

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5689

Chapter 186, Laws of 2022

(partial veto)

67th Legislature
2022 Regular Session

SUPPLEMENTAL TRANSPORTATION BUDGET

EFFECTIVE DATE: March 25, 2022

Passed by the Senate March 10, 2022
Yeas 45 Nays 4

DENNY HECK

President of the Senate

Passed by the House March 10, 2022
Yeas 93 Nays 5

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved March 25, 2022 4:38 PM with
the exception of sections 207(24) and
216(17), which are vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **ENGROSSED
SUBSTITUTE SENATE BILL 5689** as
passed by the Senate and the House
of Representatives on the dates
hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 28, 2022

**Secretary of State
State of Washington**

1 Motor Vehicle Account—State Appropriation. ((~~\$546,000~~))
2 \$554,000

3 **Sec. 102.** 2021 c 333 s 105 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF AGRICULTURE**

6 Motor Vehicle Account—State Appropriation. ((~~\$1,346,000~~))
7 \$1,394,000

8 **Sec. 103.** 2021 c 333 s 106 (uncodified) is amended to read as
9 follows:

10 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

11 Motor Vehicle Account—State Appropriation. ((~~\$668,000~~))
12 \$674,000

13 **Sec. 104.** 2021 c 333 s 107 (uncodified) is amended to read as
14 follows:

15 **FOR THE EVERGREEN STATE COLLEGE**

16 Motor Vehicle Account—State Appropriation. \$150,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The total appropriation in this section
19 is provided solely for the Washington state institute for public
20 policy to conduct a cost-benefit analysis for an exclusive or partial
21 American steel requirement for future transportation contracts and
22 subcontracts authorized in the transportation budget. This cost-
23 benefit analysis must, to the extent feasible: (1) Compare existing
24 types and uses of steel to made in America steel alternatives
25 including evaluation of quality; (2) examine benefits to Washington
26 workers and the Washington economy; (3) examine lifecycle and
27 embodied carbon greenhouse gas emissions; (4) identify requirements
28 for purchasing American steel that minimize costs and maximize
29 benefits; and (5) evaluate American steel requirements or preferences
30 in other states. The Washington state institute for public policy may
31 solicit input for the analysis from representatives of interested
32 parties to include, but not be limited to, the construction and
33 manufacturing sectors, organized labor in the construction and
34 manufacturing sectors, cities, counties, American steel manufacturing
35 companies, environmental advocacy organizations, and appropriate

1 state agencies. A final report is due to the legislature by December
2 1, (~~2021~~) 2022.

3 **Sec. 105.** 2021 c 333 s 109 (uncodified) is amended to read as
4 follows:

5 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

6 Pilotage Account—State Appropriation. (~~(\$5,777,000)~~)
7 \$6,334,000

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

10 (1) \$2,926,000 of the pilotage account—state appropriation is
11 provided solely for self-insurance liability premium expenditures;
12 however, this appropriation is contingent upon the board:

13 (a) Annually depositing the first \$150,000 collected through
14 Puget Sound pilotage district pilotage tariffs into the pilotage
15 account; and

16 (b) Assessing a self-insurance premium surcharge of \$16 per
17 pilotage assignment on vessels requiring pilotage in the Puget Sound
18 pilotage district.

19 (2) The board of pilotage commissioners shall file the annual
20 report to the governor and chairs of the transportation committees
21 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually
22 thereafter. The report must include the continuation of policies and
23 procedures necessary to increase the diversity of pilots, trainees,
24 and applicants, including a diversity action plan. The diversity
25 action plan must articulate a comprehensive vision of the board's
26 diversity goals and the steps it will take to reach those goals.

27 **Sec. 106.** 2021 c 333 s 113 (uncodified) is amended to read as
28 follows:

29 **FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

30 Puget Sound (~~Ferry~~) Capital Construction Account
31 (~~([Puget Sound Capital Construction~~
32 ~~Account])~~)—State Appropriation. (~~(\$300,000)~~)
33 \$450,000
34 Multimodal Transportation Account—State
35 Appropriation. \$200,000
36 TOTAL APPROPRIATION. (~~(\$500,000)~~)
37 \$650,000

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

3 (1) (~~(\$300,000)~~) \$450,000 of the Puget Sound (~~(ferry)~~) capital
4 construction account (~~([Puget Sound capital construction account])~~)—
5 state is provided solely for an independent review of the Washington
6 state ferry system's design-build contracting process for (~~(the)~~)
7 hybrid-electric (~~(Olympic class)~~) vessels. (~~(The review must~~
8 ~~evaluate, at minimum, the department's cost estimation and cost~~
9 ~~management practices relating to the design and construction of the~~
10 ~~first hybrid-electric vessel.)~~) The review must (~~(include~~
11 ~~recommendations to benefit the full program for the design and~~
12 ~~construction of five hybrid-electric vessels)~~) compare Washington
13 state ferry's policies and practices for design-build contracting to
14 best practices, both domestically and internationally, and recommend
15 best practices that would benefit the Washington state ferry system
16 as well as any updates to existing RCW needed to implement
17 recommendations. The review must evaluate opportunities in the
18 contracting process to decrease vessel construction costs and ensure
19 operational efficiencies. The joint legislative audit and review
20 committee must report to the legislature with the findings by
21 (~~(October 1, 2022)~~) June 30, 2023.

22 (2) \$200,000 of the multimodal transportation account—state
23 appropriation is provided solely for the joint legislative audit and
24 review committee to conduct a review of the method used to determine
25 the rates for leasing state-owned lands and air space to a regional
26 transit authority. As part of this review, the committee must examine
27 and evaluate the accounting and valuation methodology for debits and
28 credits used in the land bank accounting program utilized by the
29 department of transportation and a regional transit authority. The
30 review must also provide an evaluation of the specific type of lease
31 agreements used for air space leasing by the department of
32 transportation with a regional transit authority and the valuation
33 methodology used to determine the lease rate for the property and the
34 cost and benefits of long-term leases based on the periodic land
35 value appraisals under the terms of the land bank agreement. The
36 committee must identify the full cost to the state transportation
37 system if the entire plan for land and air rights leases by a
38 regional transit authority is undertaken at full economic rent, and
39 the difference in costs to the regional transit authority if the

1 leases were to be issued at less than economic rent, including a
2 scenario in which the value of the land and air rights are discounted
3 by the federal share of the funds that were used to acquire or
4 improve the property originally. The committee shall complete the
5 review and provide a report to the transportation committees of the
6 legislature by December 1, 2022.

7 NEW SECTION. **Sec. 107.** A new section is added to 2021 c 333
8 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF ECOLOGY**

10 Waste Tire Removal Account—State Appropriation. \$200,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The entire waste tire removal account—
13 state appropriation is provided solely for a comprehensive evaluation
14 of the waste tire clean-up program. The evaluation must include, but
15 is not limited to, the following: An inventory of all major tire
16 piles that exist by county and an identification of whether those
17 tire piles are on public or private lands; an assessment of the
18 ability to recover tire clean-up and disposal costs from the
19 responsible parties for each of those sites; and an inventory of
20 major tire piles that were previously placed in marine waters in an
21 attempt to establish artificial reefs, including a review of the
22 environmental and safety issues associated with those marine tire
23 piles. Based on the information gathered, the final report must
24 include recommendations for the highest and best use of approximately
25 \$2,000,000 in time-limited resources for tire pile clean-up
26 activities and recommendations to improve the department of ecology's
27 current waste tire clean-up program in the future.

28 NEW SECTION. **Sec. 108.** A new section is added to 2021 c 333
29 (uncodified) to read as follows:

30 **FOR THE OFFICE OF THE GOVERNOR**

31 State Patrol Highway Account—State Appropriation. \$650,000

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

34 (1)(a) \$350,000 of the state patrol highway account—state
35 appropriation is provided solely to the state office of equity solely
36 for a contract with an independent consultant to conduct the studies,
37 evaluations, and reporting functions required in chapter . . .

1 (Substitute House Bill No. 2057), Laws of 2022. The state office of
2 equity shall work with the department of enterprise services to
3 conduct broad outreach for the consultant to ensure that the pool of
4 potential consultants demonstrates familiarity with diversity,
5 equity, and inclusion recruitment and retention efforts in law
6 enforcement.

7 (b) \$100,000 of the state patrol highway account—state
8 appropriation is provided solely to the state office of equity solely
9 for a study to analyze existing state barriers to hiring commissioned
10 officers. The study shall make recommendations to amend current state
11 patrol hiring practices and underlying statutes that may need
12 revision. Recommendations are due to the governor and appropriate
13 committees of the legislature by December 1, 2022.

14 (c) \$200,000 of the state patrol highway account—state
15 appropriation is provided solely to the state office of equity solely
16 for facilitating long-term policy and system change to achieve equity
17 in Washington state patrol hiring practices, including assisting
18 Washington state patrol in applying an equity lens in all aspects of
19 agency decision making, including program development, policy
20 development, budgeting, and hiring. Activities to support this
21 purpose may include an engagement plan with the communities served by
22 the Washington state patrol and technical assistance to the
23 Washington state patrol to build its internal capacity to sustain
24 meaningful engagement with communities in all aspects of agency
25 decision making.

26 (2) If chapter . . . (Substitute House Bill No. 2057), Laws of
27 2022 (strengthening diversity, equity, and inclusion in the state
28 patrol workforce) is not enacted by June 30, 2022, the amount
29 provided in the section lapses.

30 NEW SECTION. **Sec. 109.** A new section is added to 2021 c 333
31 (uncodified) to read as follows:

32 **FOR WASHINGTON STATE UNIVERSITY**

33 Motor Vehicle Account—State Appropriation.	\$200,000
34 Multimodal Transportation Account—State	
35 Appropriation.	\$225,000
36 TOTAL APPROPRIATION.	\$425,000

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

1 (1) \$200,000 of the motor vehicle account—state appropriation is
2 provided solely for costs related to chapter . . . (Engrossed Second
3 Substitute House Bill No. 1815), Laws of 2022 (catalytic converter
4 theft). If chapter . . . (Engrossed Second Substitute House Bill No.
5 1815), Laws of 2022 is not enacted by June 30, 2022, then the amounts
6 provided in this subsection lapse.

7 (2) \$225,000 of multimodal transportation account—state is
8 provided solely to convene a work group to review the legal findings
9 and holdings by the Washington supreme court in *City of Seattle v.*
10 *Long* and to make recommendations in amending provisions concerning
11 the towing and impound of vehicles under chapter 46.55 RCW. The work
12 group must include relevant stakeholders including, but not limited
13 to, vehicle resident advocates, nonprofit legal services
14 organizations, tow truck operators or associations, municipal court
15 representatives, fire chiefs and marshals, and representatives from
16 cities and counties. The work group must meet at least three times
17 and evaluate the following: The need to identify additional parties
18 authorized to receive notice of and redeem impounded vehicles used as
19 residences; the most effective and appropriate methods to identify
20 vehicles used as residences before and after impound; the need to
21 modify impound notice periods and forms; the need to modify impound
22 hearing and public auction procedures and timelines for vehicles used
23 as residences; the need to modify retention policies and timelines
24 concerning impounded vehicles used as residences; which factors and
25 considerations are appropriate for courts to evaluate when
26 determining if towing and storage fees are excessive; the appropriate
27 persons or entities and process to reimburse tow truck operators when
28 excessive towing and storage fees are reduced; any other necessary
29 procedural modifications or protections required, including homestead
30 act protections, concerning impounded vehicles used as residences;
31 and any other technical amendments or policy considerations discussed
32 by the work group. The final report, including any work group
33 findings and recommended legislative changes, must be submitted to
34 the appropriate committees of the legislature and the governor by
35 December 1, 2022.

(End of part)

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2021 c 333 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation.	((\$4,625,000))
	<u>\$5,125,000</u>
Highway Safety Account—Federal Appropriation.	((\$27,202,000))
	<u>\$27,324,000</u>
Highway Safety Account—Private/Local Appropriation.	\$60,000
<u>Cooper Jones Active Transportation Safety Account—</u>	
<u>State Appropriation.</u>	<u>\$400,000</u>
School Zone Safety Account—State Appropriation.	\$850,000
TOTAL APPROPRIATION.	((\$32,737,000))
	<u>\$33,759,000</u>

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

(1) The Washington traffic safety commission may oversee a demonstration project in one county, coordinating with a public transportation benefit area (PTBA) and the department of transportation, to test the feasibility and accuracy of the use of automated enforcement technology for high occupancy vehicle (HOV) lane passenger compliance. All costs associated with the demonstration project must be borne by the participating public transportation benefit area. Any photograph, microphotograph, or electronic images of a driver or passengers are for the exclusive use of the PTBA in the determination of whether an HOV passenger violation has occurred to test the feasibility and accuracy of automated enforcement under this subsection and are not open to the public and may not be used in a court in a pending action or proceeding. All photographs, microphotographs, and electronic images must be destroyed after determining a passenger count and no later than the completion of the demonstration project. No warnings or notices of infraction may be issued under the demonstration project.

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

1 The PTBA, in consultation with the Washington traffic safety
2 commission, must provide a report to the transportation committees of
3 the legislature with the number of violations detected during the
4 demonstration project, whether the technology used was accurate and
5 any recommendations for future use of automated enforcement
6 technology for HOV lane enforcement by June 30, ((2022)) 2023.

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

11 (a) Any programs authorized by the commission must be authorized
12 by December 31, 2022.

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

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

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

25 (ii) The law enforcement agency of the city or county government
26 shall install two signs facing opposite directions within 200 feet,
27 or otherwise consistent with the uniform manual on traffic control
28 devices, where the automated vehicle noise enforcement camera is used
29 that state "Street Racing Noise Pilot Program in Progress";

30 (iii) Cities testing the use of automated vehicle noise
31 enforcement cameras must post information on the city website and
32 notify local media outlets indicating the zones in which the
33 automated vehicle noise enforcement cameras will be used;

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

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

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

14 (vii) By June 30, 2023, the participating cities shall provide a
15 report to the commission and appropriate committees of the
16 legislature regarding the use, public acceptance, outcomes, warnings
17 issued, data retention and use, and other relevant issues regarding
18 automated vehicle noise enforcement cameras demonstrated by the pilot
19 projects.

20 (3) The Washington traffic safety commission shall coordinate
21 with each city that implements a pilot program as authorized in RCW
22 46.63.170, chapter 224, Laws of 2020 to provide the transportation
23 committees of the legislature with the following information by June
24 30, 2023:

25 (a) The number of warnings and infractions issued to first-time
26 violators under the pilot program;

27 (b) The number of warnings and infractions issued to the
28 registered owners of vehicles that are not registered with an address
29 located in the city conducting the pilot program; and

30 (c) The frequency with which warnings and infractions are issued
31 on weekdays versus weekend days.

32 (4) \$400,000 of the Cooper Jones active transportation safety
33 account—state appropriation is provided solely for grant projects or
34 programs for bicycle, pedestrian, and nonmotorist safety improvement
35 administered by the commission in consultation with the Cooper Jones
36 active transportation safety council. However, the funds must be held
37 in unallotted status until the commission submits a spending plan to
38 the transportation committees of the legislature and the governor.

1 (5) \$485,000 of the highway safety account—state appropriation
2 and \$50,000 of the highway safety account—federal appropriation are
3 provided solely to develop a statewide public awareness campaign to
4 inform and educate Washington citizens about the slow down and move
5 over law, RCW 46.61.212. The educational campaign must include the
6 use of public service announcements and written and digital
7 informative and educational materials distributed by reasonable
8 means. The Washington traffic safety commission and the department of
9 licensing, working independently or in collaboration or both, shall
10 develop the public awareness campaign using any available resources,
11 as well as federal and other grant funds that may, from time to time,
12 become available for this purpose.

13 **Sec. 202.** 2021 c 333 s 202 (uncodified) is amended to read as
14 follows:

15 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

16 Rural Arterial Trust Account—State Appropriation.	((\$1,134,000))
	<u>\$1,155,000</u>
18 Motor Vehicle Account—State Appropriation.	((\$4,760,000))
	<u>\$4,821,000</u>
20 County Arterial Preservation Account—State	
21 Appropriation.	((\$1,669,000))
	<u>\$1,693,000</u>
23 TOTAL APPROPRIATION.	((\$7,563,000))
	<u>\$7,669,000</u>

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

27 (1) \$2,000,000 of the motor vehicle account—state appropriation
28 is provided solely for deposit into the county road administration
29 board emergency loan account—state account.

30 (2) Within appropriated funds, the county road administration
31 board may opt in as provided under RCW 70A.02.030 to assume all of
32 the substantive and procedural requirements of covered agencies under
33 chapter 70A.02 RCW. The board shall include in its 2022 annual report
34 to the legislature a progress report on opting into the healthy
35 environment for all act and a status report on diversity, equity, and
36 inclusion within the board's jurisdiction.

1 or taxes due at the time of application for vehicle registration, a
2 representative of vehicle owners subject to a motor vehicle excise
3 tax, a representative of vehicle owners subject to an electric car or
4 transportation electrification fee, and an advocate for multimodal
5 transportation options. Work group members are eligible for
6 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

7 (c) The work group must engage with members of the public who are
8 interested in new options for payment of fees or taxes due at the
9 time of application for vehicle registration, including persons from
10 communities of color, low-income households, vulnerable populations,
11 and displaced communities. Input from members of the public must
12 inform the work group's recommendations. The work group must notify
13 members of the public of opportunities to engage through a variety of
14 communication channels including, but not limited to, the following:
15 Outreach through community organizations, print and broadcast media,
16 and social media.

17 (d) The work group's recommendations must include, but are not
18 limited to, the following:

19 (i) Options to provide or encourage rebates to vehicle owners who
20 pay taxes and fees due at the time of application for vehicle
21 registration;

22 (ii) An agreed upon service fee structure for vehicle
23 registration payment plans;

24 (iii) An agreed upon service fee revenue allocation method;

25 (iv) A process to allow agents and subagents to determine if a
26 vehicle owner has paid all taxes and fees due prior to renewal of a
27 vehicle registration;

28 (v) Options for reducing revenue loss due to missed payments,
29 transfer of the certificate of title, or registration of a vehicle
30 out of state; and

31 (vi) Options to reduce impacts to communities of color, low-
32 income households, vulnerable populations, and displaced communities.

33 (e) A report of the work group's findings and recommendations is
34 due to the transportation committees of the legislature by September
35 30, 2022.

36 (2) \$50,000 of the motor vehicle account—state appropriation is
37 for the joint transportation committee to contract for a legal
38 consultant to analyze and recommend options for the formation of a
39 bistate bridge authority for the purpose of constructing, financing,
40 operating and maintaining a new replacement bridge over the Columbia

1 River near Hood River connecting Klickitat county in Washington to
2 Hood River county in Oregon. The consultant may confer with the Hood
3 River Bistate Working Group to understand the work and analysis that
4 has been completed.

5 The Washington interlocal cooperation act, chapter 39.34 RCW,
6 authorizes public agencies to contract with other public agencies via
7 interlocal agreements that enable cooperation among the agencies to
8 perform governmental activities and deliver public services,
9 including agreements with public entities in other states. Such
10 interstate agreements are deemed interstate compacts. The legal
11 analysis must identify and recommend alternative and/or additional
12 statutory authority that would be necessary to allow for the
13 formation of a local government bistate bridge authority or
14 governance structure for the Hood River Bridge replacement that at a
15 minimum may:

- 16 (a) Issue bonds for bridge construction;
- 17 (b) Collect tolls; and
- 18 (c) Secure and administer state or federal grants and loans.

19 The legal analysis must be presented to the transportation
20 committees of the legislature by September 30, 2021.

21 (3) \$220,000 of the multimodal transportation account—state
22 appropriation is for overseeing a consultant study to provide
23 recommendations related to the Washington state department of
24 transportation's role in broadband service expansion efforts as
25 directed in chapter 258, Laws of 2021 (broadband along state
26 highways). If chapter 258, Laws of 2021 (broadband along state
27 highways) is not enacted by June 30, 2021, the amount provided in
28 this subsection lapses.

29 (4) \$215,000 of the motor vehicle account—state appropriation is
30 provided solely for the joint transportation committee, from amounts
31 set aside out of statewide fuel taxes distributed to cities according
32 to RCW 46.68.110(2), to convene a study on the impacts of current and
33 historical city transportation investments on designated populations,
34 including communities of color, low-income households, vulnerable
35 populations, and displaced communities. The study must identify and
36 measure the true costs of underinvestment of accessible
37 transportation for designated populations, including the secondary
38 impacts to public health, economic opportunity, educational access,
39 and environmental risk factors. The assessment must include specific
40 approaches to addressing existing inequities within cities, as well

1 as recommendations to develop best practices to improve, diversify,
2 and expand city transportation investments. A report must be provided
3 to the office of financial management and the transportation
4 committees of the legislature by December 20, 2022.

5 (5) \$400,000 of the motor vehicle account—state appropriation is
6 for the development of a workforce plan for the Washington state
7 ferries which addresses recruitment, retention, diversity, training
8 needs, leadership development, succession planning and other elements
9 needed to ensure sufficient and cost-effective crewing and staffing
10 of the ferry system. In developing the scope of work for the plan and
11 throughout plan development, the joint transportation committee must
12 solicit input from representatives of the Washington state ferries
13 division and the human resources division of the Washington state
14 department of transportation. Represented employee groups must also
15 be consulted as part of plan development. The plan must include a
16 roadmap for Washington state ferries to comprehensively address
17 persistent staffing challenges and strategically position itself for
18 its future workforce needs. The joint transportation committee must
19 issue an interim report identifying short-term strategies to reduce
20 reliance on overtime for staffing day-to-day ferry service. The
21 interim report is due to the transportation committees of the
22 legislature by January 1, 2022. The final report is due to the
23 transportation committees of the legislature by December 20, 2022.

24 (6) \$200,000 of the multimodal transportation account—state
25 appropriation is for the joint transportation committee to update the
26 Washington State Short Line Rail Inventory and Needs Assessment,
27 prepared in 2015, and to facilitate a stakeholder process to assess
28 the effectiveness of state support for short line rail infrastructure
29 based on current and future short line rail infrastructure needs.
30 This assessment must include consideration of current state grant and
31 loan programs, including state investment in nonstate owned short
32 lines, the state's role and investments in the Palouse River and
33 Coulee City (PCC) rail system, and any other ongoing state activities
34 related to short line rail infrastructure. The joint transportation
35 committee must solicit input from all regions of the state from
36 representatives of: Short line rail infrastructure owners, short line
37 rail operators, short line rail customers from representative
38 industries, ports served by short line rail infrastructure, the
39 Washington state department of transportation, the utilities and
40 transportation commission, and other relevant stakeholders as

1 identified by the joint transportation committee. A report with
2 recommendations to enhance the state's support for short line rail
3 infrastructure is due to the transportation committees of the
4 legislature by January 1, 2022.

5 (7) (a) \$200,000 of the motor vehicle account—state appropriation
6 is for the joint transportation committee to develop a truck parking
7 action plan with recommendations for immediate next steps for near-
8 term and lasting change in the availability of truck parking for
9 short-haul and long-distance commercial vehicle drivers who require
10 reasonable accommodations for parking commercial motor vehicles,
11 obtaining adequate services, and complying with federal rest
12 requirements. For each opportunity identified, the action plan must:

13 (i) Assess the magnitude of potential impact;

14 (ii) Assess the potential difficulty level of implementation; and

15 (iii) Explain barriers to success and specific steps required to
16 overcome them.

17 (b) The action plan must focus on approaches that would be most
18 impactful and feasible and may include, but not be limited to:

19 (i) Specific cooperative private sector and government actions;

20 (ii) Legal and regulatory frameworks at the state level to drive
21 private and/or public-sector action;

22 (iii) Incentive-based government programs to spur private sector
23 innovation and investment; and

24 (iv) Direct government action at the state, regional, and/or
25 local level.

26 (c) The action plan must identify specific, promising projects
27 and approaches, and provide a clear roadmap to what is needed to
28 drive real, substantial improvements in truck parking.

29 (d) Outreach for action plan input, including on the feasibility
30 of each opportunity evaluated, must include outreach to
31 representatives of: The trucking industry; truck labor organizations;
32 the shipping industry; truck stop owners; commercial freight delivery
33 recipients, including warehouse and retail recipients; the
34 association of Washington cities; the Washington state association of
35 counties; the Washington state department of transportation; the
36 Washington state patrol; and an academic or research institution that
37 can provide input on technical components of the plan.

38 (e) A concise action plan with specific recommended next steps is
39 due to the transportation committees of the legislature by January 1,
40 2022.

1 (8) \$400,000 of the multimodal transportation account—state
2 appropriation is for the joint transportation committee to conduct a
3 study to determine how many nondrivers are in Washington state and
4 the demographics of this population. The joint transportation
5 committee is directed to conduct a survey, conduct research, develop
6 a dataset, and conduct analysis on the nondriving population of
7 Washington state. The analysis must include, but is not limited to:
8 (a) Reasons for not driving; (b) demographics of who is not driving
9 to include age, disability status, rural or urban residence, and
10 other available demographic information; and (c) availability of
11 transportation options for nondrivers and the impact those options
12 have on their access to services, economic opportunity, recreation,
13 education, and other aspects of community life. A report must be
14 provided to the transportation committees of the legislature by
15 February 1, 2023.

16 (9) \$250,000 of multimodal transportation account—state
17 appropriation is for a comprehensive evaluation of the Washington
18 state patrol's fleet of Cessna aircraft. The evaluation must include,
19 but is not limited to, the following: (a) An assessment of the
20 current use and performance, including outcomes measures, associated
21 with the aircraft; (b) the timing of any needed replacement of the
22 aircraft; (c) the feasibility, cost, and benefits associated with
23 replacing the aircraft with ones powered by alternative fuel; and (d)
24 a review of innovative technologies, including unmanned aerial
25 aircraft, to achieve the desired outcomes. The final report must be
26 submitted by December 1, 2022.

27 (10) \$400,000 of the multimodal transportation account—state
28 appropriation is for the joint transportation committee to conduct an
29 independent review of an ultra high-speed ground transportation
30 corridor between Portland, Oregon and Vancouver, British Columbia.
31 The review should include an assessment of the assumptions included
32 in the studies overseen by the Washington state department of
33 transportation: A 2017 to 2018 feasibility study; a 2019 business
34 case analysis; and a 2020 report with recommendations for a
35 governance framework, strategic engagement plan, and financial
36 strategy. The joint transportation committee shall provide a report
37 with its findings to the transportation committees of the legislature
38 by June 30, 2023.

1 (11) \$150,000 of the multimodal transportation account—state
2 appropriation is for the joint transportation committee to examine
3 options and provide recommendations for a state program to assist
4 with the establishment of powered micromobility device lending
5 libraries. The purpose of the powered micromobility device lending
6 libraries is to provide low-cost or no-cost, reliable, and healthier
7 modes of transportation to vulnerable communities. It is anticipated
8 that the powered micromobility device lending libraries would be
9 managed by community nonprofit organizations, local governments,
10 higher education institutions, school districts, or federally
11 recognized tribal governments. The options that should be examined
12 include, but are not limited to: A state-funded grant program for the
13 purchase of powered micromobility devices to be used in powered
14 micromobility device lending libraries, direct technical assistance
15 for establishing community-based powered micromobility device lending
16 libraries, and direct-to-consumer incentives to applicants to
17 purchase powered micromobility. Recommendations must specify how to
18 prioritize program benefits for vulnerable populations and
19 overburdened communities, including tribes, seniors, low-income
20 populations, and communities with high environmental burdens. Powered
21 micromobility devices to be examined by this study are devices that
22 do not exceed product speed of 30 miles per hour or product weight of
23 100 pounds and include electric bicycles, electric cargo bikes,
24 electric standing scooters, and other mobility devices under 50
25 pounds in weight that do not use fossil fuels. The joint
26 transportation committee shall provide a report with its findings to
27 the transportation committees of the legislature by June 30, 2023.

28 (12)(a) Within existing resources the joint transportation
29 committee must convene a work group to discuss, collaborate, and
30 develop recommendations to the committee on the distribution of
31 federal-aid highway formula program funding from the infrastructure
32 investment and jobs act to state and local government in future
33 biennia. In addition to the executive committee of the joint
34 transportation committee the work group shall include the governor's
35 office, governor's staff from the office of financial management as
36 well as one representative of each of the following:

- 37 (i) The Washington state association of counties;
38 (ii) Metropolitan planning organizations;
39 (iii) Regional transportation planning organizations;
40 (iv) The association of Washington cities;

1 (v) Tribes;

2 (vi) The Washington state department of transportation;

3 (vii) The Washington public ports association; and

4 (viii) The Washington state transit association.

5 (b) The Washington state department of transportation shall
6 provide technical overviews, information, and updates on federal
7 requirements, regulations and guidance from the United States
8 department of transportation on spending federal-aid highway formula
9 program funding.

10 (c) As the work group develops recommendations, Washington state
11 department of transportation staff shall provide technical review of
12 the recommendations to ensure federal requirements, including federal
13 performance measures, can be met.

14 (d) Work group meetings shall be open to interested stakeholders
15 and include opportunities for public comment.

16 (e) Following the meetings of the work group, the joint
17 transportation committee shall consult with the governor's office
18 prior to the committee recommending a distribution of federal aid
19 highway formula program funding.

20 (f) The joint transportation committee, with recognition of the
21 state's history of collaboration and open discussion, shall provide
22 recommendations to the legislature on the allocation of the
23 infrastructure investment and jobs act funding by September 30, 2022.

24 (13) \$450,000 of the motor vehicle account—state appropriation is
25 for the joint transportation committee to conduct a study to assess
26 opportunities to encourage high-consumption fuel users, including
27 users of diesel fuel and gasoline, as well as in consideration of
28 fleet usage, to switch to electric vehicles, where any zero-emissions
29 vehicle is considered an electric vehicle. The purpose of the study
30 is to significantly advance policymakers' understanding of the
31 dynamics impacting consumer decisions to transition from a fossil-
32 fueled vehicle to an electric vehicle, and to evaluate potential
33 policies to help encourage this transition, including related to the
34 availability of electric vehicle recharging infrastructure. A report
35 on the study must be submitted to the transportation committees of
36 the legislature and the governor by July 1, 2023. The legislature
37 intends for the study to result in the collection of data to
38 determine, at a minimum, the following:

39 (a) Which high-consumption users of fuel can switch to electric
40 vehicles for a high percentage of their driving needs;

1 (b) How much money can high-consumption fuel users save by
2 switching to electric vehicles;

3 (c) How many gallons of fuel are displaced by high-consumption
4 fuel users switching to electric vehicles;

5 (d) What policies, including related to electric vehicle charging
6 infrastructure, would encourage high-consumption fuel users to make
7 the switch to electric vehicles;

8 (e) What high-consumption fuel users' attitudes and perceptions
9 about electric vehicles are;

10 (f) What barriers, concerns, and viewpoints are held by high-
11 consumption fuel users in relation to electric vehicles; and

12 (g) What messages are most effective for transitioning high-
13 consumption fuel users to electric vehicles.

14 **Sec. 205.** 2021 c 333 s 205 (uncodified) is amended to read as
15 follows:

16 **FOR THE TRANSPORTATION COMMISSION**

17	Motor Vehicle Account—State Appropriation.	((\$2,438,000))
18		<u>\$3,804,000</u>
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation.	\$127,000
21	State Route Number 520 Corridor Account—State	
22	Appropriation.	\$276,000
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation.	\$180,000
25	Alaskan Way Viaduct Replacement Project Account—	
26	State Appropriation.	\$172,000
27	TOTAL APPROPRIATION.	((\$3,193,000))
28		<u>\$4,559,000</u>

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

31 (1)(a) The commission shall reconvene the road usage charge
32 steering committee, with the same membership described in chapter
33 297, Laws of 2018, and shall periodically report to the steering
34 committee with updates on activities undertaken in accordance with
35 the federal grant awarded July 2020 ("Forward Drive"). A year-end
36 update on the status of any federally-funded project for which
37 federal funding is secured must be provided to the governor's office
38 and the transportation committees of the legislature by January 1,

1 2022, and by January 1, 2023. Any legislative vacancies on the
2 steering committee must be appointed by the speaker of the house of
3 representatives for a house of representatives member vacancy, and by
4 the president of the senate for a senate member vacancy.

5 (b) The commission shall coordinate with the department of
6 transportation to jointly seek federal funds available through the
7 federal strategic innovations in revenue collection grant program,
8 applying toll credits for meeting match requirements. One or more
9 grant applications may be developed that, at a minimum, propose to:

10 (i) Assess the impact of a road usage charge, incentives, and
11 other factors on consumer purchase of electric vehicles and conduct a
12 test with drivers to fully assess impacts;

13 (ii) Assess delivery vehicle fleets and how a road usage charge
14 may be applied, identifying potential impacts to fleet operations and
15 costs, and state transportation revenues, and conducting a pilot test
16 to further inform the identification of potential impacts from a road
17 usage charge;

18 (iii) Review the process for changing vehicle ownership and
19 determine the considerations and possible implications with a road
20 usage charge system, identifying the processes and structure needed
21 for reconciling a road usage charge owed between sellers and
22 purchasers of used vehicles; and

23 (iv) Identify opportunities for achieving large-scale data
24 integration to support road usage charge service provisions that
25 could be offered by private-sector service providers, conducting a
26 pilot test to determine the ability of such service providers to
27 support automated mileage reporting and periodic payment services.

28 ~~((3))~~ (2) \$127,000 of the Interstate 405 and state route number
29 167 express toll lanes account—state appropriation, \$276,000 of the
30 state route number 520 corridor account—state appropriation, \$180,000
31 of the Tacoma Narrows toll bridge account—state appropriation, and
32 \$172,000 of the Alaskan Way viaduct replacement project account—state
33 appropriation are provided solely for the transportation commission's
34 proportional share of time spent supporting tolling operations for
35 the respective tolling facilities.

36 (3) \$1,500,000 of the motor vehicle account—state appropriation
37 is provided solely for the commission to conduct a full planning-
38 level traffic and revenue study of the Hood River Bridge to determine
39 the viability of toll revenues to support future financing of

1 improvements and possible replacement of the bridge, considering
2 prior work and studies conducted. The commission shall coordinate
3 this work with the department of transportation, the Port of Hood
4 River, the Oregon department of transportation, and other entities as
5 needed. The results of the assessment must be submitted to the house
6 and senate transportation committees by June 30, 2023.

7 **Sec. 206.** 2021 c 333 s 206 (uncodified) is amended to read as
8 follows:

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

10 Freight Mobility Investment Account—State
11 Appropriation. ((\$831,000))
12 \$843,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: Within appropriated funds, the freight
15 mobility strategic investment board may opt in as provided under RCW
16 70A.02.030 to assume all of the substantive and procedural
17 requirements of covered agencies under chapter 70A.02 RCW. The board
18 shall include in its 2022 annual report to the legislature a progress
19 report on opting into the healthy environment for all act and a
20 status report on diversity, equity, and inclusion within the board's
21 jurisdiction.

22 ***Sec. 207.** 2021 c 333 s 207 (uncodified) is amended to read as
23 follows:

24 **FOR THE WASHINGTON STATE PATROL**

25 State Patrol Highway Account—State Appropriation. . . ((\$517,391,000))
26 \$524,348,000
27 State Patrol Highway Account—Federal Appropriation. . ((\$15,838,000))
28 \$16,433,000
29 State Patrol Highway Account—Private/Local
30 Appropriation. ((\$4,267,000))
31 \$4,314,000
32 Highway Safety Account—State Appropriation. ((\$1,214,000))
33 \$1,292,000
34 Ignition Interlock Device Revolving Account—State
35 Appropriation. ((\$5,053,000))
36 \$2,243,000
37 Multimodal Transportation Account—State

1	Appropriation.	((\$288,000))
2		<u>\$293,000</u>
3	State Route Number 520 Corridor Account—State	
4	Appropriation.	\$433,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation.	\$77,000
7	I-405 and SR 167 Express Toll Lanes Account—State	
8	Appropriation.	\$1,348,000
9	TOTAL APPROPRIATION.	((\$545,909,000))
10		<u>\$550,781,000</u>

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

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

22 (2) \$580,000 of the state patrol highway account—state
23 appropriation is provided solely for the operation of and
24 administrative support to the license investigation unit to enforce
25 vehicle registration laws in southwestern Washington. The Washington
26 state patrol, in consultation with the department of revenue, shall
27 maintain a running estimate of the additional vehicle registration
28 fees, sales and use taxes, and local vehicle fees remitted to the
29 state pursuant to activity conducted by the license investigation
30 unit. Beginning October 1, 2021, and quarterly thereafter, the
31 Washington state patrol shall submit a report detailing the
32 additional revenue amounts generated since January 1, 2021, to the
33 director of the office of financial management and the transportation
34 committees of the legislature. At the end of the calendar quarter in
35 which it is estimated that more than \$625,000 in state sales and use
36 taxes have been remitted to the state since January 1, 2021, the
37 Washington state patrol shall notify the state treasurer and the
38 state treasurer shall transfer funds pursuant to section 406 (~~of~~
39 ~~this act~~), chapter 333, Laws of 2021.

1 (3) \$4,000,000 of the state patrol highway account—state
2 appropriation is provided solely for a third arming and a third
3 trooper basic training class. The cadet class is expected to graduate
4 in June 2023.

5 (4) By December 1st of each year during the 2021-2023 biennium,
6 the Washington state patrol must report to the house and senate
7 transportation committees on the status of recruitment and retention
8 activities as follows:

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

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

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

14 (d) The composition of workforce;

15 (e) Other relevant outcome measures with comparative information
16 with recent comparable months in prior years; and

17 (f) Activities related to the implementation of the agency's
18 workforce diversity plan, including short-term and long-term,
19 specific comprehensive outreach and recruitment strategies to
20 increase populations underrepresented within both commissioned and
21 noncommissioned employee groups.

22 (5) \$493,000 of the state patrol highway account—state
23 appropriation is provided solely for aerial criminal investigation
24 tools, including software licensing and maintenance, and annual
25 certification, and is subject to the conditions, limitations, and
26 review requirements of section 701 (~~(of this act)~~), chapter 333, Laws
27 of 2021.

28 (6) (~~(\$7,962,000)~~) \$6,422,000 of the state patrol highway account
29 —state appropriation is provided solely for the land mobile radio
30 system replacement, upgrade, and other related activities. Beginning
31 January 1, 2022, the Washington state patrol must report semiannually
32 to the office of the state chief information officer on the progress
33 related to the projects and activities associated with the land
34 mobile radio system, including the governance structure, outcomes
35 achieved in the prior six month time period, and how the activities
36 are being managed holistically as recommended by the office of the
37 chief information officer. At the time of submittal to the office of
38 the state chief information officer, this report shall be transmitted

1 to the office of financial management and the house and senate
2 transportation committees.

3 (7) \$510,000 of the ignition interlock device revolving account—
4 state appropriation is provided solely for the ignition interlock
5 program at the Washington state patrol to provide funding for two
6 staff to work and provide support for the program in working with
7 manufacturers, service centers, technicians, and participants in the
8 program.

9 (8) \$1,348,000 of the Interstate 405 and state route number 167
10 express toll lanes account—state appropriation, \$433,000 of the state
11 route number 520 corridor account—state appropriation, and \$77,000 of
12 the Tacoma Narrows toll bridge account—state appropriation are
13 provided solely for the Washington state patrol's proportional share
14 of time spent supporting tolling operations and enforcement for the
15 respective tolling facilities.

16 (9) \$289,000 of the state patrol highway account—state
17 appropriation is provided solely for the replacement of 911
18 workstations.

19 (10) \$35,000 of the state patrol highway account—state
20 appropriation is provided solely for the replacement of bomb response
21 equipment.

22 (11) \$713,000 of the state patrol highway account—state
23 appropriation is provided solely for information technology
24 infrastructure maintenance.

25 (12) The Washington state patrol must provide a report to the
26 office of financial management and the house and senate
27 transportation committees on its plan for implementing a transition
28 to cloud computing and storage with its 2023-2025 budget submittal.

29 (13) \$945,000 of the state patrol highway account—state
30 appropriation is provided solely for implementation of chapter 329,
31 Laws of 2021 (custodial interrogations). (~~(If chapter 329, Laws of
32 2021 (custodial interrogations) is not enacted by June 30, 2021, the
33 amount provided in this subsection lapses.)~~)

34 (14) \$46,000 of the state patrol highway account—state
35 appropriation is provided solely for implementation of chapter 320,
36 Laws of 2021 (peace officer tactics). (~~(If chapter 320, Laws of 2021
37 (peace officer tactics) is not enacted by June 30, 2021, the amount
38 provided in this subsection lapses.)~~)

1 (15) \$46,000 of the state patrol highway account—state
2 appropriation is provided solely for implementation of chapter 324,
3 Laws of 2021 (use of force by officers). (~~If chapter 324, Laws of~~
4 ~~2021 (use of force by officers) is not enacted by June 30, 2021, the~~
5 ~~amount provided in this subsection lapses.~~)

6 (16) (a) The legislature finds that the water connection extension
7 constructed by the Washington state patrol from the city of Shelton's
8 water facilities to the Washington state patrol academy was necessary
9 to meet the water supply needs of the academy. The legislature also
10 finds that the water connection provides an ongoing water supply that
11 is necessary to the operation of the training facility, that the
12 state is making use of the water connection for these public
13 activities, and that any future incidental use of the municipal
14 infrastructure put in place to support these activities will not
15 impede the Washington state patrol's ongoing use of the water
16 connection extension.

17 (b) \$2,220,000 of the transfer from the waste tire removal
18 account to the motor vehicle fund, as required under RCW 70A.205.425,
19 reimburses the motor vehicle fund for the portion of the water
20 project costs assigned by the agreement to properties, other than the
21 Washington state patrol academy, that make use of the water
22 connection while the agreement remains in effect. This reimbursement
23 to the motor vehicle fund is intended to address any possibility that
24 the termination of this agreement could be determined to result in
25 the unconstitutional use of 18th amendment designated funds for
26 nonhighway purposes under the constitution of the state of
27 Washington; however, this transfer is not intended to indicate that
28 the incidental use of this infrastructure by these properties
29 necessarily requires such reimbursement under the state Constitution.
30 Immediately following the transfer of funds, Washington state patrol
31 and the city of Shelton shall meet to formally update the terms of
32 their "Agreement for Utility Connection and Reimbursement of Water
33 Extension Expenses" executed on June 12, 2017, to reflect the intent
34 of the proviso.

35 (17) The appropriations in this section provide sufficient
36 funding for state patrol staffing assuming vacancy savings which may
37 change over time. Funding for staffing will be monitored and adjusted
38 in the ((2022)) 2023 supplemental budget to restore funding as
39 authorized staffing levels are achieved.

1 (18) \$331,000 of the state patrol highway account—state
2 appropriation is provided solely for the state patrol's diversity,
3 equity, and inclusion program and a contract with an external
4 psychologist to perform exams. If chapter . . . (Substitute House
5 Bill No. 2057), Laws of 2022 is not enacted by June 30, 2022, the
6 amount provided in this subsection lapses.

7 (19) \$793,000 of the state patrol highway account—state
8 appropriation is provided solely for the tenant improvements and
9 higher than expected equipment costs for the toxicology lab in
10 Federal Way, and preparing a report on the current cost recovery
11 mechanisms and opportunities for expanding these cost recovery
12 mechanisms in the future. The report must be submitted to the
13 governor and the transportation committees of the legislature by
14 November 1, 2022.

15 (20) \$14,788,000 of the state patrol highway account—state
16 appropriation is provided solely for contingency funding to address
17 emergent issues related to mitigating negative impacts of the high
18 level of commissioned and noncommissioned staff vacancies. Potential
19 uses of the funding include, but are not limited to, the following:
20 Operating a miniacademy and training opportunities for lateral
21 transfers from other agencies; increased overtime, travel, and other
22 related costs; increased contracting to maintain adequate service
23 levels; and unanticipated facility and equipment needs. By January 1,
24 2023, the state patrol must submit a report to the governor and the
25 transportation committees of the legislature detailing the specific
26 expenditures made from the contingency funding provided in this
27 subsection. The report must also include a description of the
28 miniacademy training, including the number of lateral transfers that
29 entered the training, the number which completed training, the cost
30 of the miniacademy, and a comparison of how the training was
31 different from a conventional academy class.

32 (21) \$122,000 of the state patrol highway account—state
33 appropriation, \$1,000 of the highway safety account—state
34 appropriation, and \$4,000 of the ignition interlock account—state
35 appropriation are provided solely for implementation of chapter . . .
36 (House Bill No. 1804), Laws of 2022 (interruptive military service
37 credit for members of the state retirement systems). If chapter . . .
38 (House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,
39 the amount provided in this subsection lapses.

1 (22) \$250,000 of the state patrol highway account—state
2 appropriation is provided solely for implementation of
3 chapter (Engrossed Substitute House Bill No. 2037), Laws of
4 2022 (peace officers/use of force). If chapter (Engrossed
5 Substitute House Bill No. 2037), Laws of 2022 is not enacted by June
6 30, 2022, the amount provided in this subsection lapses.

7 (23) \$949,000 of the state patrol highway account—state is
8 provided solely for vehicle identification number inspection staff to
9 reduce the backlog of inspections and a study of how to incorporate
10 best practices into the program, including the timeliness of
11 inspections.

12 (24) The Washington state patrol shall oversee a pilot program
13 whereby registered tow truck operators may respond to a regional
14 transit authority's request for impoundment of unauthorized vehicles.
15 Under the pilot program, in order for an unauthorized vehicle to be
16 subject to impoundment at the regional transit authority's request,
17 the vehicle must be left unattended within the right-of-way used by a
18 regional transit authority for high capacity transportation where the
19 vehicle constitutes an obstruction to the operation of high capacity
20 transportation vehicles or jeopardizes public safety. By July 1,
21 2023, the state patrol shall submit a report to the governor and the
22 transportation committees of the legislature regarding the outcomes
23 of the pilot program, and recommendations on whether the pilot
24 program should continue or be enacted on a permanent basis.

**Sec. 207 was partially vetoed. See message at end of chapter.*

25 **Sec. 208.** 2021 c 333 s 208 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF LICENSING**

28	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
29	Motorcycle Safety Education Account—State	
30	Appropriation.	(\$4,894,000)
31		<u>\$5,016,000</u>
32	Limited Fish and Wildlife Account—State	
33	Appropriation.	(\$917,000)
34		<u>\$922,000</u>
35	Highway Safety Account—State Appropriation.	(\$241,868,000)
36		<u>\$242,712,000</u>
37	Highway Safety Account—Federal Appropriation.	\$1,294,000

1	Motor Vehicle Account—State Appropriation.	((\$73,327,000))
2		<u>\$80,449,000</u>
3	Motor Vehicle Account—Federal Appropriation.	((\$150,000))
4		<u>\$400,000</u>
5	Motor Vehicle Account—Private/Local Appropriation. . .	((\$6,600,000))
6		<u>\$1,336,000</u>
7	Ignition Interlock Device Revolving Account—State	
8	Appropriation.	((\$6,071,000))
9		<u>\$6,123,000</u>
10	Department of Licensing Services Account—State	
11	Appropriation.	((\$8,157,000))
12		<u>\$7,964,000</u>
13	License Plate Technology Account—State Appropriation	
14	((\$4,250,000))
15		<u>\$4,092,000</u>
16	Abandoned Recreational Vehicle Account—State	
17	Appropriation.	((\$3,066,000))
18		<u>\$3,078,000</u>
19	Limousine Carriers Account—State Appropriation.	\$110,000
20	Electric Vehicle Account—State Appropriation.	((\$405,000))
21		<u>\$425,000</u>
22	DOL Technology Improvement & Data Management	
23	Account—State Appropriation.	((\$748,000))
24		<u>\$874,000</u>
25	Agency Financial Transaction Account—State	
26	Appropriation.	((\$21,257,000))
27		<u>\$22,257,000</u>
28	((Driver Licensing Technology Support Account—	
29	State Appropriation.	\$1,373,000))
30	TOTAL APPROPRIATION.	((\$374,521,000))
31		<u>\$377,086,000</u>

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

34 (1) \$1,100,000 of the highway safety account—state appropriation
35 is provided solely for the department to provide an interagency
36 transfer to the department of social and health services, children's
37 administration division for the purpose of providing driver's license
38 support to a larger population of foster youth than is already served
39 within existing resources. Support services include reimbursement of

1 driver's license issuance costs, fees for driver training education,
2 and motor vehicle liability insurance costs.

3 (2) The appropriations in this section assume implementation by
4 the department of cost recovery mechanisms to recoup at least
5 \$21,257,000 during the 2021-2023 biennium in credit card and other
6 financial transaction costs as part of charges imposed for driver and
7 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
8 department must report any amounts recovered to the office of
9 financial management and appropriate committees of the legislature on
10 a quarterly basis.

11 (3) (a) For the 2021-2023 biennium, the department shall charge
12 (~~(\$6,600,000)~~) \$1,336,000 for the administration and collection of a
13 motor vehicle excise tax on behalf of a regional transit authority,
14 as authorized under RCW 82.44.135. The amount in this subsection must
15 be deducted before distributing any revenues to a regional transit
16 authority.

17 (b) \$100,000 of the motor vehicle account—state appropriation is
18 provided solely for the department to work with the regional transit
19 authority imposing a motor vehicle excise tax pursuant to RCW
20 81.104.160 and transportation benefit districts imposing vehicle fees
21 pursuant to RCW 82.80.140, and other relevant parties, to determine
22 cost recovery options for the administration and collection of the
23 taxes and fees. The options must include:

24 (i) Full cost recovery for the direct and indirect expenses by
25 the department of licensing, subagents, and counties;

26 (ii) Marginal cost recovery for the direct and indirect expenses
27 by the department of licensing, subagents, and counties;

28 (iii) The estimated costs if the regional transit authority or
29 transportation benefit districts had to contract out the entire
30 collection and administrative activity with a nongovernmental entity.

31 (4) \$12,000 of the motorcycle safety education account—state
32 appropriation, \$2,000 of the limited fish and wildlife account—state
33 appropriation, \$728,000 of the highway safety account—state
34 appropriation, \$238,000 of the motor vehicle account—state
35 appropriation, \$10,000 of the ignition interlock device revolving
36 account—state appropriation, and \$10,000 of the department of
37 licensing services account—state appropriation are provided solely
38 for the department to redesign and improve its online services and
39 website, and are subject to the conditions, limitations, and review

1 requirements of section 701 (~~(of this act)~~), chapter 333, Laws of
2 2021.

3 (5) \$28,636,000 of the highway safety account—state appropriation
4 is provided solely for costs necessary to accommodate increased
5 demand for enhanced drivers' licenses and enhanced identicards. The
6 department shall report on a quarterly basis on the use of these
7 funds, associated workload, and information with comparative
8 information with recent comparable months in prior years. The report
9 must include detailed statewide and by licensing service office
10 information on staffing levels, average monthly wait times, the
11 number of enhanced drivers' licenses and enhanced identicards issued/
12 renewed, and the number of primary drivers' licenses and identicards
13 issued/renewed. Within the amounts provided in this subsection, the
14 department shall implement efficiency measures to reduce the time for
15 licensing transactions and wait times including, but not limited to,
16 the installation of additional cameras at licensing service offices
17 that reduce bottlenecks and align with the "keep your customer"
18 initiative.

19 (6) \$500,000 of the highway safety account—state appropriation is
20 provided solely for communication and outreach activities necessary
21 to inform the public of federally acceptable identification options
22 including, but not limited to, enhanced drivers' licenses and
23 enhanced identicards. The department shall continue the outreach plan
24 that includes informational material that can be effectively
25 communicated to all communities and populations in Washington. To
26 accomplish this work, the department shall contract with an external
27 vendor with demonstrated experience and expertise in outreach and
28 marketing to underrepresented communities in a culturally responsive
29 fashion.

30 (7) \$523,000 of the highway safety account—state appropriation is
31 provided solely for the implementation of chapter 158, Laws of 2021
32 (DOL issued documents). (~~(If chapter 158, Laws of 2021 is not enacted~~
33 ~~by June 30, 2021, the amount provided in this subsection lapses.)~~)

34 (8) (~~(\$1,373,000)~~) \$929,000 of the (~~(driver licensing technology~~
35 ~~support)) highway safety account—state appropriation is provided
36 solely for the implementation of chapter 240, Laws of 2021
37 (suspension of licenses for traffic infractions). (~~(If chapter 240,~~
38 ~~Laws of 2021 is not enacted by June 30, 2021, the amount provided in~~
39 ~~this subsection lapses.)~~)~~

1 (9) \$23,000 of the highway safety account—state appropriation is
2 provided solely for the implementation of chapter 10 (~~(Engrossed~~
3 ~~Substitute House Bill No. 1078)~~), Laws of 2021 (restoring voter
4 eligibility after felony conviction).

5 (10) \$3,074,000 of the abandoned recreational vehicle disposal
6 account—state appropriation is provided solely for providing
7 reimbursements in accordance with the department's abandoned
8 recreational vehicle disposal reimbursement program. It is the intent
9 of the legislature that the department prioritize this funding for
10 allowable and approved reimbursements and not to build a reserve of
11 funds within the account. During the 2021-2023 fiscal biennium, the
12 department must report any amounts recovered to the office of
13 financial management and appropriate committees of the legislature on
14 a quarterly basis.

15 (11)(a) \$54,000 of the motor vehicle account—state appropriation
16 is provided solely for the issuance of nonemergency medical
17 transportation vehicle decals to implement the high occupancy vehicle
18 lane access pilot program established in section 216 (~~(of this act)~~),
19 chapter 333, Laws of 2021. A for hire nonemergency medical
20 transportation vehicle is a vehicle that is a "for hire vehicle"
21 under RCW 46.04.190 that provides nonemergency medical
22 transportation, including for life-sustaining transportation
23 purposes, to meet the medical transportation needs of individuals
24 traveling to medical practices and clinics, cancer centers, dialysis
25 facilities, hospitals, and other care providers.

26 (b) As part of this pilot program, the owner of a for hire
27 nonemergency medical transportation vehicle may apply to the
28 department, county auditor or other agent, or subagent appointed by
29 the director, for a high occupancy vehicle exempt decal for a for
30 hire nonemergency medical transportation vehicle. The high occupancy
31 vehicle exempt decal allows the for hire nonemergency medical
32 transportation vehicle to use a high occupancy vehicle lane as
33 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
34 biennium.

35 (c) For the exemption in this subsection to apply to a for hire
36 nonemergency medical transportation vehicle, the decal:

37 (i) Must be displayed on the vehicle so that it is clearly
38 visible from outside the vehicle;

1 (ii) Must identify that the vehicle is exempt from the high
2 occupancy vehicle requirements; and

3 (iii) Must be visible from the rear of the vehicle.

4 (d) The owner of a for hire nonemergency medical transportation
5 vehicle or the owner's representative must apply for a high occupancy
6 vehicle exempt decal on a form provided or approved by the
7 department. The application must include:

8 (i) The name and address of the person who is the owner of the
9 vehicle;

10 (ii) A full description of the vehicle, including its make,
11 model, year, and the vehicle identification number;

12 (iii) The purpose for which the vehicle is principally used;

13 (iv) An attestation signed by the vehicle's owner or the owner's
14 representative that the vehicle's owner has a minimum of one contract
15 or service agreement to provide for hire transportation services for
16 medical purposes with one or more of the following entities: A health
17 insurance company; a hospital, clinic, dialysis center, or other
18 medical institution; a day care center, retirement home, or group
19 home; a federal, state, or local agency or jurisdiction; or a broker
20 who negotiates these services on behalf of one or more of these
21 entities; and

22 (v) Other information as required by the department upon
23 application.

24 (e) The department, county auditor or other agent, or subagent
25 appointed by the director shall collect the fee required under (f) of
26 this subsection when issuing a high occupancy vehicle exempt decal.

27 (f) The department, county auditor or other agent, or subagent,
28 is required to collect a \$5 fee when issuing a decal under this
29 subsection, in addition to any other fees and taxes required by law.

30 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
31 and must be marked to indicate its expiration date. The decal may be
32 renewed if the pilot program is continued past the date of a decal's
33 expiration. The status as an exempt vehicle continues until the high
34 occupancy vehicle exempt decal is suspended or revoked for misuse,
35 the vehicle is no longer used as a for hire nonemergency medical
36 transportation vehicle, or the pilot program established in section
37 216 (~~of this act~~), chapter 333, Laws of 2021 is terminated.

38 (h) The department may adopt rules to implement this subsection.

1 (12) \$434,000 of the highway safety account—state appropriation
2 is provided solely for the implementation of the Thurston county
3 superior court order in *Pierce et al. v. Department of Licensing*.

4 (13) The department shall consult with the department of
5 corrections and state board for community and technical colleges to
6 develop a pilot program that allows incarcerated individuals who are
7 not prohibited by state or federal law from receiving a commercial
8 driver's license upon release to participate in a prerelease
9 commercial driver training program. The department must submit a
10 report to the legislature by June 30, 2023, detailing the status of
11 the program.

12 (14) \$100,000 of the highway safety account—state appropriation
13 is provided solely for the department to lead a study on the
14 potential impacts that current licensing requirements, including
15 required training hours, and testing requirements may have on the
16 shortage of commercial drivers, and whether adjustments to these
17 requirements may be warranted to help alleviate the shortage. In
18 completing the study, the department must consult with the workforce
19 training board, state board for community and technical colleges,
20 federal motor carrier safety officials, organizations representing
21 veterans, organizations representing commercial drivers, and
22 organizations representing businesses or government entities that
23 rely on commercial drivers. The report must be submitted to the
24 governor and the transportation committees of the legislature by
25 December 1, 2022.

26 (15) \$965,000 of the motor vehicle account—state appropriation is
27 provided solely for the increased costs associated with delays in the
28 production of license plates, and to provide a report detailing
29 license plate inventory practices and whether those practices should
30 be changed to guard against potential future plate production delays.
31 The report must be submitted to the governor and the transportation
32 committees of the legislature by December 1, 2022.

33 (16) \$28,000 of the motor vehicle account—state appropriation is
34 provided solely for the implementation of chapter . . . (Senate Bill
35 No. 5750), Laws of 2022 (state leadership board) and making
36 improvements to the annual information submitted by special license
37 plate sponsoring organizations pursuant to RCW 46.18.120(2). The
38 improvements must include, but are not limited to, the following: An
39 annual budget for the sponsoring organization's activities in the

1 preceding year; information regarding private and other governmental
2 support for the activities of the sponsoring organization; and a
3 description of the number of people served or services delivered, as
4 appropriate, by the sponsoring organization in the preceding year. If
5 chapter . . . (Substitute Senate Bill No. 5750), Laws of 2022 is not
6 enacted by June 30, 2022, the amount provided in this subsection
7 lapses.

8 (17) \$268,000 of the highway safety account—state appropriation
9 is provided solely for the implementation of chapter . . . (Engrossed
10 Senate Bill No. 5054), Laws of 2022 (impaired driving). If
11 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not
12 enacted by June 30, 2022, the amount provided in this subsection
13 lapses.

14 (18) \$113,000 of the highway safety account—state appropriation
15 is provided solely for the implementation of chapter
16 (Substitute Senate Bill No. 5631), Laws of 2022 (human trafficking
17 disqualification for a commercial driver's license). If chapter
18 (Substitute Senate Bill No. 5631), Laws of 2022 is not enacted by
19 June 30, 2022, the amount provided in this subsection lapses.

20 (19) \$18,000 of the motor vehicle account—state appropriation is
21 provided solely for the implementation of chapter . . . (Substitute
22 Senate Bill No. 5741), Laws of 2022 (Patches pal special license
23 plates). If chapter . . . (Substitute Senate Bill No. 5741), Laws of
24 2022 is not enacted by June 30, 2022, the amount provided in this
25 subsection lapses.

26 (20) \$350,000 of the highway safety account—state appropriation
27 is provided solely to expand driver's license assistance and support
28 services in King county with an existing provider that is already
29 providing these services to low-income immigrant and refugee women.
30 By March 1, 2023, the contracted provider must submit information on
31 the annual budget in the preceding year; information regarding
32 private and other governmental support for the activities of the
33 provider; and a description of the number of people served, services
34 delivered, and outcome measures.

35 (21) \$6,139,000 of the highway safety account—state
36 appropriation, \$1,849,000 of the motor vehicle account—state
37 appropriation, \$203,000 of the department of licensing services
38 account—state appropriation, and \$105,000 of the department of
39 licensing technology improvement and data management account—state

1 appropriation are provided solely for contingency funding to address
2 emergent issues related to mitigating negative impacts of the high
3 level of staff vacancies and agency operations and customer service
4 levels. Potential uses of the funding include, but are not limited
5 to, the following: Increased overtime, travel, and other related
6 costs; increased contracting to maintain adequate service levels; and
7 unanticipated facility and equipment needs. By January 1, 2023, the
8 department shall submit a report to the governor and the legislative
9 transportation committees detailing the specific expenditures made
10 from the contingency funding provided in this subsection.

11 (22) \$28,000 of the motor vehicle account—state appropriation is
12 provided solely for the implementation of chapter . . . (Engrossed
13 Second Substitute House Bill No. 1181), Laws of 2022 (veterans and
14 military suicide). If chapter . . . (Engrossed Second Substitute
15 House Bill No. 1181), Laws of 2022 is not enacted by June 30, 2022,
16 the amount provided in this subsection lapses.

17 (23) \$83,000 of the motor vehicle account—state appropriation is
18 provided solely for the implementation of chapter . . . (Substitute
19 House Bill No. 1984), Laws of 2022 (vehicle registration certificate
20 addresses). If chapter . . . (Substitute House Bill No. 1984), Laws
21 of 2022 is not enacted by June 30, 2022, the amount provided in this
22 subsection lapses.

23 (24) \$57,000 of the motor vehicle account—state appropriation is
24 provided solely for the implementation of chapter . . . (House Bill
25 No. 2074), Laws of 2022 (off-road vehicles fees). If chapter . . .
26 (House Bill No. 2074), Laws of 2022 is not enacted by June 30, 2022,
27 the amount provided in this subsection lapses.

28 (25) \$18,000 of the motor vehicle account—state appropriation is
29 provided solely for the implementation of chapter . . . (Engrossed
30 Substitute House Bill No. 1530), Laws of 2022 (wine special license
31 plate). If chapter . . . (Engrossed Substitute House Bill No. 1530),
32 Laws of 2022 is not enacted by June 30, 2022, the amount provided in
33 this subsection lapses.

34 (26) \$316,000 of the motor vehicle account—state appropriation is
35 provided solely for the implementation of chapter . . . (Substitute
36 House Bill No. 1790), Laws of 2022 (temporary license plates). If
37 chapter . . . (Substitute House Bill No. 1790), Laws of 2022 is not
38 enacted by June 30, 2022, the amount provided in this subsection
39 lapses.

1 (27) \$251,000 of the highway safety account—state appropriation
 2 is provided solely for the department to: (a) Provide each driver's
 3 license, identicard, instruction permit, intermediate license, and
 4 commercial driver's license applicant with written materials
 5 regarding the contents and requirements of RCW 46.61.212, the slow
 6 down and move over law, at the completion of the applicant's
 7 licensing transaction; (b) place signage in each of the licensing
 8 service offices that provide background on the written materials that
 9 the applicant will receive regarding the slow down and move over law;
 10 and (c) initiate the development of an appropriate training module
 11 relating to the requirements of RCW 46.61.212, for inclusion in all
 12 new driver training curricula.

13 **Sec. 209.** 2021 c 333 s 209 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
 16 **—PROGRAM B**

17	State Route Number 520 Corridor Account—State	
18	Appropriation.	((\$53,689,000))
19		<u>\$58,356,000</u>
20	State Route Number 520 Civil Penalties Account—State	
21	Appropriation.	((\$4,122,000))
22		<u>\$4,163,000</u>
23	Tacoma Narrows Toll Bridge Account—State	
24	Appropriation.	((\$29,809,000))
25		<u>\$31,102,000</u>
26	Alaskan Way Viaduct Replacement Project Account—	
27	State Appropriation.	((\$20,840,000))
28		<u>\$21,806,000</u>
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	((\$23,910,000))
31		<u>\$24,647,000</u>
32	TOTAL APPROPRIATION.	((\$132,370,000))
33		<u>\$140,074,000</u>

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

36 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
 37 appropriation and \$12,484,000 of the state route number 520 corridor
 38 account—state appropriation are provided solely for the purposes of

1 addressing unforeseen operations and maintenance costs on the Tacoma
2 Narrows bridge and the state route number 520 bridge, respectively.
3 The office of financial management shall place the amounts provided
4 in this subsection, which represent a portion of the required minimum
5 fund balance under the policy of the state treasurer, in unallotted
6 status. The office may release the funds only when it determines that
7 all other funds designated for operations and maintenance purposes
8 have been exhausted.

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

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

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

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

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

4 (3) (a) (~~(\$708,000)~~) \$1,189,000 of the Interstate 405 and state
5 route number 167 express toll lanes account—state appropriation,
6 (~~(\$1,651,000)~~) \$2,783,000 of the state route number 520 corridor
7 account—state appropriation, (~~(\$709,000)~~) \$1,218,000 of the Tacoma
8 Narrows toll bridge account—state appropriation, and (~~(\$932,000)~~)
9 \$1,568,000 of the Alaskan Way viaduct replacement project account—
10 state appropriation are provided solely for the reappropriation of
11 unspent funds on the new tolling back office system from the
12 2019-2021 biennium(~~, and are subject to the conditions, limitations,~~
13 ~~and review provided in section 701 of this act.~~

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

22 ~~((e))~~ (b) The office of financial management shall place the
23 amounts provided in this subsection in unallotted status until the
24 department submits a detailed progress report on the progress of the
25 new tolling back office system. The director of the office of
26 financial management or their designee shall consult with the chairs
27 and ranking members of the transportation committees of the
28 legislature prior to making a decision to allot these funds.

29 (4) (~~Out of funding appropriated in this section,~~) \$121,000 of
30 the Interstate 405 and state route number 167 express toll lanes
31 account—state appropriation, \$288,000 of the state route number 520
32 corridor account—state appropriation, \$128,000 of the Tacoma Narrows
33 toll bridge account—state appropriation, and \$163,000 of the Alaskan
34 Way viaduct replacement project account—state appropriation are
35 provided solely for the department (~~shall~~) to contract with the
36 state auditor's office for a performance audit of the department's
37 project to replace its electronic toll collection system. The audit
38 should include an evaluation of the department's project planning,
39 vendor procurement, contract management and project oversight. The

1 final report is to be issued by December 31, 2022. The state auditor
2 will transmit copies of the report to the jurisdictional committees
3 of the legislature and the department.

4 (5) The department shall make detailed annual reports to the
5 transportation committees of the legislature and the public on the
6 department's web site on the following:

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

11 (b) The nonvendor costs of administering toll operations,
12 including the costs of staffing the division, consultants, and other
13 personal service contracts required for technical oversight and
14 management assistance, insurance, payments related to credit card
15 processing, transponder purchases and inventory management, facility
16 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

23 (i) The number of notices of civil penalty issued;

24 (ii) The number of recipients who pay before the notice becomes a
25 penalty;

26 (iii) The number of recipients who request a hearing and the
27 number who do not respond;

28 (iv) Workload costs related to hearings;

29 (v) The cost and effectiveness of debt collection activities; and

30 (vi) Revenues generated from notices of civil penalty; and

31 (e) A summary of toll revenue by facility on all operating toll
32 facilities and express toll lane systems, and an itemized depiction
33 of the use of that revenue.

34 (6) During the 2021-2023 fiscal biennium, the department plans to
35 issue a request for proposals as the first stage of a competitive
36 procurement process that will replace the toll equipment and select a
37 new tolling operator for the Tacoma Narrows Bridge. The request for
38 proposals and subsequent competitive procurement must incorporate
39 elements that prioritize the overall goal of lowering costs per
40 transaction for the facility, such as incentives for innovative

1 approaches which result in lower transactional costs, requests for
2 efficiencies on the part of the bidder that lower operational costs,
3 and incorporation of technologies such as self-serve credit card
4 machines or other point-of-payment technologies that lower costs or
5 improve operational efficiencies.

6 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
7 account—state appropriation is provided solely for the new state
8 route number 99 tunnel toll facility's expected share of collecting
9 toll revenues, operating customer services, and maintaining toll
10 collection systems. The legislature expects to see appropriate
11 reductions to the other toll facility accounts once tolling on the
12 new state route number 99 tunnel toll facility stabilizes and any
13 previously incurred costs for start-up of the new facility are
14 charged back to the Alaskan Way viaduct replacement project account.
15 The office of financial management shall closely monitor the
16 application of the cost allocation model and ensure that the new
17 state route number 99 tunnel toll facility is adequately sharing
18 costs and the other toll facility accounts are not being overspent or
19 subsidizing the new state route number 99 tunnel toll facility.

20 (8) The department shall submit a plan to the legislature for the
21 Interstate 405 and state route number 167 express toll lanes account
22 detailing how bond proceeds can cover the proposed construction plan
23 on the Interstate 405 and state route number 167 express toll lane
24 corridor outlined on LEAP Transportation Document 2021-1 as developed
25 April 23, 2021, by January 1, 2022.

26 (9) (~~(\$1,516,000)~~) \$4,554,000 of the state route number 520
27 corridor account—state appropriation (~~(is)~~) and \$580,000 of the
28 Tacoma Narrows toll bridge account—state appropriation are provided
29 solely for the increased costs of insurance for the state route
30 number 520 floating bridge and the Tacoma Narrows bridge,
31 respectively. The department shall conduct an evaluation of the short
32 and long-term costs and benefits including risk mitigation of self-
33 insurance as compared to the commercial insurance option for the
34 state route number 520 floating bridge, as allowed under the terms of
35 the state route number 520 master bond resolution. By December 15,
36 2021, the department shall report to the legislature on the results
37 of this evaluation.

38 (10) As part of the department's 2023-2025 biennial budget
39 request, the department shall update the cost allocation

1 recommendations that assign appropriate costs to each of the toll
2 funds for services provided by relevant Washington state department
3 of transportation programs, the Washington state patrol, and the
4 transportation commission. The recommendations shall be based on
5 updated traffic and toll transaction patterns and other relevant
6 factors.

7 (11) All amounts provided for operations and maintenance expenses
8 on the SR 520 facility from the state route number 520 corridor
9 account during the 2021-2023 fiscal biennium in this act, up to a
10 maximum of \$59,567,000, are derived from the receipt of federal
11 American rescue plan act of 2021 funds and not toll revenues.

12 (12) \$14,000 of the Interstate 405 and state route number 167
13 express toll lanes account—state appropriation, \$32,000 of the state
14 route number 520 corridor account—state appropriation, \$22,000 of the
15 Tacoma Narrows toll bridge account—state appropriation, and \$27,000
16 of the Alaskan Way viaduct replacement project account—state
17 appropriation are provided solely to implement chapter . . .
18 (Substitute House Bill No. 1790), Laws of 2022 (temporary license
19 plates). If chapter . . . (Substitute House Bill No. 1790), Laws of
20 2022 is not enacted by June 30, 2022, the amounts provided in this
21 subsection lapse.

22 **Sec. 210.** 2021 c 333 s 210 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
25 **C**

26	Transportation Partnership Account—State	
27	Appropriation.	((\$1,377,000))
28		<u>\$1,461,000</u>
29	Motor Vehicle Account—State Appropriation.	((\$97,026,000))
30		<u>\$101,010,000</u>
31	Puget Sound Ferry Operations Account—State	
32	Appropriation.	((\$263,000))
33		<u>\$307,000</u>
34	Multimodal Transportation Account—State	
35	Appropriation.	((\$6,986,000))
36		<u>\$7,013,000</u>
37	Transportation 2003 Account (Nickel Account)—State	
38	Appropriation.	((\$1,393,000))

\$1,461,000

TOTAL APPROPRIATION. ((\$107,045,000))

\$111,252,000

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

(1) \$4,273,000 of the multimodal transportation account—state appropriation and \$4,273,000 of the motor vehicle account—state appropriation are provided solely for the department's cost related to the one Washington project, and is subject to the conditions, limitations, and review requirements of section 701 ((of this act)), chapter 333, Laws of 2021.

(2) \$2,404,000 of the motor vehicle account—state appropriation and \$119,000 of the multimodal transportation account—state appropriation are provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

Sec. 211. 2021 c 333 s 211 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation. ((\$35,574,000))

\$36,843,000

State Route Number 520 Corridor Account—State
Appropriation. \$34,000

TOTAL APPROPRIATION. ((\$35,608,000))

\$36,877,000

The appropriations in this section are subject to the following conditions and limitations: \$780,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include,

1 but are not limited to, the following: Increased overtime, travel,
2 and other related costs; increased contracting to maintain adequate
3 service levels; and unanticipated facility and equipment needs. By
4 January 1, 2023, the department must submit a report to the governor
5 and the transportation committees of the legislature detailing the
6 specific expenditures made from the contingency funding provided in
7 this subsection.

8 NEW SECTION. Sec. 212. A new section is added to 2021 c 333
9 (uncodified) to read as follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
11 **PROGRAM E**

12 Motor Vehicle Account—State Appropriation. \$12,396,000

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

15 (1) \$10,396,000 of the motor vehicle account—state appropriation
16 is provided solely for the department's costs related to replacing
17 obsolete transportation equipment. The appropriations to the
18 department in this section must be expended to maximize the amount of
19 obsolete equipment replaced in the 2021-2023 biennium.

20 (2) \$2,000,000 of the motor vehicle account—state appropriation
21 is provided solely for the department's costs related to replacing
22 snow removal equipment. The appropriations to the department in this
23 section must be expended to maximize the amount of snow removal
24 equipment replaced in the 2021-2023 biennium.

25 **Sec. 213.** 2021 c 333 s 212 (uncodified) is amended to read as
26 follows:

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

28 Aeronautics Account—State Appropriation. (~~(\$8,055,000)~~)
29 \$8,127,000

30 Aeronautics Account—Federal Appropriation. \$3,916,000

31 Aeronautics Account—Private/Local Appropriation. \$60,000

32 Multimodal Transportation Account—State
33 Appropriation. \$150,000

34 TOTAL APPROPRIATION. (~~(\$12,031,000)~~)
35 \$12,253,000

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

1 (1) \$2,888,000 of the aeronautics account—state appropriation is
2 provided solely for the airport aid grant program, which provides
3 competitive grants to public use airports for pavement, safety,
4 maintenance, planning, and security.

5 (2) \$257,000 of the aeronautics account—state appropriation is
6 provided solely for supporting the commercial aviation coordinating
7 commission, pursuant to section 718 (~~of this act~~), chapter 333,
8 Laws of 2021.

9 (3) \$280,000 of the aeronautics account—state appropriation is
10 provided solely for the implementation of chapter 131, Laws of 2021
11 (unpiloted aircraft system state coordinator). If chapter 131, Laws
12 of 2021 is not enacted by June 30, 2021, the amount provided in this
13 subsection lapses.

14 (4)(a) \$150,000 of the multimodal transportation account—state
15 appropriation is provided solely for the aviation program to continue
16 the community engagement associated with the work of the commercial
17 aviation coordinating commission to increase aviation capacity and
18 provide a single preferred location for a new primary commercial
19 aviation facility by June 15, 2023. The work of the commission shall
20 include, but is not limited to, recommendations to the legislature on
21 future Washington state long-range commercial aviation facility needs
22 including possible additional aviation facilities or expansion of
23 current aviation facilities.

24 (b) Community engagement efforts may include:

25 (i) Raising awareness among aviation stakeholders and the public
26 on the complex issues that must be addressed by the commission;

27 (ii) Obtaining input from a representative cross section of the
28 public on the construction of a new airport and the expansion of
29 existing airports to meet future aviation demand;

30 (iii) Keeping people informed as the commission's work
31 progresses, including diverse communities that are often
32 underrepresented in processes to inform decision making;

33 (iv) Providing opportunities for members of the public to provide
34 direct input to the commission during the pandemic that limits
35 opportunities for direct social contact;

36 (v) Using surveys, open houses, focus groups, translation
37 services, informational handouts, advertisements, social media, and
38 other appropriate means of communicating with the public; and

1 (vi) Providing a focus on the demographics or people in the
2 geographical areas most impacted by expanding aviation capacity or
3 developing a new aviation facility.

4 (c) The department may use a communications consultant or
5 community-based organizations to assist with community engagement
6 efforts in (b) of this subsection.

7 **Sec. 214.** 2021 c 333 s 213 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
10 **SUPPORT—PROGRAM H**

11	Motor Vehicle Account—State Appropriation.	((\$59,138,000))
12		<u>\$58,254,000</u>
13	Motor Vehicle Account—Federal Appropriation.	\$500,000
14	Multimodal Transportation Account—State	
15	Appropriation.	\$758,000
16	TOTAL APPROPRIATION.	((\$60,396,000))
17		<u>\$59,512,000</u>

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

20 (1) The legislature recognizes that the trail known as the Rocky
21 Reach Trail, and its extensions, serve to separate motor vehicle
22 traffic from pedestrians and bicyclists, increasing motor vehicle
23 safety on state route number 2 and the coincident section of state
24 route number 97. Consistent with chapter 47.30 RCW and pursuant to
25 RCW 47.12.080, the legislature declares that transferring portions of
26 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
27 associated buffer areas to the Washington state parks and recreation
28 commission is consistent with the public interest. The legislature
29 directs the department to transfer the property to the Washington
30 state parks and recreation commission.

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

34 (b) Prior to completing the transfer in this subsection (1), the
35 department must ensure that provisions are made to accommodate
36 private and public utilities and any facilities that predate the
37 department's acquisition of the property, at no cost to those
38 entities. Prior to completing the transfer, the department shall also

1 ensure that provisions, by fair market assessment, are made to
2 accommodate other private and public utilities and any facilities
3 that have been legally allowed by permit or other instrument.

4 (c) The department may sell any adjoining property that is not
5 necessary to support the Rocky Reach Trail and adjacent buffer areas
6 only after the transfer of trail-related property to the Washington
7 state parks and recreation commission is complete. Adjoining property
8 owners must be given the first opportunity to acquire such property
9 that abuts their property, and applicable boundary line or other
10 adjustments must be made to the legal descriptions for recording
11 purposes.

12 (2) With respect to Parcel 12 of the real property conveyed by
13 the state of Washington to the city of Mercer Island under that
14 certain quitclaim deed, dated April 19, 2000, recorded in King county
15 under recording no. 20000425001234, the requirement in the deed that
16 the property be used for road/street purposes only will be deemed
17 satisfied by the department of transportation so long as commuter
18 parking, as part of the vertical development of the property, is one
19 of the significant uses of the property.

20 ~~(3) ((\$1,600,000 of the motor vehicle account state appropriation~~
21 ~~is provided solely for real estate services activities. Consistent~~
22 ~~with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when~~
23 ~~initiating, extending, or renewing any rent or lease agreements with~~
24 ~~a regional transit authority, consideration of value must be~~
25 ~~equivalent to one hundred percent of economic or market rent.~~

26 ~~(4))~~ The department shall report to the transportation
27 committees of the legislature by December 1, 2021, on the status of
28 its efforts to consolidate franchises for broadband facilities across
29 the state, including plans for increasing the number of consolidated
30 franchises in the future.

31 ~~((5))~~ (4) During the 2021-2023 biennium, if the department
32 takes possession of the property situated in the city of Edmonds for
33 which a purchase agreement was executed between Unocal and the
34 department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the
35 department confirms that the property is still no longer needed for
36 transportation purposes, the department shall provide the city of
37 Edmonds with the right of first purchase at fair market value in
38 accordance with RCW 47.12.063(3) for the city's intended use of the
39 property to rehabilitate near-shore habitat for salmon and related
40 species.

1 ~~((6) \$300,000))~~ (5) \$535,000 of the motor vehicle account—state
2 appropriation is provided solely for the implementation of chapter
3 217, Laws of 2021 (noxious weeds). ~~((If chapter 217, Laws of 2021~~
4 ~~(noxious weeds) is not enacted by June 30, 2021, the amount provided~~
5 ~~in this subsection lapses.~~

6 ~~(7) \$500,000))~~ (6) \$1,026,000 of the multimodal transportation
7 account—state appropriation is provided solely for the implementation
8 of chapter 314, Laws of 2021 (environmental justice task force). ~~((If~~
9 ~~chapter 314, Laws of 2021 (environmental justice task force) is not~~
10 ~~enacted by June 30, 2021, the amount provided in this subsection~~
11 ~~lapses.))~~

12 (7) \$2,399,000 of the motor vehicle account—state appropriation
13 is provided solely for contingency funding to address emergent issues
14 related to mitigating negative impacts of the high level of staff
15 vacancies. Potential uses of the funding include, but are not limited
16 to, the following: Increased overtime, travel, and other related
17 costs; increased contracting to maintain adequate service levels; and
18 unanticipated facility and equipment needs. By January 1, 2023, the
19 department must submit a report to the governor and the
20 transportation committees of the legislature detailing the specific
21 expenditures made from the contingency funding provided in this
22 subsection.

23 (8) The department shall offer to sell the northern parcel of
24 site 14 on the Puget Sound Gateway Program SR 509 Completion Project
25 Surplus Property list, located immediately south of S. 216th Street
26 and adjacent to the Barnes Creek Nature Trail in Des Moines, to
27 Seattle Goodwill Industries, a nonprofit organization with tax ID
28 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in
29 accordance with RCW 47.12.063 at fair market value because the
30 legislature finds it in the public interest to do so for the public
31 benefit that will result from Goodwill's redevelopment of the
32 property it owns at Rainier Ave. South and South Dearborn Street to
33 increase the supply of affordable housing.

34 **Sec. 215.** 2021 c 333 s 214 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
37 **PROGRAM K**

38 Motor Vehicle Account—State Appropriation. ~~(\$675,000))~~

1		<u>\$685,000</u>
2	Electric Vehicle Account—State Appropriation.	((\$9,900,000))
3		<u>\$11,900,000</u>
4	Multimodal Transportation Account—State	
5	Appropriation.	\$3,290,000
6	TOTAL APPROPRIATION.	((\$13,865,000))
7		<u>\$15,875,000</u>

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

10 (1) The public-private partnerships program must continue to
11 explore retail partnerships at state-owned park and ride facilities,
12 as authorized in RCW 47.04.295.

13 (2) ((~~\$8,900,000~~)) \$10,900,000 of the electric vehicle account—
14 state appropriation is provided solely for the clean alternative fuel
15 vehicle charging and refueling infrastructure program in chapter 287,
16 Laws of 2019 (advancing green transportation adoption).

17 (3) \$2,400,000 of the multimodal transportation account—state
18 appropriation is provided solely for the pilot program established
19 under chapter 287, Laws of 2019 (advancing green transportation
20 adoption) to provide clean alternative fuel vehicle use opportunities
21 to underserved communities and low to moderate income members of the
22 workforce not readily served by transit or located in transportation
23 corridors with emissions that exceed federal or state emissions
24 standards. Consistent with the geographical diversity element
25 described in RCW 47.04.355(4), the legislature strongly encourages
26 the department to consider implementing the pilot in both urban and
27 rural communities if possible, to obtain valuable information on the
28 needs of underserved communities located in different geographical
29 locations in Washington.

30 (4) \$1,000,000 of the electric vehicle account—state
31 appropriation and \$500,000 of the multimodal transportation account—
32 state appropriation are provided solely for a colocated DC fast
33 charging and hydrogen fueling station near the Wenatchee or East
34 Wenatchee area near a state route or near or on a publicly owned
35 facility to service passenger, light-duty and heavy-duty vehicles.
36 The hydrogen fueling station must include a DC fast charging station
37 colocated at the hydrogen fueling station site. Funds may be used for
38 one or more fuel cell electric vehicles that would utilize the
39 fueling stations. The department must contract with a public utility

1 district that produces hydrogen in the area to own and/or manage and
2 provide technical assistance for the design, planning, permitting,
3 construction, maintenance and operation of the hydrogen fueling
4 station. The department and public utility district are encouraged to
5 collaborate with and seek contributions from additional public and
6 private partners for the fueling station.

7 (5) \$140,000 of the multimodal transportation account—state
8 appropriation is provided solely for the purpose of conducting an
9 assessment of options for the development, including potential
10 features and costs, for a publicly available mapping and forecasting
11 tool that provides locations and essential information of charging
12 and refueling infrastructure to support forecasted levels of electric
13 vehicle adoption, travel, and usage across Washington state as
14 described in chapter 300, Laws of 2021 (preparedness for a zero
15 emissions transportation future).

16 (6) \$250,000 of the multimodal transportation account—state
17 appropriation is provided solely to fund the design of an electric
18 charging mega-site project at Mount Vernon library commons.

19 *Sec. 216. 2021 c 333 s 215 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

22 Motor Vehicle Account—State Appropriation.	((\$496,925,000))
	<u>\$505,015,000</u>
24 Motor Vehicle Account—Federal Appropriation.	\$7,000,000
25 <u>Motor Vehicle Account—Local Appropriation.</u>	<u>\$17,000</u>
26 State Route Number 520 Corridor Account—State	
27 Appropriation.	((\$4,082,000))
	<u>\$4,657,000</u>
29 Tacoma Narrows Toll Bridge Account—State	
30 Appropriation.	((\$1,479,000))
	<u>\$1,560,000</u>
32 Alaskan Way Viaduct Replacement Project Account—	
33 State Appropriation.	((\$8,157,000))
	<u>\$8,611,000</u>
35 Interstate 405 and State Route Number 167 Express	
36 Toll Lanes Account—State Appropriation.	((\$2,545,000))
	<u>\$2,594,000</u>
38 <u>Waste Tire Removal Account—State Appropriation.</u>	<u>\$5,000,000</u>

1 TOTAL APPROPRIATION. ((~~\$520,188,000~~))
2 \$534,454,000

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

5 (1) \$7,529,000 of the motor vehicle account—state appropriation
6 is provided solely for utility fees assessed by local governments as
7 authorized under RCW 90.03.525 for the mitigation of stormwater
8 runoff from state highways. Plan and reporting requirements as
9 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
10 shall be consistent with the January 2012 findings of the Joint
11 Transportation Committee Report for Effective Cost Recovery Structure
12 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

13 (2) \$5,000,000 of the motor vehicle account—state appropriation
14 is provided solely for a contingency pool for snow and ice removal.
15 The department must notify the office of financial management and the
16 transportation committees of the legislature when they have spent the
17 base budget for snow and ice removal and will begin using the
18 contingency pool funding.

19 (3) \$1,025,000 of the motor vehicle account—state appropriation
20 is provided solely for the department to implement safety
21 improvements and debris clean up on department-owned rights-of-way in
22 the city of Seattle at levels above that being implemented as of
23 January 1, 2019, to be administered in conjunction with subsection
24 (9) of this section. The department must maintain a crew dedicated
25 solely to collecting and disposing of garbage, clearing debris or
26 hazardous material, and implementing safety improvements where
27 hazards exist to the traveling public, department employees, or
28 people encamped upon department-owned rights-of-way. The department
29 may request assistance from the Washington state patrol as necessary
30 in order for both agencies to provide enhanced safety-related
31 activities regarding the emergency hazards along state highway
32 rights-of-way in the Seattle area.

33 (4) \$1,015,000 of the motor vehicle account—state appropriation
34 is provided solely for a partnership program between the department
35 and the city of Tacoma, to be administered in conjunction with
36 subsection (9) of this section. The program shall address the safety
37 and public health problems created by homeless encampments on the
38 department's property along state highways within the city limits.
39 \$570,000 is for dedicated department maintenance staff and associated

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

4 (5) The department must continue a pilot program for the
5 2021-2023 fiscal biennium at the four highest demand safety rest
6 areas to create and maintain an online calendar for volunteer groups
7 to check availability of weekends for the free coffee program. The
8 calendar must be updated at least weekly and show dates and times
9 that are, or are not, available to participate in the free coffee
10 program. The department must submit a report to the legislature on
11 the ongoing pilot by December 1, 2022, outlining the costs and
12 benefits of the online calendar pilot, and including surveys from the
13 volunteer groups and agency staff to determine its effectiveness.

14 (6) \$686,000 of the motor vehicle account—state appropriation is
15 provided solely for reimbursing the Oregon department of
16 transportation (ODOT) for the department's share of increased
17 maintenance costs of six highway bridges over the Columbia River that
18 are maintained by ODOT.

19 (7) \$8,290,000 of the motor vehicle account—state appropriation
20 is provided solely for increased costs of highway maintenance
21 materials.

22 (8) \$5,816,000 of the motor vehicle account—state appropriation
23 is provided solely for a contingency pool for repairing damages to
24 highways caused by known and unknown third parties. The department
25 must notify the office of financial management and the transportation
26 committees of the legislature when they have spent the base budget
27 for third-party damage repair and will begin using the contingency
28 pool funding.

29 (9) (a) \$3,000,000 of the motor vehicle account—state
30 appropriation (~~is~~) and \$5,000,000 of the waste tire removal account
31 —state appropriation are provided solely for the department to
32 address the risks to safety and public health associated with
33 homeless encampments on department owned rights-of-way. The
34 department must coordinate and work with local government officials
35 and social service organizations who provide services and direct
36 people to housing alternatives that are not in highway rights-of-way
37 to help prevent future encampments from forming on highway rights-of-
38 way, and may reimburse the organizations doing this outreach
39 assistance who transition people into treatment or housing (~~that is~~

1 ~~not on the rights-of-way))~~ or for debris clean up on highway rights-
2 of-way. ~~((The department may))~~ A minimum of \$2,000,000 of this
3 appropriation must be used to provide more frequent removal of litter
4 on the highway rights-of-way that is generated by unsheltered people
5 and may be used to hire crews specializing in collecting and
6 disposing of garbage, clearing debris or hazardous material, and
7 implementing safety improvements where hazards exist to the traveling
8 public and department employees. The department may use these funds
9 to either reimburse local law enforcement costs or the Washington
10 state patrol if they are ~~((participating as part of a state or local~~
11 government agreement to provide)) providing enhanced safety ~~((related~~
12 activities along state)) to department staff during debris cleanup or
13 during efforts to prevent future encampments from forming on highway
14 rights-of-way.

15 (b) Beginning ~~((October 1, 2021))~~ November 1, 2022, and
16 semiannually thereafter, the Washington state patrol and the
17 department of transportation must jointly submit a report to the
18 governor and the house and senate transportation committees of the
19 legislature on the status of these efforts, including:

20 (i) A detailed breakout of the size, location, risk level
21 categorization, and number of encampments on or near department-owned
22 rights-of-way, compared to the levels during the quarter being
23 reported;

24 (ii) A summary of the activities in that quarter related to
25 addressing these encampments, including information on arrangements
26 with local governments or other entities related to these activities;

27 (iii) A description of the planned activities in the ensuing
28 quarter to further address the emergency hazards and risks along
29 state highway rights-of-way; and

30 (iv) Recommendations for executive branch or legislative action
31 to achieve the desired outcome of reduced emergency hazards and risks
32 along state highway rights-of-way.

33 (10) (a) \$2,000,000 of the motor vehicle account—state
34 appropriation is provided solely for the department to contract with
35 the city of Fife to address the risks to safety and public health
36 associated with homeless encampments on department-owned rights-of-
37 way along the SR 167/SR 509 Puget Sound Gateway project corridor in
38 and adjacent to the city limits.

39 (b) The city must coordinate and work with the department and
40 local governments and social service organizations who provide

1 services and direct people to housing alternatives that are not in
2 highway rights-of-way to help prevent future encampments from forming
3 on highway rights-of-way. State funds may be used to reimburse the
4 organizations doing this outreach assistance who transition people
5 into treatment or housing that is not on the rights-of-way or for
6 debris clean up on highway rights-of-way.

7 (c) The department may hire crews specializing in collecting and
8 disposing of garbage, clearing debris or hazardous material, and
9 implementing safety improvements where hazards exist to the traveling
10 public and department employees.

11 (d) Funds may also be used to reimburse local law enforcement
12 costs or the Washington state patrol if they are participating as
13 part of a state or local government agreement to provide enhanced
14 safety related activities along state highway rights-of-way.

15 (e) It is the intent of the legislature that the city and
16 collaborating partners should place particular emphasis on utilizing
17 available funds for addressing large scale and multiple homeless
18 encampments that impact public safety and health. Funding for
19 initiatives associated with such encampments may include targeted
20 assistance to local governments and social service organizations,
21 directing moneys toward not only initial efforts to clear
22 encampments, clean up debris and restore sightlines, but to ongoing
23 work, monitoring, and maintenance of efforts to place individuals in
24 housing, treatment and services, and to better ensure individuals
25 experiencing homelessness receive needed assistance while sites
26 remain safe and secure for the traveling public.

27 (11) \$12,096,000 of the motor vehicle account—state appropriation
28 is provided solely for contingency funding to address emergent issues
29 related to mitigating negative impacts of the high level of staff
30 vacancies. Potential uses of the funding include, but are not limited
31 to, the following: Increased overtime, travel and other related
32 costs; increased contracting to maintain adequate service levels; and
33 unanticipated facility and equipment needs. By January 1, 2023, the
34 department must submit a report to the governor and the
35 transportation committees of the legislature detailing the specific
36 expenditures made from the contingency funding provided in this
37 subsection.

38 (12) \$5,400,000 of the motor vehicle account—state appropriation
39 is provided solely for replacement of traffic signs and to increase
40 the visibility of road pavement markings. Investments must replace

1 traffic signs that do not meet the department's standards or that are
2 faded, lacking in reflectivity, cracked, illegible, or damaged.
3 Investments must also increase the visibility of road pavement
4 markings during periods of low light conditions and during
5 precipitation with pavement marking products that contain all-weather
6 optical reflectivity capability. The request for proposals and
7 subsequent competitive procurement for the signs shall be performed
8 following state specifications and standards.

9 (13) \$17,000 of the motor vehicle account—local appropriation is
10 provided solely to update existing signs along Interstate 5 in the
11 vicinity of Seattle center. The department must install new Seattle
12 center logos with a redesigned logo that recognizes climate pledge
13 arena, but is not responsible for design or fabrication of the logo
14 or new sign.

15 (14) \$100,000 of the motor vehicle account—state appropriation is
16 provided solely for the department to install fencing to delineate
17 between the privately leased property owned by the department and the
18 public right-of-way property maintained by the city of Seattle. The
19 parameters of the adjacent properties located under the Interstate 5
20 corridor, south of milepost 165, are south Jackson street and south
21 King street going north and south, and 8th avenue south and 9th
22 avenue south going west to east in the international district.

23 (15) (a) \$2,500,000 of the motor vehicle account—state
24 appropriation is provided solely for:

25 (i) Additional resources for operations, maintenance, facility
26 replacements, security, and upgrades to safety rest areas to ensure
27 that safety rest areas owned and operated by the department are open
28 for use except for seasonal closures or cleaning, maintenance, and
29 repair; and

30 (ii) Reconfiguration of maintenance operations pursuant to
31 chapter . . . (Substitute House Bill No. 1655), Laws of 2022 (safety
32 rest areas).

33 (b) The department may use the funds for additional labor,
34 services, materials, or equipment needed to allow commercial vehicle
35 parking stalls to remain open when rest areas might otherwise be
36 closed.

37 (c) It is the intent of the legislature that these funds are
38 additional resources for the department and not meant to supplant

1 underlying resources for the maintenance and operations of safety
2 rest areas.

3 (d) The department must make a report to the transportation
4 committees of the legislature regarding the additional operations and
5 maintenance activities made at safety rest areas to ensure that rest
6 areas stayed open by January 15, 2023. The report must include the
7 status per safety rest area of openings and closures that were
8 impacted by the additional activities; the additional activities,
9 including security efforts, that were performed at the rest areas;
10 and an update on the status and a review of the safety rest area
11 strategic plan.

12 (16) (a) \$50,000 of the motor vehicle account—state appropriation
13 is provided solely for the department to install and inspect monthly
14 human trafficking informational posters in every rest room in every
15 safety rest area owned and operated by the department.

16 (b) In developing the informational posters, the department shall
17 consult with human trafficking victim advocates to determine content.

18 (c) The posters must:

19 (i) Be printed in a variety of languages;

20 (ii) Include contact information for seeking help, which may
21 include toll-free telephone numbers a person may call for assistance,
22 including the number for the national human trafficking resource
23 center and the number for the Washington state office of crime
24 victims advocacy; and

25 (iii) Be made of durable material and permanently affixed.

26 (d) The department shall install the informational posters in
27 every restroom at every safety rest area owned and operated by the
28 department by December 31, 2022.

29 (e) Beginning January 1, 2023, or one month after installation of
30 informational posters, whichever is sooner, the department shall
31 inspect the informational posters as part of its monthly maintenance
32 activities to ensure that the posters are in fair condition and
33 remain legible.

34 (f) The department must make a report to the transportation
35 committees of the legislature regarding the installation of
36 informational posters at safety rest areas by January 15, 2023. The
37 report must include the number of informational posters installed,
38 the location of the poster installations, and the completion date of
39 the poster installations.

(17) During the 2021-2023 fiscal biennium, the department shall conduct a pilot program authorizing commercial motor vehicles, as defined in RCW 46.25.010, that are used in commerce solely to transport property to park in areas designated by the department as chain up and chain off areas along United States route number 2 and Interstate 90 between May 1st and November 1st of each calendar year of the biennium. Under the pilot program, parking is permitted for up to an hour beyond federally mandated rest periods when signage posted by the department authorizes the parking of these commercial motor vehicles. Beginning January 1, 2023, the department shall post and maintain signage authorizing the parking of these commercial motor vehicles in chain up and chain off areas that it determines: (a) Have sufficient space to accommodate commercial motor vehicles parking for an extended period of time; and (b) where other safety concerns have been addressed. The department shall notify the Washington state patrol and the transportation committees of the legislature when it posts signage authorizing commercial motor vehicle parking in a chain up or chain off area.

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

Sec. 217. 2021 c 333 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State Appropriation.	((\$74,406,000))
	<u>\$73,760,000</u>
Motor Vehicle Account—Federal Appropriation.	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation.	((\$250,000))
	<u>\$295,000</u>
State Route Number 520 Corridor Account—State	
Appropriation.	\$225,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$40,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.	\$1,112,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation.	\$20,000
Agency Financial Transaction Account—State	
Appropriation.	<u>\$100,000</u>

1 TOTAL APPROPRIATION. (~~\$78,103,000~~)
2 \$77,602,000

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

5 (1) \$6,000,000 of the motor vehicle account—state appropriation
6 is provided solely for low-cost enhancements. The department shall
7 give priority to low-cost enhancement projects that improve safety or
8 provide congestion relief. By December 15th of each odd-numbered
9 year, the department shall provide a report to the legislature
10 listing all low-cost enhancement projects completed in the prior
11 fiscal biennium.

12 (2)(a) During the 2021-2023 fiscal biennium, the department shall
13 continue a pilot program that expands private transportation
14 providers' access to high occupancy vehicle lanes. Under the pilot
15 program, when the department reserves a portion of a highway based on
16 the number of passengers in a vehicle, the following vehicles must be
17 authorized to use the reserved portion of the highway if the vehicle
18 has the capacity to carry eight or more passengers, regardless of the
19 number of passengers in the vehicle: (i) Auto transportation company
20 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
21 carrier vehicles regulated under chapter 81.70 RCW, except marked or
22 unmarked stretch limousines and stretch sport utility vehicles as
23 defined under department of licensing rules; (iii) private nonprofit
24 transportation provider vehicles regulated under chapter 81.66 RCW;
25 and (iv) private employer transportation service vehicles. For
26 purposes of this subsection, "private employer transportation
27 service" means regularly scheduled, fixed-route transportation
28 service that is offered by an employer for the benefit of its
29 employees. Nothing in this subsection is intended to authorize the
30 conversion of public infrastructure to private, for-profit purposes
31 or to otherwise create an entitlement or other claim by private users
32 to public infrastructure.

33 (b) The department shall expand the high occupancy vehicle lane
34 access pilot program to vehicles that deliver or collect blood,
35 tissue, or blood components for a blood-collecting or distributing
36 establishment regulated under chapter 70.335 RCW. Under the pilot
37 program, when the department reserves a portion of a highway based on
38 the number of passengers in a vehicle, blood-collecting or
39 distributing establishment vehicles that are clearly and identifiably

1 marked as such on all sides of the vehicle are considered emergency
2 vehicles and must be authorized to use the reserved portion of the
3 highway.

4 (c) The department shall expand the high occupancy vehicle lane
5 access pilot program to organ transport vehicles transporting a time
6 urgent organ for an organ procurement organization as defined in RCW
7 68.64.010. Under the pilot program, when the department reserves a
8 portion of a highway based on the number of passengers in a vehicle,
9 organ transport vehicles that are clearly and identifiably marked as
10 such on all sides of the vehicle are considered emergency vehicles
11 and must be authorized to use the reserved portion of the highway.

12 (d) The department shall expand the high occupancy vehicle lane
13 access pilot program to private, for hire vehicles regulated under
14 chapter 81.72 RCW that have been specially manufactured, designed, or
15 modified for the transportation of a person who has a mobility
16 disability and uses a wheelchair or other assistive device. Under the
17 pilot program, when the department reserves a portion of a highway
18 based on the number of passengers in a vehicle, wheelchair-accessible
19 taxicabs that are clearly and identifiably marked as such on all
20 sides of the vehicle are considered public transportation vehicles
21 and must be authorized to use the reserved portion of the highway.

22 (e) The department shall expand the high occupancy vehicle lane
23 access pilot program to for hire nonemergency medical transportation
24 vehicles, when in use for medical purposes, as described in section
25 208 (~~of this act~~), chapter 333, Laws of 2021. Under the pilot
26 program, when the department reserves a portion of a highway based on
27 the number of passengers in a vehicle, nonemergency medical
28 transportation vehicles that meet the requirements identified in
29 section 208 (~~of this act~~), chapter 333, Laws of 2021 must be
30 authorized to use the reserved portion of the highway.

31 (f) Nothing in this subsection (2) is intended to exempt these
32 vehicles from paying tolls when they do not meet the occupancy
33 requirements established by the department for express toll lanes.

34 (3) \$2,574,000 of the motor vehicle account—state appropriation
35 is provided solely for contingency funding to address emergent issues
36 related to mitigating negative impacts of the high level of staff
37 vacancies. Potential uses of the funding include, but are not limited
38 to, the following: Increased overtime, travel, and other related
39 costs; increased contracting to maintain adequate service levels; and
40 unanticipated facility and equipment needs. By January 1, 2023, the

1 department must submit a report to the governor and the
2 transportation committees of the legislature detailing the specific
3 expenditures made from the contingency funding provided in this
4 subsection.

5 (4) The appropriations in this section assume implementation of
6 additional cost recovery mechanisms to recoup at least \$100,000 in
7 credit card and other financial transaction costs related to the
8 collection of fees imposed under RCW 46.44.0941 for driver and
9 vehicle fee transactions beginning January 1, 2023. The department
10 may recover transaction fees incurred through credit card
11 transactions. At the direction of the office of financial management,
12 the department shall develop a method of tracking the additional
13 amount of credit card and other financial cost-recovery revenues. In
14 consultation with the office of financial management, the department
15 shall notify the office of the state treasurer of these amounts and
16 the state treasurer must deposit these revenues in the agency
17 financial transaction account created in RCW 46.01.385 on a quarterly
18 basis. The department shall also submit, as part of its 2023-2025
19 budget submittal, an overview of the credit card cost recovery
20 approach, including fee rates and the amount of revenue expected to
21 be generated in the 2021-2023 and 2023-2025 biennia.

22 (5) The department shall promote safety messages encouraging
23 drivers to slow down and move over and pay attention when emergency
24 lights are flashing on the side of the road and other suitable safety
25 messages on electronic message boards the department operates across
26 the state. The messages must be promoted multiple times each month
27 through June 30, 2023. The department may coordinate such messaging
28 with any statewide public awareness campaigns being developed by the
29 department of licensing or the Washington state traffic safety
30 commission or both.

31 **Sec. 218.** 2021 c 333 s 217 (uncodified) is amended to read as
32 follows:

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

35 Motor Vehicle Account—State Appropriation.	(\$37,361,000)
36	\$37,365,000
37 Motor Vehicle Account—Federal Appropriation.	\$780,000
38 Motor Vehicle Account—Private/Local Appropriation.	\$500,000

1	<u>Puget Sound Ferry Operations Account—State</u>	
2	<u>Appropriation.</u>	\$266,000
3	Multimodal Transportation Account—State	
4	Appropriation.	\$5,129,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation.	\$186,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation.	\$150,000
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation.	\$121,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$77,000
13	TOTAL APPROPRIATION.	(\$44,304,000)
14		<u>\$44,574,000</u>

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

17 (1) \$4,000,000 of the multimodal transportation account—state
18 appropriation is provided solely for efforts to increase diversity in
19 the transportation construction workforce through: ~~((1))~~ (a) The
20 preapprenticeship support services (PASS) program, which aims to
21 increase diversity in the highway construction workforce and prepare
22 individuals interested in entering the highway construction
23 workforce. In addition to the services allowed by RCW 47.01.435, the
24 PASS program may provide housing assistance for youth aging out of
25 the foster care and juvenile rehabilitation systems in order to
26 support the participation of these youth in a transportation-related
27 preapprenticeship program; ~~((2))~~ (b) assisting minority and women-
28 owned businesses to perform work in the highway construction
29 industry. This assistance shall include technical assistance,
30 business training, counseling, guidance, prime to subcontractor
31 relationship building, and a capacity building mentorship program. At
32 a minimum, \$1,000,000 of the total appropriation in this subsection
33 shall be directed toward the efforts outlined in (b) of this
34 subsection ~~((2) of this section)~~. The provider(s) chosen to
35 complete the work in this subsection shall be selected through a
36 competitive bidding process. The program shall be administered by the
37 Washington state department of transportation's office of equal
38 opportunity.

1 (2) \$1,446,000 of the motor vehicle account—state appropriation
2 is provided solely for contingency funding to address emergent issues
3 related to mitigating negative impacts of the high level of staff
4 vacancies. Potential uses of the funding include, but are not limited
5 to, the following: Increased overtime, travel, and other related
6 costs; increased contracting to maintain adequate service levels; and
7 unanticipated facility and equipment needs. By January 1, 2023, the
8 department must submit a report to the governor and the
9 transportation committees of the legislature detailing the specific
10 expenditures made from the contingency funding provided in this
11 subsection.

12 (3) \$774,000 of the motor vehicle account—state appropriation and
13 \$266,000 of the Puget Sound ferry operations account—state
14 appropriation are provided solely for the department to hire a
15 workforce development consultant to develop, track, and monitor the
16 progress of community workforce agreements, and to hire staff to
17 assist with the development and implementation of internal diversity,
18 equity, and inclusion efforts and serve as subject matter experts on
19 federal and state civil rights provisions. The department shall
20 engage with relevant stakeholders, and provide a progress report on
21 the implementation of efforts under this subsection to the
22 transportation committees of the legislature and the governor by
23 December 1, 2022.

24 (4) For Washington state department of transportation small works
25 roster projects under RCW 39.04.155, the department may only allow
26 firms certified as small business enterprises, under 49 C.F.R. 26.39,
27 to bid on the contract, unless the department determines there would
28 be insufficient bidders for a particular project. The department
29 shall report on the effectiveness of this policy to the
30 transportation committees of the legislature by January 31, 2023.

31 **Sec. 219.** 2021 c 333 s 218 (uncodified) is amended to read as
32 follows:

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

35	Motor Vehicle Account—State Appropriation.	((\$27,057,000))
36		<u>\$26,483,000</u>
37	Motor Vehicle Account—Federal Appropriation.	\$34,865,000
38	Motor Vehicle Account—Private/Local Appropriation.	\$400,000

1	Multimodal Transportation Account—State	
2	Appropriation.	((\$919,000))
3		<u>\$1,902,000</u>
4	Multimodal Transportation Account—Federal	
5	Appropriation.	\$2,809,000
6	Multimodal Transportation Account—Private/Local	
7	Appropriation.	\$100,000
8	State Route Number 520 Corridor Account—State	
9	Appropriation.	((\$406,000))
10		<u>\$451,000</u>
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$2,879,000
13	TOTAL APPROPRIATION.	((\$69,435,000))
14		<u>\$69,889,000</u>

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

17 (1) \$4,080,000 of the motor vehicle account—federal appropriation
18 is provided solely for the Forward Drive road usage charge research
19 project overseen by the transportation commission using a portion of
20 the amount of the federal grant award. The purpose of the Forward
21 Drive road usage charge research project is to advance research in
22 key policy areas related to road usage charge including assessing
23 impacts of future mobility shifts on road usage charge revenues,
24 conducting an equity analysis, updating and assessing emerging
25 mileage reporting methods, determining opportunities to reduce cost
26 of collection, conducting small-scale pilot tests, and identifying a
27 long-term, detailed phase-in plan.

28 (2) \$2,879,000 of the Interstate 405 and state route number 167
29 express toll lanes account—state appropriation is provided solely for
30 completion of updating the state route number 167 master plan.

31 (3) ((~~\$250,000~~)) \$500,000 of the multimodal transportation
32 account—state appropriation is provided solely for the department to
33 partner with the department of commerce in developing vehicle miles
34 traveled targets for the counties in Washington state with (a) a
35 population density of at least 100 people per square mile and a
36 population of at least 200,000; or (b) a population density of at
37 least 75 people per square mile and an annual growth rate of at least
38 1.75 percent as determined by the office of financial management.
39 Given land use patterns are key factors in travel demand and should

1 be taken into consideration when developing the targets, the
2 department and the department of commerce shall partner with local
3 jurisdictions, regional transportation planning organizations and
4 other stakeholders to inventory existing laws and rules that promote
5 transportation and land use, identify gaps and make recommendations
6 for changes in laws, rules and agency guidance, and establish a
7 framework for considering underserved and rural communities in the
8 evaluation. The department and the department of commerce shall
9 provide an initial technical report by December 31, 2021, an interim
10 report by June 22, 2022, and a final report to the governor and
11 appropriate committees of the legislature by June 30, 2023, that
12 includes a process for establishing vehicle miles traveled reduction
13 targets, a recommended suite of options for local jurisdictions to
14 achieve the targets, and funding requirements for state and local
15 jurisdictions.

16 (4) (~~(\$406,000)~~) \$451,000 of the state route number 520 corridor
17 account—state appropriation is provided solely for the department to
18 contract with the University of Washington department of mechanical
19 engineering, to study measures to reduce noise impacts from the state
20 route number 520 bridge expansion joints. The field testing shall be
21 scheduled during existing construction, maintenance, or other
22 scheduled closures to minimize impacts. The testing must also ensure
23 safety of the traveling public. The study shall examine testing
24 methodologies and project timelines and costs. A (~~(final)~~) draft
25 report must be submitted to the transportation committees of the
26 legislature and the governor by March 1, 2022. A final report must be
27 submitted to the transportation committees of the legislature and the
28 governor by December 31, 2022.

29 (5) \$5,900,000 of the motor vehicle account—federal appropriation
30 and \$400,000 of the motor vehicle account—private/local appropriation
31 are provided solely for delivery of the department's state planning
32 and research work program and pooled fund research projects(~~(7~~
33 ~~provided that the department may not expend any amounts provided in~~
34 ~~this section on a long-range plan or corridor scenario analysis for~~
35 ~~I-5 from Tumwater to Marysville. This is not intended to reference or~~
36 ~~impact: The existing I-5 corridor from Mounts road to Tumwater design~~
37 ~~and operations alternatives analysis; design studies related to HOV~~
38 ~~lanes or operations; or where it is necessary to continue design and~~
39 ~~operations analysis related to projects already under development)).~~

1 (6) \$800,000 of the motor vehicle account—state appropriation is
2 provided solely for WSDOT to do a corridor study of SR 302 (Victor
3 Area) to recommend safety and infrastructure improvements to address
4 current damage and prevent future roadway collapse and landslides
5 that have caused road closures.

6 (7) \$1,000,000 of the motor vehicle account—state appropriation
7 is provided solely for a study on the need for additional
8 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
9 South Pierce County.

10 (8) \$1,654,000 of the motor vehicle account—state appropriation
11 and \$108,000 of the multimodal transportation account—state
12 appropriation are provided solely for contingency funding to address
13 emergent issues related to mitigating negative impacts of the high
14 level of staff vacancies. Potential uses of the funding include, but
15 are not limited to, the following: Increased overtime, travel, and
16 other related costs; increased contracting to maintain adequate
17 service levels; and unanticipated facility and equipment needs. By
18 January 1, 2023, the department must submit a report to the governor
19 and the transportation committees of the legislature detailing the
20 specific expenditures made from the contingency funding provided in
21 this subsection.

22 (9) \$450,000 of the motor vehicle account—state appropriation is
23 provided solely for the department to complete a performance-based
24 project evaluation model based on the initial work done for section
25 218(7), chapter 219, Laws of 2020, in a way that operationalizes the
26 six transportation policy goals in RCW 47.04.280. This work should
27 first include clarification of the transportation policy goals
28 through development of objectives and criteria that reflect system
29 priorities based on outcomes of community engagement. After a
30 framework is established by which goals can be more directly related
31 to outcomes, the project evaluation model should leverage the
32 department's existing experts and best practices used for
33 prioritizing programmatic funds to develop procedures by which
34 evaluators could consistently score and rank all types of projects.
35 The department must issue a report by June 30, 2023, summarizing the
36 new project evaluation model, and provide recommendations for how
37 this process could be implemented in coordination with the
38 legislative work cycle.

1 (10) (a) \$250,000 of the multimodal transportation account—state
2 appropriation is provided solely for Thurston regional planning
3 council (TRPC) to conduct a study examining options for multimodal
4 high capacity transportation (HCT) to serve travelers on the I-5
5 corridor between central Thurston county (Olympia area) and Pierce
6 county.

7 (b) The study will include an assessment of travelsheds and
8 ridership potential and identify and provide an evaluation of options
9 to enhance connectivity and accessibility for the greater south Puget
10 Sound region with an emphasis on linking to planned or existing
11 commuter or regional light rail. The study must account for previous
12 and ongoing efforts by transit agencies and the department. The study
13 will emphasize collaboration with a diverse community of interests,
14 including but not limited to transit, business, public agencies,
15 tribes, and providers and users of transportation who because of age,
16 income, or ability may face barriers and challenges. TRPC will
17 provide to the transportation committees of the legislature a study
18 outline and recommendations of deliverables by December 1, 2022.

19 (11) \$600,000 of the multimodal transportation account—state
20 appropriation is provided solely for the city of Seattle's office of
21 planning and community development to support an equitable
22 development initiative to reconnect the South Park neighborhood,
23 currently divided by State Route 99.

24 (a) The support work must include:

25 (i) A public engagement and visioning process led by a
26 neighborhood-based, community organization; and

27 (ii) A feasibility study of decommissioning SR 99 in the South
28 Park neighborhood to include, but not be limited to, traffic studies,
29 environmental impact analysis, and development of alternatives,
30 including the transfer of the land to a neighborhood-led community
31 land trust.

32 (b) The support work must be conducted in coordination and
33 partnership with neighborhood residents, neighborhood industrial and
34 commercial representatives, the state department of transportation,
35 and other entities and neighborhoods potentially impacted by changes
36 to the operation of SR 99.

37 (c) The city must provide a report on the plan that includes
38 recommendations to the Seattle city council, state department of
39 transportation, and the transportation committees of the legislature
40 by January 1, 2025.

1 judgments and settlements dealing with the Washington state ferry
2 system to the director of the office of financial management and the
3 transportation committees of the legislature. The report must include
4 information on: (a) The number of claims and settlements by type; (b)
5 the average claim and settlement by type; (c) defense costs
6 associated with those claims and settlements; and (d) information on
7 the impacts of moving legal costs associated with the Washington
8 state ferry system into the statewide self-insurance pool.

9 (3) Beginning October 1, 2021, and semiannually thereafter, the
10 department, in conjunction with the attorney general and the
11 department of enterprise services, shall provide a report with
12 judgments and settlements dealing with the nonferry operations of the
13 department to the director of the office of financial management and
14 the transportation committees of the legislature. The report must
15 include information on: (a) The number of claims and settlements by
16 type; (b) the average claim and settlement by type; and (c) defense
17 costs associated with those claims and settlements.

18 (4) When the department identifies significant legal issues that
19 have potential transportation budget implications, the department
20 must initiate a briefing for appropriate legislative members or staff
21 through the office of the attorney general and its legislative
22 briefing protocol.

23 **Sec. 221.** 2021 c 333 s 220 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

26 State Vehicle Parking Account—State Appropriation.	\$784,000
27 Regional Mobility Grant Program Account—State	
28 Appropriation.	((\$104,478,000))
29	<u>\$115,488,000</u>
30 Rural Mobility Grant Program Account—State	
31 Appropriation.	((\$33,168,000))
32	<u>\$33,283,000</u>
33 Multimodal Transportation Account—State	
34 Appropriation.	((\$131,150,000))
35	<u>\$134,754,000</u>
36 Multimodal Transportation Account—Federal	
37 Appropriation.	\$3,574,000
38 Multimodal Transportation Account—Local	

1	Appropriation.	\$100,000
2	TOTAL APPROPRIATION.	((\$273,254,000))
3		<u>\$287,983,000</u>

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

6 (1) \$67,821,000 of the multimodal transportation account—state
7 appropriation is provided solely for a grant program for special
8 needs transportation provided by transit agencies and nonprofit
9 providers of transportation. Of this amount:

10 (a) \$15,568,000 of the multimodal transportation account—state
11 appropriation is provided solely for grants to nonprofit providers of
12 special needs transportation. Grants for nonprofit providers must be
13 based on need, including the availability of other providers of
14 service in the area, efforts to coordinate trips among providers and
15 riders, and the cost effectiveness of trips provided. Fuel type may
16 not be a factor in the grant selection process.

17 (b) \$52,253,000 of the multimodal transportation account—state
18 appropriation is provided solely for grants to transit agencies to
19 transport persons with special transportation needs. To receive a
20 grant, the transit agency must, to the greatest extent practicable,
21 have a maintenance of effort for special needs transportation that is
22 no less than the previous year's maintenance of effort for special
23 needs transportation. Grants for transit agencies must be prorated
24 based on the amount expended for demand response service and route
25 deviated service in calendar year 2019 as reported in the "Summary of
26 Public Transportation - 2019" published by the department of
27 transportation. No transit agency may receive more than thirty
28 percent of these distributions. Fuel type may not be a factor in the
29 grant selection process.

30 (2) ((~~\$33,168,000~~)) \$33,283,000 of the rural mobility grant
31 program account—state appropriation is provided solely for grants to
32 aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel
33 type may not be a factor in the grant selection process.

34 (3) \$2,000,000 of the multimodal transportation account—state
35 appropriation is provided solely for a ((~~vanpool~~)) public transit
36 rideshare grant program for: (a) Public transit agencies to add
37 ((~~vanpools~~)) or replace ((~~vans~~)) rideshare vehicles; and (b)
38 incentives ((~~for employers~~)) and outreach to increase ((~~employee~~
39 ~~vanpool~~)) rideshare use. The grant program for public transit

1 agencies may cover capital costs only; operating costs for public
2 transit agencies are not eligible for funding under this grant
3 program. Additional employees may not be hired from the funds
4 provided in this section for the vanpool grant program, and
5 supplanting of transit funds currently funding vanpools is not
6 allowed. The department shall encourage grant applicants and
7 recipients to leverage funds other than state funds. Fuel type may
8 not be a factor in the grant selection process.

9 (4) (~~(\$26,800,000)~~) \$37,809,000 of the regional mobility grant
10 program account—state appropriation is reappropriated and provided
11 solely for the regional mobility grant projects identified in LEAP
12 Transportation Document (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed
13 (~~(April 23, 2021)~~) March 9, 2022, Program - Public Transportation
14 Program (V).

15 (5) (a) \$77,679,000 of the regional mobility grant program account
16 —state appropriation is provided solely for the regional mobility
17 grant projects identified in LEAP Transportation Document (~~(2021-2)~~)
18 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~) March 9, 2022,
19 Program - Public Transportation Program (V). The department shall
20 review all projects receiving grant awards under this program at
21 least semiannually to determine whether the projects are making
22 satisfactory progress. Any project that has been awarded funds, but
23 does not report activity on the project within one year of the grant
24 award, must be reviewed by the department to determine whether the
25 grant should be terminated. The department shall promptly close out
26 grants when projects have been completed, and any remaining funds
27 must be used only to fund projects identified in the LEAP
28 transportation document referenced in this subsection. The department
29 shall provide annual status reports on December 15, 2021, and
30 December 15, 2022, to the office of financial management and the
31 transportation committees of the legislature regarding the projects
32 receiving the grants. It is the intent of the legislature to
33 appropriate funds through the regional mobility grant program only
34 for projects that will be completed on schedule. A grantee may not
35 receive more than twenty-five percent of the amount appropriated in
36 this subsection. Additionally, when allocating funding for the
37 2023-2025 biennium, no more than thirty percent of the total grant
38 program may directly benefit or support one grantee unless all other
39 funding is awarded. The department shall not approve any increases or
40 changes to the scope of a project for the purpose of a grantee

1 expending remaining funds on an awarded grant. Fuel type may not be a
2 factor in the grant selection process.

3 (b) In order to be eligible to receive a grant under (a) of this
4 subsection during the 2021-2023 fiscal biennium, a transit agency
5 must establish a process for private transportation providers to
6 apply for the use of park and ride facilities. For purposes of this
7 subsection, (i) "private transportation provider" means: An auto
8 transportation company regulated under chapter 81.68 RCW; a passenger
9 charter carrier regulated under chapter 81.70 RCW, except marked or
10 unmarked stretch limousines and stretch sport utility vehicles as
11 defined under department of licensing rules; a private nonprofit
12 transportation provider regulated under chapter 81.66 RCW; or a
13 private employer transportation service provider; and (ii) "private
14 employer transportation service" means regularly scheduled, fixed-
15 route transportation service that is offered by an employer for the
16 benefit of its employees.

17 (6) Funds provided for the commute trip reduction (CTR) program
18 may also be used for the growth and transportation efficiency center
19 program.

20 (7) \$6,500,000 of the multimodal transportation account—state
21 appropriation and \$784,000 of the state vehicle parking account—state
22 appropriation are provided solely for CTR grants and activities. Fuel
23 type may not be a factor in the grant selection process. Of this
24 amount:

25 (a) \$30,000 of the state vehicle parking account—state
26 appropriation is provided solely for the STAR pass program for state
27 employees residing in Mason and Grays Harbor Counties. Use of the
28 pass is for public transportation between Mason County and Thurston
29 County, and Grays Harbor and Thurston County. The pass may also be
30 used within Grays Harbor County. The STAR pass commute trip reduction
31 program is open to any state employee who expresses intent to commute
32 to his or her assigned state worksite using a public transit system
33 currently participating in the STAR pass program.

34 (b) \$800,000 of the multimodal transportation account—state
35 appropriation is provided solely for continuation of the first mile/
36 last mile connections grant program. Eligible grant recipients
37 include cities, businesses, nonprofits, and transportation network
38 companies with first mile/last mile solution proposals. Transit
39 agencies are not eligible. The commute trip reduction board shall

1 develop grant parameters, evaluation criteria, and evaluate grant
2 proposals. The commute trip reduction board shall provide the
3 transportation committees of the legislature a report on the
4 effectiveness of this grant program and best practices for continuing
5 the program.

6 (8) (a) Except as provided otherwise in this subsection,
7 (~~(\$28,263,000)~~) \$29,030,000 of the multimodal transportation account—
8 state appropriation is provided solely for connecting Washington
9 transit projects identified in LEAP Transportation Document
10 (~~(2021-2)~~) 2022-2 ALL PROJECTS as developed (~~(April 23, 2021)~~) March
11 9, 2022. It is the intent of the legislature that entities identified
12 to receive funding in the LEAP document referenced in this subsection
13 receive the amounts specified in the time frame specified in that
14 LEAP document. If an entity has already completed a project in the
15 LEAP document referenced in this subsection before the time frame
16 identified, the entity may substitute another transit project or
17 projects that cost a similar or lesser amount.

18 (b) Within the amount provided in this subsection, \$900,000 of
19 the multimodal transportation account—state appropriation is provided
20 solely to complete work on Martin Luther King Way, Rainier Ave
21 improvements (G2000040).

22 (9) The department shall not require more than a ten percent
23 match from nonprofit transportation providers for state grants.

24 (10) (~~(\$21,858,000)~~) \$23,349,000 of the multimodal transportation
25 account—state appropriation is provided solely for the green
26 transportation capital grant program established in chapter 287, Laws
27 of 2019 (advancing green transportation adoption).

28 (11) \$555,000 of the multimodal transportation account—state
29 appropriation is provided solely for an interagency transfer to the
30 Washington State University extension energy program to establish and
31 administer a technical assistance and education program for public
32 agencies on the use of alternative fuel vehicles. The Washington
33 State University extension energy program shall prepare a report
34 regarding the utilization of the program and provide this report to
35 the transportation committees of the legislature by November 15,
36 2021.

37 (12) The department must provide telework assistance to employers
38 as part of its CTR activities. The objectives of telework assistance

1 include improving transportation system performance, supporting
2 economic vitality, and increasing equity and access to opportunity.

3 (13) \$150,000 of the multimodal transportation account—state
4 appropriation is provided solely for Intercity Transit for the Dash
5 shuttle program.

6 (14)(a) \$500,000 of the multimodal transportation account—state
7 appropriation is provided solely for King county metro to develop a
8 pilot program to place teams including human services personnel along
9 routes that are enduring significant public safety issues and various
10 disruptive behavior in south King county. The team would be available
11 to deescalate disruptions, provide immediate access to transit
12 resources, and refer customers to community resources to break cycles
13 of inappropriate behavior. The teams must be individuals trained in
14 deescalation and outreach. The function and duties should be
15 cocreated with community stakeholders.

16 (b) King county metro must provide a report to the transportation
17 committees of the legislature by June 30, 2023, regarding the
18 effectiveness of the program, any suggestions for improving its
19 efficacy, and any modifications that might be necessary for other
20 transit providers to institute similar programs.

21 (c) If King county metro does not provide at least \$500,000 to
22 develop the pilot program funded by this subsection, the amount
23 provided in this subsection lapses.

24 (15)(a) \$250,000 of the multimodal transportation account—state
25 appropriation is provided solely for the department, in consultation
26 with the joint transportation committee, to conduct a study of
27 statewide transit service benchmarks. Elements of the study include:

28 (i) Development of definitions of frequent fixed route transit
29 and accessible frequent fixed route transit; and

30 (ii) Identification of, to the extent possible using existing
31 data, current gaps in frequent fixed route transit and accessible
32 walking routes to frequent fixed route transit stops.

33 (b) An initial report is due by December 15, 2022, that proposes
34 a definition of frequent transit and documents how many people in
35 Washington live within one half mile walk of frequent transit. A
36 final report is due by June 30, 2023, that identifies gaps in
37 accessible frequent transit, analyzed for disparities in race, age,
38 and disability, and develops funding scenarios to address the
39 identified gaps.

1 (16) Within existing resources, the department shall prepare a
2 report regarding the funding, implementation, and operation of the
3 grant management system or systems utilized by the public
4 transportation division. In preparing this report, the department
5 must survey and report on all grant recipients experience with the
6 operation of this system or systems. The department shall provide
7 this report to the transportation committees of the legislature by
8 November 15, 2022.

9 **Sec. 222.** 2021 c 333 s 221 (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.	(((\$416,614,000))
14	<u>\$430,388,000</u>
15 Puget Sound Ferry Operations Account—Federal	
16 Appropriation.	(((\$124,000,000))
17	<u>\$156,789,000</u>
18 Puget Sound Ferry Operations Account—Private/Local	
19 Appropriation.	\$121,000
20 TOTAL APPROPRIATION.	(((\$540,735,000))
21	<u>\$587,298,000</u>

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

24 (1) The office of financial management budget instructions
25 require agencies to recast enacted budgets into activities. The
26 Washington state ferries shall include a greater level of detail in
27 its 2021-2023 supplemental and 2023-2025 omnibus transportation
28 appropriations act requests, as determined jointly by the office of
29 financial management, the Washington state ferries, and the
30 transportation committees of the legislature. This level of detail
31 must include the administrative functions in the operating as well as
32 capital programs. The data in the tables in the report must be
33 supplied in a digital file format.

34 (2) For the 2021-2023 fiscal biennium, the department may enter
35 into a distributor controlled fuel hedging program and other methods
36 of hedging approved by the fuel hedging committee, which must include
37 a representative of the department of enterprise services.

1 (3) (~~(\$17,000,000)~~) \$32,905,000 of the Puget Sound ferry
2 operations account—federal appropriation and \$53,794,000 of the Puget
3 Sound ferry operations account—state appropriation are provided
4 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal
5 biennium, which reflect cost savings from a reduced biodiesel fuel
6 requirement and, therefore, is contingent upon the enactment of
7 section 703 of this act. The amount provided in this subsection
8 represents the fuel budget for the purposes of calculating any ferry
9 fare fuel surcharge. The department shall review future use of
10 alternative fuels and dual fuel configurations, including hydrogen.

11 (4) \$500,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for operating costs related to
13 moving vessels for emergency capital repairs. Funds may only be spent
14 after approval by the office of financial management.

15 (5) \$2,400,000 of the Puget Sound ferry operations account—state
16 appropriation (~~(is)~~) and \$2,000,000 of the Puget Sound ferry
17 operations account—federal appropriation are provided solely for
18 staffing and overtime expenses incurred by engine and deck
19 crewmembers. The department must provide updated staffing cost
20 estimates for fiscal years 2022 and 2023 with its annual budget
21 submittal and updated estimates by January 1, 2022.

22 (6) \$688,000 of the Puget Sound ferry operations account—state
23 appropriation (~~(is)~~) and \$697,000 of the Puget Sound ferry operations
24 account—federal appropriation are provided solely for new employee
25 training. The department must work to increase its outreach and
26 recruitment of populations underrepresented in maritime careers and
27 continue working to expand apprenticeship and internship programs,
28 with an emphasis on programs that are shown to improve recruitment
29 for positions with the state ferry system.

30 (7) The department must request reimbursement from the federal
31 transit administration for the maximum amount of ferry operating
32 expenses eligible for reimbursement under federal law.

33 (8) (~~(\$1,978,000 of the Puget Sound ferry operations account—~~
34 ~~state appropriation is provided solely for restoration of service to~~
35 ~~reflect increased ridership, availability of crewing and available~~
36 ~~revenues. Expenditures may be made to resume service to Sidney,~~
37 ~~British Columbia, including any service to the San Juans; to provide~~
38 ~~Saturday service on the Fauntleroy-Vashon-Southworth route; and to~~
39 ~~resume late night service on other routes in the system.~~

1 ~~(9) Within amounts provided in this section,~~) \$484,000 of the
2 Puget Sound ferry operations account—federal is provided solely for
3 the department ((shall)) to contract ((with uniformed officers)) for
4 additional traffic control assistance at the Kingston ferry terminal
5 during peak ferry travel times, with a particular focus on Sundays
6 and holiday weekends. Traffic control methods should include, but not
7 be limited to, holding traffic on the shoulder at Lindvog Road until
8 space opens for cars at the tollbooths and dock, and management of
9 traffic on Highway 104 in order to ensure Kingston residents and
10 business owners have access to businesses, roads, and driveways.

11 ~~((10))~~ (9) \$336,000 of the Puget Sound ferry operations account
12 —state appropriation is provided solely for evacuation slide
13 training.

14 ~~((11))~~ (10) \$336,000 of the Puget Sound ferry operations
15 account—state appropriation is provided solely for fall restraint
16 labor and industries inspections.

17 ~~((12))~~ (11) \$735,000 of the Puget Sound ferry operations
18 account—state appropriation ((is)) and \$410,000 of the Puget Sound
19 ferry operations account—federal appropriation are provided solely
20 for familiarization for new assignments of engine crew and terminal
21 staff.

22 ~~((13))~~ (12) \$160,000 of the Puget Sound ferry operations
23 account—state appropriation is provided solely for electronic
24 navigation training.

25 (13) \$250,000 of the Puget Sound ferry operations account—state
26 appropriation is provided solely for Washington State Ferries to
27 conduct a study of passenger demographics. The study must include:

28 (a) Information on age, race, gender, income level of passengers
29 by route in summer and winter seasons;

30 (b) Composition of passengers by travel purpose, such as commute,
31 tourism, or commerce; and

32 (c) Frequency of passenger trips by mode and fare products
33 utilized.

34 The study may be included as part of a larger origin and
35 destination study. The department shall report study results to the
36 transportation committees of the legislature by December 1, 2023.

37 (14) (a) \$8,419,000 of the Puget Sound ferry operations account—
38 federal appropriation is provided solely for Washington state ferries
39 to:

1 (i) Continuously recruit and hire deck, engine, and terminal
2 staff;

3 (ii) Contract with an external recruitment firm to increase
4 recruitment efforts both locally and nationally with an emphasis on
5 attracting maritime workers from communities underrepresented in the
6 ferry system;

7 (iii) Enhance employee retention by standardizing on-call worker
8 schedules;

9 (iv) Increase training and development opportunities for
10 employees; and

11 (v) Make improvements to hiring processes by establishing
12 additional positions to support timely hiring of employees.

13 (b) It is the intent of the legislature to continue funding for
14 the activities outlined in this section as part of the move ahead WA
15 package.

16 (15) \$248,000 of the Puget Sound ferry operations account—federal
17 appropriation is provided solely for labor at the Vashon terminal.

18 (16) \$194,000 of the Puget Sound ferry operations account—federal
19 appropriation is provided solely for operating costs at the Mukilteo
20 terminal.

21 (17) \$294,000 of the Puget Sound ferry operations account—federal
22 appropriation is provided solely for deck and engine internships.

23 (18) By December 1, 2022, the department must report on the
24 status of efforts to increase training and development opportunities
25 for employees. The report must include a description of the new
26 training and career advancement programs for able-bodied sailors,
27 mates, and engineers; the numbers of employees participating in each
28 program; the number of employees completing each program; the number
29 of open positions that the program is designed to fill; and the
30 anticipated number of employee promotions as a result of program
31 completion. The department must provide the report to the office of
32 financial management and the transportation committees of the
33 legislature.

34 (19) For the Mukilteo multimodal terminal, the department must
35 submit a report showing for a 12-month period, on a monthly basis,
36 how much electricity is generated by solar power generated on-site,
37 electricity usage, and actual electricity cost savings. The report is
38 due to the transportation committees of the legislature by June 30,
39 2023.

1 (20) \$93,000 of the Puget Sound ferry operations account—state
2 appropriation is provided solely for Washington state ferries to
3 partner with local community colleges and universities to secure
4 housing for workforce training sessions and to pay in advance for the
5 costs of transportation worker identification credentials for
6 incoming ferry system employees and trainees.

7 (21)(a) \$300,000 of the Puget Sound ferry operations account—
8 state appropriation is provided solely for the department, in
9 consultation with the joint transportation committee, to oversee a
10 consultant study to identify and recommend cost-effective strategies
11 to maximize walk-on passenger ridership of the Anacortes - San Juan
12 ferry routes. The study must also identify available public funding
13 sources to support these strategies. Reducing the need for passengers
14 to bring their cars on the ferries will increase the capacity of each
15 ferry run to transport more people.

16 (b) The evaluated options may include, but not be limited to:

17 (i) Increased public funding or other support for transit or
18 shuttle service between ferry landings on Orcas, Lopez, San Juan, and
19 Anacortes and nearby major town centers or connecting transit hubs;

20 (ii) Options to increase availability of taxi and rideshare
21 services at each of the landings;

22 (iii) Short-term electric vehicle rentals at ferry landings,
23 including electric bicycles and scooters;

24 (iv) Public funding or other support to increase the available
25 locations for additional parking and reduce the cost for short-term
26 parking near each landing;

27 (v) Marketing of the availability of options through the
28 Washington state ferries reservation system website, on ferries and
29 at ferry landings and ticketing facilities.

30 (c) Outreach for the study, including on the feasibility and
31 effectiveness of each strategy evaluated, must include outreach to
32 representatives of:

33 (i) Washington state ferries;

34 (ii) San Juan county council;

35 (iii) Anacortes and San Juan Islands ferry advisory committee
36 members;

37 (iv) San Juan economic development council;

38 (v) City of Anacortes;

39 (vi) City of Friday Harbor;

40 (vii) Skagit transit;

- 1 (viii) Skagit RTPO;
- 2 (ix) Eastsound;
- 3 (x) Lopez Village;
- 4 (xi) Transit dependent populations; and
- 5 (xii) Others as deemed appropriate by the committee.

6 (d) A report with recommendations on the most feasible and cost-
 7 effective strategies to maximize walk-on passenger ridership of the
 8 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to
 9 the transportation committees of the legislature by January 6, 2023.

10 (22) (a) During negotiations of the 2023-2025 collective
 11 bargaining agreements, the department must conduct a review and
 12 analysis of the collective bargaining agreements governing state
 13 ferry employees, to identify provisions that create barriers for, or
 14 contribute to creating a disparate impact on, newly hired ferry
 15 employees, including those who are women, people of color, veterans,
 16 and other employees belonging to communities that have historically
 17 been underrepresented in the workforce. The review and analysis must
 18 include, but not be limited to, provisions regarding seniority, work
 19 assignments, and work shifts. The review and analysis must also
 20 include consultation with the governor's office of labor relations,
 21 the governor's office of equity, and the attorney general's office.

22 (b) For future negotiations or modifications of the collective
 23 bargaining agreements, it is the intent of the legislature that the
 24 collective bargaining representatives for the state and ferry
 25 employee organizations may consider the findings of the review and
 26 analysis required in (a) of this subsection and negotiate in a manner
 27 to remove identified barriers and address identified impacts so as
 28 not to perpetuate negative impacts.

29 (23) To the extent that an activity funded by federal funds in
 30 this section is not eligible for federal reimbursement, the
 31 department may transfer expenditure authority between state and
 32 federal appropriations provided in this section.

33 **Sec. 223.** 2021 c 333 s 222 (uncodified) is amended to read as
 34 follows:

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

36 Multimodal Transportation Account—State

37	Appropriation.	((\$80,704,000))
38		<u>\$68,430,000</u>

1	Multimodal Transportation Account—Private/Local	
2	Appropriation.	\$46,000
3	Multimodal Transportation Account—Federal	
4	Appropriation.	\$500,000
5	TOTAL APPROPRIATION.	((\$81,250,000))
6		<u>\$68,976,000</u>

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

9 (1) The department is directed to continue to pursue efforts to
10 reduce costs, increase ridership, and review Amtrak Cascades fares
11 and fare schedules. Within thirty days of each annual cost/revenue
12 reconciliation under the Amtrak service contract, the department
13 shall report annual credits to the office of financial management and
14 the legislative transportation committees. Annual credits from Amtrak
15 to the department including, but not limited to, credits due to
16 higher ridership, reduced level of service, and fare or fare schedule
17 adjustments, must be used to offset corresponding amounts of the
18 multimodal transportation account—state appropriation, which must be
19 placed in reserve.

20 (2) Consistent with the ongoing planning and service improvement
21 for the intercity passenger rail program, \$500,000 of the multimodal
22 transportation account—state is provided solely for the Cascades
23 service development plan. This funding is to be used to analyze
24 current and future market conditions and to develop a structured
25 assessment of service options and goals based on anticipated demand
26 and the results of the state and federally required 2019 state rail
27 plan, including identifying implementation alternatives to meet the
28 future service goals for the Amtrak Cascades route. The work must be
29 consistent with federal railroad administration guidance and
30 direction on developing service development plans. It must also
31 leverage the \$500,000 in federal funding appropriated for development
32 of a service development plan and comply with the planning and grant
33 award obligations of the consolidated rail infrastructure and safety
34 improvements (CRISI) program. A status report must be provided to the
35 transportation committees of the legislature by June 30, 2022.

36 (3) \$4,000,000 of the multimodal transportation account—state
37 appropriation is provided solely for the continued coordination,
38 engagement, and planning for a new ultra high-speed ground
39 transportation corridor with participation from Washington, Oregon,

1 and British Columbia. This funding is contingent on meaningful
2 financial contributions for this effort by Oregon or British
3 Columbia. "Ultra high-speed" means a maximum testing speed of at
4 least 250 miles per hour. These efforts are to support and advance
5 activities and must abide by the memorandum of understanding signed
6 by the governors of Washington and Oregon, and the premier of the
7 province of British Columbia in November 2021. The department shall
8 establish a policy committee with participation from Washington,
9 Oregon, and British Columbia, including representation from the two
10 largest caucuses of each chamber of the Washington state legislature,
11 and coordinate the activities of the policy committee to include:

12 (a) Developing an organizational framework that facilitates input
13 in decision-making from all parties;

14 (b) Developing a public engagement approach with a focus on
15 equity, inclusion, and meaningful engagement with communities,
16 businesses, federal, state, provincial, and local governments
17 including indigenous communities;

18 (c) Developing and leading a collaborative approach to prepare
19 and apply for potential future federal, state, and provincial funding
20 opportunities, including development of strategies for incorporating
21 private sector participation and private sector contributions to
22 funding, including through the possible use of public-private
23 partnerships;

24 (d) Beginning work on scenario analysis addressing advanced
25 transportation technologies, land use and growth assumptions, and an
26 agreed to and defined corridor vision statement; and

27 (e) Developing a recommendation on the structure and membership
28 of a formal coordinating entity that will be responsible for
29 advancing the project through the project initiation stage to project
30 development and recommended next steps for establishment of the
31 coordinating entity. Project development processes must include
32 consideration of negative and positive impacts on communities of
33 color, low-income households, indigenous peoples, and other
34 disadvantaged communities.

35 By June 30, 2023, the department shall provide to the governor
36 and the transportation committees of the legislature a report
37 detailing the work conducted by the policy committee and
38 recommendations for establishing a coordinating entity. The report
39 must also include an assessment of current activities and results
40 relating to stakeholder engagement, planning, and any federal funding

1 application. As applicable, the assessment should also be sent to the
2 executive and legislative branches of government in Oregon and
3 appropriate government bodies in the province of British Columbia.

4 (4) The department shall consider applying for federal grant
5 opportunities that support the development of the Amtrak Cascades
6 service. Grant submittals must align with the department's federally
7 required service development plan and state rail plans and
8 partnership agreements with Amtrak as the service provider and BNSF
9 Railway as the host railroad.

10 **Sec. 224.** 2021 c 333 s 223 (uncodified) is amended to read as
11 follows:

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

14	Motor Vehicle Account—State Appropriation.	((\$11,954,000))
15		<u>\$12,451,000</u>
16	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
17	Multiuse Roadway Safety Account—State Appropriation.	\$900,000
18	<u>Multimodal Transportation Account—State</u>	
19	<u>Appropriation.</u>	<u>\$250,000</u>
20	TOTAL APPROPRIATION.	((\$15,421,000))
21		<u>\$16,168,000</u>

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

24 (1) The entire multiuse roadway safety account—state
25 appropriation is provided solely for grants under RCW 46.09.540,
26 subject to the following limitations:

27 (a) Twenty-five percent of the amounts provided are reserved for
28 counties that each have a population of fifteen thousand persons or
29 less; and

30 (b) (i) Seventy-five percent of the amounts provided are reserved
31 for counties that each have a population exceeding fifteen thousand
32 persons; and

33 (ii) No county that receives a grant or grants under (a) of this
34 subsection may receive more than sixty thousand dollars in total
35 grants.

36 (2) \$1,023,000 of the motor vehicle account—state appropriation
37 is provided solely for the department, from amounts set aside out of
38 statewide fuel taxes distributed to counties according to RCW

1 46.68.120(3), to contract with the Washington state association of
2 counties to:

3 (a) In coordination with stakeholders, identify county-owned fish
4 passage barriers, and assess which barriers share the same stream
5 system as state-owned fish passage barriers;

6 (b) Streamline and update the county road administration board's
7 data dashboard, county reporting systems, and program management
8 software to provide a more detailed, more transparent, and user-
9 friendly platform for data management, reporting, and research by the
10 public and other interested parties; and

11 (c) Conduct a study of the use of county road right-of-way as a
12 potential source of revenue for county road operating and maintenance
13 needs with recommendations on their feasibility statewide.

14 ~~((3) (a) By October 1, 2021, the department must report to the~~
15 ~~office of financial management and the transportation committees with~~
16 ~~recommendations regarding:~~

17 ~~(i) Modifications to the agreement with Wahkiakum county~~
18 ~~regarding future state reimbursement for the Wahkiakum ferry~~
19 ~~operating and maintenance deficit; and~~

20 ~~(ii) Cost-sharing models for operating and maintenance costs,~~
21 ~~which recognize the benefit of the ferry route to both Washington and~~
22 ~~Oregon.~~

23 ~~(b) The reimbursement recommendations must reflect a mutual~~
24 ~~agreement with Wahkiakum county, which considers future county ferry~~
25 ~~operating loss projections. The report may address the importance of~~
26 ~~the ferry route to the state highway system and whether there is a~~
27 ~~need for an increased role for the state department of transportation~~
28 ~~in the finance or operation of the ferry route.))~~

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 301.** 2021 c 333 s 301 (uncodified) is amended to read as
3 follows:

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

5 Freight Mobility Investment Account—State
6 Appropriation. ((~~\$16,577,000~~))
7 \$17,769,000
8 Freight Mobility Multimodal Account—State
9 Appropriation. ((~~\$15,195,000~~))
10 \$14,004,000
11 TOTAL APPROPRIATION. ((~~\$31,772,000~~))
12 \$31,773,000

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((2021-2))
18 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) March 9, 2022,
19 Freight Mobility Strategic Investment Board (FMSIB).

20 (2) Until directed by the legislature, the board may not initiate
21 a new call for projects.

22 (3) It is the intent of the legislature to continue to make
23 strategic investments in a statewide freight mobility transportation
24 system with the help of the freight mobility strategic investment
25 board, including projects that mitigate the impact of freight
26 movement on local communities. To that end, and in coordination with
27 WSDOT as it updates its federally-compliant freight plan, the board
28 is directed to identify the highest priority freight investments for
29 the state, across freight modes, state and local jurisdictions, and
30 regions of the state. By December 1, 2021, the board must submit a
31 preliminary report providing a status update on the process and
32 methodology for identifying and prioritizing investments. By December
33 1, 2022, the board must submit a prioritized list of freight
34 investments that are geographically balanced across the state and can
35 proceed to construction in a timely manner. The prioritized freight
36 project list for the state portion of national highway freight
37 program funds must first address shortfalls in funding for connecting
38 Washington act projects.

1 (4) (a) For the 2021-2023 project appropriations, unless otherwise
2 provided in this act, the director of the office of financial
3 management may authorize a transfer of appropriation authority
4 between projects managed by the freight mobility strategic investment
5 board in order for the board to manage project spending and support
6 the efficient and timely delivery of all projects in the program. The
7 office of financial management may authorize a transfer of
8 appropriation authority between projects under the following
9 conditions and limitations:

10 (i) Transfers from a project may not be made as a result of the
11 reduction of the scope of a project or be made to support increases
12 in the scope of a project;

13 (ii) Each transfer between projects may only occur if the
14 director of the office of financial management finds that any
15 resulting change will not hinder the completion of the projects on
16 ((the)) LEAP Transportation Document ((2021-2)) 2022-2 ALL ((PROJECT
17 list)) PROJECTS as developed March 9, 2022;

18 (iii) Transfers between projects may be made by the board without
19 the formal written approval provided under this subsection (3) (a),
20 provided that the transfer amount does not exceed \$250,000 or 10
21 percent of the total project, whichever is less. These transfers must
22 be reported to the director of the office of financial management and
23 the chairs of the house of representatives and senate transportation
24 committees; and

25 (iv) Except for transfers made under (a) (iii) of this subsection,
26 transfers may only be made in fiscal year 2023.

27 (b) At the time the board submits a request to transfer funds
28 under this section, a copy of the request must be submitted to the
29 chairs and ranking members of the transportation committees of the
30 legislature.

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

36 (d) No fewer than 10 days after the receipt of a project transfer
37 request, the director of the office of financial management must
38 provide written notification to the board of any decision regarding
39 project transfers, with copies submitted to the transportation
40 committees of the legislature.

1 **Sec. 302.** 2021 c 333 s 302 (uncodified) is amended to read as
2 follows:

3 **FOR THE WASHINGTON STATE PATROL**

4 State Patrol Highway Account—State Appropriation. . . . (~~(\$4,196,000)~~)
5 \$4,803,000

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

8 (1) \$695,000 of the state patrol highway account—state
9 appropriation is provided solely for roof replacement.

10 (2) \$3,501,000 of the state patrol highway account—state
11 appropriation is provided solely for the following projects:

- 12 (a) \$250,000 for emergency repairs;
- 13 (b) \$350,000 for fuel tank decommissioning;
- 14 (c) \$750,000 for generator and electrical replacement;
- 15 (d) \$195,000 for the exterior envelope of the Yakima office;
- 16 (e) \$466,000 for equipment shelters;
- 17 (f) \$650,000 for the weatherization projects;
- 18 (g) \$200,000 for roof replacements reappropriation; and
- 19 (h) \$640,000 for water and fire suppression systems
20 reappropriation and \$607,000 for additional water and fire
21 suppression systems.

22 (3) The Washington state patrol may transfer funds between
23 projects specified in this subsection to address cash flow
24 requirements. If a project specified in this subsection is completed
25 for less than the amount provided, the remainder may be transferred
26 to another project specified in this subsection not to exceed the
27 total appropriation provided in this subsection.

28 **Sec. 303.** 2021 c 333 s 303 (uncodified) is amended to read as
29 follows:

30 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

31 Rural Arterial Trust Account—State Appropriation. . . . \$55,028,000
32 Motor Vehicle Account—State Appropriation. . . . \$1,456,000
33 County Arterial Preservation Account—State
34 Appropriation. . . . (~~(\$37,379,000)~~)
35 \$44,653,000
36 TOTAL APPROPRIATION. . . . (~~(\$93,863,000)~~)
37 \$101,137,000

1 **Sec. 304.** 2021 c 333 s 305 (uncodified) is amended to read as
2 follows:

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

5 Motor Vehicle Account—State Appropriation.	((\$10,852,000))
	<u>\$16,076,000</u>
6 Connecting Washington Account—State Appropriation.	((\$3,289,000))
	<u>\$3,667,000</u>
7	
8	
9 TOTAL APPROPRIATION.	((\$14,141,000))
10	<u>\$19,743,000</u>

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

13 (1) \$3,289,000 of the connecting Washington account—state
14 appropriation is provided solely for a new Olympic region maintenance
15 and administration facility to be located on the department-owned
16 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
17 Washington.

18 (2) (a) \$4,325,000 of the motor vehicle account—state
19 appropriation is provided solely for payments of a financing contract
20 issued pursuant to chapter 39.94 RCW for the department facility
21 located at 15700 Dayton Ave N in Shoreline.

22 (b) Payments from the department of ecology pursuant to the
23 agreement with the department to pay a share of the financing
24 contract in (a) of this subsection must be deposited into the motor
25 vehicle account.

26 **Sec. 305.** 2021 c 333 s 306 (uncodified) is amended to read as
27 follows:

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

29 Transportation 2003 Account (Nickel Account)—State	
30 Appropriation.	((\$149,000))
31	<u>\$482,000</u>
32 Transportation Partnership Account—State	
33 Appropriation.	((\$119,053,000))
34	<u>\$232,566,000</u>
35 Motor Vehicle Account—State Appropriation.	((\$89,717,000))
36	<u>\$246,948,000</u>
37 Motor Vehicle Account—Federal Appropriation.	((\$388,903,000))
38	<u>\$251,835,000</u>

1	Coronavirus State Fiscal Recovery Fund—Federal	
2	Appropriation.	\$400,000,000
3	Motor Vehicle Account—Private/Local Appropriation.	((\$48,628,000))
4		<u>\$56,192,000</u>
5	Connecting Washington Account—State Appropriation. ((\$2,881,033,000))	
6		<u>\$2,063,783,000</u>
7	Special Category C Account—State Appropriation.	((\$105,363,000))
8		<u>\$86,198,000</u>
9	Multimodal Transportation Account—State	
10	Appropriation.	((\$10,784,000))
11		<u>\$10,792,000</u>
12	<u>Puget Sound Gateway Facility Account—State</u>	
13	<u>Appropriation.</u>	<u>\$8,400,000</u>
14	State Route Number 520 Corridor Account—State	
15	Appropriation.	((\$15,940,000))
16		<u>\$70,886,000</u>
17	Interstate 405 and State Route Number 167 Express	
18	Toll Lanes Account—State Appropriation.	((\$30,308,000))
19		<u>\$217,282,000</u>
20	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$10,771,000</u>
21	<u>Move Ahead WA Account—Federal Appropriation.</u>	<u>\$7,200,000</u>
22	TOTAL APPROPRIATION.	((\$4,089,878,000))
23		<u>\$3,663,335,000</u>

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

26 (1) Except as provided otherwise in this section, the entire
27 connecting Washington account—state appropriation and the entire
28 transportation partnership account—state appropriation are provided
29 solely for the projects and activities as listed by fund, project,
30 and amount in LEAP Transportation Document ((~~2021-1~~)) 2022-1 as
31 developed ((~~April 23, 2021~~)) March 9, 2022, Program - Highway
32 Improvements Program (I). However, limited transfers of specific
33 line-item project appropriations may occur between projects for those
34 amounts listed subject to the conditions and limitations in section
35 601 ((~~of this act~~)), chapter 333, Laws of 2021.

36 (2) Except as provided otherwise in this section, the entire
37 motor vehicle account—state appropriation and motor vehicle account—
38 federal appropriation are provided solely for the projects and
39 activities listed in LEAP Transportation Document ((~~2021-2~~)) 2022-2

1 ALL PROJECTS as developed (~~April 23, 2021~~) March 9, 2022, Program -
2 Highway Improvements Program (I). Any federal funds gained through
3 efficiencies, adjustments to the federal funds forecast, or the
4 federal funds redistribution process must then be applied to highway
5 and bridge preservation activities or fish passage barrier
6 corrections (OBI4001), as long as the application of the funds is not
7 inconsistent with subsection (26) of this section.

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

17 (4) The connecting Washington account—state appropriation
18 includes up to (~~(\$2,230,636,000)~~) \$326,594,000 in proceeds from the
19 sale of bonds authorized in RCW 47.10.889.

20 (5) The special category C account—state appropriation includes
21 up to (~~(\$82,475,000)~~) \$51,460,000 in proceeds from the sale of bonds
22 authorized in RCW 47.10.812.

23 (6) The transportation partnership account—state appropriation
24 includes up to (~~(\$28,411,000)~~) \$124,629,000 in proceeds from the sale
25 of bonds authorized in RCW 47.10.873.

26 (7) (~~(\$60,450,000)~~) \$161,792,000 of the transportation
27 partnership account—state appropriation, (~~(\$2,258,000)~~) \$3,882,000 of
28 the motor vehicle account—private/local appropriation, \$9,000,000 of
29 the motor vehicle account—state appropriation, \$1,000 of the
30 transportation 2003 account (nickel account)—state appropriation, and
31 (~~(\$984,000)~~) \$985,000 of the multimodal transportation account—state
32 appropriation are provided solely for the SR 99/Alaskan Way Viaduct
33 Replacement project (809936Z). It is the intent of the legislature
34 that any legal damages paid to the state as a result of a lawsuit
35 related to contractual provisions for construction and delivery of
36 the Alaskan Way viaduct replacement project be used to repay project
37 cost increases paid from the transportation partnership account—state
38 funds and motor vehicle account—state funds.

1 (8) (~~(\$193,699,000)~~) \$186,820,000 of the connecting Washington
2 account—state appropriation (~~(is)~~) and \$488,000 of the motor vehicle
3 account—local appropriation are provided solely for the US 395 North
4 Spokane Corridor project (M00800R). If the department expects the
5 original scope of this project to be completed under budget when a
6 final design is approved for the interchange with I-90 and nearby on
7 ramp access, then the scope of work for this project must also
8 include constructing a land bridge in the vicinity of Liberty Park in
9 Spokane, if appropriations are sufficient. It is the intent of the
10 legislature, consistent with the move ahead WA proposal, to advance
11 future funding for this project in order to accelerate delivery by up
12 to two years.

13 (9) (a) (~~(\$14,827,000)~~) \$177,982,000 of the Interstate 405 and
14 state route number 167 express toll lanes account—state appropriation
15 is provided solely for the I-405/SR 522 to I-5 Capacity Improvements
16 project (L2000234) for activities related to adding capacity on
17 Interstate 405 between state route number 522 and Interstate 5, with
18 the goals of increasing vehicle throughput and aligning project
19 completion with the implementation of bus rapid transit in the
20 vicinity of the project.

21 (b) The department may advance the I-405/SR 522 to I-5 Capacity
22 Improvements project (L2000234) and construct the project earlier
23 than is scheduled in the LEAP transportation document referenced in
24 subsection (2) of this section if additional funding is identified
25 and submitted through the existing unanticipated receipts process by
26 September 1, 2021. The department and the state treasurer shall
27 pursue alternatives to toll revenue funding including but not limited
28 to federal loan and grant programs. The department shall explore
29 phasing and modifying the project to attempt to align project
30 completion with the anticipated deployment of bus rapid transit on
31 the corridor in the 2023-2025 biennium. The department shall report
32 back to the transportation committees of the legislature on this work
33 by September 15, 2021.

34 (10) (a) (~~(\$492,349,000)~~) \$329,681,000 of the connecting
35 Washington account—state appropriation, \$70,886,000 of the state
36 route number 520 corridor account—state appropriation, and
37 (~~(\$355,000)~~) \$1,021,000 of the motor vehicle account—private/local
38 appropriation are provided solely for the SR 520 Seattle Corridor
39 Improvements - West End project (M00400R).

1 (b) Upon completion of the Montlake Phase of the West End project
2 (current anticipated contract completion of 2023), the department
3 shall sell that portion of the property not used for permanent
4 transportation improvements and initiate a process to convey that
5 surplus property to a subsequent owner.

6 (c) Of the amounts provided in this subsection (10), \$100,000 of
7 the state route number 520 corridor account—state appropriation is
8 provided solely for noise mitigation activities. It is the intent of
9 the legislature to provide an additional \$1,000,000 for noise
10 mitigation activities over the course of the 16-year move ahead WA
11 funding package.

12 (11) (~~(\$382,880,000)~~) \$361,296,000 of the connecting Washington
13 account—state appropriation, \$4,800,000 of the multimodal
14 transportation account—state appropriation, (~~(\$17,869,000)~~)
15 \$13,725,000 of the motor vehicle account—private/local appropriation,
16 \$7,200,000 of the move ahead WA account—federal appropriation,
17 \$8,400,000 of the Puget Sound Gateway facility account—state
18 appropriation, and (~~(\$82,165,000)~~) \$85,015,000 of the motor vehicle
19 account—federal appropriation are provided solely for the SR 167/SR
20 509 Puget Sound Gateway project (M00600R).

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

23 (b) In making budget allocations to the Puget Sound Gateway
24 project, the department shall implement the project's construction as
25 a single corridor investment. The department shall continue to
26 collaborate with the affected stakeholders as it implements the
27 corridor construction and implementation plan for state route number
28 167 and state route number 509. Specific funding allocations must be
29 based on where and when specific project segments are ready for
30 construction to move forward and investments can be best optimized
31 for timely project completion. Emphasis must be placed on avoiding
32 gaps in fund expenditures for either project.

33 (c) It is the legislature's intent that the department shall
34 (~~construct a full single-point urban~~) consult with the joint
35 executive committee and joint steering committee to determine the
36 most appropriate interchange at the junction of state route number
37 161 (Meridian avenue) and state route number 167 (~~and a full~~
38 ~~directional interchange at the junction of state route number 509 and~~
39 ~~188th Street. If the department receives additional funds from an~~

1 ~~outside source for this project after the base project is fully~~
2 ~~funded, the funds must first be applied toward the completion of~~
3 ~~these two interchanges)).~~

4 (d) Of the amounts provided in this subsection, \$2,300,000 of the
5 multimodal transportation account—state appropriation is provided
6 solely for the design phase of the Puyallup to Tacoma multiuse trail
7 along the SR 167 right-of-way acquired for the project to connect a
8 network of new and existing trails from Mount Rainier to Point
9 Defiance Park.

10 (e) Of the amounts provided in this subsection, \$2,500,000 of the
11 multimodal transportation account—state appropriation is provided
12 solely for segment 2 of the state route number 167 completion project
13 shared-use path to provide connections to the interchange of state
14 route number 167 at 54th to the intersection of state route number
15 509 and Taylor Way in Tacoma.

16 (12) (a) (~~(\$26,928,000)~~) \$25,378,000 of the motor vehicle account—
17 state appropriation and (~~(\$1,671,000)~~) \$413,000 of the motor vehicle
18 account—private/local appropriation are provided solely to support a
19 project office and the continued work toward the I-5 Interstate
20 Bridge Replacement project (L2000370).

21 (b) The project office must also study the possible different
22 governance structures for a bridge authority that would provide for
23 the joint administration of the bridges over the Columbia river
24 between Oregon and Washington. As part of this study, the project
25 office must examine the feasibility and necessity of an interstate
26 compact in conjunction with the national center for interstate
27 compacts.

28 (c) During the 2021-2023 biennium, the department shall have as a
29 goal to:

30 (i) Conduct all work necessary to prepare and publish a draft
31 SEIS;

32 (ii) Coordinate with regulatory agencies to begin the process of
33 obtaining environmental approvals and permits;

34 (iii) Identify a locally preferred alternative; and

35 (iv) Begin preparing a final SEIS.

36 The department shall aim to provide progress reports on these
37 activities to the governor and the transportation committees of the
38 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

1 (13) (a) \$400,000,000 of the coronavirus state fiscal recovery
2 fund—federal appropriation, (~~(\$529,577,000)~~) \$25,327,000 of the
3 connecting Washington account—state appropriation, (~~(\$194,959,000)~~)
4 \$35,263,000 of the motor vehicle account—federal appropriation,
5 \$5,618,000 of the motor vehicle account—local appropriation,
6 \$9,016,000 of the transportation partnership account—state
7 appropriation, and (~~(\$1,849,000)~~) \$149,776,000 of the motor vehicle
8 account—state appropriation are provided solely for the Fish Passage
9 Barrier Removal project (OBI4001) with the intent of fully complying
10 with the federal *U.S. v. Washington* court injunction by 2030. (~~Of~~
11 ~~the amounts provided in this subsection, \$400,000,000 of the~~
12 ~~connecting Washington account—state appropriation must be initially~~
13 ~~placed in unallotted status during the 2021-2023 fiscal biennium, and~~
14 ~~may only be released by the office of financial management for~~
15 ~~allotment by the department if it is determined that the Fish Passage~~
16 ~~Barrier Removal project (OBI4001) is not an eligible use of amounts~~
17 ~~received by the state pursuant to the federal American rescue plan~~
18 ~~act of 2021.))~~

19 (b) The department shall coordinate with the Brian Abbott fish
20 passage barrier removal board to use a watershed approach by
21 replacing both state and local culverts guided by the principle of
22 providing the greatest fish habitat gain at the earliest time. The
23 department shall deliver high habitat value fish passage barrier
24 corrections that it has identified, guided by the following factors:
25 Opportunity to bundle projects, tribal priorities, ability to
26 leverage investments by others, presence of other barriers, project
27 readiness, culvert conditions, other transportation projects in the
28 area, and transportation impacts. The department and Brian Abbott
29 fish barrier removal board must provide updates on the implementation
30 of the statewide culvert remediation plan to the legislature by
31 November 1, 2021, and June 1, 2022.

32 (c) The department must keep track of, for each barrier removed:
33 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
34 amount spent to comply with the injunction.

35 (d) Of the amount provided in this subsection, \$142,923,000 of
36 the motor vehicle account—federal appropriation reflects the
37 department's portion of the unrestricted funds from the coronavirus
38 response and relief supplemental appropriations act of 2021. If the
39 final amount from this act changes while the legislature is not in

1 session, the department shall follow the existing unanticipated
2 receipt process and adjust the list referenced in subsection (1) of
3 this section accordingly, supplanting state funds with federal funds
4 if possible as directed in section 601 (~~(of this act)~~), chapter 333,
5 Laws of 2021.

6 (14) (~~(\$14,669,000)~~) \$14,367,000 of the connecting Washington
7 account—state appropriation, \$311,000 of the motor vehicle account—
8 state appropriation, and (~~(\$3,037,000)~~) \$3,149,000 of the motor
9 vehicle account—private/local appropriation are provided solely for
10 the I-90/Barker to Harvard - Improve Interchanges & Local Roads
11 project (L2000122). The connecting Washington account appropriation
12 for the improvements that fall within the city of Liberty Lake may
13 only be expended if the city of Liberty Lake agrees to cover any
14 project costs within the city of Liberty Lake above the \$20,900,000
15 of state appropriation provided for the total project on the list
16 referenced in subsection (1) of this section.

17 (15) (~~(\$15,189,000)~~) \$16,984,000 of the motor vehicle account—
18 federal appropriation, (~~(\$259,000)~~) \$269,000 of the motor vehicle
19 account—state appropriation, and (~~(\$15,481,000)~~) \$17,900,000 of the
20 Interstate 405 and state route number 167 express toll lanes account—
21 state appropriation are provided solely for the SR 167/SR 410 to SR
22 18 - Congestion Management project (316706C).

23 (16) (~~(\$18,914,000)~~) \$18,915,000 of the Special Category C
24 account—state appropriation is provided solely for the SR 18 Widening
25 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
26 and widening state route number 18 to four lanes from Issaquah-Hobart
27 Road to Raging River.

28 (17) (~~(\$1,000,000)~~) \$2,500,000 of the connecting Washington
29 account—state appropriation is provided solely for the North Lewis
30 County transportation study. The study shall examine new, alternate
31 routes for vehicular and truck traffic at the Harrison interchange
32 (Exit 82) in North Centralia and shall allow for a site and
33 configuration to be selected and feasibility to be conducted for
34 final design, permitting, and construction of the I-5/North Lewis
35 county Interchange project (L2000204). It is the intent of the
36 legislature to advance future funding for this project to accelerate
37 delivery by up to two years.

1 (18) (~~(\$1,090,000)~~) \$1,237,000 of the motor vehicle account—state
2 appropriation is provided solely for the US 101/East Sequim Corridor
3 Improvements project (L2000343).

4 (19) (~~(\$12,139,000)~~) \$2,197,000 of the motor vehicle account—
5 state appropriation and (~~(\$9,104,000)~~) \$749,000 of the connecting
6 Washington account—state appropriation are provided solely for the SR
7 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/
8 Engineering) project (NPARADI).

9 (20) (~~(\$1,378,000)~~) \$1,455,000 of the motor vehicle account—
10 federal appropriation is provided solely for the US 101/Morse Creek
11 Safety Barrier project (L1000247).

12 (21) (~~(\$915,000)~~) \$1,000,000 of the motor vehicle account—state
13 appropriation is provided solely for the SR 162/410 Interchange
14 Design and Right of Way project (L1000276).

15 (22) (~~(\$6,581,000)~~) \$7,185,000 of the connecting Washington
16 account—state appropriation is provided solely for the US Hwy 2
17 Safety project (N00200R).

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

24 (24) Any advisory group that the department convenes during the
25 2021-2023 fiscal biennium must consider the interests of the entire
26 state of Washington.

27 (25) The legislature continues to prioritize the replacement of
28 the state's aging infrastructure and recognizes the importance of
29 reusing and recycling construction aggregate and recycled concrete
30 materials in our transportation system. To accomplish Washington
31 state's sustainability goals in transportation and in accordance with
32 RCW 70.95.805, the legislature reaffirms its determination that
33 recycled concrete aggregate and other transportation building
34 materials are natural resource construction materials that are too
35 valuable to be wasted and landfilled, and are a commodity as defined
36 in WAC 173-350-100.

37 Further, the legislature determines construction aggregate and
38 recycled concrete materials substantially meet widely recognized
39 international, national, and local standards and specifications

1 referenced in American society for testing and materials, American
2 concrete institute, Washington state department of transportation,
3 Seattle department of transportation, American public works
4 association, federal aviation administration, and federal highway
5 administration specifications, and are described as necessary and
6 desirable products for recycling and reuse by state and federal
7 agencies.

8 As these recyclable materials have well established markets, are
9 substantially a primary or secondary product of necessary
10 construction processes and production, and are managed as an item of
11 commercial value, construction aggregate and recycled concrete
12 materials are exempt from chapter 173-350 WAC.

13 (26) \$2,738,000 of the motor vehicle account—state appropriation
14 is provided solely for the US 97 Wildlife Crossing Improvements
15 project (L2021117). It is the intent of the legislature that, to the
16 extent possible, the department use this funding as match for
17 competitive federal funding to make additional wildlife crossing
18 improvements on the corridor. The department must report to the
19 transportation committees of the legislature with additional
20 corridors that could benefit from wildlife crossing improvements and
21 that are likely to successfully compete for federal funding.

22 (27) \$12,635,000 of the connecting Washington account—state
23 appropriation is provided solely for the SR 3 Freight Corridor
24 (T30400R) project. The legislature intends to provide a total of
25 \$78,910,000 for this project, including an increase of \$12,000,000 in
26 future biennia to safeguard against inflation and supply/labor
27 interruptions and ensure that:

28 (a) The northern terminus remains at Lake Flora Road and the
29 southern terminus at the intersection of SR 3/SR 302;

30 (b) Multimodal safety improvements at the southern terminus
31 remain in the project to provide connections to North Mason school
32 district and provide safe routes to schools; and

33 (c) Intersections on the freight corridor are constructed at
34 Romance Hill and Log Yard road.

35 (28) \$450,000 of the motor vehicle account—state appropriation is
36 provided solely for the SR 900 Safety Improvements project
37 (L2021118). The department must: (a) Work in collaboration with King
38 county and Skyway coalition to align community assets, transportation
39 infrastructure needs, and initial design for safety improvements

1 along SR 900; and (b) work with the Skyway coalition to lead
2 community planning engagement and active transportation activities.

3 (29) \$5,694,000 of the connecting Washington account—state
4 appropriation is provided solely for the I-5/Chamber Way Interchange
5 Vicinity Improvements project.

6 (30) \$500,000 of the motor vehicle account—state appropriation is
7 provided solely for SR 162/SR 161 Additional Connectivity in South
8 Pierce County project (L1000312) to conduct a study on the need for
9 additional connectivity in the area between SR 162, south of Military
10 Road East and north of Orting, and SR 161 in South Pierce county.

11 **Sec. 306.** 2021 c 333 s 307 (uncodified) is amended to read as
12 follows:

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

14	Recreational Vehicle Account—State Appropriation.	\$1,520,000
15	Transportation 2003 Account (Nickel Account)—State	
16	Appropriation.	((\$49,105,000))
17		<u>\$53,911,000</u>
18	Transportation Partnership Account—State	
19	Appropriation.	((\$15,183,000))
20		<u>\$21,441,000</u>
21	Motor Vehicle Account—State Appropriation.	((\$85,444,000))
22		<u>\$111,174,000</u>
23	Motor Vehicle Account—Federal Appropriation.	((\$489,602,000))
24		<u>\$545,560,000</u>
25	Motor Vehicle Account—Private/Local Appropriation.	((\$10,792,000))
26		<u>\$13,735,000</u>
27	Connecting Washington Account—State Appropriation.	((\$159,043,000))
28		<u>\$224,342,000</u>
29	State Route Number 520 Corridor Account—State	
30	Appropriation.	((\$1,891,000))
31		<u>\$2,143,000</u>
32	Tacoma Narrows Toll Bridge Account—State	
33	Appropriation.	((\$9,730,000))
34		<u>\$5,676,000</u>
35	Alaskan Way Viaduct Replacement Project Account—	
36	State Appropriation.	((\$314,000))
37		<u>\$391,000</u>
38	Interstate 405 and State Route Number 167 Express	

1	Toll Lanes Account—State Appropriation.	((\$26,039,000))
2		<u>\$12,830,000</u>
3	TOTAL APPROPRIATION.	((\$848,663,000))
4		<u>\$992,723,000</u>

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

7 (1) Except as provided otherwise in this section, the entire
8 connecting Washington account—state appropriation and the entire
9 transportation partnership account—state appropriation are provided
10 solely for the projects and activities as listed by fund, project,
11 and amount in LEAP Transportation Document ((~~2021-1~~)) 2022-1 as
12 developed ((~~April 23, 2021~~)) March 9, 2022, Program - Highway
13 Preservation Program (P). However, limited transfers of specific
14 line-item project appropriations may occur between projects for those
15 amounts listed subject to the conditions and limitations in section
16 601 ((~~of this act~~)), chapter 333, Laws of 2021.

17 (2) Except as provided otherwise in this section, the entire
18 motor vehicle account—state appropriation and motor vehicle account—
19 federal appropriation are provided solely for the projects and
20 activities listed in LEAP Transportation Document ((~~2021-2~~)) 2022-2
21 ALL PROJECTS as developed ((~~April 23, 2021~~)) March 9, 2022, Program -
22 Highway Preservation Program (P). Any federal funds gained through
23 efficiencies, adjustments to the federal funds forecast, or the
24 federal funds redistribution process must then be applied to highway
25 and bridge preservation activities or fish passage barrier
26 corrections (0BI4001), as long as the application of the funds is not
27 inconsistent with subsection (10) of this section.

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

37 (4) ((~~\$5,166,000~~)) \$8,531,000 of the connecting Washington
38 account—state appropriation is provided solely for the land mobile
39 radio upgrade (G2000055) and is subject to the conditions,

1 limitations, and review provided in section 701 (~~of this act~~),
2 chapter 333, Laws of 2021. The land mobile radio project is subject
3 to technical oversight by the office of the chief information
4 officer. The department, in collaboration with the office of the
5 chief information officer, shall identify where existing or proposed
6 mobile radio technology investments should be consolidated, identify
7 when existing or proposed mobile radio technology investments can be
8 reused or leveraged to meet multiagency needs, increase mobile radio
9 interoperability between agencies, and identify how redundant
10 investments can be reduced over time. The department shall also
11 provide quarterly reports to the technology services board on project
12 progress.

13 (5) \$5,000,000 of the motor vehicle account—state appropriation
14 is provided solely for extraordinary costs incurred from litigation
15 awards, settlements, or dispute mitigation activities not eligible
16 for funding from the self-insurance fund (L2000290). The amount
17 provided in this subsection must be held in unallotted status until
18 the department submits a request to the office of financial
19 management that includes documentation detailing litigation-related
20 expenses. The office of financial management may release the funds
21 only when it determines that all other funds designated for
22 litigation awards, settlements, and dispute mitigation activities
23 have been exhausted. No funds provided in this subsection may be
24 expended on any legal fees related to the SR 99/Alaskan Way viaduct
25 replacement project (809936Z).

26 (6) \$11,679,000 of the motor vehicle account—federal
27 appropriation is provided solely for preservation projects within
28 project L1100071 that ensure the reliable movement of freight on the
29 national highway freight system. The department shall give priority
30 to those projects that can be advertised by September 30, 2021.

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

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

1 preservation projects. The department's next budget submittal after
2 using this subsection must appropriately reflect the transfer.

3 (9) \$1,700,000 of the motor vehicle account—state appropriation
4 is provided solely for the SR 109/88 Corner Roadway project
5 (G2000106).

6 **Sec. 307.** 2021 c 333 s 308 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
9 **CAPITAL**

10	Motor Vehicle Account—State Appropriation.	((\$8,273,000))
11		<u>\$9,618,000</u>
12	Motor Vehicle Account—Federal Appropriation.	((\$5,289,000))
13		<u>\$11,215,000</u>
14	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation.	\$900,000
17	TOTAL APPROPRIATION.	((\$14,962,000))
18		<u>\$22,233,000</u>

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

21 (1) \$579,000 of the motor vehicle account—state appropriation is
22 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

23 (2) ((~~\$1,000,000~~)) \$1,001,000 of the motor vehicle account—state
24 appropriation ((~~is~~)) and \$2,060,000 of the motor vehicle account—
25 federal appropriation are provided solely for the Challenge Seattle
26 project (000009Q). The department shall provide a progress report on
27 this project to the transportation committees of the legislature by
28 January 15, 2022.

29 **Sec. 308.** 2021 c 333 s 309 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
32 **CONSTRUCTION—PROGRAM W**

33	Puget Sound Capital Construction Account—State	
34	Appropriation.	((\$128,759,000))
35		<u>\$167,533,000</u>
36	Puget Sound Capital Construction Account—Federal	
37	Appropriation.	((\$139,188,000))

1		<u>\$180,571,000</u>
2	Puget Sound Capital Construction Account—	
3	Private/Local Appropriation.	((\$312,000))
4		<u>\$2,181,000</u>
5	Transportation Partnership Account—State	
6	Appropriation.	((\$8,410,000))
7		<u>\$9,432,000</u>
8	Connecting Washington Account—State Appropriation.	((\$75,640,000))
9		<u>\$99,141,000</u>
10	Capital Vessel Replacement Account—State	
11	Appropriation.	((\$152,453,000))
12		<u>\$45,668,000</u>
13	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,000</u>
14	<u>Transportation 2003 Account (Nickel Account)—State</u>	
15	<u>Appropriation.</u>	<u>\$987,000</u>
16	TOTAL APPROPRIATION.	((\$504,762,000))
17		<u>\$505,514,000</u>

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

20 (1) Except as provided otherwise in this section, the entire
21 appropriations in this section are provided solely for the projects
22 and activities as listed in LEAP Transportation Document ((2021-2))
23 2022-2 ALL PROJECTS as developed ((~~April 23, 2021~~)) March 9, 2022,
24 Program - Washington State Ferries Capital Program (W).

25 (2) For the 2021-2023 biennium, the marine division shall provide
26 to the office of financial management and the legislative
27 transportation committees the following reports on ferry capital
28 projects:

29 (a) On a semiannual basis the report must include a status update
30 on projects with funding provided in subsections (4), (5), (6), and
31 (8) of this section including, but not limited to, the following:

- 32 (i) Anticipated cost increases and cost savings;
- 33 (ii) Anticipated cash flow and schedule changes; and
- 34 (iii) Explanations for the changes.

35 (b) On an annual basis the report must include a status update on
36 vessel and terminal preservation and improvement plans including, but
37 not limited to, the following:

- 38 (i) What work has been done;
- 39 (ii) How have schedules shifted; and

1 (iii) Associated changes in funding among projects, accompanied
2 by explanations for the changes.

3 (c) On an annual basis the report must include an update on the
4 implementation of the maintenance management system with
5 recommendations for using the system to improve the efficiency of
6 project reporting under this subsection.

7 (3) (~~(\$5,000,000)~~) \$12,232,000 of the Puget Sound capital
8 construction account—state appropriation is provided solely for
9 emergency capital repair costs (999910K). Funds may only be spent
10 after approval by the office of financial management.

11 (4) (~~(\$1,277,000)~~) \$2,385,000 of the Puget Sound capital
12 construction account—state appropriation is provided solely for the
13 ORCA card next generation project (L2000300). The ferry system shall
14 work with Washington technology solutions and the tolling division on
15 the development of a new, interoperable ticketing system.

16 (5) (~~(\$24,750,000)~~) \$28,134,000 of the Puget Sound capital
17 construction account—state appropriation is provided solely for the
18 conversion of up to two Jumbo Mark II vessels to electric hybrid
19 propulsion (G2000084). The department shall seek additional funds for
20 the purposes of this subsection. The department may spend from the
21 Puget Sound capital construction account—state appropriation in this
22 section only as much as the department receives in Volkswagen
23 settlement funds for the purposes of this subsection.

24 (6) (~~(\$152,453,000)~~) \$45,668,000 of the capital vessel
25 replacement account—state appropriation is provided solely for the
26 acquisition of a 144-car hybrid-electric vessel (L2000329). In 2019
27 the legislature amended RCW 47.60.810 to direct the department to
28 modify an existing vessel construction contract to provide for an
29 additional five ferries. As such, it is the intent of the legislature
30 that the department award the contract for the hybrid electric
31 Olympic class vessel #5(L2000329) in a timely manner. In addition,
32 the legislature intends to minimize costs and maximize construction
33 efficiency by providing sufficient funding for construction of all
34 five vessels, including funding for long lead time materials procured
35 at the lowest possible prices. The commencement of construction of
36 new vessels for the ferry system is important not only for safety
37 reasons, but also to keep skilled marine construction jobs in the
38 Puget Sound region and to sustain the capacity of the region to meet
39 the ongoing construction and preservation needs of the ferry system

1 fleet of vessels. The legislature has determined that the current
 2 vessel procurement process must move forward with all due speed,
 3 balancing the interests of both the taxpayers and shipyards. To
 4 accomplish construction of vessels in accordance with RCW 47.60.810,
 5 the prevailing shipbuilder, for vessels initially funded after July
 6 1, 2020, is encouraged to follow the historical practice of
 7 subcontracting the construction of ferry superstructures to a
 8 separate nonaffiliated contractor located within the Puget Sound
 9 region, that is qualified in accordance with RCW 47.60.690. If the
 10 department elects not to execute a new modification to an existing
 11 option contract for one or more additional 144-auto ferries under RCW
 12 47.60.810(4), the department shall proceed with development of a new
 13 design-build request for proposals in accordance with RCW 47.60.810,
 14 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,
 15 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this
 16 section, \$200,000 is provided solely for hiring an independent
 17 owner's representative to perform quality oversight, manage the
 18 change order process, and ensure contract compliance.

19 (7) The capital vessel replacement account—state appropriation
 20 includes up to (~~(\$152,453,000)~~) \$45,468,000 in proceeds from the sale
 21 of bonds authorized in RCW 47.10.873.

22 (8) \$4,200,000 of the connecting Washington account—state
 23 appropriation (~~and \$2,200,000 of the Puget Sound operating account~~
 24 ~~{Puget Sound capital construction account}~~ ~~federal appropriation~~
 25 ~~are~~) is provided solely for ferry vessel and terminal preservation
 26 (L2000110). The funds provided in this subsection must be used for
 27 unplanned preservation needs before shifting funding from other
 28 preservation projects.

29 **Sec. 309.** 2021 c 333 s 310 (uncodified) is amended to read as
 30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**
 32 Essential Rail Assistance Account—State
 33 Appropriation. (~~(\$550,000)~~)
 34 \$1,108,000
 35 Transportation Infrastructure Account—State
 36 Appropriation. (~~(\$5,456,000)~~)
 37 \$6,218,000
 38 Multimodal Transportation Account—State

1	Appropriation.	((\$82,493,000))
2		<u>\$118,320,000</u>
3	Multimodal Transportation Account—Federal	
4	Appropriation.	((\$41,219,000))
5		<u>\$6,567,000</u>
6	<u>Multimodal Transportation Account—Private/Local</u>	
7	<u>Appropriation.</u>	<u>\$13,000</u>
8	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,810,000</u>
9	TOTAL APPROPRIATION.	((\$129,718,000))
10		<u>\$134,036,000</u>

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

13 (1) Except as provided otherwise in this section, the entire
14 appropriations in this section are provided solely for the projects
15 and activities as listed by project and amount in LEAP Transportation
16 Document ((~~2021-2~~)) 2022-2 ALL PROJECTS as developed ((~~April 23,~~
17 ~~2021~~)) March 9, 2022, Program - Rail Program (Y).

18 (2) \$5,089,000 of the transportation infrastructure account—state
19 appropriation is provided solely for new low-interest loans approved
20 by the department through the freight rail investment bank (FRIB)
21 program. The department shall issue FRIB program loans with a
22 repayment period of no more than ten years, and charge only so much
23 interest as is necessary to recoup the department's costs to
24 administer the loans. The department shall report annually to the
25 transportation committees of the legislature and the office of
26 financial management on all FRIB loans issued. FRIB program loans may
27 be recommended by the department for 2022 supplemental transportation
28 appropriations up to the amount provided in this appropriation that
29 has not been provided for the projects listed in 2021-2 ALL PROJECTS,
30 as referenced in subsection (1) of this section. The department shall
31 submit a prioritized list for any loans recommended to the office of
32 financial management and the transportation committees of the
33 legislature by November 15, 2021.

34 (3) ((~~\$6,817,000~~)) \$7,041,000 of the multimodal transportation
35 account—state appropriation is provided solely for new statewide
36 emergent freight rail assistance projects identified in the LEAP
37 transportation document referenced in subsection (1) of this section.

38 (4) \$367,000 of the transportation infrastructure account—state
39 appropriation and \$1,100,000 of the multimodal transportation account

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

16 (5) (a) (~~(\$550,000)~~) \$1,008,000 of the essential rail assistance
17 account—state appropriation is provided solely for the purpose of the
18 rehabilitation and maintenance of the Palouse river and Coulee City
19 railroad line (F01111B).

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

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

25 (ii) Revenues from trackage rights agreement fees paid by
26 shippers; and

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

31 (6) The department shall issue a call for projects for the
32 freight rail assistance program, and shall evaluate the applications
33 in a manner consistent with past practices as specified in section
34 309, chapter 367, Laws of 2011. By November 15, 2022, the department
35 shall submit a prioritized list of recommended projects to the office
36 of financial management and the transportation committees of the
37 legislature.

38 (7) (~~(\$33,964,000)~~) \$32,996,000 of the multimodal transportation
39 account—state appropriation (~~(and \$37,500,000 of the multimodal~~

1 ~~transportation account—federal appropriation are))~~ is provided solely
2 for Passenger Rail Equipment Replacement (project ~~((700010C.))~~)
3 700010C). The ~~((appropriations))~~ appropriation in this subsection
4 include insurance proceeds received by the state. The department must
5 use these funds only to purchase replacement equipment that has been
6 competitively procured and for service recovery needs and corrective
7 actions related to the December 2017 derailment.

8 ~~(8) ((~~\$223,000 of the multimodal transportation account—state
9 ~~appropriation is provided solely for contingency funding for emergent~~
10 ~~freight rail assistance projects funded in subsection (3) of this~~
11 ~~section. Project sponsors may apply to the department for contingency~~
12 ~~funds needed due to unforeseeable cost increases. The department~~
13 ~~shall submit a report of any contingency funds provided under this~~
14 ~~subsection as part of the department's annual budget submittal.~~

15 ~~(9))~~ It is the intent of the legislature to encourage the
16 department to pursue federal grant opportunities leveraging up to
17 \$6,696,000 in connecting Washington programmed funds to be used as a
18 state match to improve the state-owned Palouse river and Coulee City
19 system. The amount listed in this subsection is not a commitment for
20 future legislatures, but is the legislature's intent that future
21 legislatures will work to approve biennial appropriations up to a
22 state match share not to exceed \$6,696,000 of a grant award.

23 (9) \$500,000 of the multimodal transportation account—state
24 appropriation is provided solely for the Chelatchie Prairie railroad
25 for track improvement activities on the northern part of the railroad
26 (L1000311).

27 **Sec. 310.** 2021 c 333 s 311 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
30 **CAPITAL**

31 Highway Infrastructure Account—State Appropriation. . .	((\$793,000))
	<u>\$1,744,000</u>
32 Highway Infrastructure Account—Federal Appropriation	
33	((\$1,600,000))
	<u>\$2,935,000</u>
34 Transportation Partnership Account—State	
35 Appropriation.	((\$750,000))
	<u>\$1,000,000</u>

36
37
38

1	Motor Vehicle Account—State Appropriation.	((\$11,064,000))
2		<u>\$25,101,000</u>
3	Motor Vehicle Account—Federal Appropriation.	((\$55,751,000))
4		<u>\$79,306,000</u>
5	Motor Vehicle Account—Private/Local Appropriation.	\$6,600,000
6	Connecting Washington Account—State Appropriation.	((\$123,292,000))
7		<u>\$178,464,000</u>
8	Multimodal Transportation Account—State	
9	Appropriation.	((\$71,615,000))
10		<u>\$96,975,000</u>
11	TOTAL APPROPRIATION.	((\$271,465,000))
12		<u>\$392,125,000</u>

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

15 (1) Except as provided otherwise in this section, the entire
16 appropriations in this section are provided solely for the projects
17 and activities as listed by project and amount in LEAP Transportation
18 Document ((~~2021-2~~) 2022-2 ALL PROJECTS as developed ((~~April 23,~~
19 ~~2021~~) March 9, 2022, Program - Local Programs Program (Z).

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

23 (a) ((~~\$32,613,000~~) (i) \$46,163,000 of the multimodal
24 transportation account—state appropriation is provided solely for
25 pedestrian and bicycle safety program projects (L2000188).

26 (ii) The state route 99/Aurora Avenue North Planning Study funded
27 in this subsection (2)(a) must prioritize designs that ensure slow
28 vehicle speeds and systematic improvement to the quality of
29 multimodal access, and must be fully completed by September 30, 2023,
30 in order to ensure construction of improvements begin no later than
31 March 1, 2024.

32 (b) ((~~\$19,344,000~~) \$26,086,000 of the motor vehicle account—
33 federal appropriation and ((~~\$17,397,000~~) \$21,656,000 of the
34 multimodal transportation account—state appropriation are provided
35 solely for safe routes to school projects (L2000189). The department
36 may consider the special situations facing high-need areas, as
37 defined by schools or project areas in which the percentage of the
38 children eligible to receive free and reduced-price meals under the
39 national school lunch program is equal to, or greater than, the state

1 average as determined by the department, when evaluating project
2 proposals against established funding criteria while ensuring
3 continued compliance with federal eligibility requirements.

4 (3) The department shall submit a report to the transportation
5 committees of the legislature by December 1, 2021, and December 1,
6 2022, on the status of projects funded as part of the pedestrian
7 safety/safe routes to school grant program. The report must include,
8 but is not limited to, a list of projects selected and a brief
9 description of each project's status. In its December 1, 2021, report
10 the department must also include recommended changes to the
11 pedestrian safety/safe routes to school grant program application and
12 selection processes to increase utilization by a greater diversity of
13 jurisdictions.

14 (4) (~~(\$6,561,000)~~) \$11,987,000 of the multimodal transportation
15 account—state appropriation is provided solely for bicycle and
16 pedestrian projects listed in the LEAP transportation document
17 referenced in subsection (1) of this section.

18 (5) It is the expectation of the legislature that the department
19 will be administering a local railroad crossing safety grant program
20 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

21 (6) (~~(\$12,500,000)~~) \$17,438,000 of the motor vehicle account—
22 federal appropriation is provided solely for national highway freight
23 network projects identified on the project list submitted in
24 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
25 October 31, 2016 (L1000169).

26 (7) When the department updates its federally-compliant freight
27 plan, it shall consult the freight mobility strategic investment
28 board on the freight plan update and on the investment plan component
29 that describes how the estimated funding allocation for the national
30 highway freight program for federal fiscal years 2022-2025 will be
31 invested and matched. The investment plan component for the state
32 portion of national highway freight program funds must first address
33 shortfalls in funding for connecting Washington act projects. The
34 department shall complete the freight plan update in compliance with
35 federal requirements and deadlines and shall provide an update on the
36 development of the freight plan, including the investment plan
37 component, when submitting its 2022 supplemental appropriations
38 request.

1 (8) (~~(\$11,679,000)~~) \$35,411,000 of the motor vehicle account—
2 federal appropriation is provided solely for acceleration of local
3 preservation projects that ensure the reliable movement of freight on
4 the national highway freight system (G2000100). The department will
5 identify projects through its current national highway system asset
6 management call for projects with applications due in February 2021.
7 The department shall give priority to those projects that can be
8 obligated by September 30, 2021.

9 (9) \$400,000 of the multimodal transportation account—state
10 appropriation is provided solely for a grant to the Northwest Seaport
11 Alliance (NWSA) to lead the creation and coordination of a
12 multistakeholder zero emissions truck collaborative that will: (a)
13 Facilitate the development and implementation of one or more zero-
14 emissions drayage truck demonstration projects in Washington state;
15 and (b) develop a roadmap for transitioning the entire fleet of
16 approximately 4,500 drayage trucks that serve the NWSA cargo gateway
17 to zero-emissions vehicles by 2050 or sooner.

18 (10) \$8,524,000 of the connecting Washington account—state
19 appropriation is provided solely for the I-5/Mellen Street Connector
20 project.

21 (11) \$500,000 of the motor vehicle account—state appropriation is
22 provided solely for the 166th/SR 410 Interchange.

23 (12) \$1,063,000 of the motor vehicle account—state appropriation
24 is provided solely for repairs and rehabilitation of the Pierce
25 county ferry landings at Anderson Island and Steilacoom.

26 (13) \$300,000 of the motor vehicle account—state appropriation is
27 provided solely for the city of Spokane for preliminary engineering
28 of the US 195/Inland Empire Way project. Funds may be used for
29 predesign environmental assessment work, community engagement,
30 design, and project cost estimation.

31 **Sec. 311.** 2021 c 333 s 313 (uncodified) is amended to read as
32 follows:

33 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

34 On a quarterly basis, the department of transportation shall
35 provide to the office of financial management and the legislative
36 transportation committees a report for all capital projects, except
37 for ferry projects subject to the reporting requirements established

1 in section 309 (~~of this act~~), chapter 333, Laws of 2021, that must
2 include:

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

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

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

12 (4) Risk reserves and contingency amounts for all projects
13 consistent with the structure of the most recently enacted budget.

14 NEW SECTION. Sec. 312. A new section is added to 2021 c 333
15 (uncodified) to read as follows:

16 **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS**
17 **MANAGEMENT**

18 (1) As part of the department of transportation's 2023-2025
19 biennial budget request, the department shall provide an overview of
20 capital funds management challenges and recommendations for funds
21 management strategies that would improve the likelihood of increasing
22 performance associated with the following outcomes:

23 (a) Streamlined delivery of the department's capital program and
24 local government capital projects;

25 (b) Increased likelihood that federal funds are committed and
26 used prior to debt backed capital resources;

27 (c) Reduced overall time and cost of administrative efforts of
28 the department and local governments;

29 (d) Ensured federal government contributions regarding its share
30 toward overhead costs;

31 (e) Increased disadvantaged business enterprise program
32 participation and/or funding;

33 (f) Maximized amount of federal redistributed and grant funding
34 received by the state, including how to position the state for
35 providing state matching funds for federal grant opportunities;

36 (g) Increased clarity on how federal funds are administered;

37 (h) Identification of opportunities to leverage current and
38 future toll credits secured by the state; and

39 (i) Minimized risk of audit findings related to federal funds.

1 (2) The department may provide recommendations on the
2 transportation appropriations act structure and project list
3 amendments to most efficiently utilize state and federal capital
4 funds.

5 (3) As part of the department's 2023-2025 biennial budget
6 request, the department shall also report on:

7 (a) The federal grant programs it has applied for;

8 (b) The federal competitive grant programs it could have applied
9 for but did not and the reason or reasons it did not apply; and

10 (c) The potential to use a federal fund exchange program to most
11 efficiently use state and local federal funds.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2021 c 333 s 401 (uncodified) is amended to read as
3 follows:

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

8	Transportation Partnership Account—State	
9	Appropriation.	((\$904,000))
10		<u>\$794,000</u>
11	Connecting Washington Account—State Appropriation.	((\$11,153,000))
12		<u>\$1,633,000</u>
13	Special Category C Account—State Appropriation.	((\$412,000))
14		<u>\$257,000</u>
15	Highway Bond Retirement Account—State Appropriation ((\$1,483,793,000))	
16		<u>\$1,408,622,000</u>
17	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
18	Transportation Improvement Board Bond Retirement	
19	Account—State Appropriation.	((\$11,770,000))
20		<u>\$18,152,000</u>
21	Nondebt-Limit Reimbursable Bond Retirement Account—	
22	State Appropriation.	((\$29,323,000))
23		<u>\$26,278,000</u>
24	Toll Facility Bond Retirement Account—State	
25	Appropriation.	\$76,376,000
26	TOTAL APPROPRIATION.	((\$1,630,881,000))
27		<u>\$1,542,811,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations: \$6,451,550 of the transportation
30 improvement board bond retirement account—state appropriation is
31 provided solely for the prepayment of certain outstanding bonds and
32 debt service.

33 Sec. 402. 2021 c 333 s 402 (uncodified) is amended to read as
34 follows:

35 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
36 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND
37 FISCAL AGENT CHARGES

1	Transportation Partnership Account—State	
2	Appropriation.	((\$181,000))
3		<u>\$150,000</u>
4	Connecting Washington Account—State Appropriation.	((\$2,231,000))
5		<u>\$327,000</u>
6	Special Category C Account—State Appropriation.	((\$82,000))
7		<u>\$51,000</u>
8	<u>Transportation Improvement Account—State</u>	
9	<u>Appropriation.</u>	<u>\$20,000</u>
10	TOTAL APPROPRIATION.	((\$2,494,000))
11		<u>\$548,000</u>

12 **Sec. 403.** 2021 c 333 s 403 (uncodified) is amended to read as
13 follows:

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

15	Motor Vehicle Account—State Appropriation: For motor	
16	vehicle fuel tax statutory distributions to	
17	cities and counties.	((\$467,390,000))
18		<u>\$474,003,000</u>
19	Multimodal Transportation Account—State	
20	Appropriation: For distribution to cities and	
21	counties.	\$26,786,000
22	Motor Vehicle Account—State Appropriation: For	
23	distribution to cities and counties.	\$23,438,000

24 **Sec. 404.** 2021 c 333 s 404 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER—TRANSFERS**

27	Motor Vehicle Account—State Appropriation: For motor	
28	vehicle fuel tax refunds and statutory	
29	transfers.	((\$1,974,599,000))
30		<u>\$2,000,419,000</u>

31 **Sec. 405.** 2021 c 333 s 405 (uncodified) is amended to read as
32 follows:

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

34	Motor Vehicle Account—State Appropriation: For motor	
35	vehicle fuel tax refunds and transfers.	((\$235,675,000))
36		<u>\$240,330,000</u>

1 **Sec. 406.** 2021 c 333 s 406 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

4 (1) Highway Safety Account—State Appropriation:
5 For transfer to the State Patrol Highway
6 Account—State. \$47,000,000

7 (2) (a) Transportation Partnership Account—State
8 Appropriation: For transfer to the Capital Vessel
9 Replacement Account—State. (~~(\$152,453,000)~~)
10 \$45,468,000

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

13 (3) (a) Transportation Partnership Account—State
14 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
15 —State. \$30,293,000

16 (b) It is the intent of the legislature that this transfer is
17 temporary, for the purpose of minimizing the impact of toll
18 increases. An equivalent reimbursing transfer is to occur after the
19 debt service and deferred sales tax on the Tacoma Narrows bridge
20 construction costs are fully repaid in accordance with chapter 195,
21 Laws of 2018.

22 (4) (a) Motor Vehicle Account—State Appropriation:
23 For transfer to Alaskan Way Viaduct Replacement Project
24 Account—State. \$6,000,000

25 (b) The funds provided in (a) of this subsection are a loan to
26 the Alaskan Way viaduct replacement project account—state, and the
27 legislature assumes that these funds will be reimbursed to the motor
28 vehicle account—state at a later date when traffic on the toll
29 facility has recovered from the COVID-19 pandemic.

30 (5) Motor Vehicle Account—State Appropriation:
31 For transfer to the County Arterial Preservation
32 Account—State. \$7,666,000

33 (6) Motor Vehicle Account—State Appropriation:
34 For transfer to the Freight Mobility Investment
35 Account—State. \$5,511,000

36 (7) Motor Vehicle Account—State Appropriation:
37 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000

38 (8) Motor Vehicle Account—State Appropriation:
39 For transfer to the Transportation Improvement

1 Account—State. \$9,688,000
2 (9) Rural Mobility Grant Program Account—State
3 Appropriation: For transfer to the Multimodal
4 Transportation Account—State. \$3,000,000
5 (10) (a) State Route Number 520 Civil Penalties
6 Account—State Appropriation: For transfer to the
7 Motor Vehicle Account—State
8 \$2,000,000
9 (b) The transfer in this subsection is to repay moneys loaned to
10 the state route number 520 civil penalties account in the 2019-2021
11 fiscal biennium.
12 (11) State Route Number 520 Civil Penalties
13 Account—State Appropriation: For transfer to the
14 State Route Number 520 Corridor Account—State. \$1,532,000
15 (12) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Connecting
17 Washington Account—State. \$35,000,000
18 (13) (a) Capital Vessel Replacement Account—State
19 Appropriation: For transfer to the Transportation
20 Partnership Account—State. (~~(\$10,305,000)~~)
21 \$1,542,000
22 (b) The amount transferred in this subsection represents
23 repayment of debt service incurred for the construction of the Hybrid
24 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
25 (14) Multimodal Transportation Account—State
26 Appropriation: For transfer to the Complete Streets
27 Grant Program Account—State. \$14,670,000
28 (15) Multimodal Transportation Account—State
29 Appropriation: For transfer to the Connecting
30 Washington Account—State. \$200,000,000
31 (16) Multimodal Transportation Account—State
32 Appropriation: For transfer to the Freight Mobility
33 Multimodal Account—State. \$4,011,000
34 (17) Multimodal Transportation Account—State
35 Appropriation: For transfer to the Ignition Interlock
36 Device Revolving Account—State. \$600,000
37 (18) Multimodal Transportation Account—State
38 Appropriation: For transfer to the Pilotage
39 Account—State. (~~(\$1,500,000)~~)

1 \$2,000,000

2 (19) Multimodal Transportation Account—State

3 Appropriation: For transfer to the Puget Sound

4 Capital Construction Account—State. (~~(\$60,000,000)~~)

5 \$816,700,000

6 (20) Multimodal Transportation Account—State

7 Appropriation: For transfer to the Regional Mobility

8 Grant Program Account—State. \$27,679,000

9 (21) Multimodal Transportation Account—State

10 Appropriation: For transfer to the Rural Mobility

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

12 (22) (a) Alaskan Way Viaduct Replacement Project

13 Account—State Appropriation: For transfer to the

14 Transportation Partnership Account—State. \$22,884,000

15 (b) The amount transferred in this subsection represents

16 repayment of debt service incurred for the construction of the SR 99/

17 Alaskan Way Viaduct Replacement project (809936Z).

18 (23) Tacoma Narrows Toll Bridge Account—State

19 Appropriation: For transfer to the Motor Vehicle

20 Account—State. \$950,000

21 (24) Puget Sound Ferry Operations Account—State

22 Appropriation: For transfer to the Puget Sound

23 Capital Construction Account—State. \$60,000,000

24 (25) (a) General Fund Account—State

25 Appropriation: For transfer to the State Patrol

26 Highway Account—State. \$625,000

27 (b) The state treasurer shall transfer the funds only after

28 receiving notification from the Washington state patrol under section

29 207(2) (~~of this act~~), chapter 333, Laws of 2021.

30 (26) Motor Vehicle Account—State

31 Appropriation: For transfer to the Puget Sound

32 Capital Construction Account—State. \$30,000,000

33 (27) Multimodal Transportation Account—State

34 Appropriation: For transfer to the I-405 and SR 167

35 Express Toll Lanes Account—State. \$268,433,000

36 (28) Multimodal Transportation Account—State

37 Appropriation: For transfer to the Move Ahead WA

38 Account—State. \$874,081,000

39 (29) Multimodal Transportation Account—State

1	<u>Appropriation: For transfer to the State Route</u>	
2	<u>Number 520 Corridor Account—State.</u>	<u>\$70,786,000</u>
3	<u>(30) Motor Vehicle Account—State</u>	
4	<u>Appropriation: For transfer to the Connecting Washington</u>	
5	<u>Account—State.</u>	<u>\$80,000,000</u>
6	<u>(31) Move Ahead WA Account—State</u>	
7	<u>Appropriation: For transfer to the Connecting Washington</u>	
8	<u>Account—State.</u>	<u>\$600,000,000</u>
9	<u>(32) Transportation Improvement Account—State</u>	
10	<u>Appropriation: For transfer to the Transportation</u>	
11	<u>Improvement Board Bond Retirement Account.</u>	<u>\$6,451,550</u>

12 **Sec. 407.** 2021 c 333 s 407 (uncodified) is amended to read as
13 follows:

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

17	Toll Facility Bond Retirement Account—Federal	
18	Appropriation.	\$199,129,000
19	Toll Facility Bond Retirement Account—State	
20	Appropriation.	\$25,372,000
21	TOTAL APPROPRIATION.	\$224,501,000

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501.** A new section is added to 2021 c 333
3 (uncodified) to read as follows:

4 **COLLECTIVE BARGAINING AGREEMENTS**

5 Sections 502 through 519 of this act represent the results of the
6 collective bargaining process from reopening the 2021-2023 contracts
7 for the limited purpose of bargaining over compensation, and are
8 described in general terms. Only major economic terms are included in
9 the descriptions. These descriptions do not contain the complete
10 contents of the agreements. The collective bargaining agreements
11 contained in part V of this act may also be funded by expenditures
12 from nonappropriated accounts. If positions are funded with lidded
13 grants or dedicated fund sources with insufficient revenue,
14 additional funding from other sources is not provided.

15 **Sec. 502.** 2021 c 333 s 503 (uncodified) is amended to read as
16 follows:

17 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
18 **AGREEMENTS—OPEIU**

19 (1) An agreement has been reached between the governor and the
20 office and professional employees international union local eight
21 (OPEIU) pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
22 biennium. Funding is provided to fund the agreement, which does not
23 include wage increases but does include furloughs. The agreement
24 provides that positions designated by the employer as not requiring
25 backfill take 24 furlough days during the biennium. In addition, the
26 following positions are not subject to the furlough requirement: Bid
27 administrator, dispatch, dispatch coordinator, and relief positions.

28 (2) An agreement has been reached between the governor and the
29 office and professional employees international union local eight
30 (OPEIU) pursuant to chapter 47.64 RCW for fiscal year 2023. The
31 agreement includes and funding is provided for a general wage
32 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
33 for employees hired before July 1, 2022.

34 **Sec. 503.** 2021 c 333 s 504 (uncodified) is amended to read as
35 follows:

36 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
37 **AGREEMENTS—FASPAA**

1 (1) An agreement has been reached between the governor and the
2 ferry agents, supervisors, and project administrators association
3 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
4 Funding is provided to fund the agreement, which does not include
5 wage increases but does include furloughs. The agreement provides
6 that positions designated by the employer as not requiring backfill
7 take 24 furlough days during the biennium.

8 (2) An agreement has been reached between the governor and the
9 ferry agents, supervisors, and project administrators association
10 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
11 includes and funding is provided for a general wage increase of 3.25
12 percent for fiscal year 2023 and a lump sum payment for employees
13 hired before July 1, 2022.

14 **Sec. 504.** 2021 c 333 s 505 (uncodified) is amended to read as
15 follows:

16 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
17 **AGREEMENTS—SEIU LOCAL 6**

18 (1) An agreement has been reached between the governor and the
19 service employees international union local 6 pursuant to chapter
20 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
21 fund the agreement, which does not include wage increases but does
22 include furloughs. The agreement provides that positions designated
23 by the employer as not requiring backfill take 24 furlough days
24 during the biennium.

25 (2) An agreement has been reached between the governor and the
26 service employees international union local 6 pursuant to chapter
27 47.64 RCW for fiscal year 2023. The agreement includes and funding is
28 provided for a general wage increase of 3.25 percent for fiscal year
29 2023 and a lump sum payment for employees hired before July 1, 2022.

30 **Sec. 505.** 2021 c 333 s 506 (uncodified) is amended to read as
31 follows:

32 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
33 **AGREEMENTS—CARPENTERS**

34 (1) An agreement has been reached between the governor and the
35 Pacific Northwest regional council of carpenters pursuant to chapter
36 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
37 fund the agreement, which does not include wage increases but does
38 include furloughs. The agreement provides that positions designated

1 by the employer as not requiring backfill take 24 furlough days
2 during the biennium.

3 (2) An agreement has been reached between the governor and the
4 Pacific Northwest regional council of carpenters pursuant to chapter
5 47.64 RCW for fiscal year 2023. The agreement includes and funding is
6 provided for a general wage increase of 3.25 percent for fiscal year
7 2023 and a lump sum payment for employees hired before July 1, 2022.

8 **Sec. 506.** 2021 c 333 s 507 (uncodified) is amended to read as
9 follows:

10 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
11 **AGREEMENTS—METAL TRADES**

12 (1) An agreement has been reached between the governor and the
13 Puget Sound metal trades council through an interest arbitration
14 award pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
15 biennium. The arbitration award imposed and funding is provided to
16 implement a 1.9((%)) percent general wage decrease from July 1, 2021,
17 through June 30, 2022, and exempted these employees from the furlough
18 requirement.

19 (2) An agreement has been reached between the governor and the
20 Puget Sound metal trades council pursuant to chapter 47.64 RCW for
21 fiscal year 2023. The agreement includes and funding is provided for
22 a general wage increase of 3.25 percent for fiscal year 2023 and a
23 lump sum payment for employees hired before July 1, 2022.

24 **Sec. 507.** 2021 c 333 s 508 (uncodified) is amended to read as
25 follows:

26 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
27 **AGREEMENTS—MEBA-UL**

28 (1) An agreement has been reached between the governor and the
29 marine engineers' beneficial association unlicensed engine room
30 employees pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
31 biennium. Funding is provided to fund the agreement, which does not
32 include either wage increases or the furlough requirement.

33 (2) An agreement has been reached between the governor and the
34 marine engineers' beneficial association unlicensed engine room
35 employees pursuant to chapter 47.64 RCW for fiscal year 2023. The
36 agreement includes and funding is provided for a general wage
37 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
38 for employees hired before July 1, 2022.

1 **Sec. 508.** 2021 c 333 s 509 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—MEBA-L**

5 (1) An agreement has been reached between the governor and the
6 marine engineers' beneficial association licensed engineer officers
7 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
8 Funding is provided to fund the agreement, which does not include
9 either wage increases or the furlough requirement.

10 (2) An agreement has been reached between the governor and the
11 marine engineers' beneficial association licensed engineer officers
12 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
13 includes and funding is provided for a general wage increase of 3.25
14 percent for fiscal year 2023 and a lump sum payment for employees
15 hired before July 1, 2022.

16 **Sec. 509.** 2021 c 333 s 510 (uncodified) is amended to read as
17 follows:

18 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
19 **AGREEMENTS—MEBA—PORT ENGINEERS**

20 (1) An agreement has been reached between the governor and the
21 marine engineers' beneficial association port engineers pursuant to
22 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
23 provided to fund the agreement, which does not include wage increases
24 but does include furloughs. The agreement provides that positions
25 designated by the employer as not requiring backfill take 24 furlough
26 days during the biennium.

27 (2) An agreement has been reached between the governor and the
28 marine engineers' beneficial association port engineers pursuant to
29 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
30 funding is provided for a general wage increase of 3.25 percent for
31 fiscal year 2023 and a lump sum payment for employees hired before
32 July 1, 2022.

33 **Sec. 510.** 2021 c 333 s 511 (uncodified) is amended to read as
34 follows:

35 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
36 **AGREEMENTS—MM&P MATES**

1 (1) An agreement has been reached between the governor and the
2 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
3 the 2021-2023 fiscal biennium. Funding is provided to fund the
4 agreement, which includes a two percent wage increase for second
5 mates, and does not include the furlough requirement.

6 (2) An agreement has been reached between the governor and the
7 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
8 fiscal year 2023. The agreement includes and funding is provided for
9 a general wage increase of 3.25 percent for fiscal year 2023 and a
10 lump sum payment for employees hired before July 1, 2022.

11 **Sec. 511.** 2021 c 333 s 512 (uncodified) is amended to read as
12 follows:

13 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
14 **AGREEMENTS—MM&P MASTERS**

15 (1) An agreement has been reached between the governor and the
16 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
17 for the 2021-2023 fiscal biennium. Funding is provided to fund the
18 agreement, which does not include either wage increases or the
19 furlough requirement.

20 (2) An agreement has been reached between the governor and the
21 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
22 for fiscal year 2023. The agreement includes and funding is provided
23 for a general wage increase of 3.25 percent for fiscal year 2023 and
24 a lump sum payment for employees hired before July 1, 2022.

25 **Sec. 512.** 2021 c 333 s 513 (uncodified) is amended to read as
26 follows:

27 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
28 **AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

29 (1) An agreement has been reached between the governor and the
30 masters, mates, and pilots - watch center supervisors pursuant to
31 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
32 provided to fund the agreement, which does not include wage increases
33 but does include furloughs only for the following positions: Fleet
34 facility security officers and workforce development leads.

35 (2) An agreement has been reached between the governor and the
36 masters, mates, and pilots - watch center supervisors pursuant to
37 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
38 funding is provided for a general wage increase of 3.25 percent for

1 fiscal year 2023 and a lump sum payment for employees hired before
2 July 1, 2022.

3 **Sec. 513.** 2021 c 333 s 514 (uncodified) is amended to read as
4 follows:

5 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
6 **AGREEMENTS—IBU**

7 (1) An agreement has been reached between the governor and the
8 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
9 through an interest arbitration award for the 2021-2023 fiscal
10 biennium. Funding is provided to fund the agreement, which does not
11 include wage increases, but does include furlough days for employees
12 in positions that do not require the position to be backfilled.

13 (2) An agreement has been reached between the governor and the
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
15 for fiscal year 2023. The agreement includes and funding is provided
16 for a general wage increase of 3.25 percent for fiscal year 2023 and
17 a lump sum payment for employees hired before July 1, 2022.

18 **Sec. 514.** 2021 c 333 s 515 (uncodified) is amended to read as
19 follows:

20 **COLLECTIVE BARGAINING AGREEMENT—WFSE**

21 (1) An agreement has been reached between the governor and the
22 Washington federation of state employees under the provisions of
23 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
24 provided to fund the agreement, which does not include wage
25 increases, but does include 24 furlough days for employees in
26 position that do not require the position to be backfilled.

27 (2) An agreement has been reached between the governor and the
28 Washington federation of state employees under the provisions of
29 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
30 funding is provided for a general wage increase of 3.25 percent for
31 fiscal year 2023 and a lump sum payment for employees who were
32 employed continuously starting on or before July 1, 2021, through
33 June 30, 2022.

34 **Sec. 515.** 2021 c 333 s 516 (uncodified) is amended to read as
35 follows:

36 **COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

1 (1) An agreement has been reached between the governor and the
2 professional and technical employees local 17 under the provisions of
3 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
4 provided to fund the agreement, which does not include wage
5 increases, but does include 24 furlough days for employees in
6 position that do not require the position to be backfilled.

7 (2) An agreement has been reached between the governor and the
8 professional and technical employees local 17 under the provisions of
9 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
10 funding is provided for a general wage increase of 3.25 percent for
11 fiscal year 2023 and a lump sum payment for employees who were
12 employed continuously starting on or before July 1, 2021, through
13 June 30, 2022.

14 **Sec. 516.** 2021 c 333 s 517 (uncodified) is amended to read as
15 follows:

16 **COLLECTIVE BARGAINING AGREEMENT—WPEA**

17 (1) An agreement has been reached between the governor and the
18 Washington public employees association under the provisions of
19 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
20 provided to fund the agreement, which does not include wage
21 increases, but does include 24 furlough days for employees in
22 positions that do not require the position to be backfilled.

23 (2) An agreement has been reached between the governor and the
24 Washington public employees association general government under the
25 provisions of chapter 41.80 RCW for fiscal year 2023. The agreement
26 includes and funding is provided for a general wage increase of 3.25
27 percent for fiscal year 2023 and a lump sum payment for employees
28 hired before July 1, 2022.

29 **Sec. 517.** 2021 c 333 s 518 (uncodified) is amended to read as
30 follows:

31 **COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

32 (1) An agreement has been reached for the 2019-2021 biennium
33 between the governor and the coalition of unions under the provisions
34 of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
35 provided to fund the agreement, which includes 24 furlough days for
36 employees in position that do not require the position to be
37 backfilled. The agreement includes and funding is provided for a 2.5
38 percent wage increase for fiscal year 2022 and a 2.5 percent wage

1 increase for fiscal year 2023 for the department of corrections
2 marine vessel operators.

3 (2) An agreement has been reached between the governor and the
4 coalition of unions under the provisions of chapter 41.80 RCW for
5 fiscal year 2023. The agreement includes and funding is provided for
6 a general wage increase of 3.25 percent for fiscal year 2023 and a
7 lump sum payment for employees hired before July 1, 2022.

8 **Sec. 518.** 2021 c 333 s 519 (uncodified) is amended to read as
9 follows:

10 **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

11 (1) An agreement has been reached between the governor and the
12 Washington state patrol troopers association under the provisions of
13 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
14 provided to fund the agreement, which does not include general wages
15 increases but does provide the ability to request to reopen the
16 compensation article for the purpose of bargaining base rate of pay
17 for fiscal year 2023.

18 (2) An agreement has been reached between the governor and the
19 Washington state patrol troopers association under the provisions of
20 chapter 41.56 RCW for fiscal year 2023. The agreement includes and
21 funding is provided for a general wage increase of 10 percent for
22 fiscal year 2023.

23 **Sec. 519.** 2021 c 333 s 520 (uncodified) is amended to read as
24 follows:

25 **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS**
26 **ASSOCIATION**

27 (1) An agreement has been reached between the governor and the
28 Washington state patrol lieutenants and captains association under
29 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
30 biennium. Funding is provided to fund the agreement, which does not
31 include general wages increases but does provide the ability to
32 request to reopen the compensation article for the purpose of
33 bargaining base rate of pay for fiscal year 2023.

34 (2) An agreement has been reached between the governor and the
35 Washington state patrol lieutenants and captains association under
36 the provisions of chapter 41.56 RCW for fiscal year 2023. The
37 agreement includes and funding is provided for a general wage
38 increase of 10 percent for fiscal year 2023.

1 **Sec. 520.** 2021 c 333 s 521 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE**
4 **BENEFITS**

5 An agreement was reached for the 2021-2023 biennium between the
6 governor and the health care coalition under the provisions of
7 chapter 41.80 RCW. Appropriations in this act for state agencies,
8 including institutions of higher education, are sufficient to
9 implement the provisions of the 2021-2023 collective bargaining
10 agreement, which maintains the provisions of the 2019-2021 agreement,
11 and are subject to the following conditions and limitations:

12 The monthly employer funding rate for insurance benefit premiums,
13 public employees' benefits board administration, and the uniform
14 medical plan, shall not exceed \$936 per eligible employee for fiscal
15 year 2022. For fiscal year 2023, the monthly employer funding rate
16 shall not exceed (~~(\$1091)~~) \$1,130 per eligible employee.

17 The board shall collect a \$25 per month surcharge payment from
18 members who use tobacco products and a surcharge payment of not less
19 than \$50 per month from members who cover a spouse or domestic
20 partner where the spouse or domestic partner has chosen not to enroll
21 in another employer-based group health insurance that has benefits
22 and premiums with an actuarial value of not less than 95 percent of
23 the actuarial value of the public employees' benefits board plan with
24 the largest enrollment. The surcharge payments shall be collected in
25 addition to the member premium payment if directed by the
26 legislature.

27 **Sec. 521.** 2021 c 333 s 522 (uncodified) is amended to read as
28 follows:

29 **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—**
30 **INSURANCE BENEFITS**

31 Appropriations for state agencies in this act are sufficient for
32 represented employees outside the coalition for health benefits, and
33 are subject to the following conditions and limitations: The monthly
34 employer funding rate for insurance benefit premiums, public
35 employees' benefits board administration, and the uniform medical
36 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
37 For fiscal year 2023, the monthly employer funding rate may not
38 exceed (~~(\$1091)~~) \$1,130 per eligible employee.

1 **Sec. 522.** 2021 c 333 s 523 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

4 Appropriations for state agencies in this act are sufficient for
5 nonrepresented state employee health benefits for state agencies,
6 including institutions of higher education, and are subject to the
7 following conditions and limitations: The employer monthly funding
8 rate for insurance benefit premiums, public employees' benefits board
9 administration, and the uniform medical plan, shall not exceed \$936
10 per eligible employee for fiscal year 2022. For fiscal year 2023, the
11 monthly employer funding rate shall not exceed (~~(\$1091)~~) \$1,130 per
12 eligible employee.

13 NEW SECTION. **Sec. 523.** A new section is added to 2021 c 333
14 (uncodified) to read as follows:

15 **GENERAL WAGE INCREASES**

16 (1) Appropriations for state agency employee compensation in this
17 act are sufficient to provide general wage increases to state agency
18 employees who are not represented or who bargain under statutory
19 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or
20 RCW 41.56.475.

21 (2) Funding is provided for a 3.25 percent salary increase
22 effective July 1, 2022, for all classified employees as specified in
23 subsection (1) of this section, employees in the Washington
24 management service, and exempt employees under the jurisdiction of
25 the office of financial management. The appropriations are also
26 sufficient to fund a 3.25 percent salary increase effective July 1,
27 2022 for executive, legislative, and judicial branch employees exempt
28 from merit system rules whose maximum salaries are not set by the
29 commission on salaries of elected officials.

30 NEW SECTION. **Sec. 524.** A new section is added to 2021 c 333
31 (uncodified) to read as follows:

32 **COMPENSATION—PENSION CONTRIBUTIONS**

33 Appropriations to state agencies include funding for an increase
34 in pension contribution rates for several state pension systems as
35 provided in this section.

36 (1) An increase of 0.14 percent is funded for state employer
37 contributions to the public employees' retirement system, the public
38 safety employees' retirement systems, and the school employees'

1 retirement system. An increase of 0.27 percent for employer
2 contributions to the teachers' retirement system is funded. These
3 increases are provided for the purpose of a one-time, ongoing pension
4 increase for retirees in the public employees' retirement system plan
5 1 and teachers' retirement system plan 1, as provided in Senate Bill
6 No. 5676 (providing a benefit increase to certain retirees of the
7 public employees' retirement system plan 1 and the teachers'
8 retirement system plan 1). If Senate Bill No. 5676 is not enacted by
9 June 30, 2022, this subsection lapses.

10 (2) An increase of 0.10 percent is funded for state employer
11 contributions to the public safety employees' retirement system.
12 These increases are provided for the cost to provide an enhanced
13 disability benefit to members of this system who experience a
14 qualifying catastrophic disability on the job, as provided in House
15 Bill No. 1669 (PSERS disability benefits). If House Bill No. 1669 is
16 not enacted by June 30, 2022, this subsection lapses.

17 NEW SECTION. **Sec. 525.** The following acts or parts of acts are
18 each repealed:

- 19 (1) 2021 c 333 s 526 (uncodified);
- 20 (2) 2021 c 333 s 527 (uncodified);
- 21 (3) 2021 c 333 s 528 (uncodified);
- 22 (4) 2021 c 333 s 529 (uncodified);
- 23 (5) 2021 c 333 s 530 (uncodified);
- 24 (6) 2021 c 333 s 531 (uncodified);
- 25 (7) 2021 c 333 s 532 (uncodified);
- 26 (8) 2021 c 333 s 533 (uncodified);
- 27 (9) 2021 c 333 s 534 (uncodified);
- 28 (10) 2021 c 333 s 535 (uncodified);
- 29 (11) 2021 c 333 s 536 (uncodified); and
- 30 (12) 2021 c 333 s 537 (uncodified).

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2021 c 333 s 601 (uncodified) is amended to read as
3 follows:

4 **MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN**
5 **SESSION**

6 (1) The 2005 transportation partnership projects or improvements
7 and 2015 connecting Washington projects or improvements are listed in
8 the LEAP Transportation Document (~~(2021-1)~~) 2022-1 as developed
9 (~~(April 23, 2021)~~) March 9, 2022, which consists of a list of
10 specific projects by fund source and amount over a sixteen-year
11 period. Current fiscal biennium funding for each project is a line-
12 item appropriation, while the outer year funding allocations
13 represent a sixteen-year plan. The department of transportation is
14 expected to use the flexibility provided in this section to assist in
15 the delivery and completion of all transportation partnership account
16 and connecting Washington account projects on the LEAP transportation
17 document referenced in this subsection. For the 2021-2023 project
18 appropriations, unless otherwise provided in this act, the director
19 of the office of financial management may provide written
20 authorization for a transfer of appropriation authority between
21 projects funded with transportation partnership account
22 appropriations or connecting Washington account appropriations to
23 manage project spending and efficiently deliver all projects in the
24 respective program under the following conditions and limitations:

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

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

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

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

35 (e) Transfers to a project may not occur if that project is a
36 programmatic funding item described in broad general terms on the
37 applicable project list without referencing a specific state route
38 number;

1 (f) Transfers may not be made while the legislature is in
2 session;

3 (g) Transfers to a project may not be made with funds designated
4 as attributable to practical design savings as described in RCW
5 47.01.480;

6 (h) Except for transfers made under (l) of this subsection,
7 transfers may only be made in fiscal year 2023;

8 (i) The total amount of transfers under this section may not
9 exceed \$50,000,000;

10 (j) Except as otherwise provided in (l) of this subsection,
11 transfers made to a single project may not cumulatively total more
12 than \$20,000,000 per biennium;

13 (k) Each transfer between projects may only occur if the director
14 of the office of financial management finds that any resulting change
15 will not hinder the completion of the projects as approved by the
16 legislature; and

17 (l) Transfers between projects may be made by the department of
18 transportation without the formal written approval provided under
19 this subsection (1), provided that the transfer amount to a single
20 project does not exceed two hundred fifty thousand dollars or ten
21 percent of the total project per biennium, whichever is less. These
22 transfers must be reported quarterly to the director of the office of
23 financial management and the chairs of the house of representatives
24 and senate transportation committees.

25 (2) The department of transportation must submit quarterly all
26 transfers authorized under this section in the transportation
27 executive information system. The office of financial management must
28 maintain a legislative baseline project list identified in the LEAP
29 transportation documents referenced in this act, and update that
30 project list with all authorized transfers under this section,
31 including any effects to the total project budgets and schedules
32 beyond the current biennium.

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

37 (4) Before approval, the office of financial management shall
38 work with legislative staff of the house of representatives and
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and
2 ranking members of the transportation committees.

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

8 (6) The department must submit annually as part of its budget
9 submittal a report detailing all transfers made pursuant to this
10 section, including any effects to the total project budgets and
11 schedules beyond the current biennium.

12 (7)(a) If the department of transportation receives federal
13 funding not appropriated in this act, the department shall apply such
14 funds to any of the following activities in lieu of state funds, if
15 compliant with federal funding restrictions, and in the order that
16 most reduces administrative burden and minimizes the use of bond
17 proceeds:

18 (i) Projects on LEAP Transportation Document (~~(2021-2)~~) 2022-2
19 ALL PROJECTS as developed (~~(April 23, 2021)~~) March 9, 2022; or

20 (ii) Other department of transportation operating or capital
21 expenditures funded by appropriations from state accounts in this
22 act.

23 (b) However, if the funds received may not be used for any of the
24 purposes enumerated in this section and must be obligated before the
25 next regular legislative session, then the department may program the
26 funds for other transportation-related activities, provided that
27 these actions do not initiate any new programs, policies, or
28 expenditure levels requiring additional one-time or ongoing state
29 funds that have not been expressly authorized by the legislature. The
30 department shall follow the existing unanticipated receipt process to
31 notify the legislative standing committees on transportation and the
32 office of financial management of the amount of federal funds
33 received in addition to those appropriated in this act and the
34 projects or activities receiving funding through this process.

35 **Sec. 602.** 2021 c 333 s 606 (uncodified) is amended to read as
36 follows:

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

38 (1) By November 15th of each year, the department of
39 transportation must report on amounts expended to benefit transit,

1 bicycle, or pedestrian elements within all connecting Washington
2 projects in programs I, P, and Z identified in LEAP Transportation
3 Document ((~~2021-2~~) 2022-2 ALL PROJECTS as developed ((~~April 23,~~
4 ~~2021~~) March 9, 2022). The report must address each modal category
5 separately and identify if eighteenth amendment protected funds have
6 been used and, if not, the source of funding.

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

(End of part)

Sec. 701. 2021 c 333 s 701 (uncodified) is amended to read as follows:

INFORMATION TECHNOLOGY OVERSIGHT

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

(2)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2021-2023 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;
- (iii) Discrete financial budget codes to include at least the appropriation index and program index;
- (iv) Object and subobject codes of expenditures;
- (v) Anticipated deliverables;
- (vi) Historical budget and expenditure detail by fiscal year; and

1 (vii) Maintenance and operations costs by fiscal year for at
2 least five years as a separate worksheet.

3 (c) If a project technology budget changes and a revised
4 technology budget is completed, a comparison of the revised
5 technology budget to the last approved technology budget must be
6 posted to the dashboard, to include a narrative rationale on what
7 changed, why, and how that impacts the project in scope, budget, and
8 schedule.

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

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

12 (ii) The office of the chief information officer staff assigned
13 to the project;

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

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

20 (v) Ongoing maintenance and operations cost of the project post
21 implementation and close out delineated by agency staffing,
22 contracted staffing, and service level agreements; and

23 (vi) Financial budget coding to include at least discrete
24 financial coding for the project.

25 (4) Projects with estimated costs greater than \$100,000,000 from
26 initiation to completion and implementation may be divided into
27 discrete subprojects as determined by the office of the state chief
28 information officer. Each subproject must have a technology budget
29 and investment plan as provided in this section.

30 (5) (a) The office of the chief information officer shall maintain
31 an information technology project dashboard that provides updated
32 information each fiscal month on projects subject to this section.
33 This includes, at least:

34 (i) Project changes each fiscal month;

35 (ii) Noting if the project has a completed market requirements
36 document, and when it was completed;

37 (iii) Financial status of information technology projects under
38 oversight;

39 (iv) Coordination with agencies;

40 (v) Monthly quality assurance reports, if applicable;

1 (vi) Monthly office of the chief information officer status
2 reports;

3 (vii) Historical project budget and expenditures through fiscal
4 year 2021;

5 (viii) Budget and expenditures each fiscal month;

6 (ix) Estimated annual maintenance and operations costs by fiscal
7 year; and

8 (x) Posting monthly project status assessments on scope,
9 schedule, budget, and overall by the:

10 (A) Office of the chief information officer;

11 (B) Agency project team; and

12 (C) Quality assurance vendor, if applicable to the project.

13 (b) The dashboard must retain a roll up of the entire project
14 cost, including all subprojects, that can display subproject detail.
15 This includes coalition projects that are active.

16 (6) If the project affects more than one agency:

17 (a) A separate technology budget and investment plan must be
18 prepared for each agency; and

19 (b) The dashboard must contain a statewide project technology
20 budget roll up that includes each affected agency at the subproject
21 level.

22 (7) For any project that exceeds \$2,000,000 in total funds to
23 complete, requires more than one biennium to complete, or is financed
24 through financial contracts, bonds, or other indebtedness:

25 (a) Quality assurance for the project must report independently
26 to the office of the chief information officer;

27 (b) The office of the chief information officer must review, and,
28 if necessary, revise the proposed project to ensure it is flexible
29 and adaptable to advances in technology;

30 (c) The technology budget must specifically identify the uses of
31 any financing proceeds. No more than 30 percent of the financing
32 proceeds may be used for payroll-related costs for state employees
33 assigned to project management, installation, testing, or training;

34 (d) The agency must consult with the office of the state
35 treasurer during the competitive procurement process to evaluate
36 early in the process whether products and services to be solicited
37 and the responsive bids from a solicitation may be financed; and

38 (e) The agency must consult with the contracting division of the
39 department of enterprise services for a review of all contracts and

1 agreements related to the project's information technology
2 procurements.

3 (8) The office of the chief information officer must evaluate the
4 project at each stage and certify whether the project is planned,
5 managed, and meeting deliverable targets as defined in the project's
6 approved technology budget and investment plan.

7 (9) The office of the chief information officer may suspend or
8 terminate a project at any time if it determines that the project is
9 not meeting or not expected to meet anticipated performance and
10 technology outcomes. Once suspension or termination occurs, the
11 agency shall unallot any unused funding and shall not make any
12 expenditure for the project without the approval of the office of
13 financial management. The office of the chief information officer
14 must report on July 1st and December 1st each calendar year any
15 suspension or termination of a project in the previous six-month
16 period to the legislative fiscal committees.

17 (10) The office of the chief information officer, in consultation
18 with the office of financial management, may identify additional
19 projects to be subject to this section, including projects that are
20 not separately identified within an agency budget. The office of the
21 chief information officer must report on July 1st and December 1st
22 each calendar year any additional projects to be subjected to this
23 section that were identified in the previous six-month period to the
24 legislative fiscal committees.

25 (11) The following transportation projects are subject to the
26 conditions, limitations, and review provided in this section:

27 (a) For the Washington state patrol: Aerial criminal
28 investigation tools;

29 (b) For the department of licensing: Website accessibility and
30 usability; and

31 (c) For the department of transportation: Maintenance management
32 system, land mobile radio system replacement (~~(, new esc system and~~
33 ~~operator)~~), PROPEL - WSDOT support of one Washington, and capital
34 systems replacement.

35 **Sec. 702.** RCW 47.01.071 and 2016 c 35 s 1 are each amended to
36 read as follows:

37 The transportation commission shall have the following functions,
38 powers, and duties:

1 (1) To propose policies to be adopted by the governor and the
2 legislature designed to assure the development and maintenance of a
3 comprehensive and balanced statewide transportation system which will
4 meet the needs of the people of this state for safe and efficient
5 transportation services. Wherever appropriate, the policies shall
6 provide for the use of integrated, intermodal transportation systems.
7 The policies must be aligned with the goals established in RCW
8 47.04.280. To this end the commission shall:

9 (a) Develop transportation policies which are based on the
10 policies, goals, and objectives expressed and inherent in existing
11 state laws;

12 (b) Inventory the adopted policies, goals, and objectives of the
13 local and area-wide governmental bodies of the state and define the
14 role of the state, regional, and local governments in determining
15 transportation policies, in transportation planning, and in
16 implementing the state transportation plan;

17 (c) Establish a procedure for review and revision of the state
18 transportation policy and for submission of proposed changes to the
19 governor and the legislature; and

20 (d) Integrate the statewide transportation plan with the needs of
21 the elderly and persons with disabilities, and coordinate federal and
22 state programs directed at assisting local governments to answer such
23 needs;

24 (2) To provide for the effective coordination of state
25 transportation planning with national transportation policy, state
26 and local land use policies, and local and regional transportation
27 plans and programs;

28 (3) In conjunction with the provisions under RCW 47.01.075, to
29 provide for public involvement in transportation designed to elicit
30 the public's views both with respect to adequate transportation
31 services and appropriate means of minimizing adverse social,
32 economic, environmental, and energy impact of transportation
33 programs;

34 (4) By December 2010, to prepare a comprehensive and balanced
35 statewide transportation plan consistent with the state's growth
36 management goals and based on the transportation policy goals
37 provided under RCW 47.04.280 and applicable state and federal laws.
38 The plan must reflect the priorities of government developed by the
39 office of financial management and address regional needs, including
40 multimodal transportation planning. The plan must, at a minimum: (a)

1 Establish a vision for the development of the statewide
2 transportation system; (b) identify significant statewide
3 transportation policy issues; and (c) recommend statewide
4 transportation policies and strategies to the legislature to fulfill
5 the requirements of subsection (1) of this section. The plan must be
6 the product of an ongoing process that involves representatives of
7 significant transportation interests and the general public from
8 across the state. Every four years, except during the 2021-2023
9 fiscal biennium, the plan shall be reviewed and revised, and
10 submitted to the governor and the house of representatives and senate
11 standing committees on transportation.

12 The plan shall take into account federal law and regulations
13 relating to the planning, construction, and operation of
14 transportation facilities;

15 (5) To propose to the governor and the legislature prior to the
16 convening of each regular session held in an odd-numbered year a
17 recommended budget for the operations of the commission as required
18 by RCW 47.01.061;

19 (6) To adopt such rules as may be necessary to carry out
20 reasonably and properly those functions expressly vested in the
21 commission by statute;

22 (7) To contract with the office of financial management or other
23 appropriate state agencies for administrative support, accounting
24 services, computer services, and other support services necessary to
25 carry out its other statutory duties;

26 (8) To conduct transportation-related studies and policy analysis
27 to the extent directed by the legislature or governor in the biennial
28 transportation budget act, or as otherwise provided in law, and
29 subject to the availability of amounts appropriated for this specific
30 purpose; and

31 (9) To exercise such other specific powers and duties as may be
32 vested in the transportation commission by this or any other
33 provision of law.

34 **Sec. 703.** RCW 46.01.385 and 2021 c 32 s 2 are each amended to
35 read as follows:

36 The agency financial transaction account is created in the state
37 treasury. Receipts directed by law to the account from cost recovery
38 charges for credit card and other financial transaction fees must be
39 deposited into the account. Moneys in the account may be spent only

1 after appropriation. Expenditures from the account may be used only
2 for paying credit card and financial transaction fees, and other
3 related costs incurred by state agencies. During the 2021-2023 fiscal
4 biennium, expenditures from the account may also be used for
5 additional information technology costs related to supporting the
6 department of licensing operations and addressing its staffing
7 shortages.

8 **Sec. 704.** RCW 47.01.505 and 2017 c 288 s 4 are each amended to
9 read as follows:

10 (1) On behalf of the state, the legislature of the state of
11 Washington invites the legislature of the state of Oregon to
12 participate in a joint legislative action committee regarding the
13 construction of a new Interstate 5 bridge spanning the Columbia river
14 that achieves the following purposes:

15 (a) Works with both states' departments of transportation and
16 transportation commissions and stakeholders to begin a process toward
17 project development. It is assumed that the appropriate local and
18 bistate entities already tasked with related work will also be
19 included when the legislative and interagency agreements are ready to
20 move forward. The legislative action committee must convene its first
21 meeting by December 15, 2017;

22 (b) Reviews and confirms lead roles related to permitting,
23 construction, operation, and maintenance of a future Interstate 5
24 bridge project;

25 (c) Establishes a process to seek public comment on the
26 Interstate 5 bridge project development plan selected and presents
27 final recommendations for the process and financing to both states;

28 (d) Works to ensure that there are sufficient resources available
29 to both states' departments of transportation to inventory and
30 utilize existing data and any prior relevant work to allow for
31 nonduplicative and efficient decision making regarding a new project;

32 (e) Examines all of the potential mass transit options available
33 for a future Interstate 5 bridge project;

34 (f) Utilizes design-build procurement, or an equivalent or better
35 innovation delivery method, and determines the least costly, most
36 efficient project management and best practices tools consistent with
37 work already completed including, but not limited to, height,
38 navigation needs, transparency, economic development, and other

1 critical elements, while minimizing the impacts of congestion during
2 construction;

3 (g) Considers the creation of a Columbia river bridge authority
4 to review bridge needs for possible repair, maintenance, or new
5 construction, prioritizing those needs and making recommendations to
6 both states with regard to financing specific projects, timing,
7 authorities, and operations; and

8 (h) Provides a report to the legislatures of each state that
9 details the findings and recommendations of the legislative action
10 committee by December 15, 2018. The report must also contain a
11 recommendation as to whether the Interstate 5 project should be
12 designated by the legislature of the state of Washington as a project
13 of statewide significance and by the state of Oregon with an
14 equivalent designation.

15 (2) (a) The joint Oregon-Washington legislative action committee
16 is established, with sixteen members as provided in this subsection:

17 (i) The speaker and minority leader of the house of
18 representatives of each state shall jointly appoint four members, two
19 from each of the two largest caucuses of their state's house of
20 representatives.

21 (ii) The majority leader and minority leader of the senate of
22 each state shall jointly appoint four members, two from each of the
23 two largest caucuses of their state's senate.

24 (b) The legislative action committee shall choose its cochair
25 from among its membership, one each from the senate and the house of
26 representatives of both states.

27 (c) Executive agencies, including the departments of
28 transportation and the transportation commissions, shall cooperate
29 with the committee and provide information and other assistance as
30 the cochair may reasonably request.

31 (d) Staff support for the legislative action committee must be
32 provided by the Washington house of representatives office of program
33 research, Washington senate committee services, and, contingent upon
34 the acceptance by the legislature of the state of Oregon of the
35 invitation in subsection (1) of this section to participate in the
36 legislative action committee, the Oregon legislative policy and
37 research office.

38 (e) Legislative members of the legislative action committee are
39 reimbursed for travel expenses. For Washington legislative members,
40 this reimbursement must be in accordance with RCW 44.04.120.

1 (f) The expenses of the legislative action committee must be paid
2 jointly by both states' senate and house of representatives. In
3 Washington, committee expenditures are subject to approval by the
4 senate facilities and operations committee and the house of
5 representatives executive rules committee, or their successor
6 committees.

7 (g) Each meeting of the legislative action committee must allow
8 an opportunity for public comment. Legislative action committee
9 meetings must be scheduled and conducted in accordance with the
10 requirements of both the senate and the house of representatives of
11 both states.

12 (h) The Washington members of the joint Oregon-Washington
13 legislative action committee shall report back to the Washington
14 state legislature, by August 1, 2022, regarding the progress of the
15 committee and its work to advance the project to build a new
16 Interstate 5 bridge spanning the Columbia river. The report must
17 include a description of the locally preferred alternative ultimately
18 identified as part of the interstate bridge replacement project.

19 **Sec. 705.** RCW 70A.205.415 and 2009 c 261 s 3 are each amended to
20 read as follows:

21 The waste tire removal account is created in the state treasury.
22 Expenditures from the account may be used for the cleanup of
23 unauthorized waste tire piles, measures that prevent future
24 accumulation of unauthorized waste tire piles, and road wear related
25 maintenance on state and local public highways. During the 2007-2009
26 fiscal biennium, the legislature may transfer from the waste tire
27 removal account to the motor vehicle fund such amounts as reflect the
28 excess fund balance of the waste tire removal account. During the
29 2021-2023 fiscal biennium, appropriations from the waste tire removal
30 account may be made for the department of transportation to address
31 the risks to safety and public health associated with homeless
32 encampments on department owned rights-of-way.

33 **Sec. 706.** RCW 46.68.410 and 2010 c 161 s 812 are each amended to
34 read as follows:

35 (1) The vehicle identification number inspection fee collected
36 under RCW 46.17.130 must be distributed as follows:

37 ((~~(1) Fifteen dollars~~)) (a) \$15 to the state patrol highway
38 account created in RCW 46.68.030; and

1 ((~~2~~ Fifty dollars)) (b) \$50 to the motor vehicle fund created
2 in RCW 46.68.070.

3 (2) During the 2021-2023 fiscal biennium, the entire vehicle
4 identification number inspection fee collected under RCW 46.17.130
5 must be distributed to the state patrol highway account created in
6 RCW 46.68.030.

7 **Sec. 707.** 2021 c 333 s 719 (uncodified) is amended to read as
8 follows:

9 (1) The state commercial aviation coordinating commission will
10 review existing data and conduct research to determine Washington's
11 long-range commercial aviation facility needs and the site of a new
12 primary commercial aviation facility. Research for each potential
13 site must include the feasibility of constructing a commercial
14 aviation facility in that location and its potential environmental,
15 community, and economic impacts. Options for a new primary commercial
16 aviation facility in Washington may include expansion of an existing
17 airport facility but may not include siting a facility on or in the
18 vicinity of a military installation that would be incompatible with
19 the installation's ability to carry out its mission requirements. The
20 work of the commission shall include the following:

21 (a) Recommendations to the legislature on future Washington state
22 long-range commercial aviation facility needs including possible
23 additional aviation facilities or expansion of current aviation
24 facilities, excluding those located in a county with a population of
25 two million or more, to meet anticipated commercial aviation, general
26 aviation, and air cargo demands;

27 (b) Identifying a preferred location for a new primary commercial
28 aviation facility. The commission shall make recommendations and
29 shall select a single preferred location by a sixty percent majority
30 vote using the following process:

31 (i) Initiating a broad review of potential sites;

32 (ii) Recommending a final short list of no more than six
33 locations by February 15, 2022;

34 (iii) Identifying the top two locations from the final six
35 locations by October 15, 2022; and

36 (iv) Identifying a single preferred location for a new primary
37 commercial aviation facility by (~~February~~) June 15, 2023; and

1 (c) A projected timeline for the development of an additional
2 commercial aviation facility that is completed and functional by
3 2040.

4 (2) The commission shall submit a report of its findings and
5 recommendations to the transportation committees of the legislature
6 by (~~February~~) June 15, 2023. The commission must allow a minority
7 report to be included with the commission report if requested by a
8 voting member of the commission.

9 (3) Nothing in this section shall be construed to endorse, limit,
10 or otherwise alter existing or future plans for capital development
11 and capacity enhancement at existing commercial airports in
12 Washington.

13 (4) This section expires June 30, 2023.

14 **Sec. 708.** RCW 46.55.010 and 2005 c 88 s 2 are each amended to
15 read as follows:

16 The definitions set forth in this section apply throughout this
17 chapter:

18 (1) "Abandoned vehicle" means a vehicle that a registered tow
19 truck operator has impounded and held in the operator's possession
20 for (~~one hundred twenty~~) 120 consecutive hours.

21 (2) "Immobilize" means the use of a locking wheel boot that, when
22 attached to the wheel of a vehicle, prevents the vehicle from moving
23 without damage to the tire to which the locking wheel boot is
24 attached.

25 (3) "Abandoned vehicle report" means the document prescribed by
26 the state that the towing operator forwards to the department after a
27 vehicle has become abandoned.

28 (4) "Impound" means to take and hold a vehicle in legal custody.
29 There are two types of impounds—public and private.

30 (a) "Public impound" means that the vehicle has been impounded at
31 the direction of a law enforcement officer or by a public official
32 having jurisdiction over the public property upon which the vehicle
33 was located.

34 (b) "Private impound" means that the vehicle has been impounded
35 at the direction of a person having control or possession of the
36 private property upon which the vehicle was located.

37 (5) "Junk vehicle" means a vehicle certified under RCW 46.55.230
38 as meeting at least three of the following requirements:

39 (a) Is three years old or older;

1 (b) Is extensively damaged, such damage including but not limited
2 to any of the following: A broken window or windshield, or missing
3 wheels, tires, motor, or transmission;

4 (c) Is apparently inoperable;

5 (d) Has an approximate fair market value equal only to the
6 approximate value of the scrap in it.

7 (6) "Master log" means the document or an electronic facsimile
8 prescribed by the department and the Washington state patrol in which
9 an operator records transactions involving impounded vehicles.

10 (7) "Registered tow truck operator" or "operator" means any
11 person who engages in the impounding, transporting, or storage of
12 unauthorized vehicles or the disposal of abandoned vehicles.

13 (8) "Residential property" means property that has no more than
14 four living units located on it.

15 (9) "Suspended license impound" means an impound ordered under
16 RCW 46.55.113 because the operator was arrested for a violation of
17 RCW 46.20.342 or 46.20.345.

18 (10) "Tow truck" means a motor vehicle that is equipped for and
19 used in the business of towing vehicles with equipment as approved by
20 the state patrol.

21 (11) "Tow truck number" means the number issued by the department
22 to tow trucks used by a registered tow truck operator in the state of
23 Washington.

24 (12) "Tow truck permit" means the permit issued annually by the
25 department that has the classification of service the tow truck may
26 provide stamped upon it.

27 (13) "Tow truck service" means the transporting upon the public
28 streets and highways of this state of vehicles, together with
29 personal effects and cargo, by a tow truck of a registered operator.

30 (14) "Unauthorized vehicle" means a vehicle that is subject to
31 impoundment after being left unattended in one of the following
32 public or private locations for the indicated period of time:

33 Subject to removal after:

- 34 (a) Public locations:
- 35 (i) Constituting an accident or a traffic hazard as
36 defined in RCW 46.55.113 Immediately
- 37 (ii) On a highway and tagged as described in RCW
38 46.55.085 24 hours

- 1 (iii) In a publicly owned or controlled parking
- 2 facility, properly posted under RCW
- 3 46.55.070 Immediately
- 4 (iv) During the 2021-2023 fiscal biennium, within the
- 5 right-of-way used by a regional transit authority
- 6 for high capacity transportation where the vehicle
- 7 constitutes an obstruction to the operation of high
- 8 capacity transportation vehicles or
- 9 jeopardizes public safety. Immediately
- 10 (b) Private locations:
- 11 (i) On residential property Immediately
- 12 (ii) On private, nonresidential property,
- 13 properly posted under RCW
- 14 46.55.070 Immediately
- 15 (iii) On private, nonresidential property,
- 16 not posted 24 hours

17 **Sec. 709.** RCW 46.55.080 and 2018 c 22 s 12 are each amended to
 18 read as follows:

19 (1) If a vehicle is in violation of the time restrictions of RCW
 20 46.55.010(14), it may be impounded by a registered tow truck operator
 21 at the direction of a law enforcement officer, authorized regional
 22 transit authority representative under the conditions described in
 23 RCW 46.55.010(14)(a)(iv), or other public official with jurisdiction
 24 if the vehicle is on public property, or at the direction of the
 25 property owner or an agent if it is on private property. A law
 26 enforcement officer may also direct the impoundment of a vehicle
 27 pursuant to a writ or court order.

28 (2) The person requesting a private impound or a law enforcement
 29 officer, authorized regional transit authority representative, or
 30 public official requesting a public impound shall provide a signed
 31 authorization for the impound at the time and place of the impound to
 32 the registered tow truck operator before the operator may proceed
 33 with the impound. A registered tow truck operator, employee, or his
 34 or her agent may not serve as an agent of a property owner for the
 35 purposes of signing an impound authorization or, independent of the
 36 property owner, identify a vehicle for impound.

37 (3) In the case of a private impound, the impound authorization
 38 shall include the following statement: "A person authorizing this

1 impound, if the impound is found in violation of chapter 46.55 RCW,
2 may be held liable for the costs incurred by the vehicle owner."

3 (4) A registered tow truck operator shall record and keep in the
4 operator's files the date and time that a vehicle is put in the
5 operator's custody and released. The operator shall make an entry
6 into a master log regarding transactions relating to impounded
7 vehicles. The operator shall make this master log available, upon
8 request, to representatives of the department or the state patrol.

9 (5) A person who engages in or offers to engage in the activities
10 of a registered tow truck operator may not be associated in any way
11 with a person or business whose main activity is authorizing the
12 impounding of vehicles.

13 **Sec. 710.** RCW 47.12.063 and 2015 3rd sp.s. c 13 s 2 are each
14 amended to read as follows:

15 (1) It is the intent of the legislature to continue the
16 department's policy giving priority consideration to abutting
17 property owners in agricultural areas when disposing of property
18 through its surplus property program under this section.

19 (2) Whenever the department determines that any real property
20 owned by the state of Washington and under the jurisdiction of the
21 department is no longer required for transportation purposes and that
22 it is in the public interest to do so, the department may sell the
23 property or exchange it in full or part consideration for land or
24 building improvements or for construction of highway improvements at
25 fair market value to any person through the solicitation of written
26 bids through public advertising in the manner prescribed under RCW
27 47.28.050 or in the manner prescribed under RCW 47.12.283.

28 (3) The department may forego the processes prescribed by RCW
29 47.28.050 and 47.12.283 and sell the real property to any of the
30 following entities or persons at fair market value:

31 (a) Any other state agency;

32 (b) The city or county in which the property is situated;

33 (c) Any other municipal corporation;

34 (d) Regional transit authorities created under chapter 81.112
35 RCW;

36 (e) The former owner of the property from whom the state acquired
37 title;

1 (f) In the case of residentially improved property, a tenant of
2 the department who has resided thereon for not less than six months
3 and who is not delinquent in paying rent to the state;

4 (g) Any abutting private owner but only after each other abutting
5 private owner (if any), as shown in the records of the county
6 assessor, is notified in writing of the proposed sale. If more than
7 one abutting private owner requests in writing the right to purchase
8 the property within (~~(fifteen))~~ 15 days after receiving notice of the
9 proposed sale, the property shall be sold at public auction in the
10 manner provided in RCW 47.12.283;

11 (h) To any other owner of real property required for
12 transportation purposes;

13 (i) In the case of property suitable for residential use, any
14 nonprofit organization dedicated to providing affordable housing to
15 very low-income, low-income, and moderate-income households as
16 defined in RCW 43.63A.510 and is eligible to receive assistance
17 through the Washington housing trust fund created in chapter 43.185
18 RCW; (~~(e)~~)

19 (j) During the 2021-2023 fiscal biennium, any nonprofit
20 organization that identifies real property to be sold or conveyed as
21 a substitute for real property owned by the nonprofit within the city
22 of Seattle to be redeveloped for the purpose of affordable housing;
23 or

24 (k) A federally recognized Indian tribe within whose reservation
25 boundary the property is located.

26 (4) When selling real property pursuant to RCW 47.12.283, the
27 department may withhold or withdraw the property from an auction when
28 requested by one of the entities or persons listed in subsection (3)
29 of this section and only after the receipt of a nonrefundable deposit
30 equal to (~~(ten))~~ 10 percent of the fair market value of the real
31 property or (~~(five thousand dollars))~~ \$5,000, whichever is less. This
32 subsection does not prohibit the department from exercising its
33 discretion to withhold or withdraw the real property from an auction
34 if the department determines that the property is no longer surplus
35 or chooses to sell the property through one of the other means listed
36 in subsection (2) of this section. If a transaction under this
37 subsection is not completed within (~~(sixty))~~ 60 days, the real
38 property must be put back up for sale.

39 (5) Sales to purchasers may, at the department's option, be for
40 cash, by real estate contract, or exchange of land or highway

1 improvements. Transactions involving the construction of improvements
2 must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as
3 applicable, and must comply with all other applicable laws and rules.

4 (6) Conveyances made pursuant to this section shall be by deed
5 executed by the secretary of transportation and shall be duly
6 acknowledged.

7 (7) Unless otherwise provided, all moneys received pursuant to
8 the provisions of this section less any real estate broker
9 commissions paid pursuant to RCW 47.12.320 shall be deposited in the
10 motor vehicle fund.

11 (8) The department may not enter into equal value exchanges or
12 property acquisitions for building improvements without first
13 consulting with the office of financial management and the joint
14 transportation committee.

15 NEW SECTION. **Sec. 711.** Section 706 of this act takes effect
16 only if chapter . . . (Substitute Senate Bill No. 5778), Laws of 2022
17 (addressing the current backlog of vehicle inspections) is not
18 enacted by June 30, 2022.

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 801.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of part)

Passed by the Senate March 10, 2022.
Passed by the House March 10, 2022.
Approved by the Governor March 25, 2022, with the exception of certain items that were vetoed.
Filed in Office of Secretary of State March 28, 2022.

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

"I am returning herewith, without my approval as to Sections 207(24) and 206 [216](17), Engrossed Substitute Senate Bill No. 5689 entitled:

"AN ACT Relating to transportation funding and appropriations."

Section 207(24), page 28, Washington State Patrol, Unfunded Pilot

This section directs the Washington State Patrol to oversee a pilot program that allows registered tow truck operators to respond to a regional transit authority's request for impoundment of unauthorized vehicles in a right-of-way used by the transit authority. The proviso also requires the State Patrol to submit a report on the outcomes of the pilot program by July 1, 2023. No funding was provided in the budget to support this work. For this reason, I have vetoed Section 207(24).

Section 216(17), page 57, Department of Transportation, Unfunded Pilot

This section directs the Department of Transportation to conduct a pilot program allowing commercial motor vehicles to park in areas designated as chain up and chain off areas along U.S. Route 2 and Interstate 90 between May 1 and November 1 of each calendar year of the biennium. I strongly support providing adequate parking facilities and rest areas for truck drivers who are a vital link in our state's supply chains. However, the timeframe of the pilot program and need for Federal Highway Administration (FHWA) approval on one of the highways included in the pilot does not give the department adequate time to address all of the safety and maintenance concerns and to meet any FHWA requirements prior to implementation of the pilot. Although I have vetoed this section, I am directing the department to develop options and recommendations to address truck parking and rest area shortages while ensuring necessary safety and maintenance standards are upheld. For this reason, I have vetoed Section 216(17).

For these reasons I have vetoed Sections 207(24) and 206 [216](17) of Engrossed Substitute Senate Bill No. 5689.

With the exception of Sections 207(24) and 206 [216](17), Engrossed Substitute Senate Bill No. 5689 is approved."

(End of Bill)

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