passenger
13 vessel Americans with disabilities act requirements.

14 **Sec. 218.** 2011 c 367 s 218 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
17 **AND RESEARCH--PROGRAM T**

18	Motor Vehicle Account--State Appropriation	((\$23,394,000))
19		<u>\$22,304,000</u>
20	Motor Vehicle Account--Federal Appropriation	\$21,885,000
21	Multimodal Transportation Account--State	
22	Appropriation	\$662,000
23	Multimodal Transportation Account--Federal	
24	Appropriation	\$3,559,000
25	Multimodal Transportation Account--Private/Local	
26	Appropriation	\$100,000
27	TOTAL APPROPRIATION	((\$49,600,000))
28		<u>\$48,510,000</u>

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

31 (1) \$70,000 of the motor vehicle account--state appropriation is a
32 reappropriation provided solely for a corridor study of state route
33 number 516 from the eastern border of Maple Valley to state route
34 number 167 to determine whether improvements are needed and the costs
35 of any needed improvements.

36 (2) \$200,000 of the motor vehicle account--state appropriation is
37 provided solely for extending the freight database pilot project that

1 began in 2009. Global positioning system (GPS) data is intended to
2 help guide freight investment decisions and track highway project
3 effectiveness as it relates to freight traffic.

4 (3) Within available resources, the department must collaborate
5 with the affected metropolitan planning organizations, regional
6 transportation planning organizations, transit agencies, and private
7 transportation providers to develop a plan to reduce vehicle demand,
8 increase public transportation options, and reduce vehicle miles
9 traveled on corridors affected by growth at Joint Base Lewis-McChord.

10 (4) As part of their ongoing regional transportation planning, the
11 regional transportation planning organizations across the state shall
12 work together to provide a comprehensive framework for sources and uses
13 of next-stage investments in transportation needed to improve
14 structural conditions and ongoing operations and lay the groundwork for
15 the transportation systems to support the long-term economic vitality
16 of the state. This planning must include all forms of transportation
17 to reflect the state's interests, including: Highways, streets, and
18 roads; ferries; public transportation; systems for freight; and walking
19 and biking systems. The department shall support this planning by
20 providing information on potential state transportation uses and an
21 analysis of potential sources of revenue to implement investments. In
22 carrying out this planning, regional transportation planning
23 organizations must be broadly inclusive of business, civic, labor,
24 governmental, and environmental interests in regional communities
25 across the state.

26 (5) \$190,000 of the motor vehicle account--state appropriation is
27 provided solely for the regional transportation planning organizations
28 across the state to implement the comprehensive transportation planning
29 and data framework. The framework must provide regional transportation
30 planning organizations with the ability to identify the spatial and
31 temporal status of current and future high priority projects, and the
32 next stage investment necessary to implement those projects. The
33 framework must be accessible to the public and provide transparency and
34 accountability to the regional transportation planning process.

35 (6) Within existing resources, the department shall work with the
36 department of archaeology and historic preservation to develop a
37 statewide policy regarding the curation of artifacts and the use of
38 museums and information centers as potential mitigation under the

1 national environmental policy act. This policy must address the
2 following issues: How to minimize costs associated with information
3 centers and museums; when to use existing facilities to preserve and
4 display artifacts; how to minimize the time that stand-alone facilities
5 are needed; and how to transfer artifacts and other items to facilities
6 that are not owned or rented by the department. A report regarding
7 this policy must be submitted to the joint transportation committee by
8 September 1, 2012.

9 **Sec. 219.** 2011 c 367 s 219 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
12 **PROGRAM U**

13	Motor Vehicle Account--State Appropriation	((\$85,209,000))
14		<u>\$74,734,000</u>
15	Motor Vehicle Account--Federal Appropriation	\$400,000
16	Multimodal Transportation Account--State	
17	Appropriation	((\$3,320,000))
18		<u>\$1,798,000</u>
19	TOTAL APPROPRIATION	((\$88,929,000))
20		<u>\$76,932,000</u>

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

23 (1) The (~~office of financial management~~) department of enterprise
24 services must provide a detailed accounting of the revenues and
25 expenditures of the self-insurance fund to the transportation
26 committees of the legislature on December 31st and June 30th of each
27 year.

28 (2) Payments in this section represent charges from other state
29 agencies to the department of transportation.

30	((a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT	
31	DIVISION OF RISK MANAGEMENT FEES	\$1,639,000
32	(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE	
33	STATE AUDITOR	\$937,000
34	(c) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF	
35	GENERAL ADMINISTRATION	\$6,060,000
36	(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF	
37	PERSONNEL	\$6,347,000

1	(e) FOR PAYMENT OF SELF INSURANCE LIABILITY	
2	PREMIUMS AND ADMINISTRATION	\$44,418,000
3	(f) FOR ARCHIVES AND RECORDS MANAGEMENT	\$623,000
4	(g) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS	
5	ENTERPRISES	\$1,008,000
6	(h) FOR USE OF FINANCIAL AND REPORTING SYSTEMS	
7	PROVIDED BY THE OFFICE OF FINANCIAL MANAGEMENT	\$1,143,000
8	(i) FOR POLICY AND SYSTEM ASSISTANCE FROM THE	
9	DEPARTMENT OF INFORMATION SERVICES	\$1,980,000
10	(j) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
11	GENERAL'S OFFICE	\$8,526,000
12	(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
13	GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT	
14	LITIGATION	(\$672,000)
15	<u>(a) TO THE SECRETARY OF STATE--ARCHIVES AND</u>	
16	<u>RECORDS MANAGEMENT</u>	<u>\$512,000</u>
17	<u>(b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR</u>	
18	<u>SERVICES</u>	<u>\$488,000</u>
19	<u>(c) TO THE OFFICE OF THE ATTORNEY</u>	
20	<u>GENERAL--ATTORNEY GENERAL SERVICES</u>	<u>\$7,127,000</u>
21	<u>(d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR</u>	
22	<u>RELATIONS SERVICES</u>	<u>\$266,000</u>
23	<u>(e) TO THE OFFICE OF FINANCIAL</u>	
24	<u>MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER</u>	<u>\$473,000</u>
25	<u>(f) TO THE OFFICE OF MINORITY AND WOMEN'S</u>	
26	<u>BUSINESS ENTERPRISES</u>	<u>\$840,000</u>
27	<u>(g) TO CONSOLIDATED TECHNICAL SERVICES</u>	<u>\$182,000</u>
28	<u>(h) TO THE DEPARTMENT OF ENTERPRISE</u>	
29	<u>SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM</u>	<u>\$3,495,000</u>
30	<u>(i) TO THE DEPARTMENT OF ENTERPRISE</u>	
31	<u>SERVICES--PRODUCTION SUPPORT</u>	<u>\$974,000</u>
32	<u>(j) TO THE DEPARTMENT OF ENTERPRISE</u>	
33	<u>SERVICES--REAL ESTATE SERVICES</u>	<u>\$108,000</u>
34	<u>(k) TO THE DEPARTMENT OF ENTERPRISE</u>	
35	<u>SERVICES--PUBLICATIONS AND HISTORICAL SERVICES</u>	<u>\$691,000</u>
36	<u>(l) TO THE DEPARTMENT OF ENTERPRISE</u>	
37	<u>SERVICES--CAMPUS RENT</u>	<u>\$3,293,000</u>
38	<u>(m) TO THE DEPARTMENT OF ENTERPRISE</u>	

1	<u>SERVICES--CAPITAL PROJECT SURCHARGE</u>	<u>\$879,000</u>
2	<u>(n) TO THE DEPARTMENT OF ENTERPRISE</u>	
3	<u>SERVICES--PERSONAL SERVICE CONTRACTS</u>	<u>\$100,000</u>
4	<u>(o) TO THE DEPARTMENT OF ENTERPRISE</u>	
5	<u>SERVICES--SECURE FILE TRANSFER SERVICES</u>	<u>\$39,000</u>
6	<u>(p) TO THE DEPARTMENT OF ENTERPRISE</u>	
7	<u>SERVICES--ACCESS SERVICES</u>	<u>\$179,000</u>
8	<u>(q) TO THE DEPARTMENT OF ENTERPRISE</u>	
9	<u>SERVICES--RISK MANAGEMENT SERVICES</u>	<u>\$1,290,000</u>
10	<u>(r) TO THE DEPARTMENT OF ENTERPRISE</u>	
11	<u>SERVICES--INFORMATION TECHNOLOGY SERVICES</u>	<u>\$1,557,000</u>

12 **Sec. 220.** 2011 c 367 s 220 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
15 **V**

16	<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$160,000</u>
17	State Vehicle Parking Account--State Appropriation	\$452,000
18	Regional Mobility Grant Program Account--State	
19	Appropriation	\$48,942,000
20	Multimodal Transportation Account--State	
21	Appropriation	(\$41,706,000)
22		<u>\$42,939,000</u>
23	Multimodal Transportation Account--Federal	
24	Appropriation	\$2,582,000
25	Multimodal Transportation Account--Private/Local	
26	Appropriation	\$1,027,000
27	Rural Mobility Grant Program Account--State	
28	Appropriation	\$17,000,000
29	TOTAL APPROPRIATION	(\$111,709,000)
30		<u>\$113,102,000</u>

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

- 33 (1) \$25,000,000 of the multimodal transportation account--state
34 appropriation is provided solely for a grant program for special needs
35 transportation provided by transit agencies and nonprofit providers of
36 transportation.

1 (a) \$5,500,000 of the (~~amount provided in this subsection~~)
2 multimodal transportation account--state appropriation is provided
3 solely for grants to nonprofit providers of special needs
4 transportation. Grants for nonprofit providers must be based on need,
5 including the availability of other providers of service in the area,
6 efforts to coordinate trips among providers and riders, and the cost
7 effectiveness of trips provided.

8 (b) \$19,500,000 of the (~~amount provided in this subsection~~)
9 multimodal transportation account--state appropriation is provided
10 solely for grants to transit agencies to transport persons with special
11 transportation needs. To receive a grant, the transit agency must have
12 a maintenance of effort for special needs transportation that is no
13 less than the previous year's maintenance of effort for special needs
14 transportation. Grants for transit agencies must be prorated based on
15 the amount expended for demand response service and route deviated
16 service in calendar year 2009 as reported in the "Summary of Public
17 Transportation - 2009" published by the department of transportation.
18 No transit agency may receive more than thirty percent of these
19 distributions.

20 (2) Funds are provided for the rural mobility grant program as
21 follows:

22 (a) \$8,500,000 of the rural mobility grant program account--state
23 appropriation is provided solely for grants for those transit systems
24 serving small cities and rural areas as identified in the "Summary of
25 Public Transportation - 2009" published by the department of
26 transportation. Noncompetitive grants must be distributed to the
27 transit systems serving small cities and rural areas in a manner
28 similar to past disparity equalization programs. If the funding
29 provided in this subsection (2)(a) exceeds the amount required for
30 recipient counties to reach eighty percent of the average per capita
31 sales tax, funds in excess of that amount may be used for the
32 competitive grant process established in (b) of this subsection.

33 (b) \$8,500,000 of the rural mobility grant program account--state
34 appropriation is provided solely to providers of rural mobility service
35 in areas not served or underserved by transit agencies through a
36 competitive grant process.

37 (3)(a) \$6,000,000 of the multimodal transportation account--state
38 appropriation is provided solely for a vanpool grant program for: (a)

1 Public transit agencies to add vanpools or replace vans; and (b)
2 incentives for employers to increase employee vanpool use. The grant
3 program for public transit agencies will cover capital costs only;
4 operating costs for public transit agencies are not eligible for
5 funding under this grant program. Additional employees may not be
6 hired from the funds provided in this section for the vanpool grant
7 program, and supplanting of transit funds currently funding vanpools is
8 not allowed. The department shall encourage grant applicants and
9 recipients to leverage funds other than state funds.

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

12 (c) \$520,000 of the amount provided in this subsection is provided
13 solely for the purchase of additional vans for use by vanpools serving
14 soldiers and civilian employees at Joint Base Lewis-McChord.

15 (4) \$8,942,000 of the regional mobility grant program account--
16 state appropriation is reappropriated and provided solely for the
17 regional mobility grant projects identified in LEAP Transportation
18 Document (~~((2007-B, as developed April 20, 2007, or LEAP Transportation~~
19 ~~Document 2009-B, as developed April 24, 2009))~~ 2012-1 ALL PROJECTS -
20 Public Transportation - Program (V) as developed March 8, 2012. The
21 department shall continue to review all projects receiving grant awards
22 under this program at least semiannually to determine whether the
23 projects are making satisfactory progress. The department shall
24 promptly close out grants when projects have been completed, and any
25 remaining funds must be used only to fund projects identified in(~~(÷)~~)
26 the LEAP Transportation Document (~~((2007-B, as developed April 20, 2007;~~
27 ~~LEAP Transportation Document 2009-B, as developed April 24, 2009; or~~
28 ~~LEAP Transportation Document 2011-B, as developed April 19, 2011))~~
29 referenced in this subsection. It is the intent of the legislature to
30 appropriate funds through the regional mobility grant program only for
31 projects that will be completed on schedule and that all funds in the
32 regional mobility grant program be used as soon as practicable to
33 advance eligible projects.

34 (5)(a) \$40,000,000 of the regional mobility grant program account--
35 state appropriation is provided solely for the regional mobility grant
36 projects identified in LEAP Transportation Document (~~((2011-B, as~~
37 ~~developed April 19, 2011))~~ 2012-1 ALL PROJECTS - Public Transportation
38 - Program (V) as developed March 8, 2012. The department shall review

1 all projects receiving grant awards under this program at least
2 semiannually to determine whether the projects are making satisfactory
3 progress. Any project that has been awarded funds, but does not report
4 activity on the project within one year of the grant award, must be
5 reviewed by the department to determine whether the grant should be
6 terminated. The department shall promptly close out grants when
7 projects have been completed, and any remaining funds must be used only
8 to fund projects identified in the LEAP Transportation Document (~~(2011-~~
9 ~~B, as developed April 19, 2011))~~ referenced in this subsection. The
10 department shall provide annual status reports on December 15, 2011,
11 and December 15, 2012, to the office of financial management and the
12 transportation committees of the legislature regarding the projects
13 receiving the grants. It is the intent of the legislature to
14 appropriate funds through the regional mobility grant program only for
15 projects that will be completed on schedule.

16 (b) In order to be eligible to receive a grant under (a) of this
17 subsection during the 2011-2013 fiscal biennium, a transit agency must
18 establish a process for private transportation providers to apply for
19 the use of park and ride facilities. For purposes of this subsection,
20 (i) "private transportation provider" means: An auto transportation
21 company regulated under chapter 81.68 RCW; a passenger charter carrier
22 regulated under chapter 81.70 RCW, except marked or unmarked stretch
23 limousines and stretch sport utility vehicles as defined under
24 department of licensing rules; a private nonprofit transportation
25 provider regulated under chapter 81.66 RCW; or a private employer
26 transportation service provider; and (ii) "private employer
27 transportation service" means regularly scheduled, fixed-route
28 transportation service that is offered by an employer for the benefit
29 of its employees.

30 (6) \$2,309,000 of the multimodal transportation account--state
31 appropriation is provided solely for the tri-county connection service
32 for Island, Skagit, and Whatcom transit agencies.

33 (7) \$200,000 of the multimodal transportation account--state
34 appropriation is contingent on the timely development of an annual
35 report summarizing the status of public transportation systems as
36 identified under RCW 35.58.2796.

37 (8) Funds provided for the commute trip reduction program may also
38 be used for the growth and transportation efficiency center program.

1 (9) An affected urban growth area that has not previously
2 implemented a commute trip reduction program is exempt from the
3 requirements in RCW 70.94.527 if a solution to address the state
4 highway deficiency that exceeds the person hours of delay threshold has
5 been funded and is in progress during the 2011-2013 fiscal biennium.

6 (10) \$300,000 of the multimodal transportation account--state
7 appropriation is provided solely for the continuation of state support
8 for the Whatcom smart trips commute trip reduction program.

9 (11) \$818,000 of the multimodal transportation account--state
10 appropriation is provided solely for state support of the Everett
11 connector bus service.

12 (12) The department shall contact all transit agencies with a
13 nonvoting member recommended by a labor organization and request
14 information regarding the participation of board members, both voting
15 and nonvoting, for all transit agency meetings in 2012 and the three
16 previous calendar years. The department shall provide a report to the
17 transportation committees of the legislature regarding the findings of
18 this survey, which must include the transit agencies, if any, that
19 refuse to respond either in whole or in part, by January 15, 2013.

20 (13) \$250,000 of the multimodal transportation account--state
21 appropriation is provided solely for the Clark county public
22 transportation benefit area to comply with the requirements of RCW
23 81.104.110 regarding the formation of an expert review panel to provide
24 an independent technical review of any plan that relies on any voter-
25 approved local funding options.

26 (14) \$100,000 of the multimodal transportation account--state
27 appropriation is provided solely for community transit to conduct a
28 federally mandated alternatives analysis study to allow a second swift
29 line to be funded through the federal transit administration's new
30 starts or small starts process.

31 (15) \$160,000 of the motor vehicle account--federal appropriation
32 is provided solely for King county metro to study demand potential for
33 a state route number 18 and Interstate 90 park-and-ride location, to
34 size the facilities appropriately, to perform site analysis, and to
35 develop preliminary design concepts.

36 **Sec. 221.** 2011 c 367 s 221 (uncodified) is amended to read as
37 follows:

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

2 Puget Sound Ferry Operations Account--State

3 Appropriation ((~~\$467,773,000~~))
4 \$468,135,000

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

7 (1) The office of financial management budget instructions require
8 agencies to recast enacted budgets into activities. The Washington
9 state ferries shall include a greater level of detail in its 2011-2013
10 supplemental and 2013-2015 omnibus transportation appropriations act
11 requests, as determined jointly by the office of financial management,
12 the Washington state ferries, and the transportation committees of the
13 legislature. This level of detail must include the administrative
14 functions in the operating as well as capital programs.

15 (2) When purchasing uniforms that are required by collective
16 bargaining agreements, the department shall contract with the lowest
17 cost provider.

18 ((~~+5~~)) (3) Until a reservation system is operational on the San
19 Juan islands inner-island route, the department shall provide the same
20 priority loading benefits on the San Juan islands inner-island route to
21 home health care workers as are currently provided to patients
22 traveling for purposes of receiving medical treatment.

23 ((~~+6~~)) (4) The department shall request from the United States
24 coast guard variable minimum staffing levels on all of its vessels by
25 December 31, 2011.

26 ((~~+10~~)) (5) The department shall continue to provide service to
27 Sidney, British Columbia and shall explore the option of purchasing a
28 foreign built vehicle and passenger ferry vessel either with safety of
29 life at sea (SOLAS) certification or the ability to be retrofitted for
30 SOLAS certification to operate solely on the Anacortes to Sidney,
31 British Columbia route currently served by vessels of the Washington
32 state ferries fleet. The vessel should have the capability of carrying
33 at least one hundred standard vehicles and approximately four hundred
34 to five hundred passengers. Further, the department shall explore the
35 possibilities of contracting a commercial company to operate the vessel
36 exclusively on this route so long as the contractor's employees
37 assigned to the vessel are represented by the same employee
38 organizations as the Washington state ferries. The department shall

1 report back to the transportation committees of the legislature
2 regarding: The availability of a vessel; the cost of the vessel,
3 including transport to the Puget Sound region; and the need for any
4 statutory changes for the operation of the Sydney, British Columbia
5 service by a private company.

6 ~~((+11))~~ (6) For the 2011-2013 fiscal biennium, the department of
7 transportation may enter into a distributor controlled fuel hedging
8 program and other methods of hedging approved by the fuel hedging
9 committee.

10 ~~((+12)–The–department–shall–target–service–reductions–totaling~~
11 ~~\$4,000,000, – such – that – the – shortening – of – shoulder – seasons – and~~
12 ~~eliminations of off peak runs on all routes are considered. Prior to~~
13 ~~implementing the reductions, the department shall consult with ferry~~
14 ~~employees and ferry advisory committees to determine which reductions~~
15 ~~would impact the fewest number of riders. The reductions must be~~
16 ~~identified and implementation must begin no later than the fall 2011~~
17 ~~schedule.~~

18 ~~(+13)–\$135,248,000))~~ (7) \$136,648,000 of the Puget Sound ferry
19 operations account--state appropriation is provided solely for auto
20 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
21 amount provided in this appropriation represents the fuel budget for
22 the purposes of calculating any ferry fare fuel surcharge.

23 ~~((+14))~~ (8) \$150,000 of the Puget Sound ferry operations account--
24 state appropriation is provided solely for the department to increase
25 recreation and tourist ridership by entering into agreements for
26 marketing and outreach strategies with local economic development
27 agencies. The department shall identify the number of tourist and
28 recreation riders on the applicable ferry routes both before and after
29 implementation of marketing and outreach strategies developed through
30 the agreements. The department shall report results of the marketing
31 and outreach strategies to the transportation committees of the
32 legislature by October 15, 2012.

33 ~~((+15))~~ (9) The Washington state ferries shall participate in the
34 facilities plan included in section 604 of this act and shall include
35 an investigation and identification of less costly relocation options
36 for the Seattle headquarters office. The department shall include
37 relocation options for the Washington state ferries Seattle

1 headquarters office in the facilities plan. Until September 1, 2012,
2 the department may not enter into a lease renewal for the Seattle
3 headquarters office.

4 ~~((+16+))~~ (10) The department, office of financial management, and
5 transportation committees of the legislature shall make recommendations
6 regarding an appropriate budget structure for the Washington state
7 ferries. The recommendation may include a potential restructuring of
8 the Washington state ferries budget. The recommendation must
9 facilitate transparency in reporting and budgeting as well as provide
10 the opportunity to link revenue sources with expenditures. Findings
11 and recommendations must be reported to the office of financial
12 management and the joint transportation committee by September 1, 2011.

13 ~~((+17+))~~ (11) Two Kwa-di-tabil class ferry vessels must be placed
14 on the Port Townsend/Coupeville (Keystone) route to provide service at
15 the same levels provided when the steel electric vessels were in
16 service. After the vessels as funded under section 308~~((+7+))~~ (5) of
17 this act are in service, the two most appropriate of these vessels for
18 the Port Townsend/Coupeville (Keystone) route must be placed on the
19 route. \$100,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely for the additional staffing required
21 to maintain a reservation system at this route when the second vessel
22 is in service.

23 ~~((+19+))~~ (12) \$706,000 of the Puget Sound ferry operations
24 account--state appropriation is provided solely for terminal operations
25 to implement new federal passenger vessel Americans with disabilities
26 act requirements.

27 ~~((+20+))~~ (13) \$152,000 of the Puget Sound ferry operations
28 account--state appropriation is provided solely for the department's
29 compliance with its national pollution discharge elimination system
30 permit.

31 ~~((+21+)) If chapter . . . (Substitute House Bill No. 2053), Laws of
32 2011 (additive transportation funding) is not enacted by June 30, 2011,
33 the \$4,000,000 in service reductions identified in subsection (12) of
34 this section must be restored and an identical amount must be reduced
35 from the amount provided for the second 144-car vessel identified in
36 section 308(8) of this act.))~~

1 **Sec. 222.** 2011 c 367 s 222 (uncodified) is amended to read as
2 follows:

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

4	Multimodal Transportation Account--State	
5	Appropriation	((\$29,688,000))
6		<u>\$33,642,000</u>
7	Multimodal Transportation Account--Federal	
8	Appropriation	((\$300,000))
9		<u>\$400,000</u>
10	TOTAL APPROPRIATION	((\$29,988,000))
11		<u>\$34,042,000</u>

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

14 (1) ((~~\$24,091,000~~)) \$27,816,000 of the multimodal transportation
15 account--state appropriation is provided solely for the Amtrak service
16 contract and Talgo maintenance contract associated with providing and
17 maintaining state-supported passenger rail service. The department is
18 directed to continue to pursue efforts to reduce costs, increase
19 ridership, and review fares or fare schedules. Within thirty days of
20 each annual cost/revenue reconciliation under the Amtrak service
21 contract, the department shall report annual credits to the office of
22 financial management and the legislative transportation committees.
23 Annual credits from Amtrak to the department including, but not limited
24 to, credits for increased revenue due to higher ridership, and fare or
25 fare schedule adjustments, must be used to offset corresponding amounts
26 of the multimodal transportation account--state appropriation, which
27 must be placed in reserve. Upon completion of the rail platform
28 project in the city of Stanwood, the department shall continue to
29 provide daily Amtrak Cascades service to the city.

30 (2) Amtrak Cascade runs may not be eliminated.

31 (3) The department shall plan for a third roundtrip Cascades train
32 between Seattle and Vancouver, B.C.

33 (4) The department shall conduct a pilot program by partnering with
34 the travel industry on the Amtrak Cascades service between Vancouver,
35 British Columbia, and Seattle to test opportunities for increasing
36 ridership, maximizing farebox recovery, and stimulating private
37 investment. The pilot program must run from July 1, 2011, to June 30,

1 2012. The department shall report on the results of the pilot program
2 to the office of financial management and the legislature by September
3 30, 2012.

4 (5) \$300,000 of the multimodal transportation account--state
5 appropriation is provided solely for the department to conduct a study
6 to examine the interconnectivity benefits of, and potential for, a
7 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
8 part of its consideration, the department shall conduct a thorough
9 market analysis of the potential for adding or changing stops on the
10 Amtrak Cascades route.

11 **Sec. 223.** 2011 c 367 s 223 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
14 **OPERATING**

15	Motor Vehicle Account--State Appropriation	(((\$8,853,000)))
16		<u>\$8,518,000</u>
17	Motor Vehicle Account--Federal Appropriation	\$2,567,000
18	TOTAL APPROPRIATION	(((\$11,420,000)))
19		<u>\$11,085,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: The department shall submit a report to
22 the transportation committees of the legislature by December 1, 2011,
23 on the implementation of the recommendations that resulted from the
24 evaluation of efficiencies in the delivery of transportation funding
25 and services to local governments that was required under section
26 204(8), chapter 247, Laws of 2010. The report must include a
27 description of how recommendations were implemented, what efficiencies
28 were achieved, and an explanation of any recommendations that were not
29 implemented.

30 **TRANSPORTATION AGENCIES--CAPITAL**

31 **Sec. 301.** 2011 c 367 s 301 (uncodified) is amended to read as
32 follows:

33 **FOR THE WASHINGTON STATE PATROL**

34	State Patrol Highway Account--State Appropriation . . .	(((\$6,487,000)))
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The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$653,000)~~) \$1,357,000 of the state patrol highway account--state appropriation is provided solely for the following minor works projects: \$200,000 for emergency infrastructure repairs; \$75,000 for water and sewer upgrades; \$210,000 for emergency backup system replacement; \$85,000 for chiller replacement; (~~and~~) \$83,000 for roof replacements; \$128,000 for septic system repairs; and \$576,000 for HVAC replacement and energy upgrades.

(2) (~~(\$3,226,000)~~) \$4,903,000 of the state patrol highway account--state appropriation is provided solely for the Shelton academy of the Washington state patrol for the new waste water treatment lines, waste water plants, water lines, and water systems. (~~However, \$2,129,000 of this amount is contingent on the department of corrections receiving funding for its portion of the regional water project in the 2011-2013 omnibus capital appropriations act. If this funding is not provided by June 30, 2011, \$2,129,000 of the appropriation provided in this subsection lapses.~~) Of the amount provided in this subsection, \$1,758,000 is for the Washington state patrol's portion of the costs associated with constructing a water line to the Shelton academy and \$2,047,000 is for the department of corrections' portion to construct the water line as far as the Washington state patrol's Shelton academy. If funding is provided in the 2012 supplemental omnibus capital appropriations act for any portion of the project to construct a water line to the Washington state patrol's Shelton academy, that portion of the funds included in this subsection lapses.

(3) \$421,000 of the state patrol highway account--state appropriation is provided solely for the reappropriation of the Shelton regional water project.

(4) (~~(\$2,187,000 of the total appropriation is provided solely for mobile office platforms.~~

~~(5))~~) It is the intent of the legislature that the omnibus operating appropriations act provide funding for the portion of any applicable debt service payments, resulting from financial contracts identified under section 601 of this act, that are attributable to the general fund as identified in the Washington state patrol's cost allocation model.

The appropriations in this section are subject to the following conditions and limitations: The transportation improvement account--state appropriation includes up to \$22,143,000 in proceeds from the sale of bonds authorized in RCW 47.26.500.

Sec. 304. 2011 c 367 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D-- (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL

Motor Vehicle Account--State Appropriation	(\$5,433,000)
	<u>\$5,545,000</u>
<u>Transportation Partnership Account--State</u>	
<u>Appropriation</u>	<u>\$1,575,000</u>
<u>TOTAL APPROPRIATION</u>	<u>\$7,120,000</u>

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

(1) \$1,364,000 of the motor vehicle account--state appropriation is provided solely for the Olympic region site acquisition debt service payments and administrative costs associated with capital improvement and preservation project and financial management.

(2) (~~(\$3,669,000)~~) \$3,781,000 of the motor vehicle account--state appropriation is provided solely for high priority safety projects that are directly linked to employee safety, environmental risk, or minor works that prevent facility deterioration.

(3) \$400,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(4) \$1,575,000 of the transportation partnership account--state appropriation is provided solely for the traffic management center (100010T).

Sec. 305. 2011 c 367 s 305 (uncodified) is amended to read as follows:

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

(Multimodal Transportation Account--State	
Appropriation	(\$1,000)
Transportation Partnership Account--State	

1	Appropriation	((\$1,991,547,000))
2		<u>\$1,636,316,000</u>
3	Motor Vehicle Account--State Appropriation	((\$86,139,000))
4		<u>\$103,889,000</u>
5	Motor Vehicle Account--Federal Appropriation	((\$450,691,000))
6		<u>\$790,703,000</u>
7	Motor Vehicle Account--Private/Local	
8	Appropriation	((\$50,485,000))
9		<u>\$124,917,000</u>
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	((\$436,005,000))
12		<u>\$416,125,000</u>
13	State Route Number 520 Corridor Account--State	
14	Appropriation	((\$1,019,460,000))
15		<u>\$1,752,138,000</u>
16	<u>Special Category C Account--State Appropriation</u>	<u>\$124,000</u>
17	<u>Tacoma Narrows Toll Bridge Account--State</u>	
18	<u>Appropriation</u>	<u>\$5,791,000</u>
19	TOTAL APPROPRIATION	((\$4,034,328,000))
20		<u>\$4,830,003,000</u>

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

23 (1) Except as provided otherwise in this section, the entire
24 transportation 2003 account (nickel account) appropriation and the
25 entire transportation partnership account appropriation are provided
26 solely for the projects and activities as listed by fund, project, and
27 amount in LEAP Transportation Document ((2011-1)) 2012-2 as developed
28 ((April 19, 2011)) March 8, 2012, Program - Highway Improvement Program
29 (I). However, limited transfers of specific line-item project
30 appropriations may occur between projects for those amounts listed
31 subject to the conditions and limitations in section 603 of this act.

32 (2) ((The department shall, on a quarterly basis beginning July 1,
33 2011, provide to the office of financial management and the legislature
34 reports providing the status on each active project funded in part or
35 whole by the transportation 2003 account (nickel account) or the
36 transportation partnership account. Funding provided at a programmatic
37 level for transportation partnership account and transportation 2003
38 account (nickel account) projects relating to bridge rail, guard rail,

1 ~~fish passage barrier removal, and roadside safety projects must be~~
2 ~~reported on a programmatic basis. Projects within this programmatic~~
3 ~~level funding must be completed on a priority basis and scoped to be~~
4 ~~completed within the current programmatic budget. Report formatting~~
5 ~~and elements must be consistent with the October 2009 quarterly project~~
6 ~~report. The department shall also provide the information required~~
7 ~~under this subsection on a quarterly basis.~~

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

12 ~~((4))~~ (3) The department shall apply for surface transportation
13 program enhancement funds to be expended in lieu of or in addition to
14 state funds for eligible costs of projects in programs I and P
15 including, but not limited to, the state route number 518, state route
16 number 520, Columbia river crossing, and Alaskan Way viaduct projects.

17 ~~((5))~~ (4) The department shall apply for the competitive portion
18 of federal transit administration funds for eligible transit-related
19 costs of the state route number 520 bridge replacement and HOV project
20 and the Columbia river crossing project. The federal funds described
21 in this subsection must not include those federal transit
22 administration funds distributed by formula. The department shall
23 provide a report regarding this effort to the legislature by October 1,
24 2011.

25 ~~((7))~~ (5) The department shall work with the department of
26 archaeology and historic preservation to ensure that the cultural
27 resources investigation is properly conducted on all mega-highway
28 projects and large ferry terminal projects. These projects must be
29 conducted with active archaeological management. Additionally, the
30 department shall establish a scientific peer review of independent
31 archaeologists that are knowledgeable about the region and its cultural
32 resources.

33 ~~((8))~~ (6) For highway construction projects where the department
34 considers agricultural lands of long-term commercial significance, as
35 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
36 environmental mitigation requirements under the national environmental
37 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
38 policy act (chapter 43.21C RCW), the department shall, to the greatest

1 extent possible, consider using public land first. If public lands are
2 not available that meet the required environmental mitigation needs,
3 the department may use other sites while making every effort to avoid
4 any net loss of agricultural lands that have a designation of long-term
5 commercial significance.

6 ~~((9) - \$361,000))~~ (7) \$561,000 of the transportation partnership
7 account--state appropriation and ~~((1,245,000))~~ \$1,176,000 of the
8 transportation 2003 account (nickel account)--state appropriation are
9 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
10 Nickel/TPA project, as indicated in the LEAP transportation document
11 referenced in subsection (1) of this section. Funds may be used only
12 for environmental mitigation work that is required by permits that were
13 issued for projects funded by the transportation partnership account or
14 transportation 2003 account (nickel account). ~~((As part of the 2012
15 budget submittal, the department shall provide a list of all projects
16 and associated amounts that are being charged to project OBI4ENV during
17 the 2011-2013 fiscal biennium.~~

18 ~~(10))~~ (8) The transportation 2003 account (nickel account)--state
19 appropriation includes up to ~~((361,005,000))~~ \$339,608,000 in proceeds
20 from the sale of bonds authorized by RCW 47.10.861.

21 ~~((11))~~ (9) The transportation partnership account--state
22 appropriation includes up to ~~((1,427,696,000))~~ \$972,392,000 in
23 proceeds from the sale of bonds authorized in RCW 47.10.873.

24 ~~((12))~~ (10) The motor vehicle account--state appropriation
25 includes up to ~~((66,373,000))~~ \$55,870,000 in proceeds from the sale of
26 bonds authorized in RCW 47.10.843.

27 ~~((13))~~ (11) The state route number 520 corridor account--state
28 appropriation includes up to ~~((987,717,000))~~ \$1,779,000,000 in
29 proceeds from the sale of bonds authorized in RCW 47.10.879.

30 ~~((14) - \$391,000))~~ (12) \$767,000 of the motor vehicle account--state
31 appropriation and ~~((4,027,000))~~ \$3,736,000 of the motor vehicle
32 account--federal appropriation are provided solely for the US 2 High
33 Priority Safety project (100224I). Expenditure of these funds is for
34 safety projects on state route number 2 between Monroe and Gold Bar,
35 which may include median rumble strips, traffic cameras, and electronic
36 message signs.

37 ~~((15) - \$687,000))~~ (13) \$820,000 of the motor vehicle account--
38 federal appropriation, \$16,308,000 of the motor vehicle account--

1 private/local appropriation, and (~~(\$22,000)~~) \$48,000 of the motor
2 vehicle account--state appropriation are provided solely for the US
3 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

4 (~~(16) \$435,000~~) (14) \$1,025,000 of the motor vehicle account--
5 state appropriation is provided solely for environmental work on the
6 Belfair Bypass project (300344C).

7 (~~(17) \$108,000~~) (15) \$372,000 of the motor vehicle account--
8 federal appropriation and (~~(\$3,000)~~) \$9,000 of the motor vehicle
9 account--state appropriation are provided solely for the I-5/Vicinity
10 of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

11 (~~(18) \$253,444,000~~) (16) \$202,863,000 of the transportation
12 partnership account--state appropriation and (~~(\$66,034,000)~~)
13 \$51,138,000 of the transportation 2003 account (nickel account)--state
14 appropriation are provided solely for the I-5/Tacoma HOV Improvements
15 (Nickel/TPA) project (300504A). The use of funds in this subsection to
16 renovate any buildings is subject to the requirements of section 604 of
17 this act. The department shall report to the legislature and the
18 office of financial management on any costs associated with building
19 renovations funded in this subsection.

20 (~~(19)~~) (17)(a) (\$8,321,000) \$7,423,000 of the transportation
21 partnership account--state appropriation and (~~(\$31,380,000)~~)
22 \$54,461,000 of the motor vehicle account--federal appropriation are
23 provided solely for the I-5/Columbia River Crossing project (400506A).

24 (~~(Of this amount,)~~) Of the amounts appropriated in this subsection,
25 \$15,000,000 of the motor vehicle account--federal appropriation must be
26 put into unallotted status and is subject to the review of the office
27 of financial management. This funding may only be allotted once the
28 state of Oregon's total contribution of shared expenses on the project
29 are within five million dollars of the state of Washington's shared
30 expenses.

31 (b) It is the intent of the legislature that Washington and Oregon
32 have equal funding commitments and equal total expenditures to date on
33 the shared components of the Columbia river crossing project. The
34 department shall provide a quarterly report on this project beginning
35 March 31, 2012. This report must include:

36 (i) An update on preliminary engineering and right-of-way
37 acquisition for the previous quarter;

1 (ii) Planned objectives for right-of-way and preliminary
2 engineering for the ensuing quarter;

3 (iii) An updated comparison of the total appropriation authority
4 for the project by state;

5 (iv) An updated comparison of the total expenditures to date on the
6 project by state; and

7 (v) The committed funding provided by the state of Oregon to right-
8 of-way acquisition.

9 (c) \$200,000 of the transportation partnership account--state
10 appropriation in this subsection is provided solely for the department
11 to work with the department of archaeology and historic preservation to
12 ensure that the cultural resources investigation is properly conducted
13 on the Columbia river crossing project. This project must be conducted
14 with active archaeological management and result in one report that
15 spans the single cultural area in Oregon and Washington. Additionally,
16 the department shall establish a scientific peer review of independent
17 archaeologists that are knowledgeable about the region and its cultural
18 resources. ((No funding from any account may be expended until written
19 confirmation has been received by the department that the state of
20 Oregon is providing an equal amount of additional funding to the
21 project.

22 ~~(b))~~ (d) Consistent with the draft environmental impact statement
23 and the Columbia river crossing project's independent review panel
24 report, the Columbia river crossing project's financial plan must
25 include recognition of state transportation funding contributions from
26 both Washington and Oregon, federal transportation funding, and a
27 funding contribution from toll bond proceeds. Following the refinement
28 of the finance plan as recommended by the independent review panel, the
29 department may seek authorization from the legislature to collect tolls
30 on the existing Columbia river crossing or on a replacement crossing
31 over Interstate 5.

32 (e) The Washington state department of transportation budget
33 includes resources to continue work on solutions that advance the
34 Columbia river crossing project to completion of the required
35 environmental impact statement. The department must report to the
36 Columbia river crossing legislative oversight subcommittee of the joint
37 transportation committee, established in section 204(7) of this act, on
38 the progress made on the Columbia river crossing project at each

1 meeting of the oversight subcommittee. Reporting must include updated
2 information on cost estimates, rights-of-way purchases and procurement
3 schedules, and financing plans for the Columbia river crossing project,
4 including projected traffic volumes, fuel and gas price assumptions,
5 toll rates, costs of toll collections, as well as potential need for
6 general transportation funding. By January 1, 2013, the department
7 shall provide to the oversight subcommittee of the joint transportation
8 committee a phased master plan for the Columbia river crossing project.

9 ((~~(20)~~ \$107,000)) (18) Within the amounts provided for the Columbia
10 river crossing project (400506A), the department shall conduct a
11 traffic and revenue analysis for the Columbia river crossing project
12 that will lay the foundation for investment grade traffic and revenue
13 analysis. While conducting the analysis, the department must
14 coordinate with the Oregon department of transportation, the Washington
15 state transportation commission, and the Washington state legislative
16 oversight committee.

17 (a) The department's analysis must include the assessment and
18 review of the following variables within the project:

- 19 (i) Exemptions from tolls for vehicles with two or more occupants;
20 (ii) A variable toll where the tolls vary by time of day and day of
21 the week; and
22 (iii) A frequency-based toll rate for the facility.

23 (b) The analysis must also assess the following:

- 24 (i) The impact that light rail service in the corridor will have on
25 estimated toll revenues;
26 (ii) The level of diversion from the Interstate 5 corridor and the
27 impact on estimated toll revenues; and
28 (iii) The estimated toll revenues from vehicle trips originating
29 within the region and outside the region by vehicle type.

30 (c) The department must submit a report of findings to the
31 transportation committees of the legislature by July 1, 2013.

32 (19) \$309,000 of the motor vehicle account--federal appropriation
33 and (~~(\$27,000)~~) \$78,000 of the motor vehicle account--state
34 appropriation are provided solely for the SR 9/SR 204 Intersection
35 Improvement project (L2000040).

36 ((~~(21)~~ \$2,134,000)) (20) \$3,385,000 of the motor vehicle account--
37 federal appropriation and (~~(\$47,000)~~) \$50,000 of the motor vehicle

1 account--state appropriation are provided solely for the US 12/Nine
2 Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

3 ~~((22) \$294,000)~~ (21) \$5,791,000 of the Tacoma Narrows toll bridge
4 account--state appropriation is provided solely for deferred sales tax
5 expenses on the construction of the new Tacoma Narrows bridge.
6 However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales
7 tax exemption on SR 16 projects) is enacted by June 30, 2012, the
8 amount provided in this subsection lapses.

9 (22) \$391,000 of the motor vehicle account--federal appropriation
10 and ~~((13,000)) \$16,000 of the motor vehicle account--state~~
11 appropriation are provided solely for the SR 16/Rosedale Street NW
12 Vicinity - Frontage Road project (301639C). The frontage road must be
13 built for driving speeds of no more than thirty-five miles per hour.

14 (23) ~~((1,000,000)) \$621,000 of the motor vehicle account--federal~~
15 appropriation is provided solely for the SR 20/Race Road to Jacob's
16 Road safety project (L2200042).

17 (24) ~~((24,002,000)) \$32,162,000 of the transportation partnership~~
18 account--state appropriation is provided solely for the SR 28/ US 2 and
19 US 97 Eastmont Avenue Extension project (202800D).

20 (25) ~~((569,000)) \$1,227,000 of the motor vehicle account--federal~~
21 appropriation and ~~((9,000)) \$38,000 of the motor vehicle account--~~
22 state appropriation are provided solely for design and right-of-way
23 work on the I-82/Red Mountain Vicinity project (508208M). The
24 department shall continue to work with the local partners in developing
25 transportation solutions necessary for the economic growth in the Red
26 Mountain American viticulture area of Benton county.

27 (26) \$1,500,000 of the motor vehicle account--federal appropriation
28 is provided solely for the I-90 Comprehensive Tolling Study and
29 Environmental Review project (100067T). The department shall undertake
30 a comprehensive environmental review of tolling Interstate 90 between
31 Interstate 5 and Interstate 405 for the purposes of both managing
32 traffic and providing funding for construction of the unfunded state
33 route number 520 from Interstate 5 to Medina project. The
34 environmental review must include significant outreach to potentially
35 affected communities. The department may consider traffic management
36 options that extend as far east as Issaquah.

37 (27) ~~((9,422,000)) \$12,149,000 of the motor vehicle account--~~

1 federal appropriation and (~~(\$193,000)~~) \$362,000 of the motor vehicle
2 account--state appropriation are provided solely for the I-90/Sullivan
3 Road to Barker Road - Additional Lanes project (609049N).

4 (28) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie
5 Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be
6 used for design work on the next two-mile segment of the corridor. Any
7 additional savings on this project must remain on the corridor.
8 (~~(\$590,000 of the funds appropriated for this project may be used to~~
9 ~~purchase land currently owned by the state parks department.)~~) Project
10 funds may not be used to build or improve buildings until the plan
11 described in section 604 of this act is complete.

12 (29) (~~(\$932,000)~~) \$657,000 of the motor vehicle account--federal
13 appropriation is provided solely for the US 97A/North of Wenatchee -
14 Wildlife Fence project (209790B).

15 (30) The department shall reconvene an expert review panel of no
16 more than three members as described under RCW 47.01.400 for the
17 purpose of updating the work that was previously completed by the panel
18 on the Alaskan Way viaduct replacement project and to ensure that an
19 appropriate and viable financial plan is created and regularly
20 reviewed. The expert review panel must be selected cooperatively by
21 the chairs of the senate and house of representatives transportation
22 committees, the secretary of transportation, and the governor. The
23 expert review panel must report findings and recommendations to the
24 transportation committees of the legislature, the governor's Alaskan
25 Way viaduct project oversight committee, and the transportation
26 commission by October 2011, and annually thereafter until the project
27 is operationally complete.

28 (31) It is important that the public and policymakers have accurate
29 and timely access to information related to the Alaskan Way viaduct
30 replacement project as it proceeds to, and during, the construction of
31 all aspects of the project including, but not limited to, information
32 regarding costs, schedules, contracts, project status, and neighborhood
33 impacts. Therefore, it is the intent of the legislature that the
34 state, city, and county departments of transportation establish a
35 single source of accountability for integration, coordination,
36 tracking, and information of all requisite components of the
37 replacement project, which must include, at a minimum:

1 (a) A master schedule of all subprojects included in the full
2 replacement project or program; and

3 (b) A single point of contact for the public, media, stakeholders,
4 and other interested parties.

5 (32) Within the amounts provided in this section, \$20,000 of the
6 motor vehicle account--state appropriation and \$980,000 of the motor
7 vehicle account--federal appropriation are provided solely for the
8 department to continue work on a comprehensive tolling study of the
9 state route number 167 corridor (project 316718S). As funding allows,
10 the department shall also continue work on a comprehensive tolling
11 study of the state route number 509 corridor.

12 (33)(a) (~~(\$131,303,000)~~) \$137,022,000 of the transportation
13 partnership account--state appropriation(~~(, — \$51,410,000)~~) and
14 \$50,623,000 of the transportation 2003 account (nickel account)--state
15 appropriation(~~(, and \$10,000,000 of the motor vehicle account--federal~~
16 ~~appropriation)~~) are provided solely for the I-405/Kirkland Vicinity
17 Stage 2 - Widening project (8BI1002). This project must be completed
18 as soon as practicable as a design-build project and must be
19 constructed with a footprint that would accommodate potential future
20 express toll lanes.

21 (b) As part of the project, the department shall conduct a traffic
22 and revenue analysis and complete a financial plan to provide
23 additional information on the revenues, expenditures, and financing
24 options available for active traffic management and congestion relief
25 in the Interstate 405 and state route number 167 corridors. A report
26 must be provided to the transportation committees of the legislature
27 and the office of financial management by January 2012. However, this
28 subsection (33)(b) is null and void if chapter . . . (Engrossed House
29 Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by
30 June 30, 2011.

31 (c) Of the amount appropriated in (a) of this subsection,
32 \$15,000,000 of the transportation partnership account--state
33 appropriation is provided solely for the preliminary design and
34 purchase of rights-of-way on the state route number 167 direct
35 connector. It is the intent of the legislature to fund an additional
36 \$25,000,000 of the transportation partnership account--state
37 appropriation for the preliminary design and purchase of rights-of-way

1 on the state route number 167 direct connector during the 2013-2015
2 biennium.

3 (d) Within the amounts provided for this project, funding is
4 provided solely for tolling equipment, such as gantries, barriers, or
5 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
6 The department shall place amounts for tolling equipment into
7 unallotted status until the traffic and revenue analysis required in
8 RCW 47.56.886 is submitted to the governor and the legislature. Once
9 the report has been submitted, the office of financial management may
10 approve the allotment of funds for tolling equipment only after
11 consultation with the joint transportation committee.

12 (34) Funding for a signal at state route number 507 and Yew Street
13 is included in the appropriation for intersection and spot improvements
14 (0BI2002).

15 (35) ((\$226,809,000)) \$224,592,000 of the transportation
16 partnership account--state appropriation and ((\$1,019,460,000))
17 \$898,286,000 of the state route number 520 corridor account--state
18 appropriation are provided solely for the state route number 520 bridge
19 replacement and HOV program (8BI1003). When developing the financial
20 plan for the program, the department shall assume that all maintenance
21 and operation costs for the new facility are to be covered by tolls
22 collected on the toll facility, and not by the motor vehicle account.

23 ~~(36) ((\$650,000 of the motor vehicle account--federal appropriation~~
24 ~~is provided solely for the SR 522 Improvements/61st Avenue NE and NE~~
25 ~~181st Street project (L1000055)).~~

26 ~~(37))~~ \$500,000 of the motor vehicle account--state appropriation
27 is provided solely for a multimodal corridor plan on state route number
28 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

29 (37) \$300,000 of the motor vehicle account--federal appropriation
30 is provided solely for the SR 523 Corridor study (L1000059).

31 (38) The department shall consider using the city of Mukilteo's
32 off-site mitigation program in the event any projects on state route
33 number 525 or 526 require environmental mitigation.

34 (39) Any savings on projects on the state route number 532 corridor
35 must be used within the corridor to begin work on flood prevention and
36 raising portions of the highway above flood and storm influences.

37 (40) The total appropriation provided in this section assumes

1 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
2 Laws of 2012 (design-build procedures) and reflects efficiencies and
3 cost savings generated by this innovative design and contracting tool.

4 (41) Construction of a new traffic management center may not
5 commence until the budget evaluation study in section 102(1) of this
6 act is complete and the office of financial management has determined
7 that a new traffic management center is the preferred option and has
8 approved this project.

9 (42) The department shall itemize all future requests for the
10 construction of new buildings on a project list. Each building
11 construction project must be listed in the project list along with all
12 other highway construction projects and submitted by the department as
13 part of its budget submittal. It is the intent of the legislature that
14 new facility construction must be transparent and not appropriated
15 within larger highway construction projects.

16 (43) \$250,000 of the motor vehicle account--federal appropriation
17 is provided solely for planning a proposed off-ramp eastbound from
18 state route number 518 to Des Moines Memorial Drive in Burien
19 (L1100045).

20 (44) \$1,100,000 of the motor vehicle account--federal appropriation
21 is provided solely for preliminary engineering on the I-5/Marvin Road
22 Interchange study (L2200087).

23 (45) \$400,000 of the motor vehicle account--federal appropriation
24 is provided solely for the SR 150/No-See-Um Road Intersection -
25 Realignment project (L2200092).

26 (46) \$750,000 of the motor vehicle account--federal appropriation
27 is provided solely for preliminary engineering on the SR 305/Suquamish
28 Way Intersection Improvements project (L2200093).

29 (47) \$700,000 of the motor vehicle account--federal appropriation
30 is provided solely for the US 395/Lind Road Intersection project
31 (L2200086).

32 **Sec. 306.** 2011 c 367 s 306 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
35 Transportation Partnership Account--State
36 Appropriation ((\$34,182,000))
37 \$44,463,000

1 ~~(3)~~) The department of transportation shall continue to implement
2 the lowest life-cycle cost planning approach to pavement management
3 throughout the state to encourage the most effective and efficient use
4 of pavement preservation funds. Emphasis should be placed on
5 increasing the number of roads addressed on time and reducing the
6 number of roads past due.

7 ~~((5))~~ (3) Within the motor vehicle account--state appropriation
8 and motor vehicle account--federal appropriation, the department may
9 transfer funds between programs I and P, except for funds that are
10 otherwise restricted in this act.

11 ~~((6))~~ (4) The department shall apply for surface transportation
12 program enhancement funds to be expended in lieu of or in addition to
13 state funds for eligible costs of projects in programs I and P.

14 ~~((7))~~ (5) The motor vehicle account--state appropriation includes
15 up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW
16 47.10.843.

17 ~~((8))~~ (6) The department must work with cities and counties to
18 develop a comparison of direct and indirect labor costs, overhead
19 rates, and other costs for high-cost bridge inspections charged by the
20 state, counties, and other entities. The comparison is due to the
21 transportation committees of the legislature on September 1, 2011.

22 ~~((9) \$277,000)~~ (7) \$789,000 of the motor vehicle account--federal
23 appropriation and ~~((10,000))~~ \$6,000 of the motor vehicle account--
24 state appropriation are provided solely for the environmental impact
25 statement and preliminary planning for the replacement of the state
26 route number 9 Snohomish river bridge (project L2000018).

27 ~~((10) \$9,641,000)~~ (8) \$10,843,000 of the motor vehicle account--
28 federal appropriation, ~~((2,000,000))~~ \$1,992,000 of the motor vehicle
29 account--private/local appropriation, and ~~((361,000))~~ \$390,000 of the
30 motor vehicle account--state appropriation are provided solely for the
31 SR 21/Keller Ferry - Replace Boat project (602110J).

32 ~~((11) \$3,093,000)~~ (9) \$165,000 of the motor vehicle account--
33 federal appropriation is provided solely for the I-90/Ritzville to
34 Tokio - Paving of Outside Lanes project (609041G).

35 ~~((12) \$2,733,000)~~ (10) \$5,565,000 of the motor vehicle account--
36 federal appropriation and ~~((114,000))~~ \$232,000 of the motor vehicle
37 account--state appropriation are provided solely for the SR
38 167/Puyallup River Bridge Replacement project (316725A). This project

1 must be completed as a design-build project. The department must work
2 with local jurisdictions and the community during the environmental
3 review process to develop appropriate esthetic design elements, at no
4 additional cost to the department, and traffic management plans
5 pertaining to this project. The department must report to the
6 transportation committees of the legislature on estimated cost and/or
7 time savings realized as a result of using the design-build process.

8 ~~((13)-\$295,000))~~ (11) \$507,000 of the motor vehicle account--
9 federal appropriation and ~~((5,000))~~ \$13,000 of the motor vehicle
10 account--state appropriation are provided solely for the SR
11 906/Travelers Rest - Building Renovation project (090600A).

12 (12) The department shall submit a renewal and rehabilitation plan
13 for the new state route number 16 Tacoma Narrows bridge as a decision
14 package as part of its 2013-2015 biennial budget submittal.

15 **Sec. 307.** 2011 c 367 s 307 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
18 **CAPITAL**

19 Motor Vehicle Account--State Appropriation	((6,439,000))
	<u>\$8,779,000</u>
20 Motor Vehicle Account--Federal Appropriation	((5,600,000))
	<u>\$7,283,000</u>
21 TOTAL APPROPRIATION	((12,039,000))
	<u>\$16,062,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$1,000,000 of the motor vehicle account--
27 state appropriation for project 000005Q is provided solely for state
28 matching funds for federally selected competitive grants or
29 congressional earmark projects. These moneys must be placed into
30 reserve status until such time as federal funds are secured that
31 require a state match.

32 **Sec. 308.** 2011 c 367 s 308 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
35 **CONSTRUCTION--PROGRAM W**

36 Puget Sound Capital Construction Account--State

1	Appropriation	((\$68,013,000))
2		<u>\$61,965,000</u>
3	Puget Sound Capital Construction Account--Federal	
4	Appropriation	((\$41,500,000))
5		<u>\$61,736,000</u>
6	<u>Puget Sound Capital Construction Account--Private/Local</u>	
7	<u>Appropriation</u>	<u>\$200,000</u>
8	Transportation 2003 Account (Nickel Account)--State	
9	Appropriation	((\$118,027,000))
10		<u>\$119,928,000</u>
11	Transportation Partnership Account--State	
12	Appropriation	((\$12,536,000))
13		<u>\$12,838,000</u>
14	Multimodal Transportation Account--State	
15	Appropriation	((\$43,265,000))
16		<u>\$27,527,000</u>
17	TOTAL APPROPRIATION	((\$283,341,000))
18		<u>\$284,194,000</u>

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

21 ~~(1) ((\$68,013,000 — of — the — Puget — Sound — capital — construction~~
22 ~~account — state — appropriation, \$41,500,000 of the Puget Sound capital~~
23 ~~construction — account — federal — appropriation, — \$12,536,000 — of — the~~
24 ~~transportation partnership account — state — appropriation, \$118,027,000~~
25 ~~of — the — transportation — 2003 — account — (nickel — account) — state~~
26 ~~appropriation, — and — \$43,265,000 — of — the — multimodal — transportation~~
27 ~~account — state — appropriation are provided solely for ferry projects,))~~
28 Except as provided otherwise in this section, the entire appropriations
29 in this section are provided solely for the projects and activities as
30 listed in LEAP Transportation Document ((2011-2)) 2012-1 ALL PROJECTS
31 as developed ((April 19, 2011)) March 8, 2012, Program - Washington
32 State Ferries Capital Program (W).

33 (2) The department shall work with the department of archaeology
34 and historic preservation to ensure that the cultural resources
35 investigation is properly conducted on all large ferry terminal
36 projects. These projects must be conducted with active archaeological
37 management.

1 (3) The multimodal transportation account--state appropriation
2 includes up to (~~(\$43,265,000)~~) \$27,527,000 in proceeds from the sale of
3 bonds authorized in RCW 47.10.867.

4 (~~(The transportation 2003 account (nickel account) state~~
5 ~~appropriation includes up to \$82,143,000 in proceeds from the sale of~~
6 ~~bonds authorized in RCW 47.10.861.~~

7 ~~(5))~~ The Puget Sound capital construction account--state
8 appropriation includes up to (~~(\$52,516,000)~~) \$45,000,000 in proceeds
9 from the sale of bonds authorized in RCW 47.10.843.

10 (~~(7) \$20,906,000~~) (5) \$17,970,000 of the transportation 2003
11 account (nickel account)--state appropriation(~~(, \$9,711,000 of the~~
12 ~~multimodal transportation account state appropriation, and \$1,537,000~~
13 ~~of the Puget Sound capital construction account state appropriation~~
14 ~~are)) is provided solely for the acquisition of new Kwa-di-tabil class
15 ferry vessels (project_944470A) subject to the conditions of RCW
16 47.56.780.~~

17 (~~(8) \$33,404,000~~) (6) \$25,404,000 of the multimodal
18 transportation account--state appropriation, (~~(\$2,000,000)~~) \$1,000,000
19 of the Puget Sound capital construction account--(~~state~~) federal
20 appropriation, \$11,500,000 of the transportation partnership account--
21 state appropriation, and (~~(\$81,085,000)~~) \$85,924,000 of the
22 transportation 2003 account (nickel account)--state appropriation are
23 provided solely for the acquisition of (~~two~~) one 144-car vessel(~~(s~~
24 ~~contingent upon new and sufficient resources. Of these amounts,~~
25 ~~\$123,828,000 is provided solely for the first 144 car vessel)) (project
26 L2200038). The department shall use as much already procured equipment
27 as practicable on the 144-car vessel. The vendor must present to the
28 joint transportation committee and the office of financial management,
29 by August 15, 2011, a list of options that will result in significant
30 cost savings changes in terms of construction or the long-term
31 maintenance and operations of the vessel. The vendor must allow for
32 exercising the options without a penalty. If neither chapter ...
33 (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter
34 ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011,
35 \$75,000,000 of the transportation 2003 account (nickel account)--state
36 appropriation in this subsection lapses.~~

37 (~~(9) The department shall provide to the office of financial~~
38 ~~management and the legislature quarterly reports providing the status~~

1 on each project listed in this section and in the project lists
2 submitted pursuant to this act and on any additional projects for which
3 the department has expended funds during the 2011-2013 fiscal biennium.
4 Elements must include, but not be limited to, project scope, schedule,
5 and costs. The department shall also provide the information required
6 under this subsection via the transportation executive information
7 system. The quarterly report regarding the status of projects
8 identified on the list referenced in subsection (1) of this section
9 must be developed according to an earned value method of project
10 monitoring.

11 ~~((11)-\$3,932,000))~~ (7) \$5,749,000 of the total appropriation is
12 provided solely for continued permitting work on the Mukilteo ferry
13 terminal (project 952515P). The department shall seek additional
14 federal funding for this project. Prior to beginning terminal
15 improvements, the department shall report to the legislature on the
16 final environmental impact statement by December 31, 2012. The report
17 must include an overview of the costs and benefits of each of the
18 alternatives considered, as well as an identification of costs and a
19 funding plan for the preferred alternative.

20 ~~((13))~~ (8) The department shall review all terminal project cost
21 estimates to identify projects where similar design requirements could
22 result in reduced preliminary engineering or miscellaneous items costs.
23 The department shall report to the legislature by September 1, 2011.
24 The report must use programmatic design and include estimated cost
25 savings by reducing repetitive design costs or miscellaneous costs, or
26 both, applied to projects.

27 ~~((14)-\$2,000,000))~~ (9) \$3,000,000 of the Puget Sound capital
28 construction account--state appropriation is provided solely for
29 emergency capital repair costs (project 999910K). Funds may be spent
30 only after approval from the office of financial management.

31 ~~((15)-\$7,167,000))~~ (10) \$4,851,000 of the Puget Sound capital
32 construction account--state appropriation is provided solely for the
33 reservation and communications system projects (L200041 & L200042).

34 (11) \$1,000,000 of the Puget Sound capital construction account--
35 state appropriation is provided solely for security and operational
36 planning as a first step in introducing liquid natural gas (LNG) to the
37 Washington ferry fleet, including the issuance of a request for
38 proposals (RFP). \$750,000 is provided solely for the department to

1 work with appropriate agencies of the state and federal government to
2 amend the state's current alternative security plan to account for the
3 use of LNG as a propulsion fuel in the ferry fleet, and to begin public
4 outreach efforts. \$250,000 is provided solely to issue an RFP for a
5 design-build contract to fully convert the existing diesel powered
6 Issaquah class fleet to be solely powered by LNG. The successful
7 bidder must be awarded the \$250,000 appropriation and must be able to
8 offer detailed design services, attain coast guard approval regarding
9 vessel safety and any other requirements pertaining to design, acquire
10 engines with LNG as a sole fuel source, provide public outreach and
11 education regarding the conversion of ferry vessels to LNG, perform all
12 conversion work, and supply dependable and suitable quantities of LNG.
13 The RFP must include incentives for proposals that include alternative
14 financing arrangements, such as a delayed payment plan based on fuel
15 savings. To the extent allowable under current law, the bidder awarded
16 the design-build contract for converting the Issaquah fleet to LNG
17 under this subsection must be given bidding preferences in any future
18 LNG-related ferry proposals or projects. The RFP referenced in this
19 subsection must be issued by the department by August 1, 2012. The
20 department must provide a report to the joint transportation committee
21 on the development of the RFP in July 2012 and an update report again
22 in September 2012.

23 (12) \$500,000 of the Puget Sound capital construction account--
24 state appropriation is provided solely for the ADA visual paging
25 project (L2200083). If any new federal grants are received by the
26 department that may supplant the state funds in this appropriation, the
27 state funds in this appropriation must be placed in unallotted status.

28 (13) Consistent with RCW 47.60.662, which requires the Washington
29 state ferry system to collaborate with passenger-only ferry and transit
30 providers to provide service at existing terminals, the department
31 shall ensure that multimodal access, including for passenger-only
32 ferries and transit service providers, is not precluded by any future
33 modifications at the terminal.

34 **Sec. 309.** 2011 c 367 s 309 (uncodified) is amended to read as
35 follows:

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

37 **Essential Rail Assistance Account--State**

1	Appropriation	((\$1,000,000))
2		<u>\$1,565,000</u>
3	Transportation Infrastructure Account--State	
4	Appropriation	((\$5,838,000))
5		<u>\$5,693,000</u>
6	Multimodal Transportation Account--State	
7	Appropriation	((\$52,000,000))
8		<u>\$58,220,000</u>
9	Multimodal Transportation Account--Federal	
10	Appropriation	((\$366,314,000))
11		<u>\$236,597,000</u>
12	Multimodal Transportation Account--Private/Local	
13	Appropriation	((\$1,292,000))
14		<u>\$1,010,000</u>
15	TOTAL APPROPRIATION	((\$426,444,000))
16		<u>\$303,085,000</u>

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

19 (1)(a) Except as provided otherwise in this section, the entire
20 appropriations in this section are provided solely for the projects and
21 activities as listed by project and amount in LEAP Transportation
22 Document ((~~2011-2~~)) 2012-1 ALL PROJECTS as developed ((~~April 19, 2011~~))
23 March 8, 2012, Program-Rail Capital Program (Y).

24 (b) Within the amounts provided in this section, ((~~\$2,903,000~~))
25 \$4,757,000 of the transportation infrastructure account--state
26 appropriation is for low-interest loans through the freight rail
27 investment bank program for specific projects listed as recipients of
28 these loans in the LEAP transportation document identified in (a) of
29 this subsection. The department shall issue freight rail investment
30 bank program loans with a repayment period of no more than ten years,
31 and only so much interest as is necessary to recoup the department's
32 costs to administer the loans.

33 (c) Within the amounts provided in this section, ((~~\$1,754,000~~))
34 \$2,047,000 of the multimodal transportation account--state
35 appropriation, \$10,000 of the multimodal transportation account--
36 private/local appropriation, and \$1,000,000 of the essential rail
37 assistance account--state appropriation are for statewide emergent

1 freight rail assistance projects identified in the LEAP transportation
2 document identified in (a) of this subsection.

3 ~~(2)(a) ((If any funds remain in the program reserves (F01001A &~~
4 ~~F01000A) for the program and projects listed in subsection (1)(b) and~~
5 ~~(c) of this section,))~~ The department shall issue a call for projects
6 for the freight rail investment bank (FRIB) loan program and the
7 emergent freight rail assistance program (FRAP) grants, and shall
8 evaluate the applications according to the cost-benefit methodology
9 developed during the 2008 interim using the legislative priorities
10 specified in (c) of this subsection. Unsuccessful FRAP grant
11 applicants should be encouraged to apply to the FRIB loan program, if
12 eligible. By November 1, ~~((2011))~~ 2012, the department shall submit a
13 prioritized list of recommended projects to the office of financial
14 management and the transportation committees of the legislature.

15 (b) When the department identifies a prospective rail project that
16 may have strategic significance for the state, or at the request of a
17 proponent of a prospective rail project or a member of the legislature,
18 the department shall evaluate the prospective project according to the
19 cost-benefit methodology developed during the 2008 interim using the
20 legislative priorities specified in (c) of this subsection. The
21 department shall report its cost-benefit evaluation of the prospective
22 rail project, as well as the department's best estimate of an
23 appropriate construction schedule and total project costs, to the
24 office of financial management and the transportation committees of the
25 legislature.

26 (c) The legislative priorities to be used in the cost-benefit
27 methodology are, in order of relative importance:

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

30 (ii) Self-sustaining economic development that creates family-wage
31 jobs;

32 (iii) Preservation of transportation corridors that would otherwise
33 be lost;

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

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

1 (vi) Mitigation of impacts of increased rail traffic on
2 communities.

3 (3) The department is directed to expend unallocated federal rail
4 crossing funds in lieu of or in addition to state funds for eligible
5 costs of projects in program Y.

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

10 ~~((The department shall, on a quarterly basis, provide to the~~
11 ~~office of financial management and the legislature reports providing~~
12 ~~the status on active projects identified in the LEAP transportation~~
13 ~~document described in subsection (1)(a) of this section. Report~~
14 ~~formatting and elements must be consistent with the October 2009~~
15 ~~quarterly project report.~~

16 ~~(6))~~ The multimodal transportation account--state appropriation
17 includes up to ~~(((\$19,684,000))~~ \$12,103,000 in proceeds from the sale of
18 bonds authorized in RCW 47.10.867.

19 ~~((7) When the balance of that portion of the miscellaneous program~~
20 ~~account apportioned to the department for the grain train program~~
21 ~~reaches \$1,180,000, the department shall acquire additional grain train~~
22 ~~railears.~~

23 ~~(8) \$1,087,000 of the multimodal transportation account state~~
24 ~~appropriation is provided solely as state matching funds for successful~~
25 ~~grant applications to either the federal rail line relocation and~~
26 ~~improvement program (project 798999D) or new federal high speed rail~~
27 ~~grants.~~

28 ~~(9))~~ (6) The Burlington Northern Santa Fe Skagit river bridge is
29 an integral part of the rail system. Constructed in 1916, the bridge
30 does not meet current design standards and is at risk during flood
31 events that occur on the Skagit river. The department shall work with
32 Burlington Northern Santa Fe and local jurisdictions to secure federal
33 funding for the Skagit river bridge and to develop an appropriate
34 replacement plan and schedule.

35 ~~((10) — \$339,139,000))~~ (7) \$218,341,000 of the multimodal
36 transportation account--federal appropriation and ~~(((\$5,099,000))~~
37 \$3,639,000 of the multimodal transportation account--state
38 appropriation are provided solely for expenditures related to passenger

1 high-speed rail grants. At one and one-half percent of the total
2 project funds, the multimodal transportation account--state funds are
3 provided solely for expenditures that are not federally reimbursable.
4 Funding in this subsection is the initial portion of multiyear
5 high-speed rail program grants awarded to Washington state for
6 high-speed intercity passenger rail investments. Funding will allow
7 for two additional round trips between Seattle and Portland and other
8 rail improvements.

9 ~~((11))~~ (8) \$750,000 of the multimodal transportation account--
10 state appropriation is provided solely for the Port of Royal Slope
11 rehabilitation project (L1000053). Funding is contingent upon the
12 project completing the rail cost-benefit methodology process developed
13 during the 2008 interim using the legislative priorities outlined in
14 subsection (2)(c) of this section.

15 (9) As allowable under federal rail authority rules and existing
16 competitive bidding practices, when purchasing new train sets, the
17 department shall give preference to bidders that propose train sets
18 with characteristics and maintenance requirements most similar to those
19 currently owned by the department.

20 (10) Funds generated by the grain train program are solely for
21 operating, sustaining, and enhancing the grain train program including,
22 but not limited to, operations, capital investments, inspection,
23 developing business plans for future growth, and fleet management. Any
24 funds deemed by the department, in consultation with relevant port
25 districts, to be in excess of current operating needs or capital
26 reserves of the grain train program may be transferred from the
27 miscellaneous program account to the essential rail assistance account
28 for the purpose of sustaining the grain train program through
29 maintaining the Palouse river and Coulee City railroad line, on which
30 the grain train program operates.

31 (11) \$500,000 of the essential rail assistance account--state
32 appropriation is provided solely for the purpose of rehabilitation and
33 maintenance of the Palouse river and Coulee City railroad line.
34 Expenditures from this appropriation may not exceed the combined total
35 of:

36 (a) The revenues deposited into the essential rail assistance
37 account from leases and sale of property pursuant to RCW 47.76.290; and

1 (b) Revenues transferred from the miscellaneous program account for
2 the purpose of sustaining the grain train program through maintaining
3 the Palouse river and Coulee City railroad line.

4 (12) \$200,000 of the multimodal transportation account--state
5 appropriation is provided solely for the Clark county chelatchie
6 prairie rail road (project L2200085).

7 **Sec. 310.** 2011 c 367 s 310 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
10 **CAPITAL**

11	Highway Infrastructure Account--State Appropriation	\$207,000
12	Highway Infrastructure Account--Federal	
13	Appropriation	\$1,602,000
14	Motor Vehicle Account--State Appropriation	(\$3,754,000)
15		<u>\$4,179,000</u>
16	Motor Vehicle Account--Federal Appropriation	(\$31,856,000)
17		<u>\$37,935,000</u>
18	Freight Mobility Investment Account--State	
19	Appropriation	\$11,278,000
20	Transportation Partnership Account--State	
21	Appropriation	(\$6,035,000)
22		<u>\$7,181,000</u>
23	Freight Mobility Multimodal Account--State	
24	Appropriation	(\$15,117,000)
25		<u>\$15,668,000</u>
26	Freight Mobility Multimodal Account--Local	
27	Appropriation	(\$4,752,000)
28		<u>\$2,834,000</u>
29	Multimodal Transportation Account--State	
30	Appropriation	(\$18,453,000)
31		<u>\$22,575,000</u>
32	Passenger Ferry Account--State Appropriation	\$1,115,000
33	TOTAL APPROPRIATION	(\$94,169,000)
34		<u>\$104,574,000</u>

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

1 (1) (~~The department shall, on a quarterly basis beginning July 1,~~
2 ~~2011, provide to the office of financial management and the legislature~~
3 ~~reports providing the status on each active project funded in part or~~
4 ~~whole by the transportation-2003-account-(nickel-account)-or-the~~
5 ~~transportation-partnership-account.—Report-formatting-and-elements~~
6 ~~must be consistent with the October 2009 quarterly project report.—The~~
7 ~~department shall also provide the information required under this~~
8 ~~subsection on a quarterly basis via the transportation executive~~
9 ~~information system.~~

10 ~~(2))~~ \$1,115,000 of the passenger ferry account--state
11 appropriation is provided solely for near and long-term costs of
12 capital improvements and operating expenses that are consistent with
13 the business plan approved by the governor for passenger ferry service.

14 ~~((3))~~ (2) The department shall apply for surface transportation
15 program enhancement funds to be expended in lieu of or in addition to
16 state funds for eligible costs of projects in local programs, program
17 Z--capital.

18 ~~((4))~~ (3) Federal funds may be transferred from program Z to
19 programs I and P and state funds must be transferred from programs I
20 and P to program Z to replace those federal funds in a dollar-for-
21 dollar match. Fund transfers authorized under this subsection shall
22 not affect project prioritization status. Appropriations must
23 initially be allotted as appropriated in this act. The department may
24 not transfer funds as authorized under this subsection without approval
25 of the office of financial management. The department shall submit a
26 report on those projects receiving fund transfers to the office of
27 financial management and the transportation committees of the
28 legislature by December 1, 2011, and December 1, 2012.

29 ~~((5))~~ (4) The city of Winthrop may utilize a design-build process
30 for the Winthrop bike path project.

31 ~~((6) — \$11,557,000))~~ (5) \$14,813,000 of the multimodal
32 transportation account--state appropriation, ~~(((\$12,136,000))~~
33 \$12,804,000 of the motor vehicle account--federal appropriation, and
34 ~~(((\$5,195,000))~~ \$6,241,000 of the transportation partnership account--
35 state appropriation are provided solely for the pedestrian and bicycle
36 safety program projects and safe routes to schools program projects
37 identified in: LEAP Transportation Document 2011-A, pedestrian and
38 bicycle safety program projects and safe routes to schools program

1 projects, as developed April 19, 2011; LEAP Transportation Document
2 2009-A, pedestrian and bicycle safety program projects and safe routes
3 to schools program projects, as developed March 30, 2009; LEAP
4 Transportation Document 2007-A, pedestrian and bicycle safety program
5 projects and safe routes to schools program projects, as developed
6 April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and
7 bicycle safety program projects and safe routes to schools program
8 projects, as developed March 8, 2006. Projects must be allocated
9 funding based on order of priority. The department shall review all
10 projects receiving grant awards under this program at least
11 semiannually to determine whether the projects are making satisfactory
12 progress. Any project that has been awarded funds, but does not report
13 activity on the project within one year of the grant award must be
14 reviewed by the department to determine whether the grant should be
15 terminated. The department shall promptly close out grants when
16 projects have been completed, and identify where unused grant funds
17 remain because actual project costs were lower than estimated in the
18 grant award.

19 ~~((+7))~~ (6) Except as provided otherwise in this section, the
20 entire appropriations in this section are provided solely for the
21 projects and activities as listed by project and amount in LEAP
22 Transportation Document ~~((2011-2))~~ 2012-1 ALL PROJECTS as developed
23 ~~((April 19, 2011))~~ March 8, 2012, Program - Local Program (Z).

24 ~~((+8))~~ (7) For the 2011-2013 project appropriations, unless
25 otherwise provided in this act, the director of the office of financial
26 management may authorize a transfer of appropriation authority between
27 projects managed by the freight mobility strategic investment board and
28 may also advance projects in future biennia, as identified in LEAP
29 Transportation Document 2012-1 ALL PROJECTS as developed March 8, 2012,
30 into the current biennium in order for the board to manage project
31 spending and efficiently deliver all projects in the respective
32 program.

33 ~~((+9))~~ (8) With each department budget submittal, the department
34 shall provide an update on the status of the repayment of the twenty
35 million dollars of unobligated federal funds authority advanced by the
36 department in September 2010 to the city of Tacoma for the Murray
37 Morgan/11th Street bridge project.

1 ~~((10) The department shall prepare a list of main street projects,~~
2 ~~consistent with chapter ... (Engrossed Substitute House Bill No. 1071),~~
3 ~~Laws of 2011, for approval in the 2013-2015 fiscal biennium. In order~~
4 ~~to ensure that any proposed list of projects is consistent with~~
5 ~~legislative intent, the department shall provide a report to the joint~~
6 ~~transportation committee by December 1, 2011. The report must identify~~
7 ~~the eligible segments of main streets-highways, the department's~~
8 ~~proposed project selection and ranking method, criteria to be~~
9 ~~considered, and a plan for soliciting project proposals.~~

10 ~~((11))~~ (9) If funding is specifically designated in this act for
11 main street projects, the department shall prepare a list of projects
12 that is consistent with chapter 257, Laws of 2011, for approval in the
13 2013-2015 fiscal biennium.

14 (10) \$267,000 of the motor vehicle account--state appropriation and
15 \$2,859,000 of the motor vehicle account--federal appropriation are
16 provided solely for completion of the US 101 northeast peninsula safety
17 rest area and associated roadway improvements east of Port Angeles at
18 the Deer Park scenic view point (3LP187A). The department must surplus
19 any right-of-way previously purchased for this project near Sequim.
20 Approval to proceed with construction is contingent on surplus of
21 previously purchased right-of-way.

22 ~~((12))~~ (11) Up to ~~(((\$3,650,000))~~ \$3,702,000 of the motor vehicle
23 account--federal appropriation and ~~(((\$23,000))~~ \$75,000 of the motor
24 vehicle account--state appropriation are provided solely to reimburse
25 the cities of Kirkland and Redmond for pavement and bridge deck
26 rehabilitation on state route number 908 (1LP611A). These funds may
27 not be expended unless the cities sign an agreement stating that the
28 cities agree to take ownership of state route number 908 in its
29 entirety and agree that the payment of these funds represents the
30 entire state commitment to the cities for state route number 908
31 expenditures.

32 ~~((13))~~ (12) \$225,000 of the multimodal transportation account--
33 state appropriation is provided solely for the Shell Valley emergency
34 road and bicycle/pedestrian path (L1000036).

35 ~~((14) \$150,000)~~ (13) \$188,000 of the motor vehicle account--state
36 appropriation is provided solely for flood reduction solutions on state
37 route number 522 caused by the lower McAleer and Lyon creek basins
38 (L1000041).

1 ~~((15))~~ (14) \$896,000 of the multimodal transportation account--
2 state appropriation is provided solely for realignment of Parker Road
3 and construction of secondary access off of state route number 20
4 (L2200040).

5 ~~((16))~~ (15) An additional \$2,500,000 of the motor vehicle
6 account--federal appropriation is provided solely for the Strander
7 Blvd/SW 27th St Connection project (1LP902F), which amount is reflected
8 in the LEAP transportation document identified in subsection ~~((7))~~
9 (6) of this section. These funds may only be committed if needed, may
10 not be used to supplant any other committed project partnership
11 funding, and must be the last funds expended.

12 ~~((17))~~ (16) \$500,000 of the motor vehicle account--federal
13 appropriation is provided solely for safety improvements at the
14 intersection of South Wapato and McDonald Road (L1000052).

15 ~~((18))~~ (17) \$2,000,000 of the multimodal transportation account--
16 state appropriation is provided solely for the state route number 432
17 rail realignment and highway improvements project (L1000056).

18 ~~((19) \$500,000 of the multimodal transportation account state
19 appropriation is provided solely for a multimodal corridor plan on
20 state route number 520 between Interstate 405 and Avondale Road in
21 Redmond (L1000054)).~~

22 ~~(20))~~ (18) \$100,000 of the motor vehicle account--federal
23 appropriation is provided solely for state route number 164 and Auburn
24 Way South pedestrian improvements (L1000057).

25 ~~((21))~~ (19) \$115,000 of the motor vehicle account--federal
26 appropriation is provided solely for median street lighting on state
27 route number 410 (L1000058).

28 ~~((22))~~ (20) \$60,000 of the multimodal transportation account--
29 state appropriation is provided solely for a cross docking study for
30 the port of Douglas county (L1000060).

31 ~~((23))~~ (21) \$100,000 of the motor vehicle account--federal
32 appropriation is provided solely for city of Auburn - 8th and R Street
33 NE intersection improvements (L2200043).

34 ~~((24))~~ (22) \$65,000 of the multimodal transportation account--
35 state appropriation is provided solely for the Puget Sound regional
36 council to further the implementation of multimodal concurrency
37 practice through a transit service overlay zone implemented at the
38 local level (L1000061). This approach will improve the linkage of land

1 use and transportation investment decisions, improve the efficiency of
2 transit service by encouraging transit-supportive development, provide
3 incentives for developers, and support integrated regional growth,
4 economic development, and transportation plans. In carrying out this
5 work, the council shall involve representatives from cities and
6 counties, developers, transit agencies, and other interested
7 stakeholders, and shall consult with other regional transportation
8 planning organizations across the state. The council shall report the
9 results of their work and recommendations to the joint transportation
10 committee by December 2011, with a final report to the transportation
11 committees of the legislature by January 31, 2012.

12 (23) \$1,750,000 of the motor vehicle account--federal appropriation
13 is provided solely for the SR 522 Improvements/61st Avenue NE and NE
14 181st Street project (L1000055).

15 (24) The department shall implement a call for projects eligible
16 for the bicycle and pedestrian grant program similar to the call for
17 projects conducted in 2010, although the department may adjust the
18 criteria to include mobility and connectivity. The department shall
19 include a list of prioritized bicycle and pedestrian grant projects for
20 approval in the 2013-2015 biennial transportation budget.

21 (25) \$100,000 of the multimodal transportation account--state
22 appropriation is provided solely for the design of a stand-alone ADA
23 accessible bicycle/pedestrian bridge across the Sultan river in the
24 city of Sultan (L1100044).

25 (26) \$445,000 of the motor vehicle account--federal appropriation
26 is provided solely for pedestrian lighting on the main span of the
27 Chehalis river bridge in Aberdeen (L1100046).

28 (27) \$500,000 of the motor vehicle account--federal appropriation
29 is provided solely for resurfacing Alder Avenue in the city of Sultan
30 (L1100047).

31 (28) \$800,000 of the motor vehicle account--federal appropriation
32 is provided solely for rights-of-way acquisition on state route number
33 516 from Jenkins creek to 185th (L2000017).

34 (29) \$1,100,000 of the motor vehicle account--federal appropriation
35 is provided solely for traffic analysis, right-of-way, and design work
36 on the 31st Avenue Southwest overpass on Puyallup's South Hill
37 (L1100048).

1 (30) \$2,000,000 of the motor vehicle account--federal appropriation
2 is provided solely for environmental documentation and preliminary
3 engineering for the Scott Avenue Reconnection Project in the city of
4 Woodland (L1100049).

5 (31) \$350,000 of the motor vehicle account--federal appropriation
6 is provided solely for preliminary engineering and rights-of-way on the
7 Slater Road Bridge project (L2200089).

8 (32) \$380,000 of the motor vehicle account--federal appropriation
9 is provided solely for rehabilitation work for 156th/160th Avenue in
10 the city of Covington (L2200088).

11 (33) \$380,000 of the motor vehicle account--federal appropriation
12 is provided solely for improvements to Penney Avenue in the town of
13 Naches (L2200090).

14 (34) \$450,000 of the motor vehicle account--federal appropriation
15 is provided solely for preliminary engineering on NW Friberg Street and
16 Goodwin Road in the city of Camas (L2200091).

17 NEW SECTION. Sec. 311. A new section is added to 2011 c 367
18 (uncodified) to read as follows:

19 **REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

20 On a quarterly basis, the department of transportation shall
21 provide to the office of financial management and the legislative
22 transportation committees the following reports for all capital
23 programs:

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

25 (a) A TEIS version containing actual capital expenditures for all
26 projects consistent with the structure of the most recently enacted
27 budget;

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

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

34 (d) Projected costs and schedule for individual projects that are
35 funded at a programmatic level for projects relating to bridge rail,
36 guard rail, fish passage barrier removal, roadside safety projects, and

1 seismic bridges. Projects within this programmatic level funding must
2 be completed on a priority basis and scoped to be completed within the
3 current programmatic budget;

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

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

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

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

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

13 (a) Compare the original project cost estimates and schedule
14 approved in the transportation 2003 and 2005 transportation partnership
15 project lists to the completed cost of the project;

16 (b) Compare the costs and operationally complete date for projects
17 on the transportation 2003 and 2005 transportation partnership project
18 lists to the last legislatively adopted project list prior to the
19 completion of a project;

20 (c) Compare the costs and operationally complete date for projects
21 with budgets of twenty million dollars that are funded with preexisting
22 funds to the original project cost estimates and schedule; and

23 (d) Provide a list of nickel and TPA projects charging to the
24 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
25 each project is charging.

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

27 (a) Identify the estimated advertisement date for all projects
28 consistent with the structure of the most recently enacted budget that
29 are going to advertisement during the current biennium;

30 (b) Identify the anticipated operationally complete date for all
31 projects consistent with the structure of the most recently enacted
32 budget that are going to advertisement during the current biennium; and

33 (c) Identify the estimated cost of completion for all projects
34 consistent with the structure of the most recently enacted budget that
35 are going to advertisement during the current biennium.

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2011 c 367 s 401 (uncodified) is amended to read as
3 follows:

4 FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING
5 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND
6 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND
7 REVENUE

8	Highway Bond Retirement Account--State	
9	Appropriation	((\$920,560,000))
10		<u>\$879,501,000</u>
11	Ferry Bond Retirement Account--State Appropriation	\$31,801,000
12	State Route Number 520 Corridor Account--State	
13	Appropriation	((\$1,075,000))
14		<u>\$3,818,000</u>
15	Transportation Improvement Board Bond Retirement	
16	Account--State Appropriation	((\$16,544,000))
17		<u>\$16,482,000</u>
18	Nondebt-Limit Reimbursable Account Appropriation	((\$25,200,000))
19		<u>\$22,476,000</u>
20	Transportation Partnership Account--State	
21	Appropriation	((\$3,142,000))
22		<u>\$3,654,000</u>
23	Motor Vehicle Account--State Appropriation	((\$333,000))
24		<u>\$382,000</u>
25	Transportation 2003 Account (Nickel Account)--State	
26	Appropriation	((\$1,140,000))
27		<u>\$1,305,000</u>
28	Transportation Improvement Account--State	
29	Appropriation	\$29,000
30	Multimodal Transportation Account--State	
31	Appropriation	((\$138,000))
32		<u>\$158,000</u>
33	Toll Facility Bond Retirement Account--State	
34	Appropriation	((\$33,792,000))
35		<u>\$48,807,000</u>
36	Toll Facility Bond Retirement Account--Federal	
37	Appropriation	((\$14,649,000))
38		<u>\$7,500,000</u>

1 TOTAL APPROPRIATION ((\$1,048,403,000))
2 \$1,015,913,000

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

5 (1) \$4,610,000 of the highway bond retirement account state
6 appropriation is provided solely for debt service on bonds issued to
7 construct a ferry boat vessel with a carrying capacity of one hundred
8 forty four cars. If neither chapter . . . (House Bill No. 2083), Laws of
9 2011 nor chapter . . . (Engrossed Substitute Senate Bill No. 5742) is
10 enacted by June 30, 2011, the amount provided in this subsection
11 lapses.

12 (2) \$165,000 of the transportation 2003 account (nickel account)--
13 state appropriation is provided solely for discounts on bonds sold to
14 construct a ferry boat vessel with a carrying capacity of one hundred
15 forty four cars. If neither chapter . . . (House Bill No. 2083), Laws of
16 2011 nor chapter . . . (Engrossed Substitute Senate Bill No. 5742) is
17 enacted by June 30, 2011, the amount provided in this subsection
18 lapses.))

19 **Sec. 402.** 2011 c 367 s 402 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
22 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
23 **FISCAL AGENT CHARGES**

24 State Route Number 520 Corridor Account--State
25 Appropriation ((\$68,000))
26 \$960,000

27 Transportation Partnership Account--State
28 Appropriation ((\$608,000))
29 \$587,000

30 Motor Vehicle Account--State Appropriation ((\$60,000))
31 \$58,000

32 Transportation 2003 Account (Nickel Account)--State
33 Appropriation ((\$219,000))
34 \$255,000

35 Transportation Improvement Account--State Appropriation \$5,000

36 Multimodal Transportation Account--State
37 Appropriation ((\$26,000))

1 \$23,000
2 TOTAL APPROPRIATION ((\$986,000))
3 \$1,888,000

4 ((The appropriations in this section are subject to the following
5 conditions and limitations: \$30,000 of the transportation 2003 account
6 (nickel account) state appropriation is provided solely for expenses
7 associated with bonds sold to construct a ferry boat vessel with a
8 carrying capacity of one hundred forty four cars. If neither chapter
9 . . . (House Bill No. 2083), Laws of 2011 nor chapter . . . (Engrossed
10 Substitute Senate Bill No. 5742) is enacted by June 30, 2011, the
11 amount provided in this subsection lapses.))

12 **Sec. 403.** 2011 c 367 s 403 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
15 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

16 Motor Vehicle Account--State Appropriation: For
17 transfer to the Puget Sound Capital Construction
18 Account ((\$52,516,000))
19 \$45,000,000

20 The department of transportation is authorized to sell up to
21 ((\$52,516,000)) \$45,000,000 in bonds authorized by RCW 47.10.843 for
22 vessel and terminal acquisition, major and minor improvements, and long
23 lead-time materials acquisition for the Washington state ferries. ((Of
24 the authorized amounts, \$14,500,000 is provided solely for expenditures
25 made during the fiscal biennium ending June 30, 2011.))

26 **Sec. 404.** 2011 c 367 s 404 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

29 Motor Vehicle Account--State Appropriation for motor
30 vehicle fuel tax distributions to cities and
31 counties ((\$478,155,000))
32 \$470,701,000

33 **Sec. 405.** 2011 c 367 s 405 (uncodified) is amended to read as
34 follows:

1 **FOR THE STATE TREASURER--TRANSFERS**

2 Motor Vehicle Account--State Appropriation: For
3 motor vehicle fuel tax refunds and statutory
4 transfers ((~~\$1,246,357,000~~))
5 \$1,227,005,000

6 **Sec. 406.** 2011 c 367 s 406 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

9 Motor Vehicle Account--State Appropriation: For
10 motor vehicle fuel tax refunds and transfers . . . ((~~\$127,984,000~~))
11 \$151,870,000

12 **Sec. 407.** 2011 c 367 s 407 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

15 (1) ((~~Tacoma Narrows Toll Bridge Account~~ State
16 ~~Appropriation: For transfer to the Motor Vehicle~~
17 ~~Account~~ State ~~\$543,000~~

18 (+2)) Motor Vehicle Account--State Appropriation:
19 For transfer to the Puget Sound Ferry Operations
20 Account--State ((~~\$46,500,000~~))
21 \$45,500,000

22 ((+3)) (2) Recreational Vehicle Account--State
23 Appropriation: For transfer to the Motor Vehicle
24 Account--State ((~~\$1,450,000~~))
25 \$1,150,000

26 ((+4)) (3) License Plate Technology Account--State
27 Appropriation: For transfer to the Highway Safety
28 Account--State ((~~\$3,200,000~~))
29 \$3,000,000

30 ((+5)) (4) Multimodal Transportation Account--State
31 Appropriation: For transfer to the Puget Sound
32 Ferry Operations Account--State ((~~\$43,000,000~~))
33 \$42,000,000

34 ((+6)) (5) Highway Safety Account--State Appropriation:
35 For transfer to the Motor Vehicle Account--State \$23,000,000

36 ((+7) ~~Department of Licensing Services Account~~

~~1 State Appropriation: For transfer to the Motor Vehicle~~
~~2 Account State \$400,000~~
~~3 (+8)) (6) Advanced Right-of-Way Revolving Fund: For~~
~~4 transfer to the Motor Vehicle Account--State \$5,000,000~~
~~5 ((9) State Route Number 520 Civil Penalties~~
~~6 Account State Appropriation: For transfer to the~~
~~7 State Route Number 520 Corridor Account State \$754,000~~
~~8 (+10)) (7) Rural Mobility Grant Program Account--State~~
~~9 Appropriation: For transfer to the Multimodal~~
~~10 Transportation Account--State \$3,000,000~~
~~11 ((11)) (8) Motor Vehicle Account--State~~
~~12 Appropriation: For transfer to the State Patrol~~
~~13 Highway Account--State ((\$14,000,000))~~
~~14 \$16,000,000~~
~~15 ((12)) (9) State Route Number 520 Corridor~~
~~16 Account--State Appropriation: For transfer to the~~
~~17 Motor Vehicle Account--State(, in an amount equal to~~
~~18 funds dispersed during the 2009-2011 fiscal biennium~~
~~19 authorized under section 805(7) of this act.) \$58,000~~
~~20 ((13)) (10) Motor Vehicle Account--State~~
~~21 Appropriation: For transfer to the Special Category C~~
~~22 Account--State ((\$1,500,000))~~
~~23 \$2,500,000~~
~~24 ((14)) (11) Regional Mobility Grant Program~~
~~25 Account--State Appropriation: For transfer to the~~
~~26 Multimodal Transportation Account--State \$1,000,000~~
~~27 ((15)) (12) State Patrol Highway Account--State~~
~~28 Appropriation: For transfer to the Vehicle~~
~~29 Licensing Fraud Account \$100,000~~
~~30 ((16) State Route Number 520 Corridor Account State~~
~~31 Appropriation: For transfer to the Motor Vehicle~~
~~32 Account \$2,435,000))~~
~~33 (13) Capital Vessel Replacement Account--State~~
~~34 Appropriation: For transfer to the Transportation 2003~~
~~35 Account (Nickel Account)--State \$6,367,000~~
~~36 ((17)) (14) The transfers identified in this section are subject~~
~~37 to the following conditions and limitations:~~

1 (a) (~~The amount transferred in subsection (1) of this section~~
2 ~~represents repayment of operating loans and reserve payments provided~~
3 ~~to the Tacoma Narrows toll bridge account from the motor vehicle~~
4 ~~account in the 2005-2007 fiscal biennium.~~

5 ~~(b) The transfer in subsection (9) of this section represents toll~~
6 ~~revenue collected from toll violations))~~ The transfer in subsection (9)
7 of this section represents the repayment of an amount equal to
8 subprogram B5 expenditures that occurred in the motor vehicle account
9 in the 2009-2011 fiscal biennium.

10 (b) The amount transferred in subsection (2) of this section shall
11 not exceed the expenditures incurred from the motor vehicle account--
12 state for the recreational vehicle sanitary disposal systems program.

13 COMPENSATION

14 **Sec. 501.** 2011 c 367 s 502 (uncodified) is amended to read as
15 follows:

16 COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION

17 (1) No agreement has been reached between the governor and the
18 Washington state patrol trooper's association under chapter 41.56 RCW
19 for ((the 2011-2013 fiscal biennium)) fiscal year 2012. Appropriations
20 for the Washington state patrol in this act are sufficient to fund the
21 provisions of the 2009-2011 agreement.

22 (2) An agreement has been reached between the governor and the
23 Washington state patrol troopers association under chapter 41.56 RCW
24 for fiscal year 2013. Appropriations for the Washington state patrol
25 in this act provide funding to implement the fiscal year 2013
26 agreement. The fiscal year 2013 agreement contains no change in
27 compensation from the 2009-2011 agreement; therefore, no additional
28 funding is appropriated.

29 **Sec. 502.** 2011 c 367 s 503 (uncodified) is amended to read as
30 follows:

31 COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION

32 (1) No agreement has been reached between the governor and the
33 Washington state patrol lieutenant's association under chapter 41.56

1 RCW for (~~the 2011-2013 fiscal biennium~~) fiscal year 2012.
2 Appropriations for the Washington state patrol in this act are
3 sufficient to fund the provisions of the 2009-2011 agreement.

4 (2) An agreement has been reached between the governor and the
5 Washington state patrol lieutenants association under chapter 41.56 RCW
6 for fiscal year 2013. Appropriations for the Washington state patrol
7 in this act provide funding to implement the fiscal year 2013
8 agreement. The fiscal year 2013 agreement contains no change in
9 compensation from the 2009-2011 agreement; therefore, no additional
10 funding is appropriated.

11 **Sec. 503.** 2011 c 367 s 505 (uncodified) is amended to read as
12 follows:

13 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
14 **AGREEMENTS--TERMS AND CONDITIONS**

15 No agreement has been reached between the governor and the masters,
16 mates, and pilots marine operations watch supervisors under chapter
17 47.64 RCW for the 2011-2013 fiscal biennium. Appropriations in this
18 act reflect funding to maintain the provisions or terms and conditions
19 of the 2009-2011 agreements for fiscal year 2012. Fiscal year 2013
20 appropriations are reduced to reflect a 6.0 percent temporary salary
21 reduction effective July 1, 2012, through June 29, 2013, a reduction to
22 overtime calculation, reduced vacation accruals, and other management
23 priorities in collective bargaining. Effective June 30, 2013, the
24 salary schedules effective July 1, 2009, through June 30, 2011, will be
25 reinstated.

26 NEW SECTION. **Sec. 504. TRANSPORTATION EMPLOYEES--COMPENSATION**

27 The following acts or parts of acts are each repealed:

28 (1) 2011 1st sp.s. c 50 s 718 (uncodified) (FOR THE OFFICE OF
29 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM
30 CONTRIBUTIONS);

31 (2) 2011 1st sp.s. c 50 s 719 (uncodified) (FOR THE OFFICE OF
32 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--RETIREMENT SYSTEM
33 CONTRIBUTIONS);

34 (3) 2011 1st sp.s. c 50 s 720 (uncodified) (FOR THE OFFICE OF
35 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY REDUCTIONS); and

1 (4) 2011 1st sp.s. c 50 s 721 (uncodified) (FOR THE OFFICE OF
2 FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM
3 CONTRIBUTIONS).

4 **IMPLEMENTING PROVISIONS**

5 NEW SECTION. **Sec. 601.** A new section is added to 2011 c 367
6 (uncodified) to read as follows:

7 The department of transportation may provide up to \$163,000 in toll
8 credits to the Port of Kingston for its role in the new passenger-only
9 ferry service and ferry corridor-related projects. The number of toll
10 credits provided to the Port of Kingston must be equal to, but no more
11 than, the number sufficient to meet federal match requirements for
12 grant funding for passenger-only ferry service, but shall not exceed
13 the amount authorized in this section.

14 **Sec. 602.** 2011 c 367 s 608 (uncodified) is amended to read as
15 follows:

16 **STAFFING LEVELS**

17 (1) As the department of transportation completes delivery of the
18 projects funded by the 2003 and 2005 transportation revenue packages,
19 it is clear that the current staffing levels necessary to deliver these
20 projects are not sustainable into the future. Therefore, the
21 department is directed to quickly move forward to develop and implement
22 new business practices so that a smaller, more nimble state workforce
23 can effectively and efficiently deliver transportation improvement
24 programs as they are approved in the future, in strong partnership with
25 the private sector, while protecting the public's interests and assets.

26 (2) To this end, the department of transportation is directed to
27 reduce the size of its engineering and technical workforce to a level
28 sustained by current law revenue levels currently estimated at two
29 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
30 department's current two thousand eight hundred FTE engineering and
31 technical workforce levels for highway construction will be reduced in
32 the 2011-2013 fiscal biennium, with a target of two thousand four
33 hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by
34 June 30, 2015.

1 (3) In order to successfully deliver the highway construction
2 program as funded, the department of transportation may continue to
3 contract out engineering and technical services. In addition, the
4 department may continue the incentive program for retirements and
5 employee separations. (~~The department shall report quarterly to the~~
6 ~~office of financial management and the transportation committees of the~~
7 ~~legislature on its progress and plans to reduce highway construction~~
8 ~~workforce levels to two thousand FTEs by June 2015. This report must~~
9 ~~also be posted on the department's web site.))~~

10 (4) The department of transportation is directed to reduce the size
11 of its administrative operating programs for the 2013-2015 biennium.
12 As part of the department's biennial budget submittal, the department
13 shall reduce its workforce in Programs C, H, T, and S by three percent.
14 The ratio of executive management service or Washington management
15 services employee staff must be at least six staff for every manager by
16 the end of the 2013-2015 biennium.

*Sec. 602 was partially vetoed. See message at end of chapter.

17 **Sec. 603.** 2011 c 367 s 603 (uncodified) is amended to read as
18 follows:

19 **FUND TRANSFERS**

20 (1) The transportation 2003 projects or improvements and the 2005
21 transportation partnership projects or improvements are listed in LEAP
22 Transportation Document (~~(2011-1)~~) 2012-2 as developed (~~(April-19,~~
23 ~~2011)~~) March 8, 2012, which consists of a list of specific projects by
24 fund source and amount over a sixteen-year period. Current fiscal
25 biennium funding for each project is a line-item appropriation, while
26 the outer year funding allocations represent a sixteen-year plan. The
27 department is expected to use the flexibility provided in this section
28 to assist in the delivery and completion of all transportation
29 partnership account and transportation 2003 account (nickel account)
30 projects on the LEAP transportation documents referenced in this act.
31 For the 2009-2011 and 2011-2013 project appropriations, unless
32 otherwise provided in this act, the director of financial management
33 may authorize a transfer of appropriation authority between projects
34 funded with transportation 2003 account (nickel account)
35 appropriations, or transportation partnership account appropriations,
36 in order to manage project spending and efficiently deliver all

1 projects in the respective program under the following conditions and
2 limitations:

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

5 (b) Transfers from a project may not be made as a result of the
6 reduction of the scope of a project or be made to support increases in
7 the scope of a project;

8 (c) Each transfer between projects may only occur if the director
9 of financial management finds that any resulting change will not hinder
10 the completion of the projects as approved by the legislature. Until
11 the legislature reconvenes to consider the 2012 supplemental
12 transportation budget, any unexpended 2009-2011 appropriation balance
13 as approved by the office of financial management, in consultation with
14 the legislative staff of the house of representatives and senate
15 transportation committees, may be considered when transferring funds
16 between projects;

17 (d) Transfers from a project may be made if the funds appropriated
18 to the project are in excess of the amount needed to complete the
19 project;

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

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

24 (g) Transfers between projects may be made by the department of
25 transportation until the transfer amount by project exceeds two hundred
26 fifty thousand dollars, or ten percent of the total project, whichever
27 is less. These transfers must be reported quarterly to the director of
28 financial management and the chairs of the house of representatives and
29 senate transportation committees.

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

33 (3) The office of financial management shall work with legislative
34 staff of the house of representatives and senate transportation
35 committees to review the requested transfers in a timely manner.

36 (4) The office of financial management shall document approved
37 transfers and schedule changes in the transportation executive
38 information system, compare changes to the legislative baseline funding

1 and schedules identified by project identification number identified in
2 the LEAP transportation documents referenced in this act, and transmit
3 revised project lists to chairs of the transportation committees of the
4 legislature on a quarterly basis.

5 ***NEW SECTION.** **Sec. 604.** *A new section is added to 2011 c 367*
6 *(uncodified) to read as follows:*

7 *A narrowbanding financing contract adopted by the Washington state*
8 *patrol is contingent upon the completion of an independent financial,*
9 *technical, and compliance review that must include the review of the*
10 *utilization of the United States department of justice's integrated*
11 *wireless network, which includes a risk mitigation strategy and plans,*
12 *age and platform of the communication equipment's technology, and*
13 *contractual services and obligations, to be completed and approved by*
14 *the office of financial management by July 31, 2012, before any*
15 *financial contracts using certificates of participation can be*
16 *executed. The office of financial management must request from the*
17 *federal communications commission an extension of ninety days for*
18 *meeting the January 1, 2013, narrowbanding mandate to allow the time*
19 *required to perform the review.*

**Sec. 604 was vetoed. See message at end of chapter.*

20 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

21 **NEW SECTION.** **Sec. 701.** *A new section is added to 2011 c 367*
22 *(uncodified) to read as follows:*

23 *It is the intent of the legislature that the appropriations in*
24 *sections 702 through 713 of this act be an initial commitment to the*
25 *programs and activities funded and that the commitment continue through*
26 *the 2013-2015 fiscal biennium. To that end, it is the intent of the*
27 *legislature that the spending plan for the 2013-2015 fiscal biennium*
28 *reflect the programmatic areas and amounts described in LEAP*
29 *Transportation Document 2012-4, as developed March 8, 2012.*

30 **NEW SECTION.** **Sec. 702.** *A new section is added to 2011 c 367*
31 *(uncodified) to read as follows:*

32 **FOR THE WASHINGTON STATE PATROL**

33 State Patrol Highway Account--State Appropriation \$3,500,000

1 Highway Safety Account--State Appropriation \$6,000,000
2 TOTAL APPROPRIATION \$9,500,000

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

5 (1) \$1,642,000 of the state patrol highway account--state
6 appropriation is provided solely for the auto theft investigation units
7 in King county, the city of Spokane, and the city of Tacoma.

8 (2) \$5,000,000 of the highway safety account--state appropriation
9 is provided solely to train an additional trooper cadet class in the
10 current biennium.

11 NEW SECTION. **Sec. 703.** A new section is added to 2011 c 367
12 (uncodified) to read as follows:

13 **FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL**

14 Highway Safety Account--State Appropriation \$3,500,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The appropriation in this section is
17 provided solely for the county arterial preservation program to help
18 counties meet urgent preservation needs.

19 NEW SECTION. **Sec. 704.** A new section is added to 2011 c 367
20 (uncodified) to read as follows:

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL**

22 Highway Safety Account--State Appropriation \$3,500,000

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

25 (1) \$3,150,000 of the highway safety account--state appropriation
26 is provided solely for the urban arterial program to help cities meet
27 urgent preservation and storm water needs.

28 (2) \$350,000 of the highway safety account--state appropriation is
29 provided solely for the small city pavement program to help cities meet
30 urgent preservation and storm water needs.

31 NEW SECTION. **Sec. 705.** A new section is added to 2011 c 367
32 (uncodified) to read as follows:

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

34 Motor Vehicle Account--State Appropriation \$8,303,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The appropriation in this section is
3 provided solely to advance the design, preliminary engineering, and
4 rights-of-way acquisition for the priority projects identified in LEAP
5 Transportation Document 2012-3 as developed March 8, 2012. Funds must
6 be used to advance the emergent, initial development of these projects
7 for the purpose of expediting delivery of the associated major
8 investments when funding for such investments becomes available.
9 Funding may be reallocated between projects to maximize the
10 accomplishment of design and preliminary engineering work and rights-
11 of-way acquisition, provided that all projects are addressed. It is
12 the intent of the legislature that, while seeking to maximize the
13 outcomes in this section, the department shall provide for continuity
14 of both the state and consulting engineer workforce, while
15 strategically utilizing private sector involvement to ensure
16 consistency with the department's business plan for staffing in the
17 highway construction program in the current and next biennium.

18 NEW SECTION. **Sec. 706.** A new section is added to 2011 c 367
19 (uncodified) to read as follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
21 Highway Safety Account--State Appropriation \$3,500,000

22 The appropriation in this section is subject to the following
23 conditions and limitations: The appropriation in this section is
24 provided solely to further reduce the highway maintenance backlog in
25 order to maintain or increase levels of service.

26 NEW SECTION. **Sec. 707.** A new section is added to 2011 c 367
27 (uncodified) to read as follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
29 Highway Safety Account--State Appropriation \$3,500,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: The appropriation in this section is
32 provided solely for urgent preservation needs on the state highway
33 system.

1 (Nickel Account)--State Appropriation \$130,000,000

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

4 (1) The appropriation in this section is provided solely for the
5 purposes of constructing a ferry boat vessel with a carrying capacity
6 of at least one hundred forty-four cars.

7 (2) The appropriation in this section includes up to \$130,000,000
8 in proceeds from the sale of bonds authorized in RCW 47.10.861.

9 NEW SECTION. **Sec. 711.** A new section is added to 2011 c 367
10 (uncodified) to read as follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
12 **CAPITAL**

13 Highway Safety Account--State Appropriation \$3,000,000

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

16 (1) \$750,000 of the highway safety account--state appropriation is
17 provided solely to the freight mobility strategic investment board for
18 grants to meet urgent freight corridor improvement and preservation
19 needs, including advancing projects that are identified in LEAP
20 Transportation Document 2012-1 ALL PROJECTS as developed March 8, 2012,
21 and for other projects that meet the board's criteria.

22 (2) \$2,250,000 of the highway safety account--state appropriation
23 is provided solely for safe routes to schools program projects, in rank
24 order, and identified as contingency projects in the LEAP
25 Transportation Document 2011-A, pedestrian and bicycle safety program
26 projects and safe routes to school program projects, referenced in
27 chapter 367, Laws of 2011 (the omnibus transportation appropriations
28 act).

29 NEW SECTION. **Sec. 712.** A new section is added to 2011 c 367
30 (uncodified) to read as follows:

31 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
32 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
33 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
34 **REVENUE**

35 Highway Bond Retirement Account--State Appropriation \$6,500,000

1 (1) Effective June 1, 2006, for agencies complying with the ultra-
2 low sulfur diesel mandate of the United States environmental protection
3 agency for on-highway diesel fuel, agencies shall use biodiesel as an
4 additive to ultra-low sulfur diesel for lubricity, provided that the
5 use of a lubricity additive is warranted and that the use of biodiesel
6 is comparable in performance and cost with other available lubricity
7 additives. The amount of biodiesel added to the ultra-low sulfur
8 diesel fuel shall be not less than two percent.

9 (2) Except as provided in subsection (5) of this section, effective
10 June 1, 2009, state agencies are required to use a minimum of twenty
11 percent biodiesel as compared to total volume of all diesel purchases
12 made by the agencies for the operation of the agencies' diesel-powered
13 vessels, vehicles, and construction equipment.

14 (3) All state agencies using biodiesel fuel shall, beginning on
15 July 1, 2006, file biannual reports with the department of (~~general~~
16 ~~administration~~) enterprise services documenting the use of the fuel
17 and a description of how any problems encountered were resolved.

18 (~~(4) ((For the 2009-2011 fiscal biennium, all fuel purchased by the~~
19 ~~Washington state ferries at Harbor Island for the operation of the~~
20 ~~Washington state ferries diesel powered vessels must be a minimum of~~
21 ~~five percent biodiesel blend so long as the per gallon price of diesel~~
22 ~~containing a five percent biodiesel blend level does not exceed the per~~
23 ~~gallon price of diesel by more than five percent. If the per gallon~~
24 ~~price of diesel containing a five percent biodiesel blend level exceeds~~
25 ~~the per gallon price of diesel by more than five percent, the~~
26 ~~requirements of this section do not apply to vessel fuel purchases by~~
27 ~~the Washington state ferries.~~

28 (~~5~~)) By December 1, 2009, the department of (~~general~~
29 ~~administration~~) enterprise services shall:

30 (a) Report to the legislature on the average true price
31 differential for biodiesel by blend and location; and

32 (b) Examine alternative fuel procurement methods that work to
33 address potential market barriers for in-state biodiesel producers and
34 report these findings to the legislature.

35 (5) During the 2011-2013 fiscal biennium, the Washington state
36 ferries is required to use a minimum of five percent biodiesel as
37 compared to total volume of all diesel purchased made by the Washington

1 state ferries for the operation of the Washington state ferries diesel-
2 powered vessels, as long as the price of a B5 biodiesel blend does not
3 exceed the price of conventional diesel fuel by five percent or more.

4 **Sec. 803.** RCW 46.12.630 and 2011 c 171 s 37 are each amended to
5 read as follows:

6 In addition to any other authority which it may have, the
7 department of licensing may furnish lists of registered and legal
8 owners of motor vehicles only for the purposes specified in this
9 section to:

10 (1) The manufacturers of motor vehicles, or their authorized
11 agents, to be used:

12 (a) To enable those manufacturers to carry out the provisions of
13 the national traffic and motor vehicle safety act of 1966 (15 U.S.C.
14 Sec. 1382-1418), including amendments or additions thereto, respecting
15 safety-related defects in motor vehicles; or

16 (b) During the 2011-2013 fiscal biennium, in research activities,
17 and in producing statistical reports, as long as the personal
18 information is not published, redisclosed, or used to contact
19 individuals;

20 (2) Any governmental agency of the United States or Canada, or
21 political subdivisions thereof, to be used by it or by its authorized
22 commercial agents or contractors only in connection with the
23 enforcement of motor vehicle or traffic laws by, or programs related to
24 traffic safety of, that government agency. Only such parts of the list
25 as are required for completion of the work required of the agent or
26 contractor shall be provided to such agent or contractor;

27 (3) A commercial parking company requiring the names and addresses
28 of registered owners to notify them of outstanding parking violations.
29 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
30 requirements of Executive Order 97-01, the department may provide only
31 the parts of the list that are required for completion of the work
32 required of the company;

33 (4) An authorized agent or contractor of the department, to be used
34 only in connection with providing motor vehicle excise tax, licensing,
35 title, and registration information to motor vehicle dealers;

36 (5) Any business regularly making loans to other persons to finance

1 the purchase of motor vehicles, to be used to assist the person
2 requesting the list to determine ownership of specific vehicles for the
3 purpose of determining whether or not to provide such financing; or

4 (6) A company or its agents operating a toll facility under chapter
5 47.46 RCW or other applicable authority requiring the names, addresses,
6 and vehicle information of motor vehicle registered owners to identify
7 toll violators.

8 Where both a mailing address and residence address are recorded on
9 the vehicle record and are different, only the mailing address will be
10 disclosed. Both addresses will be disclosed in response to requests
11 for disclosure from courts, law enforcement agencies, or government
12 entities with enforcement, investigative, or taxing authority and only
13 for use in the normal course of conducting their business.

14 If a list of registered and legal owners of motor vehicles is used
15 for any purpose other than that authorized in this section, the
16 manufacturer, governmental agency, commercial parking company,
17 authorized agent, contractor, financial institution, toll facility
18 operator, or their authorized agents or contractors responsible for the
19 unauthorized disclosure or use will be denied further access to such
20 information by the department of licensing.

21 **Sec. 804.** RCW 46.44.0915 and 2011 c 115 s 1 are each amended to
22 read as follows:

23 (1)(a) Except as provided in (b) of this subsection, the department
24 of transportation, with respect to state highways maintained within
25 port district property, may, at the request of a port commission, make
26 and enter into agreements with port districts and adjacent
27 jurisdictions or agencies of the districts, for the purpose of
28 identifying, managing, and maintaining short heavy haul industrial
29 corridors within port district property for the movement of overweight
30 sealed containers used in international trade.

31 (b) The department of transportation shall designate that portion
32 of state route number 97 from the Canadian border to milepost 331.12 as
33 a heavy haul industrial corridor for the movement of overweight
34 vehicles to and from the Oroville railhead. The department may issue
35 special permits to vehicles operating in the heavy haul industrial
36 corridor to carry weight in excess of weight limits established in RCW
37 46.44.041, but not to exceed a gross vehicle weight of 139,994 pounds.

1 (2) Except as provided in subsection (1)(b) of this section, the
2 department may issue special permits to vehicles operating in a heavy
3 haul industrial corridor to carry weight in excess of weight limits
4 established in RCW 46.44.041. However, the excess weight on a single
5 axle, tandem axle, or any axle group must not exceed that allowed by
6 RCW 46.44.091 (1) and (2), weight per tire must not exceed six hundred
7 pounds per inch width of tire, and gross vehicle weight must not exceed
8 one hundred five thousand five hundred pounds.

9 (3) The entity operating or hiring vehicles under subsection (1)(b)
10 of this section or moving overweight sealed containers used in
11 international trade must pay a fee for each special permit of one
12 hundred dollars per month or one thousand dollars annually, beginning
13 from the date of issue, for all movements under the special permit made
14 on state highways within a heavy haul industrial corridor. Within a
15 port district property, under no circumstances are the for hire
16 carriers or rail customers responsible for the purchase or cost of the
17 permits. All funds collected, except the amount retained by authorized
18 agents of the department under RCW 46.44.096, must be forwarded to the
19 state treasurer and deposited in the motor vehicle fund.

20 (4) For purposes of this section, an overweight sealed container
21 used in international trade, including its contents, is considered
22 nondivisible when transported within a heavy haul industrial corridor
23 defined by the department.

24 (5) Any agreement entered into by the department as authorized
25 under this section with a port district adjacent to Puget Sound and
26 located within a county that has a population of more than seven
27 hundred thousand, but less than one million, must limit the
28 applicability of any established heavy haul corridor to that portion of
29 state route no. 509 beginning at milepost 0.25 in the vicinity of East
30 'D' Street and ending at milepost 3.88 in the vicinity of Taylor Way.
31 For the 2011-2013 fiscal biennium, the limit for any established heavy
32 haul corridor established pursuant to this subsection (5) must be
33 within that portion of state route number 509 beginning at milepost
34 0.25 in the vicinity of East 'D' Street and ending at milepost 5.7 in
35 the vicinity of Norpoint Way Northeast.

36 (6) The department of transportation may adopt reasonable rules to
37 implement this section.

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Passed by the House March 8, 2012.
Passed by the Senate March 8, 2012.
Approved by the Governor March 23, 2012, with the exception of
certain items that were vetoed.
Filed in Office of Secretary of State March 23, 2012.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 102(9), 604, 212(2), 216(7), 602(4), and 717, Engrossed Substitute House Bill 2190 entitled:

"AN ACT Relating to transportation funding and appropriations."

Section 102(9), pages 4-5, Office of Financial Management

Section 604, page 93, Washington State Patrol

These provisos require the Office of the Chief Information Officer (OCIO) and the Washington State Patrol to conduct a technical review of the State Patrol's conversion to narrowbanding. Funding was not provided in either proviso, and review of the narrowbanding project has already been done by external entities. For these reasons, I have vetoed Section 102(9) and Section 604.

Section 212(2), page 28, Department of Transportation

This proviso directs the Department to provide a report about a possible move of the Aviation Division from Arlington to Olympia, and states that this move cannot occur unless approved by the Legislature during the 2013 session. A financial analysis has already been completed that identifies savings by moving the Aviation Division

office to a state-owned building. For this reason, I have vetoed Section 212(2).

Section 216(7), page 35, Department of Transportation

This proviso requires the Secretary of the Department of Transportation, upon the request of a county, to reduce the maximum speed limits on a state highway in proximity to a state university research and extension center. As highway safety remains one of my top transportation concerns, I have instructed the Department to work with the affected counties identified in this proviso by June 30, 2012. Nevertheless, for safety reasons, state highway speed limits should be managed in a consistent manner at the state level. For this reason, I have vetoed Section 216(7).

Section 602(4), page 91, Department of Transportation

This proviso requires that the Department of Transportation's 2013-15 biennial budget submittal include a three percent reduction in workforce in Information Technology, Program Delivery Management, Administration and Support, and Planning and Research. The Department believes it is more appropriate that the budget be informed by workload needs, federal planning requirements and other management responsibilities, which are balanced against project delivery expectations and available resources. The proviso also imposes a management-to-staffing ratio on the Department's administrative operating programs. These programs require a higher-than-average concentration of managers as they provide statewide management and oversight of the highways construction program and other core programs. Therefore, it is not appropriate to impose a management-to-staffing ratio on these programs. For these reasons, I have vetoed Section 602(4), and instructed the Department to continue to find efficiencies and make reductions in its administrative overhead this biennium and in the 2013-15 biennial budget submittal. For this reason, I have vetoed Section 602(4).

Section 717, page 98, Conditionally Additive Appropriations

This proviso ties the appropriation of additional transportation funding in sections 702, 705, 708, 710, 711(2), 712, and 713 to the passage of Engrossed Substitute Senate Bill 6455, which did not pass. In order to preserve the appropriations, I have vetoed Section 717.

With the exception of Sections 102(9), 604, 212(2), 216(7), 602(4) and 717, Engrossed Substitute House Bill 2190 is approved."