
ENGROSSED SUBSTITUTE HOUSE BILL 1978

State of Washington

61st Legislature

2009 Regular Session

By House Transportation (originally sponsored by Representatives Clibborn, Liias, and White; by request of Office of Financial Management)

READ FIRST TIME 03/03/09.

1 AN ACT Relating to economic stimulus transportation funding and
2 appropriations; amending RCW 46.68.065, 46.68.220, and 47.60.645;
3 amending 2008 c 121 ss 103, 201, 202, 203, 205, 206, 208, 209, 210,
4 211, 212, 213, 214, 215, 216, 218, 219, 221, 222, 223, 224, 225, 302,
5 303, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406,
6 407, and 605 (uncodified); adding a new section to chapter 46.68 RCW;
7 adding new sections to 2007 c 518 (uncodified); creating new sections;
8 repealing 2008 c 121 s 604 and 2007 c 518 s 713 (uncodified); repealing
9 2007 c 518 s 108 (uncodified); making appropriations and authorizing
10 capital improvements; and declaring an emergency.

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

12 **ECONOMIC STIMULUS FUNDING**

13 NEW SECTION. **Sec. 1.** (1) The legislature finds that President
14 Barack Obama and the 111th Congress have enacted the American Recovery
15 and Reinvestment Act of 2009 in an effort to stimulate the American
16 economy, create and save jobs, and speed recovery from one of the
17 deepest economic recessions in recent history. The investment of
18 federal funds will help alleviate some of the economic burdens the

1 states face, and create jobs for the unemployed. The act includes \$492
2 million in federal transportation funding for Washington state and
3 local highway projects and \$179 million for local transit agency
4 improvement projects. In addition, the act includes over \$11 billion
5 in new funding for competitive national grant programs for highways of
6 regional significance, ferries, and rail priorities. The legislature
7 also finds that Washington state is well positioned to deliver
8 infrastructure projects in one hundred twenty days, as is required for
9 at least half of the state's share of federal stimulus highway funds,
10 and expects to receive additional funds that other states are unable to
11 use in this time frame. The legislature further finds that the state's
12 work to date on projects funded through the "nickel" and
13 "transportation partnership" funding acts mean that many regionally
14 significant projects are poised to compete well for nationally
15 available funds.

16 (2) Therefore, it is the intent of the legislature to revitalize
17 Washington's economy and reduce the state's unemployment rate by
18 quickly putting people to work around the state on projects that
19 promote safety, relieve traffic congestion, and preserve long-term
20 investments that will provide benefits into the future. Such projects
21 will be constructed quickly and will generate a significant number of
22 jobs, thereby strengthening Washington's economy and its families
23 seeking work.

24 NEW SECTION. **Sec. 2. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

26 Motor Vehicle Account--Federal Appropriation \$341,400,000

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

29 (1) The entire appropriation in this section is provided solely for
30 the projects and amounts listed in ARRA Washington State Project LEAP
31 document 2009, as developed on February 24, 2009. Funds under this
32 section may be reallocated among projects shown in the document to the
33 extent that the department finds it necessary for the purposes of
34 facilitating completion of the projects with the highest priority or to
35 maintain maximum federal funds eligibility.

36 (2) To achieve the legislative objectives provided in section 1(2)
37 of this act with respect to highway projects, it is the intent of the

1 legislature that the appropriation in this section be used for:
2 Transportation 2003 account (nickel account) projects and
3 transportation partnership account (TPA) projects that would have
4 otherwise been delayed due to decreased revenues, so as to advance
5 project completion dates similar to those envisioned in the enacted
6 2008 legislative list of projects; projects that preserve or
7 rehabilitate Washington state highways and roads; and projects that
8 modify roadway alignments and conditions to create safer roads for the
9 traveling public.

10 (3)(a) The department of transportation shall obligate at least
11 fifty percent of the funds no later than one hundred twenty days after
12 surface transportation program funds under the American Recovery and
13 Reinvestment Act of 2009 have been apportioned to the states;

14 (b) The department shall obligate all funds no later than one year
15 after surface transportation program funds under the American Recovery
16 and Reinvestment Act of 2009 have been apportioned to the states;

17 (c) The department shall place the first priority for allocating
18 funds on those projects listed as "First Tier" projects on ARRA
19 Washington State Project LEAP document 2009, as developed on February
20 24, 2009. The department shall place the second priority on projects
21 listed as "Second Tier" projects on the document; and

22 (d) Within each tier of projects on ARRA Washington State Project
23 LEAP document 2009, as developed on February 24, 2009, the department
24 shall place the highest priority for allocating funds on the
25 transportation 2003 account (nickel account) projects and
26 transportation partnership account (TPA) projects listed to advance
27 their completion. The department shall prioritize funding for other
28 projects within the tier according to how soon the contract for the
29 project could be awarded.

30 (4) By June 30, 2009, the department of transportation shall report
31 to the legislative standing committees on transportation and the office
32 of financial management on the status of federal stimulus funds
33 including, but not limited to, identifying the projects shown in ARRA
34 Washington State Project LEAP document 2009, as developed on February
35 24, 2009, for which federal stimulus funding has already been
36 obligated, the amount of federal recovery funds estimated to be
37 obligated to the projects, and the completion status of each project.

1 Subsequent status reports are due to the legislative standing
2 committees on transportation and the office of financial management on
3 August 31, 2009, and December 1, 2009.

4 NEW SECTION. **Sec. 3.** If the department of transportation receives
5 additional funding pursuant to the American Recovery and Reinvestment
6 Act of 2009, including funding redistributed from other states, the
7 department shall apply such funds to projects on ARRA Washington State
8 Project LEAP document 2009, as developed on February 24, 2009, as
9 prioritized by section 2(3) (c) and (d) of this act. If the funds are
10 in excess of the amounts shown on ARRA Washington State Project LEAP
11 document 2009, as developed on February 24, 2009, additional funds must
12 be applied to improvement, preservation, ferries, and rail capital
13 projects identified in the LEAP transportation documents in the enacted
14 2009-11 omnibus transportation appropriations act. However, if the
15 funds received may not be used for any of the purposes enumerated in
16 this section, then the department may program the funds for other
17 transportation-related activities. The department shall notify the
18 legislative standing committees on transportation and the office of
19 financial management of the amount of funds received and the projects
20 receiving funding through this process.

21 NEW SECTION. **Sec. 4.** To the extent practicable, the department of
22 transportation shall apply to the competitive grant programs created by
23 the American Recovery and Reinvestment Act of 2009 for all
24 transportation modes including, but not limited to, rail, projects of
25 regional significance, and ferries, as well as other grant programs
26 created by the act that may provide funding for transportation-related
27 activities. Concurrent with the submission of these applications, the
28 department of transportation shall report on these applications to the
29 legislative standing committees on transportation and the office of
30 financial management.

31 NEW SECTION. **Sec. 5.** For the distribution of funds that are
32 suballocated within the state pursuant to the American Recovery and
33 Reinvestment Act of 2009 to areas of the state outside of the
34 transportation management areas, the department of transportation shall
35 convene a local oversight and accountability panel, which shall include

1 representation from, at a minimum, the associations of Washington
2 cities and counties, the Washington public ports association, and the
3 transportation improvement board. The panel, chaired by the executive
4 director of the transportation improvement board, shall ensure rapid
5 project delivery and accountability for funds. The panel shall proceed
6 with an expedited statewide process utilizing the metropolitan planning
7 organization and county lead agency prioritized listing of local
8 projects. The department shall monitor the projects selected to
9 receive stimulus funding to ensure that Washington state is successful
10 in obligating all of its funding.

11 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are for the
12 period ending June 30, 2011.

13 **GENERAL GOVERNMENT AGENCIES--OPERATING**

14 **Sec. 101.** 2008 c 121 s 103 (uncodified) is amended to read as
15 follows:

16 **FOR THE MARINE EMPLOYEES COMMISSION**

17 Puget Sound Ferry Operations Account--State

18 Appropriation ((~~\$434,000~~))
19 \$433,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: A maximum of \$22,000 may be expended to
22 pay the department of personnel for conducting the 2007 salary survey.

23 **TRANSPORTATION AGENCIES--OPERATING**

24 **Sec. 201.** 2008 c 121 s 201 (uncodified) is amended to read as
25 follows:

26 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

27 Highway Safety Account--State Appropriation \$2,605,000
28 Highway Safety Account--Federal Appropriation ((~~\$15,845,000~~))
29 \$15,844,000
30 School Zone Safety Account--State Appropriation \$3,376,000
31 TOTAL APPROPRIATION ((~~\$21,826,000~~))

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The appropriations in this section are subject to the following conditions and limitations: \$76,000 of the school zone safety account--state appropriation is provided solely for contracting with the office of the superintendent of public instruction (OSPI) to conduct pilot programs in three school districts for road safety education and training for children, in order to teach children safe walking, bicycling, and transit use behavior. The pilot projects shall be conducted during the 2008-09 academic year, and shall be modeled after a program and curriculum successfully implemented in the Spokane school district. Funds are provided for curriculum resources, bicycle purchases, teacher training, other essential services and equipment, and OSPI administrative expenses which may include contracting out pilot program administration. The participating school districts shall be located as follows: One in Grant county, one in Island county, and one in Kitsap county. The OSPI shall evaluate the pilot programs, and report to the transportation committees of the legislature no later than December 1, 2009, on the outcomes of the pilot programs. The report shall include a survey identifying barriers to, interest in, and the likelihood of students traveling by biking, walking, or transit both prior to and following completion of the pilot program.

Sec. 202. 2008 c 121 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation	\$900,000
Motor Vehicle Account--State Appropriation	(\$2,058,000)
	<u>\$2,057,000</u>
County Arterial Preservation Account--State	
Appropriation	\$1,388,000
TOTAL APPROPRIATION	(\$4,346,000)
	<u>\$4,345,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$481,000 of the county arterial preservation account--state appropriation is provided solely for continued development and implementation of a maintenance management system to manage county transportation assets.

1 **Sec. 203.** 2008 c 121 s 203 (uncodified) is amended to read as
2 follows:

3 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

4	Urban Arterial Trust Account--State Appropriation	\$1,778,000
5	Transportation Improvement Account--State	
6	Appropriation	(\$1,780,000)
7		<u>\$1,779,000</u>
8	TOTAL APPROPRIATION	(\$3,558,000)
9		<u>\$3,557,000</u>

10 **Sec. 204.** 2008 c 121 s 205 (uncodified) is amended to read as
11 follows:

12 **FOR THE JOINT TRANSPORTATION COMMITTEE**

13	Motor Vehicle Account--State Appropriation	(\$2,513,000)
14		<u>\$2,512,000</u>
15	Multimodal Transportation Account--State Appropriation	\$550,000
16	TOTAL APPROPRIATION	(\$3,063,000)
17		<u>\$3,062,000</u>

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

20 (1) ~~(\$750,000)~~ \$950,000 of the motor vehicle account--state
21 appropriation is for establishing a work group to implement Engrossed
22 Substitute House Bill No. 2358 (regarding state ferries) and review
23 other matters relating to Washington state ferries. The cochairs of
24 the committee shall establish the work group comprising committee
25 members or their designees, an appointee by the governor, and other
26 stakeholders as appointed by the cochairs, to assist in the committee's
27 work. The work group shall report on its tasks to the transportation
28 committees of the legislature by December 2008. The work group is
29 tasked with the following:

30 (a) Implementing the recommendations of Engrossed Substitute House
31 Bill No. 2358 (regarding state ferries). As directed by Engrossed
32 Substitute House Bill No. 2358, the committee work group shall
33 participate in and provide a review of the following:

34 (i) The Washington transportation commission's development and
35 interpretation of a survey of ferry customers;

36 (ii) The department of transportation's analysis and

1 reestablishment of vehicle level of service standards. In
2 reestablishing the standards, consideration must be given to whether
3 boat wait is the appropriate measure;

4 (iii) The department's development of pricing policy proposals. In
5 developing these policies, the policy, in effect on some routes, of
6 collecting fares in only one direction must be evaluated to determine
7 whether one-way fare pricing best serves the ferry system;

8 (iv) The department's development of operational strategies;

9 (v) The department's development of terminal design standards; and

10 (vi) The department's development of a long-range capital plan;

11 (b) Reviewing the following Washington state ferry programs:

12 (i) Ridership demand forecast;

13 (ii) Updated life cycle cost model, as directed by Engrossed
14 Substitute House Bill No. 2358;

15 (iii) Administrative operating costs, nonlabor and nonfuel
16 operating costs, Eagle Harbor maintenance facility program and
17 maintenance costs, administrative and systemwide capital costs, and
18 vessel preservation costs; and

19 (iv) The Washington state ferries' proposed capital cost allocation
20 plan methodology, as described in Engrossed Substitute House Bill No.
21 2358;

22 (c) Making recommendations regarding:

23 (i) The most efficient timing and sizing of future vessel
24 acquisitions beyond those currently authorized by the legislature.
25 Vessel acquisition recommendations must be based on the ridership
26 projections, level of service standards, and operational and pricing
27 strategies reviewed by the committee and must include the impact of
28 those recommendations on the timing and size of terminal capital
29 investments and the state ferries' long range operating and capital
30 finance plans; and

31 (ii) Capital financing strategies for consideration in the 2009
32 legislative session. This work must include confirming the
33 department's estimate of future capital requirements based on a long
34 range capital plan and must include the department's development of a
35 plan for codevelopment and public private partnership opportunities at
36 public ferry terminals; and

37 (d) Evaluate the capital cost allocation plan methodology developed

1 by the department to implement Engrossed Substitute House Bill No.
2 2358.

3 (2) \$250,000 of the motor vehicle account--state appropriation and
4 \$250,000 of the multimodal transportation account--state appropriation
5 are for the continuing implementation of chapter 514, Laws of 2007.

6 (3) \$300,000 of the multimodal transportation account--state
7 appropriation is for implementing Substitute House Bill No. 1694
8 (coordinated transportation). If Substitute House Bill No. 1694 is not
9 enacted by June 30, 2007, the amount provided in this subsection shall
10 lapse.

11 (4) \$150,000 of the motor vehicle account--state appropriation is
12 for the Puget Sound regional council to conduct a pilot program for
13 multimodal concurrency analysis. This pilot program will analyze total
14 trip needs for a regional growth center based on adopted land use
15 plans, identify the number of trips which can be accommodated by
16 planned roadway, transit service, and nonmotorized investments, and
17 identify gaps for trips that cannot be served and strategies to fill
18 those gaps. The purpose of this pilot is to demonstrate how this type
19 of multimodal concurrency analysis can be used to broaden and
20 strengthen local concurrency programs.

21 (5) \$236,000 of the motor vehicle account--state appropriation is
22 for a comprehensive analysis, as stated in Senate Bill No. 5689, of
23 mid-term and long-term transportation funding mechanisms and methods.
24 Elements of the study will include existing data and trends, policy
25 objectives, performance and evaluation criteria, incremental transition
26 strategies, and possibly, scaled testing. Baseline data and methods
27 assessment must be concluded by December 31, 2009. Performance
28 criteria must be developed by June 30, 2010, and recommended planning
29 level alternative funding strategies must be completed by December 31,
30 2010.

31 **Sec. 205.** 2008 c 121 s 206 (uncodified) is amended to read as
32 follows:

33 **FOR THE TRANSPORTATION COMMISSION**

34 Motor Vehicle Account--State Appropriation	((\$2,322,000))
	<u>\$2,321,000</u>
36 Multimodal Transportation Account--State Appropriation	\$112,000
37 TOTAL APPROPRIATION	((\$2,434,000))

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

(1) \$350,000 of the motor vehicle account--state appropriation is provided solely for the commission to conduct a survey of ferry customers as described in Engrossed Substitute House Bill No. 2358. Development and interpretation of the survey must be done with participation of the joint transportation committee work group established in section 205(1) of this act.

(2) The commission shall conduct a planning grade tolling study that is based on the recommended policies in the commission's comprehensive tolling study submitted September 20, 2006.

(3) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium, the transportation commission shall establish, periodically review, and, if necessary, modify a schedule of toll charges applicable to the state route 167 high-occupancy toll lane pilot project, as required by RCW 47.56.403.

(4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium, the transportation commission shall periodically review, and, if necessary, modify the schedule of toll charges applicable to the Tacoma Narrows bridge, taking into consideration the recommendations of the citizen advisory committee created by RCW 47.46.091.

(5) \$205,000 of the motor vehicle account--state appropriation is provided solely for a study of potential revenue sources for the Washington state ferry system. The study must model and assess the revenue generating potentials of feasible alternative funding sources. The revenue forecasting models must be dynamic and ownership of these models must be retained by the commission. The commission shall develop revenue source recommendations that will generate revenue equal to or greater than the funding level identified by the ferries finance study of the joint transportation committee referenced in section 205 of this act, and shall report its recommendations to the transportation committees of the legislature by November 15, 2008.

Sec. 206. 2008 c 121 s 208 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU
State Patrol Highway Account--State

1	Appropriation	((\$226,924,000))
2		<u>\$220,920,000</u>
3	State Patrol Highway Account--Federal	
4	Appropriation	\$10,602,000
5	State Patrol Highway Account--Private/Local	
6	Appropriation	\$410,000
7	TOTAL APPROPRIATION	((\$237,936,000))
8		<u>\$231,932,000</u>

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

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

19 (2) In addition to the user fees, the patrol shall transfer into
20 the state patrol nonappropriated airplane revolving account under RCW
21 43.79.470 no more than the amount of appropriated state patrol highway
22 account and general fund funding necessary to cover the costs for the
23 patrol's use of the aircraft. The state patrol highway account and
24 general fund--state funds shall be transferred proportionately in
25 accordance with a cost allocation that differentiates between highway
26 traffic enforcement services and general policing purposes.

27 (3) The patrol shall not account for or record locally provided DUI
28 cost reimbursement payments as expenditure credits to the state patrol
29 highway account. The patrol shall report the amount of expected
30 locally provided DUI cost reimbursements to the governor and
31 transportation committees of the senate and house of representatives by
32 September 30th of each year.

33 (4) ~~((~~\$1,662,000~~ of the state patrol highway account state~~
34 ~~appropriation is provided solely for the implementation of Substitute~~
35 ~~House Bill No. 1304 (commercial vehicle enforcement). If Substitute~~
36 ~~House Bill No. 1304 is not enacted by June 30, 2007, the amount~~
37 ~~provided in this subsection shall lapse.~~

1 ~~(5))~~) During the 2007-2009 biennium, the Washington state patrol
2 shall continue to perform traffic accident investigations on Thurston,
3 Mason, and Lewis county roads when requested to do so by the respective
4 county; however, the counties shall conduct traffic accident
5 investigations on county roads beginning July 1, 2009.

6 ~~((6) - \$100,000 - of - the - state - patrol - highway - account - state~~
7 ~~appropriation is provided solely for the implementation of Substitute~~
8 ~~House Bill No. 1417 (health benefits for surviving dependents). If~~
9 ~~Substitute House Bill No. 1417 is not enacted by June 30, 2007, the~~
10 ~~amount provided in this subsection shall lapse.~~

11 ~~(7) - \$3,300,000)~~ (5) \$1,832,767 of the state patrol highway
12 account--state appropriation is provided solely for the salaries and
13 benefits associated with accretion in the number of troopers employed
14 above 1,158 authorized commissioned troopers, or solely for training
15 new cadets; however, the amount provided in this subsection is
16 contingent on the Washington state patrol submitting a 2009-11 budget
17 request that fully funds field force operations without reliance on a
18 projected vacancy rate. The Washington state patrol shall perform a
19 study with a final report due to the legislative transportation
20 committees by December 1, 2008, on the advantages and disadvantages of
21 staffing the commercial vehicle enforcement section with commissioned
22 officers instead of commercial vehicle enforcement officers.

23 (8) By July 1, 2008, the Washington state patrol shall assign six
24 additional troopers to the Monroe detachment from among troopers
25 requesting transfer to Monroe or graduating cadet classes.

26 **Sec. 207.** 2008 c 121 s 209 (uncodified) is amended to read as
27 follows:

28 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**

29 State Patrol Highway Account--State Appropriation . . . ~~(((\$1,552,000))~~
30 \$1,535,000

31 **Sec. 208.** 2008 c 121 s 210 (uncodified) is amended to read as
32 follows:

33 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**

34 State Patrol Highway Account--State Appropriation . . . ~~(((\$102,726,000))~~
35 \$98,873,000

36 State Patrol Highway Account--Private/Local

1	Appropriation	\$2,008,000
2	TOTAL APPROPRIATION	((\$104,734,000))
3		<u>\$100,881,000</u>

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

6 (1) The Washington state patrol shall work with the risk management
7 division in the office of financial management in compiling the
8 Washington state patrol's data for establishing the agency's risk
9 management insurance premiums to the tort claims account. The office
10 of financial management and the Washington state patrol shall submit a
11 report to the legislative transportation committees by December 31st of
12 each year on the number of claims, estimated claims to be paid, method
13 of calculation, and the adjustment in the premium.

14 ~~(2) ((\$9,981,000 of the total appropriation is provided solely for~~
15 ~~automobile fuel in the 2007-2009 biennium.~~

16 ~~(3) \$7,461,000 of the total appropriation is provided solely for~~
17 ~~the purchase of pursuit vehicles.~~

18 ~~(4) \$6,328,000 of the total appropriation is provided solely for~~
19 ~~vehicle repair and maintenance costs of vehicles used for highway~~
20 ~~purposes.~~

21 ~~(5) \$384,000 of the total appropriation is provided solely for the~~
22 ~~purchase of mission vehicles used for highway purposes in the~~
23 ~~commercial vehicle and traffic investigation sections of the Washington~~
24 ~~state patrol.~~

25 ~~(6))~~ The Washington state patrol may submit information technology
26 related requests for funding only if the patrol has coordinated with
27 the department of information services as required by section 602 of
28 this act.

29 ~~((+7))~~ (3) \$630,000 of the total appropriation is provided solely
30 for the ongoing software maintenance and technical support for the
31 digital microwave system. The Washington state patrol shall coordinate
32 with the other members of the Washington state interoperability
33 executive committee to ensure compatibility between emergency
34 communication systems.

35 NEW SECTION. Sec. 209. A new section is added to 2007 c 518
36 (uncodified) to read as follows:

37 **FOR THE WASHINGTON STATE PATROL.** The appropriations to the

1 Washington state patrol in chapter 121, Laws of 2008 and this act must
2 be expended for the programs and in the amounts specified in this act.
3 However, after May 1, 2009, unless specifically prohibited, the state
4 patrol may transfer state patrol highway account--state appropriations
5 for the 2007-2009 fiscal biennium between operating programs after
6 approval by the director of financial management. However, the state
7 patrol shall not transfer state moneys that are provided solely for a
8 specified purpose. The director of financial management shall notify
9 the appropriate fiscal committees of the senate and house of
10 representatives in writing prior to approving any allotment
11 modifications or transfers under this section.

12 **Sec. 210.** 2008 c 121 s 211 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF LICENSING**

15	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
16	Motorcycle Safety Education Account--State	
17	Appropriation	((\$3,898,000))
18		<u>\$3,865,000</u>
19	Wildlife Account--State Appropriation	((\$830,000))
20		<u>\$819,000</u>
21	Highway Safety Account--State Appropriation	((\$145,444,000))
22		<u>\$144,531,000</u>
23	Highway Safety Account--Federal Appropriation	\$233,000
24	Motor Vehicle Account--State Appropriation	((\$78,235,000))
25		<u>\$77,030,000</u>
26	Motor Vehicle Account--Private/Local Appropriation	\$1,372,000
27	Motor Vehicle Account--Federal Appropriation	\$1,354,000
28	Department of Licensing Services Account--State	
29	Appropriation	((\$4,639,000))
30		<u>\$3,115,000</u>
31	Washington State Patrol Highway Account--State	
32	Appropriation	((\$1,145,000))
33		<u>\$625,000</u>
34	TOTAL APPROPRIATION	((\$237,182,000))
35		<u>\$232,976,000</u>

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

1 (1) (~~(\$2,941,000)~~) \$2,933,000 of the highway safety account--state
2 appropriation is provided solely for the implementation of Substitute
3 House Bill No. 1267 (modifying commercial driver's license
4 requirements). If Substitute House Bill No. 1267 is not enacted by
5 June 30, 2007, the amount provided in this subsection shall lapse. The
6 department shall informally report to the legislature by December 1,
7 2008, with measurable data indicating the department's progress in
8 meeting its goal of improving public safety by improving the quality of
9 the commercial driver's license testing process.

10 (2) (~~(\$716,000)~~) \$663,000 of the motorcycle safety education
11 account--state appropriation is provided solely for the implementation
12 of Senate Bill No. 5273 (modifying motorcycle driver's license
13 endorsement and education provisions). If Senate Bill No. 5273 is not
14 enacted by June 30, 2007, the amount provided in this subsection shall
15 lapse.

16 (3)(a) (~~(\$12,422,000)~~) \$10,685,000 of the highway safety account--
17 state appropriation is provided solely for costs associated with the
18 processing costs of issuing enhanced drivers' licenses and identicards.

19 (b) Of the amount provided in (a) of this subsection, up to
20 \$1,000,000 is for a statewide educational campaign, which must include
21 coordination with existing public and private entities, to inform the
22 Washington public of the benefits of the new enhanced drivers' licenses
23 and identicards. Funds may be spent on educational campaigns only
24 after the caseload for enhanced drivers' licenses and identicards falls
25 below levels that can be reasonably processed by the department within
26 the appropriation provided by this subsection. \$300,000 of the
27 \$1,000,000 is for the department to partner with cross-border tourism
28 businesses to create an educational campaign.

29 (c) Of the amount provided in (a) of this subsection,
30 (~~(\$10,722,000)~~) \$8,985,000 is provided solely for costs associated with
31 providing enhanced driver's license processing at 14 licensing services
32 offices.

33 (d) Of the amount provided in (a) of this subsection, \$700,000 is
34 provided solely for costs associated with extending hours beyond
35 current regular business hours at the 14 licensing service offices that
36 provide enhanced driver's license processing services.

37 (4) (~~(\$91,000)~~) \$6,000 of the motor vehicle account--state
38 appropriation and (~~(\$152,000)~~) \$10,000 of the highway safety account--

1 state appropriation are provided solely for contracting with the office
2 of the attorney general to investigate criminal activity uncovered in
3 the course of the agency's licensing and regulatory activities.
4 Funding is provided for the 2008 fiscal year. The department may
5 request funding for the 2009 fiscal year if the request is submitted
6 with measurable data indicating the department's progress in meeting
7 its goal of increased prosecution of illegal activity.

8 (5) \$350,000 of the highway safety account--state appropriation is
9 provided solely for the costs associated with the systems development
10 of the interface that will allow insurance carriers and their agents
11 real time, online access to drivers' records. If Substitute Senate
12 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
13 this subsection shall lapse.

14 (6) (~~(\$1,145,000)~~) \$625,000 of the state patrol highway account--
15 state appropriation is provided solely for the implementation of
16 Substitute House Bill No. 1304 (modifying commercial motor vehicle
17 carrier provisions). If Substitute House Bill No. 1304 is not enacted
18 by June 30, 2007, the amount provided in this subsection shall lapse.

19 (7) The department may submit information technology related
20 requests for funding only if the department has coordinated with the
21 department of information services as required by section 602 of this
22 act.

23 (8) (~~(\$116,000)~~) \$81,000 of the motor vehicle account--state
24 appropriation is provided solely for the department to prepare draft
25 legislation that streamlines title and registration statutes to
26 specifically address apparent conflicts, fee distribution, and other
27 relevant issues that are revenue neutral and which do not change
28 legislative policy. The department shall submit the draft legislation
29 to the transportation committees of the legislature by the end of the
30 biennium.

31 (9) \$246,000 of the department of licensing services account--state
32 appropriation is provided solely for the implementation of Substitute
33 House Bill No. 3029 (secure vehicle licensing system). If Substitute
34 House Bill No. 3029 is not enacted by June 30, 2008, the amount
35 provided in this subsection shall lapse.

36 (10) \$200,000 of the highway safety account--state appropriation is
37 provided solely for the implementation of Senate Bill No. 6885 (driving

1 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,
2 2008, the amount provided in this subsection shall lapse.

3 (11) (~~(\$417,000)~~) \$413,000 of the highway safety account--state
4 appropriation is provided solely for the implementation of Engrossed
5 Second Substitute House Bill No. 3254 (ignition interlock drivers'
6 license). If Engrossed Second Substitute House Bill No. 3254 is not
7 enacted by June 30, 2008, the amount provided in this subsection shall
8 lapse.

9 (12) \$100,000 of the department of licensing services
10 account--state appropriation is provided solely for the implementation
11 of Engrossed Second Substitute House Bill No. 2817 (contaminated
12 vehicles). If Engrossed Second Substitute House Bill No. 2817 is not
13 enacted by June 30, 2008, the amount provided in this subsection shall
14 lapse.

15 (13) The department shall investigate instituting a program whereby
16 individual registered vehicle owners may have license plates tested for
17 reflectivity to determine whether the department's requirement that the
18 license plates be replaced after seven years can be waived for that
19 particular set of license plates.

20 (14)(a) By November 1, 2009, the department of licensing, in
21 consultation with the department of revenue, must analyze and plan for
22 the transfer, by July 1, 2010, of the administration of fuel taxes
23 imposed under chapters 82.36, 82.38, 82.41, and 82.42 RCW and other
24 provisions of law from the department of licensing to the department of
25 revenue. By November 1, 2009, the departments must report findings and
26 recommendations to the governor and the transportation and fiscal
27 committees of the legislature.

28 (b) The analysis and planning directed under this subsection must
29 include, but is not limited to, the following:

30 (i) Outreach to and solicitation of comment from parties affected
31 by the fuel taxes, including taxpayers, industry associations, state
32 and federal agencies, and Indian tribes, and from the transportation
33 and fiscal committees of the legislature;

34 (ii) Identification and analysis of relevant factors including, but
35 not limited to:

36 (A) Taxpayer reporting and payment processes;

37 (B) The international fuel tax agreement and the international
38 registration program;

1 (C) Computer systems;
2 (D) Best management practices and efficiencies;
3 (E) Costs; and
4 (F) Personnel matters;
5 (iii) Development of recommended actions to accomplish the
6 transfer; and
7 (iv) An implementation plan and schedule.
8 (c) The report must include draft legislation that transfers
9 administration to the department of revenue on July 1, 2010, and amends
10 existing law as needed.

11 NEW SECTION. Sec. 211. A new section is added to 2007 c 518
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to
14 the department of transportation in chapter 121, Laws of 2008 and this
15 act shall be expended for the programs and in the amounts specified in
16 this act. However, after May 1, 2009, unless specifically prohibited,
17 the department may transfer state appropriations for the 2007-2009
18 fiscal biennium among operating programs after approval by the director
19 of financial management. However, the department shall not transfer
20 state moneys that are provided solely for a specified purpose.

21 (2) The department shall not transfer funds, and the director of
22 financial management shall not approve the transfer, unless the
23 transfer is consistent with the objective of conserving, to the maximum
24 extent possible, the expenditure of state funds and not federal funds.
25 The director of financial management shall notify the appropriate
26 transportation committees of the legislature prior to approving any
27 allotment modifications or transfers under this section. The written
28 notification shall include a narrative explanation and justification of
29 the changes, along with expenditures and allotments by program and
30 appropriation, both before and after any allotment modifications or
31 transfers.

32 **Sec. 212.** 2008 c 121 s 212 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
35 **MAINTENANCE--PROGRAM B**

36 High-Occupancy Toll Lanes Account--State

1	Appropriation	\$2,253,000
2	Motor Vehicle Account--State Appropriation	\$600,000
3	Tacoma Narrows Toll Bridge Account--State	
4	Appropriation	(\$28,322,000)
5		<u>\$27,626,000</u>
6	TOTAL APPROPRIATION	(\$31,175,000)
7		<u>\$30,479,000</u>

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

10 ~~((+2))~~ The department shall solicit private donations to fund
11 activities related to the opening ceremonies of the Tacoma Narrows
12 bridge project.

13 **Sec. 213.** 2008 c 121 s 213 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
16 **C**

17	Transportation Partnership Account--State	
18	Appropriation	(\$5,892,000)
19		<u>\$5,142,000</u>
20	Motor Vehicle Account--State Appropriation	(\$67,710,000)
21		<u>\$66,850,000</u>
22	Motor Vehicle Account--Federal Appropriation	(\$1,096,000)
23		<u>\$856,000</u>
24	Puget Sound Ferry Operations Account--State	
25	Appropriation	\$9,143,000
26	Multimodal Transportation Account--State	
27	Appropriation	\$363,000
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation	(\$5,337,000)
30		<u>\$4,587,000</u>
31	TOTAL APPROPRIATION	(\$89,541,000)
32		<u>\$86,941,000</u>

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

35 (1) The department shall consult with the office of financial
36 management and the department of information services to ensure that
37 (a) the department's current and future system development is

1 consistent with the overall direction of other key state systems; and
2 (b) when possible, use or develop common statewide information systems
3 to encourage coordination and integration of information used by the
4 department and other state agencies and to avoid duplication.

5 (2) The department shall provide updated information on six project
6 milestones for all active projects, funded in part or in whole with
7 2005 transportation partnership account funds or 2003 nickel account
8 funds, on a quarterly basis in the transportation executive information
9 system (TEIS). The department shall also provide updated information
10 on six project milestones for projects, funded with preexisting funds
11 and that are agreed to by the legislature, office of financial
12 management, and the department, on a quarterly basis in TEIS.

13 ~~(3) ((\$3,300,000 of the motor vehicle account--state appropriation~~
14 ~~is provided solely for preliminary work needed to transition the~~
15 ~~department to the state government network. In collaboration with the~~
16 ~~department of information services the department shall complete an~~
17 ~~inventory of the current network infrastructure, develop an~~
18 ~~implementation plan for transition to the state government network,~~
19 ~~improve security, and initiate connection to the state government~~
20 ~~network.~~

21 ~~(4))~~ \$1,000,000 of the motor vehicle account--state appropriation,
22 ~~((\$5,892,000))~~ \$5,142,000 of the transportation partnership account--
23 state appropriation, and ~~((\$5,337,000))~~ \$4,587,000 of the
24 transportation 2003 account (nickel account)--state appropriation are
25 provided solely for the department to develop a project management and
26 reporting system which is a collection of integrated tools for capital
27 construction project managers to use to perform all the necessary tasks
28 associated with project management. The department shall integrate
29 commercial off-the-shelf software with existing department systems and
30 enhanced approaches to data management to provide web-based access for
31 multi-level reporting and improved business workflows and reporting.
32 Beginning September 1, 2007, and on a quarterly basis thereafter, the
33 department shall report to the office of financial management and the
34 transportation committees of the legislature on the status of the
35 development and integration of the system. The first report shall
36 include a detailed work plan for the development and integration of the
37 system including timelines and budget milestones. At a minimum the

1 ensuing reports shall indicate the status of the work as it compares to
2 the work plan, any discrepancies, and proposed adjustments necessary to
3 bring the project back on schedule or budget if necessary.

4 ~~((+5))~~ (4) The department may submit information technology
5 related requests for funding only if the department has coordinated
6 with the department of information services as required by section 602
7 of this act.

8 ~~((+6))~~ (5) \$1,600,000 of the motor vehicle account--state
9 appropriation is provided solely for the critical application
10 assessment implementation project. The department shall submit a
11 progress report on the critical application assessment implementation
12 project to the house of representatives and senate transportation
13 committees on or before December 1, 2007, and December 1, 2008, with a
14 final report on or before June 30, 2009.

15 **Sec. 214.** 2008 c 121 s 214 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
18 **AND CONSTRUCTION--PROGRAM D--OPERATING**
19 Motor Vehicle Account--State Appropriation (~~(\$33,982,000)~~)
20 \$33,988,000

21 **Sec. 215.** 2008 c 121 s 215 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**
24 Aeronautics Account--State Appropriation (~~(\$7,866,000)~~)
25 \$7,659,000
26 Aeronautics Account--Federal Appropriation \$2,150,000
27 Multimodal Transportation Account--State Appropriation \$631,000
28 TOTAL APPROPRIATION (~~(\$10,647,000)~~)
29 \$10,440,000

30 The appropriations in this section are subject to the following
31 conditions and limitations: The entire multimodal transportation
32 account--state appropriation and (~~(\$400,000)~~) \$350,000 of the
33 aeronautics account--state appropriation are provided solely for the
34 aviation planning council as provided for in RCW 47.68.410.

1 **Sec. 216.** 2008 c 121 s 216 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
4 **SUPPORT--PROGRAM H**

5	Transportation Partnership Account--State	
6	Appropriation	\$2,422,000
7	Motor Vehicle Account--State Appropriation	((\$52,275,000))
8		<u>\$50,425,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$500,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$250,000
12	Transportation 2003 Account (Nickel Account)--State	
13	Appropriation	\$2,422,000
14	TOTAL APPROPRIATION	((\$57,869,000))
15		<u>\$56,019,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$2,422,000 of the transportation
18 partnership account appropriation and \$2,422,000 of the transportation
19 2003 account (nickel account)--state appropriation are provided solely
20 for consultant contracts to assist the department in the delivery of
21 the capital construction program by identifying improvements to program
22 delivery, program management, project controls, program and project
23 monitoring, forecasting, and reporting. The consultants shall work
24 with the department of information services in the development of the
25 project management and reporting system.

26 The consultants shall provide an updated copy of the capital
27 construction strategic plan to the legislative transportation
28 committees and to the office of financial management on June 30, 2008,
29 and each year thereafter.

30 The department shall coordinate its work with other budget and
31 performance efforts, including Roadmap, the findings of the critical
32 applications modernization and integration strategies study, including
33 proposed next steps, and the priorities of government process.

34 The department shall report to the transportation committees of the
35 house of representatives and senate, and the office of financial
36 management, by December 31, 2007, on the implementation status of
37 recommended capital budgeting and reporting options. Options must
38 include: Reporting against legislatively-established project

1 identification numbers and may include recommendations for reporting
2 against other appropriate project groupings; measures for reporting
3 progress, timeliness, and cost which create an incentive for the
4 department to manage effectively and report its progress in a
5 transparent manner; and criteria and process for transfers of funds
6 among projects.

7 **Sec. 217.** 2008 c 121 s 218 (uncodified) is amended to read as
8 follows:

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

10 Motor Vehicle Account--State Appropriation	((\$331,342,000))
	<u>\$350,320,000</u>
12 Motor Vehicle Account--Federal Appropriation	((\$5,000,000))
	<u>\$25,000,000</u>
14 Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
15 TOTAL APPROPRIATION	((\$342,139,000))
	<u>\$381,117,000</u>

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

19 (1) If portions of the appropriations in this section are required
20 to fund maintenance work resulting from major disasters not covered by
21 federal emergency funds such as fire, flooding, and major slides,
22 supplemental appropriations must be requested to restore state funding
23 for ongoing maintenance activities.

24 (2) The department shall request an unanticipated receipt for any
25 federal moneys received for emergency snow and ice removal and shall
26 place an equal amount of the motor vehicle account--state into
27 unallotted status. This exchange shall not affect the amount of
28 funding available for snow and ice removal.

29 (3) The department shall request an unanticipated receipt for any
30 private or local funds received for reimbursements of third party
31 damages that are in excess of the motor vehicle account--private/local
32 appropriation.

33 (4) \$5,000,000 of the motor vehicle account--federal appropriation
34 is provided for unanticipated federal funds that may be received during
35 the 2007-09 biennium. Upon receipt of the funds, the department shall
36 provide a report on the use of the funds to the transportation
37 committees of the legislature and the office of financial management.

1 (5) Funding is provided for maintenance on the state system to
2 deliver service level targets as listed in LEAP Transportation Document
3 2007-C, as developed April 20, 2007. In delivering the program and
4 aiming for these targets, the department should concentrate on the
5 following areas:

6 (a) Eliminating the number of activities delivered in the "f" level
7 of service at the region level; and

8 (b) Evaluating, analyzing, and potentially redistributing resources
9 within and among regions to provide greater consistency in delivering
10 the program statewide and in achieving overall level of service
11 targets.

12 (6) The department may work with the department of corrections to
13 utilize corrections crews for the purposes of litter pickup on state
14 highways.

15 (7) \$650,000 of the motor vehicle account--state appropriation is
16 provided solely for increased asphalt costs.

17 (8) The department shall prepare a comprehensive listing of
18 maintenance backlogs and related costs and report to the office of
19 financial management and the transportation committees of the
20 legislature by December 31, 2008.

21 (9) (~~(\$76,026,000)~~) \$92,526,000 of the motor vehicle account--state
22 appropriation is for snow and ice related expenses, within which (~~is~~
23 a)) are one-time increases of (~~(\$3,250,000)~~) \$17,250,000 provided
24 solely for extraordinary snow and ice removal expenses and \$2,500,000
25 provided solely for winter storm damage repair costs incurred during
26 the winters of 2007-08 and 2008-09.

27 **Sec. 218.** 2008 c 121 s 219 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
30 **OPERATING**

31	Motor Vehicle Account--State Appropriation	((\$51,340,000))
32		<u>\$51,354,000</u>
33	Motor Vehicle Account--Federal Appropriation	\$2,050,000
34	Motor Vehicle Account--Private/Local Appropriation	\$127,000
35	TOTAL APPROPRIATION	((\$53,517,000))
36		<u>\$53,531,000</u>

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

3 (1) \$654,000 of the motor vehicle account--state appropriation is
4 provided solely for the department to time state-owned and operated
5 traffic signals. This funding may also be used to program incident,
6 emergency, or special event signal timing plans.

7 (2) \$346,000 of the motor vehicle account--state appropriation is
8 provided solely for the department to implement a pilot tow truck
9 incentive program. The department may provide incentive payments to
10 towing companies that meet clearance goals on accidents that involve
11 heavy trucks.

12 (3) \$6,800,000 of the motor vehicle account--state appropriation is
13 provided solely for low-cost enhancements. The department shall give
14 priority to low-cost enhancement projects that improve safety or
15 provide congestion relief. The department shall prioritize low-cost
16 enhancement projects on a statewide rather than regional basis. By
17 January 1, 2008, and January 1, 2009, the department shall provide a
18 report to the legislature listing all low-cost enhancement projects
19 prioritized on a statewide rather than regional basis completed in the
20 prior year.

21 (4) The department, in consultation with the Washington state
22 patrol, may conduct a pilot program for the patrol to issue infractions
23 based on information from automated traffic safety cameras in roadway
24 construction zones on state highways when workers are present.

25 (a) In order to ensure adequate time in the 2007-09 biennium to
26 evaluate the effectiveness of the pilot program, any projects
27 authorized by the department must be authorized by December 31, 2007.

28 (b) The department shall use the following guidelines to administer
29 the program:

30 (i) Automated traffic safety cameras may only take pictures of the
31 vehicle and vehicle license plate and only while an infraction is
32 occurring. The picture must not reveal the face of the driver or of
33 passengers in the vehicle;

34 (ii) The department shall plainly mark the locations where the
35 automated traffic safety cameras are used by placing signs on locations
36 that clearly indicate to a driver that he or she is entering a roadway
37 construction zone where traffic laws are enforced by an automated
38 traffic safety camera;

1 (iii) Notices of infractions must be mailed to the registered owner
2 of a vehicle within fourteen days of the infraction occurring;

3 (iv) The owner of the vehicle is not responsible for the violation
4 if the owner of the vehicle, within fourteen days of receiving
5 notification of the violation, mails to the patrol, a declaration under
6 penalty of perjury, stating that the vehicle involved was, at the time,
7 stolen or in the care, custody, or control of some person other than
8 the registered owner, or any other extenuating circumstances;

9 (v) For purposes of the 2007-09 biennium pilot project, infractions
10 detected through the use of automated traffic safety cameras are not
11 part of the registered owner's driving record under RCW 46.52.101 and
12 46.52.120. Additionally, infractions generated by the use of automated
13 traffic safety cameras must be processed in the same manner as parking
14 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
15 46.16.216, and 46.20.270(3). However, the amount of the fine issued
16 for an infraction generated through the use of an automated traffic
17 safety camera is one hundred thirty-seven dollars. The court shall
18 remit thirty-two dollars of the fine to the state treasurer for deposit
19 into the state patrol highway account;

20 (vi) If a notice of infraction is sent to the registered owner and
21 the registered owner is a rental car business, the infraction will be
22 dismissed against the business if it mails to the patrol, within
23 fourteen days of receiving the notice, a declaration under penalty of
24 perjury of the name and known mailing address of the individual driving
25 or renting the vehicle when the infraction occurred. If the business
26 is unable to determine who was driving or renting the vehicle at the
27 time the infraction occurred, the business must sign a declaration
28 under penalty of perjury to this effect. The declaration must be
29 mailed to the patrol within fourteen days of receiving the notice of
30 traffic infraction. Timely mailing of this declaration to the issuing
31 agency relieves a rental car business of any liability under this
32 section for the notice of infraction. A declaration form suitable for
33 this purpose must be included with each automated traffic infraction
34 notice issued, along with instructions for its completion and use; and

35 (vii) By June 30, 2009, the department shall provide a report to
36 the legislature regarding the use, public acceptance, outcomes, and
37 other relevant issues regarding the pilot project.

1 (5) The traffic signal operations along 164th Street SE at the
2 intersections of Mill Creek Boulevard and SR 527 should be optimized to
3 minimize vehicle delay on both corridors based on traffic volumes and
4 not only on functional classification or designation.

5 **Sec. 219.** 2008 c 121 s 221 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
8 **AND RESEARCH--PROGRAM T**

9	Motor Vehicle Account--State Appropriation	((\$27,757,000))
10		<u>\$27,264,000</u>
11	Motor Vehicle Account--Federal Appropriation	((\$19,163,000))
12		<u>\$18,932,000</u>
13	Multimodal Transportation Account--State	
14	Appropriation	\$1,760,000
15	Multimodal Transportation Account--Federal	
16	Appropriation	\$2,809,000
17	Multimodal Transportation Account--Private/Local	
18	Appropriation	\$100,000
19	TOTAL APPROPRIATION	((\$51,589,000))
20		<u>\$50,865,000</u>

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

23 (1) \$1,559,000 of the motor vehicle account--state appropriation is
24 provided solely for costs incurred for the 2007 regional transportation
25 investment district election.

26 (2) \$800,000 of the multimodal transportation account--state
27 appropriation is provided solely for a transportation demand management
28 program, developed by the Whatcom council of governments, to further
29 reduce drive-alone trips and maximize the use of sustainable
30 transportation choices. The community-based program must focus on all
31 trips, not only commute trips, by providing education, assistance, and
32 incentives to four target audiences: (a) Large work sites; (b)
33 employees of businesses in downtown areas; (c) school children; and (d)
34 residents of Bellingham.

35 (3) ((~~\$320,000~~)) \$77,000 of the motor vehicle account--state
36 appropriation and ((~~\$128,000~~)) \$47,000 of the motor vehicle account--
37 federal appropriation are provided solely for development of a freight

1 database to help guide freight investment decisions and track project
2 effectiveness. The database will be based on truck movement tracked
3 through geographic information system technology. TransNow will
4 contribute an additional \$192,000 in federal funds which are not
5 appropriated in the transportation budget. The department shall work
6 with the freight mobility strategic investment board to implement this
7 project.

8 (4) By December 1, 2008, the department shall require confirmation
9 from jurisdictions that plan under the growth management act, chapter
10 36.70A RCW, and that receive state transportation funding under this
11 act, that the jurisdictions have adopted standards for access
12 permitting on state highways that meet or exceed department standards
13 in accordance with RCW 47.50.030. The objective of this subsection is
14 to encourage local governments, through the receipt of state
15 transportation funding, to adhere to best practices in access control
16 applicable to development activity significantly impacting state
17 transportation facilities. By January 1, 2009, the department shall
18 submit a report to the appropriate committees of the legislature
19 detailing the progress of the local jurisdictions in adopting the
20 highway access permitting standards.

21 ~~(5) ((\$150,000 of the motor vehicle account federal appropriation~~
22 ~~is provided solely for the costs to develop an electronic map based~~
23 ~~computer application that will enable law enforcement officers and~~
24 ~~others to more easily locate collisions and other incidents in the~~
25 ~~field.~~

26 ~~(6))~~ The department shall add a position within the freight
27 systems division to provide expertise regarding the trucking aspects of
28 the state's freight system.

29 ~~((7))~~ (6) The department shall evaluate the feasibility of
30 developing a freight corridor bypass from Everett to Gold Bar on US 2,
31 including a connection to SR 522. US 2 is an important freight
32 corridor, and is an alternative route for I-90. Congestion, safety
33 issues, and flooding concerns have all contributed to the need for
34 major improvements to the corridor. The evaluation shall consider the
35 use of toll lanes for the project. The department must report to the
36 transportation committees of the legislature by December 1, 2007, on
37 its analysis and recommendations regarding the benefit of a freight

1 corridor and the potential use of freight toll lanes to improve safety
2 and congestion in the corridor.

3 ~~((+8))~~ (7) The department shall work with the department of
4 ecology, the county road administration board, and the transportation
5 improvement board to develop model procedures and municipal and state
6 rules in regard to maximizing the use of recycled asphalt on road
7 construction and preservation projects. The department shall report to
8 the joint transportation committee by December 1, 2008, with
9 recommendations on increasing the use of recycled asphalt at the state
10 and local level.

11 ~~((+9))~~ (8) \$140,000 of the multimodal transportation account--
12 state appropriation is provided solely for a full-time employee to
13 develop vehicle miles traveled and other greenhouse gas emissions
14 benchmarks as described in Engrossed Second Substitute House Bill No.
15 2815. If Engrossed Second Substitute House Bill No. 2815 is not
16 enacted by June 30, 2008, the amount provided in this subsection shall
17 lapse.

18 ~~((+10))~~ (9) \$80,000 of the motor vehicle account--state
19 appropriation is provided solely to study the feasibility of a new
20 interchange on interstate 5 between the city of Rochester and Harrison
21 Avenue.

22 ~~((+11))~~ (10) \$100,000 of the multimodal transportation
23 account--state appropriation is provided solely to support the commuter
24 rail study between eastern Snohomish county and eastern King county as
25 defined in Substitute House Bill No. 3224. Funds are provided to the
26 Puget Sound regional council for one time only. If Substitute House
27 Bill No. 3224 is not enacted by June 30, 2008, the amount provided in
28 this subsection shall lapse.

29 **Sec. 220.** 2008 c 121 s 222 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
32 **PROGRAM U**

33	Motor Vehicle Account--State Appropriation	(\$66,102,000)
34		<u>\$60,507,000</u>
35	Motor Vehicle Account--Federal Appropriation	\$400,000
36	Multimodal Transportation Account--State	
37	Appropriation	\$259,000

1 TOTAL APPROPRIATION ((~~\$66,761,000~~))
2 \$61,166,000

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

5 (1) ((~~\$36,665,000~~)) \$29,958,000 of the motor vehicle fund--state
6 appropriation is provided solely for the liabilities attributable to
7 the department of transportation. The office of financial management
8 must provide a detailed accounting of the revenues and expenditures of
9 the self-insurance fund to the transportation committees of the
10 legislature on December 31st and June 30th of each year.

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

13 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
14 DIVISION OF RISK MANAGEMENT FEES \$1,520,000

15 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
16 AUDITOR \$1,153,000

17 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
18 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
19 MAIL SERVICES \$4,859,000

20 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
21 PERSONNEL \$7,593,000

22 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
23 PREMIUMS AND ADMINISTRATION ((~~\$36,665,000~~))
24 \$29,958,000

25 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
26 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,838,000

27 (g) FOR ARCHIVES AND RECORDS MANAGEMENT \$677,000

28 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS
29 ENTERPRISES \$1,042,000

30 (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY
31 THE OFFICE OF FINANCIAL MANAGEMENT \$1,266,000

32 (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT
33 OF INFORMATION SERVICES ((~~\$945,000~~))
34 \$944,000

35 (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
36 GENERAL'S OFFICE \$9,045,000

37 (l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
38 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT

1 LITIGATION ((~~\$158,000~~))
 2 \$271,000
 3 (3) \$1,000,000 of the motor vehicle account--state appropriation is
 4 provided solely for the purposes of settling all claims that were found
 5 against the state in the verdict and judgment issued in the case of
 6 Marable v. Nitchman (WSF), United States District Court, Western
 7 District of Washington, Cause No. 05-01270MJP.

8 **Sec. 221.** 2008 c 121 s 223 (uncodified) is amended to read as
 9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
 11 **V**

12 Regional Mobility Grant Program Account--State
 13 Appropriation ((~~\$40,000,000~~))
 14 \$12,732,000
 15 Multimodal Transportation Account--State
 16 Appropriation ((~~\$85,601,000~~))
 17 \$80,583,000
 18 Multimodal Transportation Account--Federal
 19 Appropriation \$2,582,000
 20 Multimodal Transportation Account--Private/Local
 21 Appropriation \$659,000
 22 TOTAL APPROPRIATION ((~~\$128,842,000~~))
 23 \$96,556,000

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

26 (1) \$25,000,000 of the multimodal transportation account--state
 27 appropriation is provided solely for a grant program for special needs
 28 transportation provided by transit agencies and nonprofit providers of
 29 transportation.

30 (a) \$5,500,000 of the amount provided in this subsection is
 31 provided solely for grants to nonprofit providers of special needs
 32 transportation. Grants for nonprofit providers shall be based on need,
 33 including the availability of other providers of service in the area,
 34 efforts to coordinate trips among providers and riders, and the cost
 35 effectiveness of trips provided.

36 (b) \$19,500,000 of the amount provided in this subsection is
 37 provided solely for grants to transit agencies to transport persons

1 with special transportation needs. To receive a grant, the transit
2 agency must have a maintenance of effort for special needs
3 transportation that is no less than the previous year's maintenance of
4 effort for special needs transportation. Grants for transit agencies
5 shall be prorated based on the amount expended for demand response
6 service and route deviated service in calendar year 2005 as reported in
7 the "Summary of Public Transportation - 2005" published by the
8 department of transportation. No transit agency may receive more than
9 thirty percent of these distributions.

10 (2) Funds are provided for the rural mobility grant program as
11 follows:

12 (a) \$8,500,000 of the multimodal transportation account--state
13 appropriation is provided solely for grants for those transit systems
14 serving small cities and rural areas as identified in the Summary of
15 Public Transportation - 2005 published by the department of
16 transportation. Noncompetitive grants must be distributed to the
17 transit systems serving small cities and rural areas in a manner
18 similar to past disparity equalization programs.

19 (b) \$8,500,000 of the multimodal transportation account--state
20 appropriation is provided solely to providers of rural mobility service
21 in areas not served or underserved by transit agencies through a
22 competitive grant process.

23 (3) \$8,600,000 of the multimodal transportation account--state
24 appropriation is provided solely for a vanpool grant program for: (a)
25 Public transit agencies to add vanpools; and (b) incentives for
26 employers to increase employee vanpool use. The grant program for
27 public transit agencies will cover capital costs only; no operating
28 costs for public transit agencies are eligible for funding under this
29 grant program. No additional employees may be hired from the funds
30 provided in this section for the vanpool grant program, and supplanting
31 of transit funds currently funding vanpools is not allowed. Additional
32 criteria for selecting grants must include leveraging funds other than
33 state funds.

34 (4) (~~(\$40,000,000)~~) \$12,732,000 of the regional mobility grant
35 program account--state appropriation is provided solely for the
36 regional mobility grant projects identified on the LEAP Transportation
37 Document 2007-B as developed April 20, 2007. The department shall
38 review all projects receiving grant awards under this program at least

1 semiannually to determine whether the projects are making satisfactory
2 progress. Any project that has been awarded funds, but does not report
3 activity on the project within one year of the grant award, shall be
4 reviewed by the department to determine whether the grant should be
5 terminated. The department shall promptly close out grants when
6 projects have been completed, and any remaining funds available to the
7 office of transit mobility shall be used only to fund projects on the
8 LEAP Transportation Document 2007-B as developed April 20, 2007. The
9 department shall provide annual status reports on December 15, 2007,
10 and December 15, 2008, to the office of financial management and the
11 transportation committees of the legislature regarding the projects
12 receiving the grants.

13 (5) (~~(\$17,168,087)~~) \$12,150,087 of the multimodal transportation
14 account--state appropriation is reappropriated and provided solely for
15 the regional mobility grant projects identified on the LEAP
16 Transportation Document 2006-D, regional mobility grant program
17 projects as developed March 8, 2006. The department shall continue to
18 review all projects receiving grant awards under this program at least
19 semiannually to determine whether the projects are making satisfactory
20 progress. The department shall promptly close out grants when projects
21 have been completed, and any remaining funds available to the office of
22 transit mobility shall be used only to fund projects on the LEAP
23 Transportation Document 2007-B as developed April 20, 2007, or the LEAP
24 Transportation Document 2006-D as developed March 8, 2006.

25 (6) \$200,000 of the multimodal transportation account--state
26 appropriation is provided solely for the department to study and then
27 develop pilot programs aimed at addressing commute trip reduction
28 strategies for K-12 students and for college and university students.
29 The department shall submit to the legislature by January 1, 2009, a
30 summary of the program results and recommendations for future student
31 commute trip reduction strategies. The pilot programs are described as
32 follows:

33 (a) The department shall consider approaches, including mobility
34 education, to reducing and removing traffic congestion in front of
35 schools by changing travel behavior for elementary, middle, and high
36 school students and their parents; and

37 (b) The department shall design a program that includes student

1 employment options as part of the pilot program applicable to college
2 and university students.

3 (7) \$2,400,000 of the multimodal account--state appropriation is
4 provided solely for establishing growth and transportation efficiency
5 centers (GTEC). Funds are appropriated for one time only. The
6 department shall provide in its annual report to the legislature an
7 evaluation of the GTEC concept and recommendations on future funding
8 levels.

9 (8) \$381,000 of the multimodal transportation account--state
10 appropriation is provided solely for the implementation of Substitute
11 House Bill No. 1694 (reauthorizing the agency council on coordinated
12 transportation). If Substitute House Bill No. 1694 is not enacted by
13 June 30, 2007, the amount provided in this subsection shall lapse.

14 (9) \$504,000 of the multimodal transportation account--
15 private/local appropriation is provided solely for the implementation
16 of Senate Bill No. 5084 (updating rail transit safety plans). If
17 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
18 provided in this subsection shall lapse.

19 (10) \$60,000 of the multimodal transportation account--state
20 appropriation is provided solely for low-income car ownership programs.
21 The department shall collaborate with interested regional
22 transportation planning organizations and metropolitan planning
23 organizations to determine the effectiveness of the programs at
24 providing transportation solutions for low-income persons who depend
25 upon cars to travel to their places of employment.

26 (11) \$1,000,000 of the multimodal transportation account--state
27 appropriation is provided solely for additional funding for the trip
28 reduction performance program, including telework enhancement projects.
29 Funds are appropriated for one time only.

30 (12) \$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 (13) \$150,000 of the multimodal transportation account--state
34 appropriation is provided solely as a grant for a telework pilot
35 project to be developed, administered, and monitored by the Kitsap
36 regional coordinating council. Funds are appropriated for one time
37 only. The primary purposes of the pilot project are to educate
38 employers about telecommuting, develop telework policies and resources

1 for employers, and reduce traffic congestion by encouraging teleworking
2 in the workplace. As part of the pilot project, the council shall
3 recruit public and private sector employer participants throughout the
4 county, identify telework sites, develop an employer's toolkit
5 consisting of teleworking resources, and create a telecommuting
6 template that may be applied in other communities. The council shall
7 submit to the legislature by July 1, 2009, a summary of the program
8 results and any recommendations for future telework strategies.

9 **Sec. 222.** 2008 c 121 s 224 (uncodified) is amended to read as
10 follows:

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

12 Puget Sound Ferry Operations Account--State

13	Appropriation	((\$426,761,000))
14		<u>\$441,485,000</u>

15 Multimodal Transportation Account--State

16	Appropriation	((\$1,914,000))
17		<u>\$3,035,000</u>

18 TOTAL APPROPRIATION ((~~\$428,675,000~~))

19 \$444,520,000

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

22 (1) ((~~\$90,299,000~~)) \$96,443,000 of the Puget Sound ferry
23 operations--state appropriation is provided solely for auto ferry
24 vessel operating fuel in the 2007-2009 biennium.

25 (2) The Washington state ferries must work with the department's
26 information technology division to implement an electronic fare system,
27 including the integration of the regional fare coordination system
28 (smart card). Each December and June, semiannual updates must be
29 provided to the transportation committees of the legislature concerning
30 the status of implementing and completing this project, with updates
31 concluding the first December after full project implementation.

32 (3) The Washington state ferries shall continue to provide service
33 to Sidney, British Columbia.

34 (4) \$1,914,000 of the multimodal transportation account--state
35 appropriation is provided solely to provide passenger-only ferry
36 service. The ferry system shall continue passenger-only ferry service
37 from Vashon Island to Seattle through June 30, 2008. Ferry system

1 management shall continue to implement its agreement with the
2 inlandboatmen's union of the pacific and the international organization
3 of masters, mates and pilots providing for part-time passenger-only
4 work schedules.

5 (5) (~~(\$932,000)~~) \$674,000 of the Puget Sound ferries operations
6 account--state appropriation is provided solely for compliance with
7 department of ecology rules regarding the transfer of oil on or near
8 state waters. Funding for compliance with on-board fueling rules is
9 provided for the 2008 fiscal year. The department may request funding
10 for the 2009 fiscal year if the request is submitted with an
11 alternative compliance plan filed with the department of ecology, as
12 allowed by rule.

13 (6) (~~(\$1,116,000)~~) \$1,006,000 of the Puget Sound ferry operations
14 account--state appropriation is provided solely for ferry security
15 operations necessary to comply with the ferry security plan submitted
16 by the Washington state ferry system to the United States coast guard.
17 The department shall track security costs and expenditures. Ferry
18 security operations costs shall not be included as part of the
19 operational costs that are used to calculate farebox recovery.

20 (7) \$378,000 of the Puget Sound ferry operations account--state
21 appropriation is provided solely to meet the United States coast guard
22 requirements for appropriate rest hours between shifts for vessel crews
23 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

24 (8) \$694,000 of the Puget Sound ferries operating account--state
25 appropriation is provided solely for implementing Engrossed Substitute
26 House Bill No. 2358 as follows:

27 (a) The department shall allow the joint transportation committee
28 work group established in section 205(1) of this act to participate in
29 the following elements as they are described in Engrossed Substitute
30 House Bill No. 2358:

31 (i) Development and implementation of a survey of ferry customers;
32 (ii) Analysis and reestablishment of vehicle level of service
33 standards. In reestablishing the standards, consideration shall be
34 given to whether boat wait is the appropriate measure. The level of
35 service standard shall be reestablished in conjunction with or after
36 the survey has been implemented;

37 (iii) Development of pricing policy proposals. In developing these
38 policies, the policies, in effect on some routes, of collecting fares

1 in only one direction shall be evaluated to determine whether one-way
2 fare pricing best serves the ferry system. The pricing policy
3 proposals must be developed in conjunction with or after the survey has
4 been implemented;

5 (iv) Development of operational strategies. The operational
6 strategies shall be reestablished in conjunction with the survey or
7 after the survey has been implemented;

8 (v) Development of terminal design standards. The terminal design
9 standards shall be finalized after the provisions of subsections (a)(i)
10 through (iv) and subsection (b) of this section have been developed and
11 reviewed by the joint transportation committee; and

12 (vi) Development of a capital plan. The capital plan shall be
13 finalized after terminal design standards have been developed by the
14 department and reviewed by the joint transportation committee.

15 (b) The department shall develop a ridership demand forecast that
16 shall be used in the development of a long-range capital plan. If more
17 than one forecast is developed they must be reconciled.

18 (c) The department shall update the life cycle cost model to meet
19 the requirements of Engrossed Substitute House Bill No. 2358 no later
20 than August 1, 2007.

21 (d) The department shall develop a cost allocation methodology
22 proposal to meet the requirements described in Engrossed Substitute
23 House Bill No. 2358. The proposal shall be completed and presented to
24 the joint transportation committee no later than August 1, 2007.

25 (9) \$200,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for the initial acquisition of
27 transportation worker identification credentials required by the United
28 States department of homeland security for unescorted access to secure
29 areas of ferries and terminals.

30 (10) The legislature finds that a rigorous incident investigation
31 process is an essential component of marine safety. The department is
32 directed to review its accident and incident investigation procedures
33 and report the results of its review with any proposals for changes to
34 the legislature by November 1, 2008.

35 (11) The department shall allow the use, by two separate drivers,
36 of fare media allowing for multiple discounted vehicle trips aboard
37 Washington state ferries vessels.

1 ((+13+)) (12) While developing fare and pricing policy proposals,
2 the department may consider the desirability of reasonable fares for
3 persons using the ferry system to commute daily to work and other
4 frequent users who live in ferry-dependent communities.

5 **Sec. 223.** 2008 c 121 s 225 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
8 Multimodal Transportation Account--State
9 Appropriation ((~~\$37,010,000~~))
10 \$35,096,000

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

13 (1) The department shall publish a final long-range plan for Amtrak
14 Cascades by September 30, 2007. By December 31, 2008, the department
15 shall submit to the office of financial management and the
16 transportation committees of the legislature a midrange plan for Amtrak
17 Cascades that identifies specific steps the department would propose to
18 achieve additional service beyond current levels.

19 (2)(a) ((~~\$29,091,000~~)) \$28,577,000 of the multimodal transportation
20 account--state appropriation is provided solely for the Amtrak service
21 contract and Talgo maintenance contract associated with providing and
22 maintaining the state-supported passenger rail service. Upon
23 completion of the rail platform project in the city of Stanwood, the
24 department shall provide daily Amtrak Cascades service to the city.

25 (b) The department shall negotiate with Amtrak and Burlington
26 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
27 Bellingham at a significantly earlier hour.

28 (c) When Amtrak Cascades expands the second roundtrip between
29 Vancouver, B.C. and Seattle, the department shall negotiate for the
30 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

31 (3) No Amtrak Cascade runs may be eliminated.

32 (4) \$40,000 of the multimodal transportation account--state
33 appropriation is provided solely for the produce railcar program. The
34 department is encouraged to implement the produce railcar program by
35 maximizing private investment.

36 (5) The department shall begin planning for a third roundtrip
37 Cascades train between Seattle and Vancouver, B.C. by 2010.

1 **TRANSPORTATION AGENCIES--CAPITAL**

2 **Sec. 301.** 2008 c 121 s 302 (uncodified) is amended to read as
3 follows:

4 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

5	Rural Arterial Trust Account--State Appropriation	\$64,000,000
6	Motor Vehicle Account--State Appropriation	(((\$2,370,000))
7		<u>\$1,555,000</u>
8	County Arterial Preservation Account--State	
9	Appropriation	(((\$32,641,000))
10		<u>\$31,541,000</u>
11	TOTAL APPROPRIATION	(((\$99,011,000))
12		<u>\$97,096,000</u>

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

15 (1) (((\$2,370,000)) \$1,555,000 of the motor vehicle account--state
16 appropriation may be used for county ferry projects as set forth in RCW
17 47.56.725(4).

18 (2) The appropriations contained in this section include funding to
19 counties to assist them in efforts to recover from (~~winter storm and~~
20 ~~flood - damage~~) federally - declared - emergencies, by providing
21 capitalization advances and local match for federal emergency funding
22 as determined by the county road administration board. The county road
23 administration board shall specifically identify any such selected
24 projects and shall include information concerning them in its next
25 annual report to the legislature.

26 **Sec. 302.** 2008 c 121 s 303 (uncodified) is amended to read as
27 follows:

28 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

29	Small City Pavement and Sidewalk Account--State	
30	Appropriation	\$5,900,000
31	Urban Arterial Trust Account--State Appropriation	(((\$126,600,000))
32		<u>\$106,600,000</u>
33	Transportation Improvement Account--State	
34	Appropriation	(((\$87,143,000))
35		<u>\$77,495,000</u>
36	TOTAL APPROPRIATION	(((\$219,643,000))
37		<u>\$189,995,000</u>

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

3 (1) ~~The transportation improvement account state appropriation
4 includes up to \$7,143,000 in proceeds from the sale of bonds authorized
5 in RCW 47.26.500.~~

6 (2) ~~The urban arterial trust account state appropriation includes
7 up to \$15,000,000 in proceeds from the sale of bonds authorized in
8 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
9 not enacted by June 30, 2007, the amount provided in this subsection
10 shall lapse.))~~

11 **Sec. 303.** 2008 c 121 s 305 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
14 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

15 Motor Vehicle Account--State Appropriation ~~(\$6,255,000)~~
16 \$6,265,000

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

19 (1) \$584,000 of the motor vehicle account--state appropriation is
20 for statewide administration.

21 (2) \$803,000 of the motor vehicle account--state appropriation is
22 for regional minor projects.

23 (3) \$568,000 of the motor vehicle account--state appropriation is
24 for the Olympic region headquarters property payments.

25 (4) By September 1, 2007, the department shall submit to the
26 transportation committees of the legislature predesign plans, developed
27 using the office of financial management's predesign process, for all
28 facility replacement projects to be proposed in the facilities 2008
29 budget proposal.

30 (5) \$1,600,000 of the motor vehicle account--state appropriation is
31 for site acquisition for the Tri-cities area maintenance facility.

32 (6) \$2,700,000 of the motor vehicle account--state appropriation is
33 for site acquisition for the Vancouver light industrial facility.

34 (7) The department shall work with the office of financial
35 management and staff of the transportation committees of the
36 legislature to develop a statewide inventory of all department-owned
37 surplus property that is suitable for development for department

1 facilities or that should be sold. By December 1, 2008, the department
2 shall report to the joint transportation committee on the findings of
3 this study.

4 (8) \$10,000 of the motor vehicle account--state appropriation is
5 provided solely for reconstruction of the Wandermere facility that was
6 destroyed in the 2008-09 winter storms.

7 **Sec. 304.** 2008 c 121 s 306 (uncodified) is amended to read as
8 follows:

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

10	Transportation Partnership Account--State	
11	Appropriation	((\$1,109,593,000))
12		<u>\$900,809,000</u>
13	Motor Vehicle Account--State Appropriation	((\$87,210,000))
14		<u>\$67,416,000</u>
15	Motor Vehicle Account--Federal Appropriation	((\$457,580,000))
16		<u>\$538,126,000</u>
17	Motor Vehicle Account--Private/Local	
18	Appropriation	((\$64,487,000))
19		<u>\$65,902,000</u>
20	Special Category C Account--State Appropriation	((\$29,125,000))
21		<u>\$29,772,000</u>
22	((Multimodal Transportation Account--Federal	
23	 Appropriation	\$86,100,000))
24	Tacoma Narrows Toll Bridge Account--State	
25	Appropriation	((\$32,277,000))
26		<u>\$26,045,000</u>
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation	((\$1,147,529,000))
29		<u>\$1,052,094,000</u>
30	Freight Mobility Multimodal Account--State	
31	Appropriation	((\$208,000))
32		<u>\$189,000</u>
33	TOTAL APPROPRIATION	((\$3,014,109,000))
34		<u>\$2,680,353,000</u>

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

1 (1) Except as provided otherwise in this section, the entire
2 transportation 2003 account (nickel account) appropriation and the
3 entire transportation partnership account appropriation are provided
4 solely for the projects and activities as listed by (~~(fund,~~)
5 project(~~, and amount~~)) in LEAP Transportation Document 2008-1, Highway
6 Improvement Program (I) as developed March 10, 2008. (~~However,~~
7 ~~limited transfers of specific line item project appropriations may~~
8 ~~occur between projects for those amounts listed subject to the~~
9 ~~conditions and limitations in section 603 of this act.~~) Federal funds
10 may be transferred between programs I and P.

11 (2) The department shall not commence construction on any part of
12 the state route number 520 bridge replacement and HOV project until a
13 record of decision has been reached providing reasonable assurance that
14 project impacts will be avoided, minimized, or mitigated as much as
15 practicable to protect against further adverse impacts on neighborhood
16 environmental quality as a result of repairs and improvements made to
17 the state route 520 bridge and its connecting roadways, and that any
18 such impacts will be addressed through engineering design choices,
19 mitigation measures, or a combination of both. The requirements of
20 this section shall not apply to off-site pontoon construction
21 supporting the state route number 520 bridge replacement and HOV
22 project.

23 (3) Within the amounts provided in this section, (~~(\$1,895,000)~~)
24 \$11,363 of the transportation partnership account--state appropriation,
25 (~~(\$2,147,000)~~) \$505,099 of the motor vehicle account--federal
26 appropriation, and (~~(\$10,331,000)~~) \$11,031,179 of the transportation
27 2003 account (nickel account)--state appropriation are for project
28 109040T as identified in the LEAP transportation document referenced in
29 subsection (1) of this section: I-90/Two Way Transit-Transit and HOV
30 Improvements - Stage 1. Expenditure of the funds on construction is
31 contingent upon revising the access plan for Mercer Island traffic such
32 that Mercer Island traffic will have access to the outer roadway high
33 occupancy vehicle (HOV) lanes during the period of operation of such
34 lanes following the removal of Mercer Island traffic from the center
35 roadway and prior to conversion of the outer roadway HOV lanes to high
36 occupancy toll (HOT) lanes. Sound transit may only have access to the
37 center lanes when alternative R8A is complete.

1 (4) The Tacoma Narrows toll bridge account--state appropriation
2 includes up to (~~(\$18,000,000)~~) \$26,045,000 in proceeds from the sale of
3 bonds authorized by RCW 47.10.843.

4 (5) The funding described in this section includes (~~(\$36,693,000)~~)
5 \$46,693,000 of the transportation 2003 account (nickel account)--state
6 appropriation (~~(and \$208,000)~~), \$188,357 of the freight mobility
7 multimodal account--state appropriation, and \$20,000 of the motor
8 vehicle account--private/local appropriation, which are for the SR 519
9 project identified as project number 851902A in the LEAP Transportation
10 Document referenced in subsection (1) of this section. The total
11 project is expected to cost no more than (~~(\$74,400,000)~~) \$84,467,000
12 including (~~(\$10,610,000)~~) \$10,792,000 in contributions from project
13 partners, including Burlington Northern Santa Fe railroad.

14 (6) To promote and support community-specific noise reduction
15 solutions, the department shall:

16 (a) Prepare a draft directive that establishes how each community's
17 priorities and concerns may be identified and addressed in order to
18 allow consideration of a community's preferred methods of advanced
19 visual shielding and aesthetic screening, for the purpose of improving
20 the noise environment of major state roadway projects in locations that
21 do not meet the criteria for standard noise barriers. The intent is
22 for these provisions to be supportable by existing project budgets.
23 The directive shall also include direction on the coordination and
24 selection of visual and aesthetic options with local communities. The
25 draft directive shall be provided to the standing transportation
26 committees of the legislature by January 2008; and

27 (b) Pilot the draft directive established in (a) of this subsection
28 in two locations along major state roadways. If practicable, the
29 department should begin work on the pilot projects while the directive
30 is being developed. One pilot project shall be located in Clark county
31 on a significant capacity improvement project. The second pilot
32 project shall be located in urban King county, which shall be on a
33 corridor highway project through mixed land use areas that is nearing
34 or under construction. The department shall provide a written report
35 to the standing transportation committees of the legislature on the
36 findings of the Clark county pilot project by January 2009, and the
37 King county pilot project by January 2010. Based on results of the

1 pilot projects, the department shall update its design manual,
2 environmental procedures, or other appropriate documents to incorporate
3 the directive.

4 (7) If the "Green Highway" provisions of Engrossed Second
5 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
6 department shall erect signs on the interstate highways included in
7 those provisions noting that these interstates have been designated
8 "Washington Green Highways."

9 (8) If on the I-405/I-90 to SE 8th Street Widening project the
10 department finds that there is an alternative investment to preserve
11 reliable rail accessibility to major manufacturing sites within the
12 I-405 corridor that are less expensive than replacing the Wilburton
13 Tunnel, the department may enter into the necessary agreements to
14 implement that alternative provided that costs remain within the
15 approved project budget.

16 (9) The department shall apply for surface transportation program
17 (STP) enhancement funds to be expended in lieu of or in addition to
18 state funds for eligible costs of projects in Programs I and P,
19 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
20 Way Viaduct projects.

21 (10) \$250,000 of the motor vehicle account--state appropriation and
22 \$226,000 of the motor vehicle account--federal appropriation are
23 provided solely for an inland pacific hub study to develop an inland
24 corridor for the movement of freight and goods to and through eastern
25 Washington; and \$500,000 of the motor vehicle account--state
26 appropriation is provided solely for the SR3/SR16 corridor study to
27 plan and prioritize state and local improvements needed over the next
28 10-20 years to support safety, capacity development, and economic
29 development within the corridor.

30 (11) The department shall, on a quarterly basis beginning July 1,
31 2007, provide to the office of financial management and the legislature
32 reports providing the status on each active project funded in part or
33 whole by the transportation 2003 account (nickel account) or the
34 transportation partnership account. Funding provided at a programmatic
35 level for transportation partnership account and transportation 2003
36 account (nickel account) projects relating to bridge rail, guard rail,
37 fish passage barrier removal, and roadside safety projects should be
38 reported on a programmatic basis. Projects within this programmatic

1 level funding should be completed on a priority basis and scoped to be
2 completed within the current programmatic budget. Other projects may
3 be reported on a programmatic basis. The department shall work with
4 the office of financial management and the transportation committees of
5 the legislature to agree on report formatting and elements. Elements
6 shall include, but not be limited to, project scope, schedule, and
7 costs. The department shall also provide the information required
8 under this subsection on a quarterly basis via the transportation
9 executive information systems (TEIS).

10 (12) The department shall apply for the competitive portion of
11 federal transit administration funds for eligible transit-related costs
12 of the SR 520 bridge replacement and HOV project. The federal funds
13 described in this subsection shall not include those federal transit
14 administration funds distributed by formula.

15 (13) Funding provided by this act for the Alaskan Way Viaduct
16 project shall not be spent for preliminary engineering, design, right-
17 of-way acquisition, or construction on the project if completion of the
18 project would more likely than not reduce the capacity of the facility.
19 Capacity shall be measured by including the consideration of the
20 efficient movement of people and goods on the facility.

21 (14) The governor shall convene a collaborative process involving
22 key leaders to determine the final project design for the Alaskan Way
23 Viaduct.

24 (a) The process shall be guided by the following common principles:
25 Public safety must be maintained; the final project shall meet both
26 capacity and mobility needs; and taxpayer dollars must be spent
27 responsibly.

28 (b) The state's project expenditures shall not exceed
29 \$2,800,000,000.

30 (c) A final design decision shall be made by December 31, 2008.

31 (15) During the 2007-09 biennium, the department shall proceed with
32 a series of projects on the Alaskan Way Viaduct that are common to any
33 design alternative. Those projects include relocation of two
34 electrical transmission lines, Battery Street tunnel upgrades, seismic
35 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
36 Holgate to King Street, and development of transit enhancements and
37 other improvements to mitigate congestion during construction.

1 (16) The transportation 2003 account (nickel account)--state
2 appropriation includes up to (~~(\$874,610,000)~~) \$740,839,000 in proceeds
3 from the sale of bonds authorized by RCW 47.10.861.

4 (17) The transportation partnership account--state appropriation
5 includes up to (~~(\$900,000,000)~~) \$642,100,000 in proceeds from the sale
6 of bonds authorized in RCW 47.10.873.

7 (18) The special category C account--state appropriation includes
8 up to \$21,497,000 in proceeds from the sale of bonds authorized in
9 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
10 not enacted by June 30, 2007, the amount provided in this subsection
11 shall lapse.

12 (19) \$4,500,000 of the motor vehicle account--federal appropriation
13 is provided solely for cost increases on the SR 304/Bremerton tunnel
14 project.

15 (20) \$2,071,000 of the motor vehicle account--federal appropriation
16 is provided solely for initial design and right of way work on a new
17 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

18 (21) \$500,000 of the motor vehicle account--federal appropriation
19 to the SR 543/I-5 to Canadian border project is provided solely for
20 retaining wall facia improvements.

21 (22) (~~(\$950,000)~~) \$846,700 of the motor vehicle account--federal
22 appropriation and (~~(\$24,000)~~) \$17,280 of the motor vehicle
23 account--state appropriation are provided solely for the Westview
24 school noise wall.

25 (23) (~~(\$1,600,000)~~) \$1,567,600 of the motor vehicle account--state
26 appropriation is provided solely for two noise walls on SR 161 in King
27 county.

28 (24) (~~(\$20,000)~~) \$10,640 of the motor vehicle account--state
29 appropriation and (~~(\$280,000)~~) \$252,300 of the motor vehicle account--
30 federal appropriation are provided solely for interchange design and
31 planning work on US 12 at A street and tank farm road.

32 (25) The funding described in this section includes (~~(\$19,939,000)~~)
33 \$19,928,000 of the transportation partnership account--state
34 appropriation, (~~(\$29,000)~~) \$26,000 of the motor vehicle account--state
35 appropriation, (~~(\$308,000)~~) \$6,747,000 of the motor vehicle account--
36 private/local appropriation, and (~~(\$17,900,000)~~) \$17,821,000 of the
37 motor vehicle account--federal appropriation for the I-5/Columbia river
38 crossing/Vancouver project. The funding described in this subsection

1 includes up to \$15,000,000 awarded to Washington and Oregon jointly
2 through the U.S. department of transportation corridors of the future
3 program in the 2007 federal highway authority discretionary fund
4 allocations.

5 (26) The department shall study any outstanding issues, including
6 financial issues that may apply to the I-5/Columbia river
7 crossing/Vancouver project. The department's efforts must include an
8 analysis of current bi-state efforts in planning, coordination, and
9 funding for the project; opportunities for the joining of state and
10 local government agencies and the private sector in a strong
11 partnership that contributes to the completion of the project; and
12 opportunities to work with the congressional delegations of Oregon and
13 Washington to provide federal funding and other assistance that will
14 advance this project of national and regional significance.

15 (27) (~~(\$1,500,000)~~) \$1,928,232 of the motor vehicle
16 account--federal appropriation (~~(and \$4,908,000)~~), \$2,611,000 of the
17 transportation partnership account--state appropriation, and \$14,682 of
18 the transportation 2003 account (nickel account)--state appropriation
19 are provided solely for project 109040Q as identified in the LEAP
20 transportation document in subsection (1) of this section:
21 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of
22 these amounts, up to \$550,000 of the transportation partnership
23 account--state appropriation is to provide funding for an independent
24 technical review, overseen by the joint transportation committee, of
25 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.
26 The technical review shall complement sound transit's current and
27 planned engineering design work to expand light rail in the central
28 Puget Sound region. The department shall coordinate its work with
29 sound transit and seek contributions from sound transit for the review.

30 (28) (~~(\$1,400,000)~~) \$800,000 of the motor vehicle account--state
31 appropriation is provided solely for safety improvements on US Highway
32 2 between Monroe and Gold Bar. Additional project funding of
33 (~~(\$8,600,000)~~) \$9,200,000 is assumed in the 2009-2011 biennium,
34 bringing the total project funding to \$10,000,000. This high priority
35 safety project will provide safety enhancements on US Highway 2 between
36 Gold Bar and Monroe, such as a passing lane or interchange/turning lane
37 improvements. The department shall seek input from the US Highway 2

1 safety coalition to select projects that will help reduce fatalities on
2 this corridor.

3 (29) (~~(\$2,267,000)~~) \$1,663,700 of the motor vehicle account--
4 federal appropriation, (~~(\$218,500)~~) \$234,000 of the motor vehicle
5 account--state appropriation, and \$1,500,000 of the motor vehicle
6 account--private/local appropriation are provided solely for installing
7 centerline rumble strips and related improvements on US Highway 2
8 between Monroe and Sultan. The section of US Highway 2 from Monroe to
9 Deception Creek has a high frequency of centerline crossover
10 collisions. By installing centerline rumble strips, the project will
11 reduce the risk of crossover collisions. This project will also place
12 shoulder rumble strips between Monroe and Sultan.

13 (30) (~~(\$1,500,000)~~) \$688,000 of the motor vehicle account--state
14 appropriation is provided solely for the SR 28/E End of the George
15 Sellar bridge (202802V) for the purpose of funding a pedestrian tunnel
16 connection. This funding is provided in anticipation of a federal
17 grant specific to this project, which, if received, must be used to
18 reimburse the state funding provided in this subsection.

19 (31) For the period of preconstruction tolling on the state route
20 520 bridge, the department shall develop improvements of traffic flow
21 from the eastern Lake Washington shoreline to 108th avenue northeast in
22 Bellevue including:

23 (a) Near-term, low-cost enhancements which relocate the high-
24 occupancy vehicle lanes to the inside of the alignment; and

25 (b) A plan for an accelerated improvement project for the
26 construction of median flyer stops, reconfiguration of interchanges,
27 addition of direct access ramps, community enhancement lids, and
28 pedestrian/bike path connections.

29 The department shall report to the joint transportation committee by
30 September 1, 2008, on the short-term low-cost improvement plans and
31 include in their budget submittal to the office of financial management
32 a proposal for the accelerated improvement project.

33 **Sec. 305.** 2008 c 121 s 307 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
36 **Transportation Partnership Account--State**
37 **Appropriation (\$181,666,000)**

1		<u>\$181,316,000</u>
2	Motor Vehicle Account--State Appropriation	((\$86,540,000))
3		<u>\$94,784,000</u>
4	Motor Vehicle Account--Federal Appropriation	((\$463,338,000))
5		<u>\$462,427,000</u>
6	Motor Vehicle Account--Private/Local Appropriation	((\$18,138,000))
7		<u>\$19,049,000</u>
8	Transportation 2003 Account (Nickel Account)--State	
9	Appropriation	((\$11,136,000))
10		<u>\$15,399,000</u>
11	Puyallup Tribal Settlement Account--State	
12	Appropriation	((\$12,500,000))
13		<u>\$6,000,000</u>
14	TOTAL APPROPRIATION	((\$773,318,000))
15		<u>\$778,975,000</u>

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

18 (1) Except as provided otherwise in this section, the entire
19 transportation 2003 account (nickel account) appropriation and the
20 entire transportation partnership account appropriation are provided
21 solely for the projects and activities as listed by ~~((fund,))~~
22 ~~project((, and amount))~~ in LEAP Transportation Document 2008-1, Highway
23 Preservation Program (P) as developed March 10, 2008. ~~((However,~~
24 ~~limited transfers of specific line item project appropriations may~~
25 ~~occur between projects for those amounts listed subject to the~~
26 ~~conditions and limitations in section 603 of this act.))~~ Federal funds
27 may be transferred between programs I and P.

28 (2) \$287,000 of the motor vehicle account--federal appropriation
29 and \$11,000 of the motor vehicle account--state appropriation are
30 provided solely for the department to determine the most cost efficient
31 way to replace the current Keller ferry. Options reviewed shall not
32 include an expansion of the current capacity of the Keller ferry.

33 (3) \$5,308,000 of the transportation partnership account--state
34 appropriation is provided solely for the purposes of settling all
35 identified and potential claims from the Lower Elwha Klallam Tribe
36 related to the construction of a graving dock facility on the graving
37 dock property. In the matter of *Lower Elwha Klallam Tribe et al v.*
38 *State et al*, Thurston county superior court, cause no. 05-2-01595-8,

1 the Lower Elwha Klallam Tribe and the state of Washington entered into
2 a settlement agreement that settles all claims related to graving dock
3 property and associated construction and releases the state from all
4 claims related to the construction of the graving dock facilities. The
5 expenditure of this appropriation is contingent on the conditions and
6 limitations set forth in subsections (a) and (b) of this subsection.

7 (a) \$2,000,000 of the transportation partnership account--state
8 appropriation is provided solely for the benefit of the Lower Elwha
9 Klallam Tribe to be disbursed by the department in accordance with
10 terms and conditions of the settlement agreement.

11 (b) \$3,308,000 of the transportation partnership account--state
12 appropriation is provided solely for the department's remediation work
13 on the graving dock property in accordance with the terms and
14 conditions of the settlement agreement.

15 (4) The department shall apply for surface transportation program
16 (STP) enhancement funds to be expended in lieu of or in addition to
17 state funds for eligible costs of projects in Programs I and P,
18 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
19 Way Viaduct projects.

20 (5) The department shall, on a quarterly basis beginning July 1,
21 2007, provide to the office of financial management and the legislature
22 reports providing the status on each active project funded in part or
23 whole by the transportation 2003 account (nickel account) or the
24 transportation partnership account. Funding provided at a programmatic
25 level for transportation partnership account projects relating to
26 seismic bridges should be reported on a programmatic basis. Projects
27 within this programmatic level funding should be completed on a
28 priority basis and scoped to be completed within the current
29 programmatic budget. Other projects may be reported on a programmatic
30 basis. The department shall work with the office of financial
31 management and the transportation committees of the legislature to
32 agree on report formatting and elements. Elements shall include, but
33 not be limited to, project scope, schedule, and costs. The department
34 shall also provide the information required under this subsection on a
35 quarterly basis via the transportation executive information systems
36 (TEIS).

37 (6) The department of transportation shall continue to implement
38 the lowest life cycle cost planning approach to pavement management

1 throughout the state to encourage the most effective and efficient use
2 of pavement preservation funds. Emphasis should be placed on
3 increasing the number of roads addressed on time and reducing the
4 number of roads past due.

5 (7) \$13,257,000 of the motor vehicle account--federal appropriation
6 and \$5,000,000 of the motor vehicle account--state appropriation are
7 for expenditures on damaged state roads due to flooding, mudslides,
8 rock fall, or other unforeseen events.

9 (8) (~~(\$188,000)~~) \$213,000 of the motor vehicle account--state
10 appropriation, (~~(\$28,749,000)~~) \$52,930,000 of the motor vehicle
11 account--federal appropriation, and (~~(\$105,653,000)~~) \$117,544,000 of
12 the transportation partnership account--state appropriation are
13 provided solely for the Hood Canal bridge project.

14 (9) (~~(\$12,500,000)~~) \$6,000,000 of the Puyallup tribal settlement
15 account--state appropriation is provided solely for mitigation costs
16 associated with the Murray Morgan/11th Street Bridge demolition. The
17 department may negotiate with the city of Tacoma for the purpose of
18 transferring ownership of the Murray Morgan/11th Street Bridge to the
19 city. If the city agrees to accept ownership of the bridge, the
20 department may use the Puyallup tribal settlement account appropriation
21 and other appropriated funds for bridge rehabilitation, bridge
22 replacement, bridge demolition, and related mitigation. In no event
23 shall the department's participation exceed \$39,953,000. No funds may
24 be expended unless the city of Tacoma agrees to take ownership of the
25 bridge in its entirety and provides that the payment of these funds
26 extinguishes any real or implied agreements regarding future bridge
27 expenditures.

28 (10) Within the amounts provided in this section, \$190,000 of the
29 motor vehicle account--state appropriation is provided solely for
30 rehabilitation of the SR 532/84th Ave NW bridge deck. It is the intent
31 of the legislature that an additional \$1,510,000 will be provided in
32 the 2009-11 omnibus transportation appropriations act to complete this
33 project.

34 **Sec. 306.** 2008 c 121 s 308 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**

1	CAPITAL	
2	Motor Vehicle Account--State Appropriation	((\$9,462,000))
3		<u>\$7,588,000</u>
4	Motor Vehicle Account--Federal Appropriation	((\$15,951,000))
5		<u>\$14,809,000</u>
6	Motor Vehicle Account--Private/Local Appropriation	\$74,000
7	TOTAL APPROPRIATION	((\$25,487,000))
8		<u>\$22,471,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The motor vehicle account--state
11 appropriation includes ((~~\$8,959,335~~)) \$7,085,335 provided solely for
12 state matching funds for federally selected competitive grant or
13 congressional earmark projects. These moneys shall be placed into
14 reserve status until such time as federal funds are secured that
15 require a state match.

16 **Sec. 307.** 2008 c 121 s 309 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
19 **CONSTRUCTION--PROGRAM W**

20	Puget Sound Capital Construction Account--State	
21	Appropriation	((\$142,250,000))
22		<u>\$105,182,000</u>
23	Puget Sound Capital Construction Account--Federal	
24	Appropriation	((\$45,259,000))
25		<u>\$40,174,000</u>
26	Puget Sound Capital Construction Account--	
27	Private/Local Appropriation	\$2,089,000
28	Multimodal Transportation Account--State	
29	Appropriation	\$4,100,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation	((\$59,469,000))
32		<u>\$38,402,000</u>
33	TOTAL APPROPRIATION	((\$253,167,000))
34		<u>\$189,947,000</u>

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

1 (1) (~~(\$36,500,000)~~) \$27,380,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for
3 project 944470A as identified in the LEAP Transportation Document 2008-
4 1, Ferries Construction Program (W) as developed March 10, 2008, for
5 the construction of (~~three~~) one marine vessel(~~s~~) to replace the
6 steel electric auto ferry vessels. The document includes a total of
7 (~~(\$84,500,000)~~) \$76,930,000 for (~~these~~) this replacement vessel(~~s~~).

8 (2) (~~(\$21,460,823)~~) \$17,812,000 of the Puget Sound capital
9 construction account--state appropriation, \$4,100,000 of the multimodal
10 transportation account--state appropriation, \$5,410,000 of the
11 transportation 2003 account (nickel account)--state appropriation,
12 (~~(\$4,490,000)~~) \$1,002,000 of the Puget Sound capital construction
13 account--federal appropriation, and \$2,089,000 of the Puget Sound
14 capital construction account--private/local appropriation are provided
15 solely for the terminal projects listed:

16 (a) Anacortes ferry terminal - utilities work; (~~right-of-way~~
17 ~~purchase for a holding area during construction;~~) and completion of
18 design and permitting on the terminal building, pick-up and drop-off
19 sites, and pedestrian and bicycle facilities;

20 (b) Bainbridge Island ferry terminal - environmental planning and
21 a traffic signalization project in the vicinity of SR 305 Harborview
22 drive;

23 (c) Bremerton ferry terminal - overhead loading control system and
24 moving the terminal agent's office;

25 (d) Clinton ferry terminal - septic system replacement;

26 (e) Edmonds ferry terminal - right-of-way acquisition costs,
27 federal match requirements, and removal of Unocal Pier;

28 (f) Friday Harbor ferry terminal - parking resurfacing;

29 (g) Keystone and Port Townsend ferry terminals - route
30 environmental planning;

31 (h) Kingston ferry terminal - transfer span retrofit and overhead
32 vehicle holding control system modifications;

33 (i) Mukilteo ferry terminal - right-of-way acquisition,
34 archaeological studies, environmental planning, and additional vehicle
35 holding;

36 (j) Orcas ferry terminal - dolphin replacement;

37 (k) Port Townsend ferry terminal - wingwall replacement(~~, interim~~
38 ~~holding, tie-up slip,~~) and initial reservation system;

1 (1) Seattle ferry terminal - environmental planning, coordination
2 with local jurisdictions, coordination with highway projects, and
3 contractor payment for automated re-entry gates;

4 (m) Southworth ferry terminal - (~~(federal grant to)~~) conduct
5 preliminary studies and planning for (~~(a 2nd)~~) second operating slip;
6 and

7 (n) Vashon Island and Seattle ferry terminals - modify the
8 passenger-only facilities.

9 (3) (~~(\$46,020,666)~~) \$31,036,000 of the transportation 2003 account
10 (nickel account)--state appropriation and \$3,750,000 of the Puget Sound
11 capital construction account--federal appropriation are provided solely
12 for the procurement of up to three 144-vehicle auto-passenger ferry
13 vessels.

14 (4) (~~(\$18,716,000)~~) \$5,867,000 of the Puget Sound capital
15 construction account--state appropriation is provided solely for the
16 Eagle Harbor maintenance facility preservation project. These funds
17 may not be used for relocating any warehouses not currently on the
18 Eagle Harbor site.

19 (5) The department shall research an asset management system to
20 improve Washington state ferries' management of capital assets and the
21 department's ability to estimate future preservation needs. The
22 department shall report its findings regarding a new asset management
23 system to the governor and the transportation committees of the
24 legislature no later than January 15, 2008.

25 (6) The department shall sell the M.V. Chinook and M.V. Snohomish
26 passenger-only fast ferries as soon as practicable and deposit the
27 proceeds of the sales into the passenger ferry account created in RCW
28 47.60.645. Once the department ceases to provide passenger-only ferry
29 service, the department shall sell the M.V. Kalama and M.V. Skagit
30 passenger-only ferries and deposit the proceeds of the sales into the
31 passenger ferry account created in RCW 47.60.645.

32 (7) The department shall, on a quarterly basis beginning July 1,
33 2007, provide to the office of financial management and the legislature
34 reports providing the status on each project listed in this section and
35 in the project lists submitted pursuant to this act and on any
36 additional projects for which the department has expended funds during
37 the 2007-09 fiscal biennium. Elements shall include, but not be

1 limited to, project scope, schedule, and costs. The department shall
2 also provide the information required under this subsection via the
3 transportation executive information systems (TEIS).

4 (8) \$1,105,000 of the Puget Sound capital construction
5 account--state appropriation and (~~(\$8,038,000)~~) \$1,956,000 of the
6 transportation 2003 account (nickel account)--state appropriation are
7 provided solely for a dolphin replacement project at the Vashon Island
8 ferry terminal. The department shall submit a predesign study to the
9 joint transportation committee before beginning design or construction
10 of this project.

11 (9) The department of transportation is authorized to sell up to
12 (~~(\$105,000,000)~~) \$68,178,000 in bonds authorized by RCW 47.10.843 for
13 vessel and terminal acquisition, major and minor improvements, and long
14 lead-time materials acquisition for the Washington state ferries.

15 (10) The department shall review the costs and benefits of
16 continued use of the primavera scheduling system in the Washington
17 state ferries marine division and include that review with its 2009-
18 2011 budget submittal.

19 (11) The department shall review staffing in its capital
20 engineering divisions to ensure core competency in, and a focus on,
21 terminal and vessel preservation, with staffing sufficient to implement
22 the preservation program in the capital plan. Until the completion of
23 the capital plan, the department shall maintain capital staffing levels
24 at or below the level of staffing on January 1, 2008.

25 (12) The department shall sell, be in the process of selling, or
26 otherwise dispose of the four steel electric auto-ferry vessels in the
27 most cost effective way practicable no later than June 1, 2008.

28 **Sec. 308.** 2008 c 121 s 310 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**
31 (~~(Essential Rail Assistance Account--State Appropriation . . . \$500,000)~~)
32 Transportation Infrastructure Account--State
33 Appropriation (~~(\$1,713,000)~~)
34 \$1,580,000
35 (~~(Transportation Infrastructure Account--Federal~~
36 ~~Appropriation \$787,000)~~)
37 Multimodal Transportation Account--State

1	Appropriation	((\$165,512,000))
2		<u>\$104,564,000</u>
3	Multimodal Transportation Account--Federal	
4	Appropriation	((\$33,906,000))
5		<u>\$20,165,000</u>
6	Multimodal Transportation Account--Private/Local	
7	Appropriation	((\$2,659,000))
8		<u>\$363,000</u>
9	TOTAL APPROPRIATION	((\$205,077,000))
10		<u>\$126,672,000</u>

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

13 (1)(a) Except as provided otherwise in this section, the entire
14 appropriations in this section are provided solely for the projects and
15 activities as listed by ~~((fund,))~~ project~~((and amount))~~ in LEAP
16 Transportation Document 2008-1, Rail Capital Program (Y) as developed
17 March 10, 2008. ~~((However, limited transfers of specific line item
18 project appropriations may occur between projects for those amounts
19 listed subject to the conditions and limitations in section 603 of this
20 act.))~~

21 (b) Within the amounts provided in this section, ~~((~~\$1,713,000~~))~~
22 \$1,080,000 of the transportation infrastructure account--state
23 appropriation ~~((and \$787,000 of the transportation infrastructure
24 account federal appropriation are))~~ is for low-interest loans for rail
25 capital projects through the freight rail investment bank program. The
26 department shall issue a call for projects based upon the legislative
27 priorities specified in subsection (7)(a) of this section. Application
28 must be received by the department by October 1, 2008. By November 1,
29 2008, the department shall submit a prioritized list of recommended
30 projects to the office of financial management and the transportation
31 committees of the legislature. The department shall award low-interest
32 loans to the port of Moses Lake in the amount of ~~((~~\$213,000~~))~~ \$150,000,
33 and based upon the prioritized list of rail capital projects most
34 recently submitted to the legislature pursuant to this subsection, as
35 follows: Port of Benton County (\$250,000); Port of Everett (\$250,000);
36 ~~((Central Terminals, LLC (\$250,000);))~~ Tacoma Rail--Maintenance
37 Facility (\$250,000); ~~((NW Container Service (\$250,000); Port of~~

1 ~~Chehalis~~—(~~\$250,000~~);—~~Ballard Terminal Railroad~~—(~~\$250,000~~);—~~Eastern~~
2 ~~Washington Gateway Railroad~~—(~~\$36,875~~);) Spokane County ((~~(\$250,000)~~)
3 ~~(\$150,000)~~); Tacoma Rail--Locomotive Idling ((~~(\$250,000)~~) (~~\$30,000~~)).

4 (c) Within the amounts provided in this section, \$2,561,000 of the
5 multimodal transportation account--state appropriation is for statewide
6 - emergent freight rail assistance projects as listed in LEAP
7 Transportation Document 2008-1, Rail Capital Program (Y) as developed
8 March 10, 2008. ((~~However, the department shall perform a cost/benefit~~
9 ~~analysis of the projects according to the legislative priorities~~
10 ~~specified in subsection (7)(a) of this section, and shall give priority~~
11 ~~to the following projects: Rail Tacoma rail yard switching upgrades~~
12 ~~(\$500,000); Rail Port of Ephrata spur rehabilitation (\$127,000); Rail~~
13 ~~Lewis and Clark rail improvements (\$1,100,000); Rail Port of Grays~~
14 ~~Harbor rail access improvements (\$543,000); and Rail Port of Longview~~
15 ~~rail loop construction (\$291,000). If the relative cost of any of the~~
16 ~~six projects identified in this subsection (1)(c) is not substantially~~
17 ~~less than the public benefits to be derived from the project, then the~~
18 ~~department shall not assign the funds to the project, and instead shall~~
19 ~~use those funds toward those projects identified by the department in~~
20 ~~the attachments to the "Washington State Department of Transportation~~
21 ~~FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project~~
22 ~~List and Program Update" dated December 2006 for which the proportion~~
23 ~~of public benefits to be gained compared to the cost of the project is~~
24 ~~greatest.))~~

25 (d) Within the amounts provided in this section, \$339,000 of the
26 multimodal transportation account--state appropriation is for rescoping
27 and completion of required environmental documents for the Kelso to
28 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped
29 project may include funds that are committed to the project by local or
30 private funding partners. However, the rescoped project must be
31 capable of being completed with not more than \$49,470,000 in future
32 state funding, inclusive of inflation costs. Subject to this funding
33 constraint, the rescoped project must maximize capacity improvements
34 along the rail mainline.

35 (e) Within the amounts provided in this section, \$3,600,000 of the
36 multimodal transportation account--state appropriation is for work
37 items on the Palouse River and Coulee City Railroad lines.

1 (2) The multimodal transportation account--state appropriation
2 includes up to (~~(\$144,500,000)~~) \$91,000,000 in proceeds from the sale
3 of bonds authorized by RCW 47.10.867.

4 (3) The department is directed to seek the use of unprogrammed
5 federal rail crossing funds to be expended in lieu of or in addition to
6 state funds for eligible costs of projects in Program Y, including, but
7 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

8 (4) If new federal funding for freight or passenger rail is
9 received, the department shall consult with the transportation
10 committees of the legislature and the office of financial management
11 prior to spending the funds on existing or additional projects.

12 (5) The department shall sell any ancillary property, acquired when
13 the state purchased the right-of-ways to the PCC rail line system, to
14 a lessee of the ancillary property who is willing to pay fair market
15 value for the property. The department shall deposit the proceeds from
16 the sale of ancillary property into the transportation infrastructure
17 account.

18 (6)(a) The department shall develop and implement the
19 benefit/impact evaluation methodology recommended in the statewide rail
20 capacity and needs study finalized in December 2006. The
21 benefit/impact evaluation methodology shall be developed using the
22 following priorities, in order of relative importance:

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

25 (ii) Self-sustaining economic development that creates family-wage
26 jobs;

27 (iii) Preservation of transportation corridors that would otherwise
28 be lost;

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

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

33 (vi) Mitigation of impacts of increased rail traffic on
34 communities.

35 (b) The department shall convene a work group to collaborate on the
36 development of the benefit/impact analysis method to be used in the
37 evaluation. The work group must include, at a minimum, the freight

1 mobility strategic investment board, the department of agriculture, and
2 representatives from the various users and modes of the state's rail
3 system.

4 (c) The department shall use the benefit/impact analysis and
5 priorities in (a) of this subsection when submitting requests for state
6 funding for rail projects. The department shall develop a standardized
7 format for submitting requests for state funding for rail projects that
8 includes an explanation of the analysis undertaken, and the conclusions
9 derived from the analysis.

10 (d) The department and the freight mobility strategic investment
11 board shall collaborate to submit a report to the office of financial
12 management and the transportation committees of the legislature by
13 September 1, 2008, listing proposed freight highway and rail projects.
14 The report must describe the analysis used for selecting such projects,
15 as required by this act for the department and as required by chapter
16 47.06A RCW for the board. When developing its list of proposed freight
17 highway and rail projects, the freight mobility strategic investment
18 board shall use the priorities identified in (a) of this subsection to
19 the greatest extent possible.

20 (7) The department shall apply at the earliest possible date for
21 grants, pursuant to the new competitive intercity rail grant program
22 announced by the federal railroad administration on February 19, 2008,
23 for any projects that may qualify for such federal grants and are
24 currently identified on the project list referenced in subsection
25 (1)(a) of this section.

26 (8) Up to \$8,500,000 of any underexpenditures of state funding
27 designated on the project list referenced in subsection (1)(a) of this
28 section for the "Vancouver-Rail Bypass and W 39th Street Bridge"
29 project may be used to upgrade, to class 2 condition, track owned by
30 Clark county between Vancouver and Battle Ground.

31 (9) Up to \$400,000 of the multimodal transportation account--state
32 appropriation is contingent upon the port of Chehalis submitting a full
33 copy of the FEMA application packet to the department in order to
34 assist the department in verifying the scope of the repairs and the
35 rail transportation value of the project identified on the project list
36 referenced in subsection (1)(a) of this section as "Port of
37 Chehalis-Track Rehabilitation" (F01002A).

1 (10) \$500,000 of the transportation infrastructure account--state
2 appropriation is provided solely for grants to any intergovernmental
3 entity or local rail district to which the department of transportation
4 assigns the management and oversight responsibility for the business
5 and economic development elements of existing operating leases on the
6 Palouse River and Coulee City (PCC) rail lines. The PCC rail line
7 system is made up of the CW, P&L, and PV Hooper rail lines. Business
8 and economic development elements include such items as levels of
9 service and business operating plans, but shall not include the state's
10 oversight of railroad regulatory compliance, rail infrastructure
11 condition, or real property management issues. The PCC rail system
12 must be managed in a self-sustaining manner and best efforts shall be
13 used to ensure that it does not require state capital or operating
14 subsidy beyond the level of state funding expended on it to date. The
15 assignment of the stated responsibilities to an intergovernmental
16 entity or rail district shall be on such terms and conditions as the
17 department of transportation and the intergovernmental entity or rail
18 district mutually agree. The grant funds may be used only to refurbish
19 the rail lines. It is the intent of the legislature to make the funds
20 appropriated in this section available as grants to an
21 intergovernmental entity or local rail district for the purposes stated
22 in this section at least until June 30, 2012, and to reappropriate as
23 necessary any portion of the appropriation in this section that is not
24 used by June 30, 2009.

25 **Sec. 309.** 2008 c 121 s 311 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
28 **CAPITAL**

29	Highway Infrastructure Account--State Appropriation	\$207,000
30	Highway Infrastructure Account--Federal	
31	Appropriation	\$1,602,000
32	Freight Mobility Investment Account--State	
33	Appropriation	((\$12,378,000))
34		<u>\$5,630,000</u>
35	Transportation Partnership Account--State	
36	Appropriation	((\$3,906,000))
37		<u>\$2,543,000</u>

1	Motor Vehicle Account--State Appropriation	((\$12,870,000))
2		<u>\$7,545,000</u>
3	Motor Vehicle Account--Federal Appropriation	((\$63,823,000))
4		<u>\$30,916,000</u>
5	Freight Mobility Multimodal Account--State	
6	Appropriation	((\$12,750,000))
7		<u>\$4,848,000</u>
8	Freight Mobility Multimodal Account--	
9	Private/Local Appropriation	((\$3,755,000))
10		<u>\$750,000</u>
11	Multimodal Transportation Account--Federal	
12	Appropriation	((\$4,224,000))
13		<u>\$3,520,000</u>
14	Multimodal Transportation Account--State	
15	Appropriation	((\$32,134,000))
16		<u>\$17,517,000</u>
17	Transportation 2003 Account (Nickel Account)--State	
18	Appropriation	((\$2,721,000))
19		<u>\$2,012,000</u>
20	Passenger Ferry Account--State Appropriation	((\$8,500,000))
21		<u>\$2,879,000</u>
22	TOTAL APPROPRIATION	((\$158,870,000))
23		<u>\$79,969,000</u>

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

26 (1) The department shall, on a quarterly basis, provide status
27 reports to the legislature on the delivery of projects as outlined in
28 the project lists incorporated in this section. For projects funded by
29 new revenue in the 2003 and 2005 transportation packages, reporting
30 elements shall include, but not be limited to, project scope, schedule,
31 and costs. Other projects may be reported on a programmatic basis.
32 The department shall also provide the information required under this
33 subsection on a quarterly basis via the transportation executive
34 information system (TEIS).

35 (2) ((~~\$8,500,000~~)) \$2,879,000 of the passenger ferry account--state
36 appropriation is provided solely for near and long-term costs of
37 capital improvements in a business plan approved by the governor for
38 passenger ferry service.

1 (3) The department shall seek the use of unprogrammed federal rail
2 crossing funds to be expended in lieu of or in addition to state funds
3 for eligible costs of projects in local programs, program Z capital.

4 (4) The department shall apply for surface transportation program
5 (STP) enhancement funds to be expended in lieu of or in addition to
6 state funds for eligible costs of projects in local programs, program
7 Z capital.

8 (5) Federal funds may be transferred from program Z to programs I
9 and P and state funds shall be transferred from programs I and P to
10 program Z to replace those federal funds in a dollar-for-dollar match.
11 Fund transfers authorized under this subsection shall not affect
12 project prioritization status. Appropriations shall initially be
13 allotted as appropriated in this act. The department may not transfer
14 funds as authorized under this subsection without approval of the
15 office of financial management. The department shall submit a report
16 on those projects receiving fund transfers to the office of financial
17 management and the transportation committees of the legislature by
18 December 1, 2007, and December 1, 2008.

19 (6) The city of Winthrop may utilize a design-build process for the
20 Winthrop bike path project. Of the amount appropriated in this section
21 for this project, \$500,000 of the multimodal transportation account--
22 state appropriation is contingent upon the state receiving from the
23 city of Winthrop \$500,000 in federal funds awarded to the city of
24 Winthrop by its local planning organization.

25 (7) (~~(\$11,591,224)~~) \$4,052,968 of the multimodal transportation
26 account--state appropriation (~~(7 - \$8,640,239 - of - the - motor - vehicle~~
27 ~~account - federal appropriation,~~) and (~~(\$4,000,000)~~) \$3,412,837 of the
28 motor vehicle account--federal appropriation are provided solely for
29 the pedestrian and bicycle safety program projects and safe routes to
30 schools program projects identified in the LEAP Transportation Document
31 2007-A, pedestrian and bicycle safety program projects and safe routes
32 to schools program projects as developed April 20, 2007, and the LEAP
33 Transportation Document 2006-B, pedestrian and bicycle safety program
34 projects and safe routes to schools program projects as developed March
35 8, 2006. Projects must be allocated funding based on order of
36 priority. The department shall review all projects receiving grant
37 awards under this program at least semiannually to determine whether
38 the projects are making satisfactory progress. Any project that has

1 been awarded funds, but does not report activity on the project within
2 one year of the grant award, shall be reviewed by the department to
3 determine whether the grant should be terminated. The department shall
4 promptly close out grants when projects have been completed, and
5 identify where unused grant funds remain because actual project costs
6 were lower than estimated in the grant award.

7 ~~((Up to a maximum of \$5,000,000 of the multimodal~~
8 ~~transportation account state appropriation and up to a maximum of~~
9 ~~\$2,000,000 of the motor vehicle account federal appropriation are~~
10 ~~reappropriated for the pedestrian and bicycle safety program projects~~
11 ~~and safe routes to schools program projects identified in the LEAP~~
12 ~~transportation document 2006 B, pedestrian and bicycle safety program~~
13 ~~projects and safe routes to schools program projects as developed March~~
14 ~~8, 2006. Projects must be allocated funding based on order of~~
15 ~~priority. The department shall review all projects receiving grant~~
16 ~~awards under this program at least semiannually to determine whether~~
17 ~~the projects are making satisfactory progress. Any project that has~~
18 ~~been awarded funds, but does not report activity on the project within~~
19 ~~one year of the grant award, shall be reviewed by the department to~~
20 ~~determine whether the grant should be terminated. The department shall~~
21 ~~promptly close out grants when projects have been completed, and~~
22 ~~identify where unused grant funds remain because actual project costs~~
23 ~~were lower than estimated in the grant award.~~

24 ~~(9))~~ \$3,500,000 of the multimodal transportation account--federal
25 appropriation is provided solely for the Museum of Flight pedestrian
26 bridge safety project.

27 ~~((10)-\$250,000))~~ (9) \$100,000 of the multimodal transportation
28 account--state appropriation is provided solely for the icicle rail
29 station in Leavenworth.

30 ~~((11))~~ (10) \$1,500,000 of the motor vehicle account--state
31 appropriation is provided solely for the Union Gap city road project.

32 ~~((12))~~ (11) \$250,000 of the motor vehicle account--state
33 appropriation is provided solely for the Saltwater state park bridge
34 project and off-site traffic control costs.

35 ~~((13))~~ (12) \$1,000,000 of the motor vehicle account--state
36 appropriation and ~~((4,688,000))~~ \$5,374,000 of the motor vehicle
37 account--federal appropriation are provided solely for the coal creek
38 parkway project.

1	Account--State Appropriation	((\$26,822,000))
2		<u>\$26,462,000</u>
3	Nondebt-Limit Reimbursable Account Appropriation	((\$13,059,000))
4		<u>\$8,248,000</u>
5	Transportation Partnership Account--State	
6	Appropriation	((\$1,823,000))
7		<u>\$2,223,000</u>
8	Motor Vehicle Account--State Appropriation	((\$457,000))
9		<u>\$301,000</u>
10	Transportation Improvement Account--State Appropriation	\$68,000
11	Multimodal Transportation Account--State	
12	Appropriation	((\$675,000))
13		<u>\$337,000</u>
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	((\$2,003,000))
16		<u>\$2,503,000</u>
17	Urban Arterial Trust Account--State Appropriation	\$113,000
18	Special Category C Account Appropriation	((\$99,000))
19		<u>\$78,000</u>
20	TOTAL APPROPRIATION	((\$626,560,000))
21		<u>\$593,574,000</u>

22 **Sec. 402.** 2008 c 121 s 402 (uncodified) is amended to read as
 23 follows:

24 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 25 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
 26 **FISCAL AGENT CHARGES**

27	Transportation Partnership Account--State	
28	Appropriation	((\$243,000))
29		<u>\$369,000</u>
30	Motor Vehicle Account--State Appropriation	((\$61,000))
31		<u>\$49,000</u>
32	Transportation Improvement Account--State Appropriation	\$5,000
33	Multimodal Transportation Account--State Appropriation	((\$90,000))
34		<u>\$55,000</u>
35	Transportation 2003 Account (Nickel Account)--State	
36	Appropriation	((\$267,000))
37		<u>\$406,000</u>

1 Urban Arterial Trust Account--State Appropriation \$38,000
 2 Special Category C Account--State Appropriation \$13,000
 3 TOTAL APPROPRIATION ((~~\$717,000~~))
 4 \$935,000

5 **Sec. 403.** 2008 c 121 s 403 (uncodified) is amended to read as
 6 follows:

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

9 Motor Vehicle Account--State Reappropriation:
 10 For transfer to the Tacoma Narrows Toll Bridge
 11 Account ((~~\$19,133,000~~))
 12 \$12,717,000

13 The department of transportation is authorized to sell up to
 14 ((~~\$18,000,000~~)) \$12,717,000 in bonds authorized by RCW 47.10.843 for
 15 the Tacoma Narrows bridge project. Proceeds from the sale of the bonds
 16 shall be deposited into the motor vehicle account. The department of
 17 transportation shall inform the treasurer of the amount to be
 18 deposited.

19 NEW SECTION. **Sec. 404.** A new section is added to 2007 c 518
 20 (uncodified) to read as follows:

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

23 Motor Vehicle Account--State Appropriation:
 24 For transfer to the Puget Sound Capital Construction
 25 Account \$68,178,000

26 The state treasurer is authorized to sell up to \$68,178,000 in
 27 bonds authorized by RCW 47.10.843 for vessel and terminal acquisition,
 28 major and minor improvements, and long lead-time materials acquisition
 29 for the Washington state ferries.

30 **Sec. 405.** 2008 c 121 s 404 (uncodified) is amended to read as
 31 follows:

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

33 Motor Vehicle Account Appropriation for
 34 motor vehicle fuel tax distributions to cities
 35 and counties ((~~\$501,783,827~~))

1 \$491,628,000

2 **Sec. 406.** 2008 c 121 s 405 (uncodified) is amended to read as
3 follows:

4 **FOR THE STATE TREASURER--TRANSFERS**

5 Motor Vehicle Account--State
6 Appropriation: For motor vehicle fuel tax
7 refunds and statutory transfers (~~(\$902,982,000)~~)
8 \$854,291,000

9 **Sec. 407.** 2008 c 121 s 406 (uncodified) is amended to read as
10 follows:

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

12 Motor Vehicle Account--State
13 Appropriation: For motor vehicle
14 fuel tax refunds and transfers (~~(\$445,345,000)~~)
15 \$480,666,000

16 **Sec. 408.** 2008 c 121 s 407 (uncodified) is amended to read as
17 follows:

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

19 (1) Recreational Vehicle Account--State
20 Appropriation: For transfer to the Motor Vehicle
21 Account--State \$4,505,000

22 (2) License Plate Technology Account--State
23 Appropriation: For transfer to the Multimodal Transportation
24 Account--State \$4,500,000

25 (3) Motor Vehicle Account--State Appropriation:
26 For transfer to the High-Occupancy Toll Lanes Operations--
27 State Account \$3,000,000

28 ~~(4) ((Motor Vehicle Account--State Appropriation:~~
29 ~~For transfer to the Puget Sound Capital Construction~~
30 ~~Account--State \$20,000,000~~

31 ~~(5))~~ Multimodal Transportation Account--State
32 Appropriation: For transfer to the Puget Sound
33 Ferry Operations Account--State (~~(\$66,000,000)~~)
34 \$88,000,000

35 ~~((6))~~ (5) Advanced Right-of-Way Revolving Account--State

1 Appropriation: For transfer to the Motor Vehicle
 2 Account--State ((\$30,000,000))
 3 \$24,000,000
 4 ((~~7~~)) (6) Waste Tire Removal Account--State Appropriation:
 5 For transfer to the Motor Vehicle Account--State \$5,600,000
 6 ((~~8) Motor Vehicle Account--State Appropriation:~~
 7 ~~For transfer to the Puget Sound Ferry Operations Account--~~
 8 ~~State \$3,000,000~~
 9 ~~(9) Multimodal Transportation Account--State~~
 10 ~~Appropriation: For transfer to the Transportation~~
 11 ~~Infrastructure Account--State \$6,600,000~~
 12 ~~(10)) (7) Highway Safety Account--State Appropriation:~~
 13 For transfer to the Multimodal Transportation
 14 Account--State ((\$9,500,000))
 15 \$14,000,000
 16 ((~~11) Urban Arterial Trust Account--State Appropriation:~~
 17 ~~For transfer to the Small City Pavement and Sidewalk~~
 18 ~~Account--State \$1,400,000))~~
 19 (8) Motor Vehicle Account--State Appropriation: For
 20 transfer to the State Patrol Highway Account--State \$4,000,000
 21 (9) Motorcycle Safety Education Account--State
 22 Appropriation: For transfer to the Multimodal
 23 Transportation Account--State \$2,500,000
 24 (10) Department of Licensing Services Account--State
 25 Appropriation: For transfer to the Motor Vehicle
 26 Account--State \$3,000,000
 27 (11) Motor Vehicle Account--State Appropriation:
 28 For transfer to the Special Category C Account--State \$2,000,000
 29 (12) Passenger Ferry Account--State Appropriation:
 30 For transfer to the Multimodal Transportation
 31 Account--State \$1,121,000
 32 (13) Multimodal Transportation Account--State
 33 Appropriation: For transfer to the Puget Sound Capital
 34 Construction Account--State \$12,000,000
 35 (14) Transportation Partnership Account--State
 36 Appropriation: For transfer to the Transportation
 37 2003 Account (Nickel Account)--State \$30,000,000

1 The transfers identified in this section are subject to the
2 following conditions and limitations: The amount transferred in
3 subsection (3) of this section may be spent only on "highway purposes"
4 as that term is construed in Article II, section 40 of the Washington
5 state Constitution.

6 **MISCELLANEOUS 2007-09 BIENNIUM**

7 **Sec. 501.** 2008 c 121 s 605 (uncodified) is amended to read as
8 follows:

9 **SPECIAL APPROPRIATIONS TO THE GOVERNOR--INSURANCE ACCOUNTING SYSTEM**

10	Aeronautics Account--State Appropriation	\$2,000
11	State Patrol Highway Account--State Appropriation	\$338,000
12	Puget Sound Capital Construction Account--State	
13	Appropriation	\$24,000
14	Transportation Partnership Account--State Appropriation	\$44,000
15	Highway Safety Account--State Appropriation	\$120,000
16	Motor Vehicle Account--State Appropriation	\$882,000
17	Puget Sound Ferry Operating Account--State Appropriation	\$294,000
18	Urban Arterial Trust Account--State Appropriation	\$2,000
19	Transportation Improvement Account--State Appropriation	\$2,000
20	Department of Licensing Services Account--State	
21	Appropriation	\$2,000
22	Multimodal Transportation Account--State Appropriation	\$12,000
23	Tacoma Narrows Bridge Toll Account--State Appropriation	\$10,000
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation	\$120,000
26	TOTAL APPROPRIATION	\$1,852,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: The appropriations in this section fund
29 various state transportation agencies to support the state insurance
30 accounting system. (~~From the applicable accounts, the office of~~
31 ~~financial management shall reduce allotments to the respective agencies~~
32 ~~by an amount that conforms with the insurance accounting system special~~
33 ~~appropriations enacted in the 2008 supplemental omnibus appropriations~~
34 ~~act, Engrossed Substitute House Bill No. 2687 (chapter . . ., Laws of~~
35 ~~2008). The allotment reductions under this section shall be placed in~~

1 ~~reserve status and remain unexpended.))~~ The appropriations in this
2 section are provided solely for expenditure into the health care
3 authority administrative account.

4 **Sec. 502.** RCW 46.68.065 and 2001 c 285 s 1 are each amended to
5 read as follows:

6 There is hereby created the motorcycle safety education account in
7 the highway safety fund of the state treasury, to the credit of which
8 shall be deposited all moneys directed by law to be credited thereto.
9 All expenses incurred by the director of the department of licensing in
10 administering RCW 46.20.505 through 46.20.520 shall be borne by
11 appropriations from this account, and moneys deposited into this
12 account shall be used only for the purposes authorized in RCW 46.20.505
13 through 46.20.520. During the 2007-2009 fiscal biennium, the
14 legislature may transfer from the motorcycle safety education account
15 such amounts as reflect the excess fund balance of the account.

16 **Sec. 503.** RCW 46.68.220 and 1992 c 216 s 5 are each amended to
17 read as follows:

18 The department of licensing services account is created in the
19 motor vehicle fund. All receipts from service fees received under RCW
20 46.01.140(4)(b) shall be deposited into the account. Moneys in the
21 account may be spent only after appropriation. Expenditures from the
22 account may be used only for information and service delivery systems
23 for the department, and for reimbursement of county licensing
24 activities. During the 2007-2009 fiscal biennium, the legislature may
25 transfer from the department of licensing services account such amounts
26 as reflect the excess fund balance of the account.

27 **Sec. 504.** RCW 47.60.645 and 2008 c 45 s 2 are each amended to read
28 as follows:

29 There is hereby established in the transportation fund the
30 passenger ferry account. Money in the account shall be used for
31 operating or capital grants for ferry systems as provided in chapters
32 36.54, 36.57A, and 53.08 RCW. Moneys in the account shall be expended
33 with legislative appropriation. During the 2007-2009 fiscal biennium,
34 the legislature may transfer from the passenger ferry account such
35 amounts as reflect the excess fund balance of the account.

1 NEW SECTION. **Sec. 505.** A new section is added to chapter 46.68
2 RCW to read as follows:

3 During the 2007-2009 fiscal biennium, the legislature may transfer
4 from the transportation partnership account to the transportation 2003
5 account (nickel account) such amounts as reflect the excess fund
6 balance of the transportation partnership account.

7 NEW SECTION. **Sec. 506.** 2008 c 121 s 604 and 2007 c 518 s 713
8 (uncodified) are each repealed.

9 NEW SECTION. **Sec. 507.** 2007 c 518 s 108 (uncodified) is repealed.

10 NEW SECTION. **Sec. 508.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 509.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately.

(End of bill)

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