
SENATE BILL 5412

State of Washington 60th Legislature 2007 Regular Session

By Senators Murray, Swecker, Marr, Clements and Haugen

Read first time 01/18/2007. Referred to Committee on Transportation.

1 AN ACT Relating to realigning goals and objectives of certain
2 transportation agencies; amending RCW 47.01.011, 47.01.012, 47.01.071,
3 47.01.075, 47.01.330, 47.05.030, 47.05.035, 47.06.020, 47.06.030,
4 47.06.043, 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080,
5 47.06.090, 47.06.100, 47.06.110, 47.06.140, and 81.104.060; and
6 repealing RCW 47.05.051, 47.01.370, 47.06.040, and 47.06.120.

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

8 **Sec. 1.** RCW 47.01.011 and 1977 ex.s. c 151 s 1 are each amended to
9 read as follows:

10 The legislature hereby recognizes the following imperative needs
11 within the state: To create a statewide transportation development
12 plan which identifies present status and sets goals for the future; to
13 coordinate transportation modes; to promote and protect land use
14 programs required in local, state, and federal law; to coordinate
15 transportation with the economic development of the state; to supply a
16 broad framework in which regional, metropolitan, and local
17 transportation needs can be related; to facilitate the supply of
18 federal and state aid to those areas which will most benefit the state
19 as a whole; to provide for public involvement in the transportation

1 planning and development process; to administer programs within the
2 jurisdiction of this title relating to the safety of the state's
3 transportation systems; and to coordinate and implement national
4 transportation policy with the state transportation planning program.

5 The legislature finds and declares that placing all elements of
6 transportation in a single department is fully consistent with and
7 shall in no way impair the use of moneys in the motor vehicle fund
8 exclusively for highway purposes.

9 Through this chapter, a unified department of transportation is
10 created. To the jurisdiction of this department will be transferred
11 the present powers, duties, and functions of the department of
12 highways, the highway commission, the toll bridge authority, the
13 aeronautics commission, and the canal commission, and the
14 transportation related powers, duties, and functions of the (~~planning
15 and community affairs agency~~) department of community, trade, and
16 economic development. The powers, duties, and functions of the
17 department of transportation must be performed in a manner consistent
18 with the policy goals set forth in RCW 47.01.012.

19 **Sec. 2.** RCW 47.01.012 and 2002 c 5 s 101 are each amended to read
20 as follows:

21 (1) It is the intent of the legislature to establish policy goals
22 for the planning, operation, performance of, and investment in, the
23 state's transportation system. The policy goals (~~shall consist of,
24 but not be limited to, the following~~) established under this section
25 are deemed consistent with the benchmark categories(~~(7)~~) adopted by the
26 state's blue ribbon commission on transportation on November 30, 2000.
27 (~~In addition to improving safety,~~) Public investments in
28 transportation shall support achievement of these ((and other
29 priority)) policy goals:

30 (~~No interstate highways, state routes, and local arterials shall
31 be in poor condition; no bridges shall be structurally deficient, and
32 safety retrofits shall be performed on those state bridges at the
33 highest seismic risk levels; traffic congestion on urban state highways
34 shall be significantly reduced and be no worse than the national mean;
35 delay per driver shall be significantly reduced and no worse than the
36 national mean; per capita vehicle miles traveled shall be maintained at
37 2000 levels; the nonauto share of commuter trips shall be increased in~~

1 ~~urban areas; administrative costs as a percentage of transportation~~
2 ~~spending shall achieve the most efficient quartile nationally; and the~~
3 ~~state's public transit agencies shall achieve the median cost per~~
4 ~~vehicle revenue hour of peer transit agencies, adjusting for the~~
5 ~~regional cost of living.))~~

6 (a) Preservation: To maintain, preserve, and extend the life and
7 utility of prior investments in transportation systems and services;

8 (b) Safety: To provide for and improve the safety and security of
9 transportation customers and the transportation system;

10 (c) Mobility: To improve the predictable movement of goods and
11 people throughout Washington state;

12 (d) Environment: To enhance Washington's quality of life through
13 transportation investments that promote energy conservation, enhance
14 healthy communities, and protect the environment; and

15 (e) Stewardship: To be effective managers of the transportation
16 system.

17 (2) These policy goals ((shall)) are intended to be the basis for
18 ((establishment of)) establishing detailed and measurable objectives
19 and related performance ((benchmarks)) measures.

20 (3) It is the intent of the legislature that the ((transportation
21 commission)) governor establish objectives and performance measures for
22 the department of transportation and other state agencies with
23 transportation related responsibilities to ensure transportation system
24 performance at local, regional, and state government levels((, and the
25 transportation commission should work with appropriate government
26 entities to accomplish this)) attains the policy goals set forth in
27 subsection (1) of this section. The governor shall submit initial
28 objectives and performance measures to the legislature for its review
29 during the 2008 legislative session. The governor shall submit
30 objectives and performance measures to the legislature for its review
31 during each regular session of the legislature during an even-numbered
32 year thereafter.

33 **Sec. 3.** RCW 47.01.071 and 2006 c 334 s 3 are each amended to read
34 as follows:

35 The transportation commission shall have the following functions,
36 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 to~~
7 ~~implement the social, economic, and environmental policies, goals, and~~
8 ~~objectives of the people of the state, and especially to conserve~~
9 ~~nonrenewable natural resources including land and energy.)) The
10 policies must be aligned with the goals established in RCW 47.01.012.~~

11 To this end the commission shall:

12 (a) Develop transportation policies which are based on the
13 policies, goals, and objectives expressed and inherent in existing
14 state laws;

15 (b) Inventory the adopted policies, goals, and objectives of the
16 local and area-wide governmental bodies of the state and define the
17 role of the state, regional, and local governments in determining
18 transportation policies, in transportation planning, and in
19 implementing the state transportation plan;

20 (~~Propose a transportation policy for the state;~~
21 ~~(d)~~) Establish a procedure for review and revision of the state
22 transportation policy and for submission of proposed changes to the
23 governor and the legislature;

24 (~~(e) To~~) (d) Integrate the statewide transportation plan with the
25 needs of the elderly and (~~handicapped~~) persons with disabilities, and
26 (~~to~~) coordinate federal and state programs directed at assisting
27 local governments to answer such needs;

28 (2) To provide for the effective coordination of state
29 transportation planning with national transportation policy, state and
30 local land use policies, and local and regional transportation plans
31 and programs;

32 (3) In conjunction with the provisions under RCW 47.01.075, to
33 provide for public involvement in transportation designed to elicit the
34 public's views both with respect to adequate transportation services
35 and appropriate means of minimizing adverse social, economic,
36 environmental, and energy impact of transportation programs;

37 (4) As provided under RCW 47.06.030, to prepare a comprehensive and
38 balanced statewide transportation plan (~~which shall be~~) based on the

1 transportation policy (~~((adopted by the governor and the legislature,))~~)
2 goals provided under RCW 47.01.012 and applicable state and federal
3 laws(~~(. The plan must reflect the priorities of government developed~~
4 ~~by the office of financial management and address regional needs,~~
5 ~~including multimodal transportation planning. The plan shall be~~
6 ~~reviewed and revised, and submitted to the governor and the house of~~
7 ~~representatives and senate standing committees on transportation, prior~~
8 ~~to each regular session of the legislature during an even numbered year~~
9 ~~thereafter. The plan shall be subject to the approval of the~~
10 ~~legislature in the biennial transportation budget act.~~

11 The plan shall take into account federal law and regulations
12 relating to the planning, construction, and operation of transportation
13 facilities));

14 (5) By October 1, 2007, the commission shall submit a baseline
15 report on the attainment of policy goals under RCW 47.01.012 in the
16 2005-2007 fiscal biennium. By October 1, 2008, beginning with the
17 development of the 2009-2011 biennial transportation budget, and by
18 October 1st each year thereafter, the commission shall submit to the
19 legislature and the governor an annual report on the attainment by
20 state transportation agencies of the state transportation policy goals
21 and objectives prescribed by statute, appropriation, and governor
22 directive. The report must, at a minimum, include the degree to which
23 state transportation projects and programs attained the policy goals
24 established under RCW 47.01.012, as measured by the objectives and
25 performance measures established by the governor under RCW 47.01.012
26 and presented biennially to the legislature.

27 (6) To propose to the governor and the legislature prior to the
28 convening of each regular session held in an odd-numbered year a
29 recommended budget for the operations of the commission as required by
30 RCW 47.01.061;

31 ((+6)) (7) To adopt such rules as may be necessary to carry out
32 reasonably and properly those functions expressly vested in the
33 commission by statute;

34 ((+7)) (8) To contract with the office of financial management or
35 other appropriate state agencies for administrative support, accounting
36 services, computer services, and other support services necessary to
37 carry out its other statutory duties;

1 ~~((8))~~ (9) To conduct transportation-related studies and policy
2 analysis to the extent directed by the legislature or governor in the
3 biennial transportation budget act, or as otherwise provided in law,
4 and subject to the availability of amounts appropriated for this
5 specific purpose; and

6 ~~((9))~~ (10) To exercise such other specific powers and duties as
7 may be vested in the transportation commission by this or any other
8 provision of law.

9 **Sec. 4.** RCW 47.01.075 and 2006 c 334 s 4 are each amended to read
10 as follows:

11 ~~(1) ((The transportation commission shall provide a public forum
12 for the development of transportation policy in Washington state to
13 include coordination with regional transportation planning
14 organizations, transportation stakeholders, counties, cities, and
15 citizens. It may recommend to the secretary of transportation, the
16 governor, and the legislature means for obtaining appropriate citizen
17 and professional involvement in all transportation policy formulation
18 and other matters related to the powers and duties of the department.
19 It may further hold hearings and explore ways to improve the mobility
20 of the citizenry.))~~ At least every five years, the commission shall
21 convene regional forums to gather citizen input on transportation
22 issues. The commission shall consider the input gathered at the forums
23 as it establishes the statewide transportation plan under RCW
24 47.06.030.

25 ~~(2) ((Every two years, in coordination with the development of the
26 state biennial budget, the commission shall prepare the statewide
27 multimodal transportation progress report and propose to the office of
28 financial management transportation priorities for the ensuing
29 biennium. The report must:~~

30 ~~(a) Consider the citizen input gathered at the forums;~~

31 ~~(b) Be developed with the assistance of state transportation-~~
32 ~~related agencies and organizations;~~

33 ~~(c) Be developed with the input from state, local, and regional~~
34 ~~jurisdictions, transportation service providers, key transportation~~
35 ~~stakeholders, and the office of financial management;~~

36 ~~(d) Be considered by the secretary of transportation and other~~

1 ~~state transportation related agencies in preparing proposed agency~~
2 ~~budgets and executive request legislation;~~

3 ~~(e) Be submitted by the commission to the governor and the~~
4 ~~legislature by October 1st of each even numbered year for consideration~~
5 ~~by the governor.~~

6 ~~(3))~~ In fulfilling its responsibilities under this section, the
7 commission may create ad hoc committees or other such committees of
8 limited duration as necessary.

9 ~~((4))~~ (3) In order to promote a better transportation system, the
10 commission ~~((shall))~~ may offer policy guidance and make recommendations
11 to the governor and the legislature in key issue areas, including but
12 not limited to:

13 (a) Transportation finance;

14 (b) Preserving, maintaining, and operating the statewide
15 transportation system;

16 (c) Transportation infrastructure needs;

17 (d) Promoting best practices for adoption and use by
18 transportation-related agencies and programs;

19 (e) Transportation efficiencies that will improve service delivery
20 and/or coordination;

21 (f) Improved planning and coordination among transportation
22 agencies and providers; and

23 (g) Use of intelligent transportation systems and other technology-
24 based solutions(~~(; and~~

25 ~~(h) Reporting of performance against goals, targets, and~~
26 ~~benchmarks)).~~

27 **Sec. 5.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read
28 as follows:

29 (1) The secretary shall establish an office of transit mobility.
30 The purpose of the office is to facilitate the integration of
31 decentralized public transportation services with the state
32 transportation system. The goals of the office of transit mobility
33 are: (a) To facilitate connection and coordination of transit services
34 and planning; and (b) maximizing opportunities to use public
35 transportation to improve the efficiency of transportation corridors.

36 (2) The duties of the office include, but are not limited to, the
37 following:

1 (a) Developing a statewide strategic plan that creates common goals
2 for transit agencies, consistent with the goals under RCW 47.01.012,
3 and reduces competing plans for cross-jurisdictional service;

4 (b) Developing a park and ride lot program;

5 (c) Encouraging long-range transit planning;

6 (d) Providing public transportation expertise to improve linkages
7 between regional transportation planning organizations and transit
8 agencies;

9 (e) Strengthening policies for inclusion of transit and
10 transportation demand management strategies in route development,
11 corridor plan standards, and budget proposals;

12 (f) Recommending best practices to integrate transit and demand
13 management strategies with regional and local land use plans in order
14 to reduce traffic and improve mobility and access;

15 (g) Producing recommendations to the commission for the public
16 transportation section of the ((Washington)) statewide transportation
17 plan; and

18 (h) Participating in all aspects of corridor planning, including
19 freight planning, ferry system planning, and passenger rail planning.

20 (3) In forming the office, the secretary shall use existing
21 resources to the greatest extent possible.

22 (4) The office of transit mobility shall ((~~establish measurable~~
23 ~~performance~~)) adopt the objectives and performance measures established
24 by the governor under RCW 47.01.012 for evaluating the success of its
25 initiatives and progress toward accomplishing the overall goals of the
26 office and the goals established under RCW 47.01.012.

27 (5) The office of transit mobility must report quarterly to the
28 secretary, and annually to the transportation committees of the
29 legislature and the commission, on the progress of the office in
30 meeting the goals and duties provided in this section.

31 **Sec. 6.** RCW 47.05.030 and 2006 c 334 s 45 are each amended to read
32 as follows:

33 (1) The ((~~transportation commission~~)) office of financial
34 management shall ((~~develop~~)) propose a comprehensive ten-year
35 investment program ((~~specifying program objectives and performance~~
36 ~~measures~~)) for the preservation and improvement programs defined in
37 this section, consistent with the policy goals described under RCW

1 47.01.012. The ~~((adopted))~~ proposed ten-year investment program must
2 be forwarded as a recommendation ~~((to))~~ by the ~~((governor and))~~ office
3 of financial management to the legislature, and ~~((is subject to the~~
4 ~~approval of the legislature in the biennial transportation budget act.~~
5 ~~In the specification of investment program objectives and performance~~
6 ~~measures, the transportation commission, in consultation with the~~
7 ~~Washington state department of transportation, shall define and adopt~~
8 ~~standards for effective programming and prioritization practices~~
9 ~~including a needs analysis process. The analysis process must ensure~~
10 ~~the identification of problems and deficiencies, the evaluation of~~
11 ~~alternative solutions and trade offs, and estimations of the costs and~~
12 ~~benefits of prospective projects. The investment program))~~ must be
13 based upon the needs identified in the ~~((state owned highway component~~
14 ~~of the))~~ statewide ~~((comprehensive))~~ transportation plan established
15 under RCW 47.01.071(4). The proposed investment program must also
16 include:

17 (a) Identification of projects for two years and an investment plan
18 for the remaining eight years;

19 (b) An analysis of how the investment plan relates to the statewide
20 transportation plan;

21 (c) A cross-reference table for the information contained in the
22 annual attainment report submitted by the transportation commission
23 under RCW 47.01.071(5); and

24 (d) A statement of how the proposed ten-year investment program
25 will affect the performance measures and objectives proposed by the
26 governor under RCW 47.01.012 and included in the annual attainment
27 report submitted by the transportation commission under RCW
28 47.01.071(5).

29 ~~((1))~~ (2) The preservation program consists of those investments
30 necessary to preserve the existing state highway system and to restore
31 existing safety features, giving consideration to lowest life cycle
32 costing. ~~((The preservation program must require use of the most cost-~~
33 ~~effective pavement surfaces, considering:~~

34 ~~(a) Life cycle cost analysis;~~

35 ~~(b) Traffic volume;~~

36 ~~(c) Subgrade soil conditions;~~

37 ~~(d) Environmental and weather conditions;~~

38 ~~(e) Materials available; and~~

1 ~~(f) Construction factors.~~

2 ~~The comprehensive ten year investment program for preservation must~~
3 ~~identify projects for two years and an investment plan for the~~
4 ~~remaining eight years.~~

5 ~~(2)) (3) The improvement program consists of investments needed to~~
6 ~~address identified deficiencies on the state highway system to~~
7 ~~((increase mobility, address congestion, and improve safety, support~~
8 ~~for the economy, and protection of the environment. The ten year~~
9 ~~investment program for improvements must identify projects for two~~
10 ~~years and major deficiencies proposed to be addressed in the ten year~~
11 ~~period giving consideration to relative benefits and life cycle~~
12 ~~costing. The transportation commission shall give higher priority for~~
13 ~~correcting identified deficiencies on those facilities classified as~~
14 ~~facilities of statewide significance as defined in RCW 47.06.140.~~
15 ~~Project prioritization must be based primarily upon cost benefit~~
16 ~~analysis, where appropriate)) meet the goals established in RCW~~
17 ~~47.01.012.~~

18 **Sec. 7.** RCW 47.05.035 and 2006 c 334 s 46 are each amended to read
19 as follows:

20 (1) The department shall use the transportation demand modeling
21 tools developed under subsection (2) of this section to evaluate
22 investments based on the best mode or improvement, or mix of modes and
23 improvements, to meet current and future long-term demand within a
24 corridor or system for the lowest cost. The end result of these demand
25 modeling tools is to provide a cost-benefit analysis by which the
26 department can determine the relative mobility improvement and
27 congestion relief each mode or improvement under consideration will
28 provide and the relative investment each mode or improvement under
29 consideration will need to achieve that relief.

30 (2) The department will participate in the refinement, enhancement,
31 and application of existing transportation demand modeling tools to be
32 used to evaluate investments. This participation and use of
33 transportation demand modeling tools will be phased in.

34 ~~((3) In developing program objectives and performance measures,~~
35 ~~the department shall evaluate investment trade offs between the~~
36 ~~preservation and improvement programs. In making these investment~~
37 ~~trade offs, the department shall evaluate, using cost benefit~~

1 techniques, roadway and bridge maintenance activities as compared to
2 roadway and bridge preservation program activities and adjust those
3 programs accordingly.

4 ~~(4) The department shall allocate the estimated revenue between~~
5 ~~preservation and improvement programs giving primary consideration to~~
6 ~~the following factors:~~

7 ~~(a) The relative needs in each of the programs and the system~~
8 ~~performance levels that can be achieved by meeting these needs;~~

9 ~~(b) The need to provide adequate funding for preservation to~~
10 ~~protect the state's investment in its existing highway system;~~

11 ~~(c) The continuity of future transportation development with those~~
12 ~~improvements previously programmed; and~~

13 ~~(d) The availability of dedicated funds for a specific type of~~
14 ~~work.~~

15 ~~(5) The department shall consider the findings in this section in~~
16 ~~the development of the ten-year investment program.))~~

17 **Sec. 8.** RCW 47.06.020 and 1993 c 446 s 2 are each amended to read
18 as follows:

19 The specific role of the department in transportation planning
20 ~~((shall))~~ must be, consistent with the policy goals described under RCW
21 47.01.012: (1) Ongoing coordination and development of statewide
22 transportation policies that guide all Washington transportation
23 providers; (2) ~~((ongoing development of a statewide multimodal~~
24 ~~transportation plan that includes both state-owned and state interest~~
25 ~~facilities and services; (3))~~ coordinating the state high-capacity
26 transportation planning and regional transportation planning programs,
27 including (a) administering state planning grants for these purposes,
28 (b) representing the interests of the state in these regional planning
29 processes, and (c) coordinating other department planning with these
30 regional efforts, including those under RCW 81.104.060; (3)
31 collaborating with the transportation commission in all of the
32 department's planning efforts; ~~((and))~~ (4) conducting special
33 transportation planning studies, as provided in RCW 47.06.130, that
34 impact state transportation facilities or relate to transportation
35 facilities and services of statewide significance~~((Specific~~
36 ~~requirements for each of these state transportation planning components~~
37 ~~are described in this chapter))~~; and (5) assisting the transportation

1 commission in the development of the statewide transportation plan by
2 identifying and documenting potential affected environmental resources
3 including, but not limited to, wetlands, storm water runoff, flooding,
4 air quality, fish passage, and wildlife habitat.

5 In support of its role under subsection (5) of this section, the
6 department shall conduct its environmental identification and
7 documentation in coordination with all relevant environmental
8 regulatory authorities including, but not limited to, local
9 governments. The department shall give the relevant environmental
10 regulatory authorities an opportunity to review the department's
11 environmental plans. The relevant environmental regulatory authorities
12 shall provide comments on the department's environmental plans in a
13 timely manner. Environmental identification and documentation as
14 provided for in RCW 47.01.300 and this section is not intended to
15 create a private right of action or require an environmental impact
16 statement as provided in chapter 43.21C RCW.

17 **Sec. 9.** RCW 47.06.030 and 1997 c 369 s 8 are each amended to read
18 as follows:

19 (1) The ~~transportation~~ commission shall ~~((develop a state~~
20 ~~transportation policy plan that (1) establishes~~) prepare a
21 comprehensive and balanced statewide transportation plan based on the
22 policy goals established under RCW 47.01.012. The statewide
23 transportation plan must reflect the priorities of government developed
24 by the office of financial management, address regional needs, and take
25 into account federal law and regulations relating to planning,
26 construction, and operation of transportation facilities. The plan
27 must be reviewed, revised, and submitted to the governor and the house
28 of representatives and senate standing committees on transportation
29 before each regular session of the legislature during an even-numbered
30 year. The plan is subject to the approval of the legislature in the
31 biennial transportation budget act.

32 (2) As components of the statewide transportation plan, the
33 transportation commission must develop a state transportation policy
34 plan and a state transportation multimodal plan.

35 (a)(i) The state transportation policy plan must:

36 (A) Establish a vision and goals for the development of the

1 statewide transportation system consistent with the state's growth
2 management goals(~~(, (2) identifies~~)) and the goals provided under RCW
3 47.01.012;

4 (B) Identify significant statewide transportation policy
5 issues(~~(7)~~); and (~~(3)~~)

6 (C) Recommend(~~(8)~~) statewide transportation policies and strategies
7 to the legislature to fulfill the requirements of RCW 47.01.071(1).

8 (ii) The state transportation policy plan shall be the product of
9 an ongoing process that involves representatives of significant
10 transportation interests and the general public from across the state.
11 The plan shall address how the department of transportation will meet
12 the transportation needs and expedite the completion of industrial
13 projects of statewide significance.

14 (b)(i) The state transportation multimodal plan must be in
15 conformance with federal requirements, and must include a state-owned
16 facilities component and a state-interest component. The plans
17 developed under each component of the multimodal plan must: Be
18 consistent with the state transportation policy plan and with each
19 other; reflect public involvement; be consistent with regional
20 transportation planning, high-capacity transportation planning, and
21 local comprehensive plans prepared under chapter 36.70A RCW; and
22 include analysis of intermodal connections and choices.

23 (ii) The state-owned facilities component must guide state
24 investment for state highways, including bicycle and pedestrian
25 facilities, and state ferries.

26 (iii) The state-interest component must define the state interest
27 in aviation, marine ports and navigation, freight rail, intercity
28 passenger rail, bicycle transportation and pedestrian walkways, and
29 public transportation, and recommend actions in coordination with
30 appropriate public and private transportation providers to ensure that
31 the state interest in these transportation modes is met.

32 **Sec. 10.** RCW 47.06.043 and 2003 c 363 s 204 are each amended to
33 read as follows:

34 The state_interest component of the statewide (~~(multimodal)~~)
35 transportation plan must include a plan for enhancing the skills of the
36 existing technical transportation work force.

1 **Sec. 11.** RCW 47.06.045 and 1998 c 175 s 10 are each amended to
2 read as follows:

3 The state-interest component of the statewide multimodal
4 transportation plan (~~((shall))~~) must include a freight mobility plan
5 (~~((which shall))~~) that assesses the transportation needs to ensure the
6 safe, reliable, and efficient movement of goods within and through the
7 state and to ensure the state's economic vitality.

8 **Sec. 12.** RCW 47.06.050 and 2002 c 5 s 413 are each amended to read
9 as follows:

10 The state-owned facilities component of the statewide
11 transportation plan shall consist of:

12 (1) The state highway system plan, which identifies program and
13 financing needs and recommends specific and financially realistic
14 improvements (~~((to preserve the structural integrity of the state
15 highway system, ensure acceptable operating conditions, and provide for
16 enhanced access to scenic, recreational, and cultural resources))~~). The
17 state highway system plan shall contain the following elements, which
18 must be consistent with the relevant objectives established by the
19 governor under RCW 47.01.012:

20 (a) A system preservation element(~~((, which shall establish
21 structural preservation objectives))~~) for the state highway system,
22 including bridges, (~~((identify))~~) that identifies current and future
23 structural deficiencies based upon analysis of current conditions and
24 projected future deterioration, and recommends program funding levels
25 and specific actions necessary to preserve the structural integrity of
26 the state highway system (~~((consistent with adopted objectives))~~).
27 Lowest life cycle cost methodologies must be used in developing (~~((a
28 pavement management system. This element shall serve as the basis for
29 the preservation component of the six-year highway program and the two-
30 year biennial budget request to the legislature))~~) preservation
31 projects;

32 (b) A highway maintenance element, establishing service levels for
33 highway maintenance on state-owned highways (~~((that meet benchmarks
34 established by the transportation commission. The highway maintenance
35 element must include an estimate of costs for achieving those service
36 levels over twenty years. This element will serve as the basis for the~~

1 maintenance component of the six year highway program and the two year
2 biennial budget request to the legislature));

3 (c) A capacity and operational improvement element(~~(, which shall~~
4 ~~establish operational objectives, including safety considerations, for~~
5 ~~moving people and goods on the state highway system, identify)) that
6 identifies current and future capacity, operational, and safety
7 deficiencies, and recommends program funding levels and specific
8 improvements and strategies necessary to achieve the operational
9 objectives. In developing capacity and operational improvement plans
10 the ((~~department~~)) transportation commission shall first assess
11 strategies to enhance the operational efficiency of the existing system
12 before recommending system expansion. Strategies to enhance the
13 operational efficiencies include, but are not limited to, access
14 management, transportation system management, demand management, and
15 high-occupancy vehicle facilities. The capacity and operational
16 improvement element must conform to the state implementation plan for
17 air quality and be consistent with regional transportation plans
18 adopted under chapter 47.80 RCW(~~(, and shall serve as the basis for the~~
19 ~~capacity and operational improvement portions of the six year highway~~
20 ~~program and the two year biennial budget request to the legislature));~~~~

21 (d) A scenic and recreational highways element(~~(, which shall~~
22 ~~identify and recommend designation of scenic and recreational highways,~~
23 ~~provide for enhanced access to scenic, recreational, and cultural~~
24 ~~resources associated with designated routes, and recommend a variety of~~
25 ~~management strategies to protect, preserve, and enhance these~~
26 ~~resources)). The transportation commission, in conjunction with the
27 department, affected counties, cities, and towns, regional
28 transportation planning organizations, and other state or federal
29 agencies shall jointly develop this element;~~

30 (e) A paths and trails element(~~(, which shall identify the needs of~~
31 ~~nonmotorized transportation modes on the state transportation systems~~
32 ~~and provide the basis for the investment of state transportation funds~~
33 ~~in paths and trails, including funding provided under chapter 47.30~~
34 ~~RCW)).~~

35 (2) The state ferry system plan(~~(, which shall guide capital and~~
36 ~~operating investments in the state ferry system. The plan)) shall
37 establish service objectives, consistent with the objectives and goals
38 established under RCW 47.01.012, for state ferry routes(~~(, forecast~~~~

1 travel demand for the various markets served in the system, develop
2 strategies for ferry system investment that consider regional and
3 statewide vehicle and passenger needs, support local land use plans,
4 and assure that ferry services are fully integrated with other
5 transportation services. The plan must provide for maintenance of
6 capital assets. The plan must also provide for preservation of capital
7 assets based on lowest life cycle cost methodologies. The plan shall
8 assess the role of private ferries operating under the authority of the
9 utilities and transportation commission and shall coordinate ferry
10 system capital and operational plans with these private operations)).
11 The ferry system plan must be consistent with the regional
12 transportation plans for areas served by the state ferry system, and
13 shall be developed in conjunction with the ferry advisory committees.

14 **Sec. 13.** RCW 47.06.060 and 1993 c 446 s 6 are each amended to read
15 as follows:

16 The state-interest component of the statewide ((~~multimodal~~))
17 transportation plan ((~~shall~~)) must include an aviation plan((~~, which~~
18 ~~shall~~)) that fulfills the statewide aviation planning requirements of
19 the federal government, coordinates statewide aviation planning, and
20 ((~~identify~~)) identifies the program needs for public use and state
21 airports.

22 **Sec. 14.** RCW 47.06.070 and 1993 c 446 s 7 are each amended to read
23 as follows:

24 The state-interest component of the statewide ((~~multimodal~~))
25 transportation plan ((~~shall~~)) must include a state marine ports and
26 navigation plan((~~, which shall~~)) that assesses the transportation needs
27 of Washington's marine ports, including navigation, and ((~~identify~~))
28 identifies transportation system improvements needed to support the
29 international trade and economic development role of Washington's
30 marine ports.

31 **Sec. 15.** RCW 47.06.080 and 1993 c 446 s 8 are each amended to read
32 as follows:

33 The state-interest component of the statewide ((~~multimodal~~))
34 transportation plan ((~~shall~~)) must include a state freight rail plan((~~,
35 which shall~~)) that fulfills the statewide freight rail planning

1 requirements of the federal government, (~~identify~~) identifies freight
2 rail mainline issues, (~~identify~~) identifies light-density freight
3 rail lines threatened with abandonment, establishes criteria for
4 determining the importance of preserving the service or line, and
5 recommends priorities for the use of state rail assistance and state
6 rail banking program funds, as well as other available sources of
7 funds. The plan (~~shall~~) must also identify existing intercity rail
8 rights of way that should be preserved for future transportation use.

9 **Sec. 16.** RCW 47.06.090 and 2002 c 5 s 414 are each amended to read
10 as follows:

11 The state-interest component of the statewide (~~multimodal~~)
12 transportation plan (~~shall~~) must include an intercity passenger rail
13 plan(~~, which shall~~) that analyzes existing intercity passenger rail
14 service and recommends improvements to that service under the state
15 passenger rail service program, including depot improvements, potential
16 service extensions, and ways to achieve higher train speeds.

17 For purposes of maintaining and preserving any state-owned
18 component of the state's passenger rail program, the statewide
19 (~~multimodal~~) transportation plan must identify all such assets and
20 provide a preservation plan based on lowest life cycle cost
21 methodologies.

22 **Sec. 17.** RCW 47.06.100 and 1993 c 446 s 10 are each amended to
23 read as follows:

24 The state-interest component of the statewide (~~multimodal~~)
25 transportation plan (~~shall~~) must include a bicycle transportation and
26 pedestrian walkways plan(~~, which shall~~) that proposes a statewide
27 strategy for addressing bicycle and pedestrian transportation,
28 including: The integration of bicycle and pedestrian pathways with
29 other transportation modes; the coordination between local governments,
30 regional agencies, and the state in the provision of such facilities;
31 the role of such facilities in reducing traffic congestion; and an
32 assessment of statewide bicycle and pedestrian transportation needs.
33 This plan (~~shall~~) must satisfy the federal requirement for a long-
34 range bicycle transportation and pedestrian walkways plan.

1 **Sec. 18.** RCW 47.06.110 and 2005 c 319 s 124 are each amended to
2 read as follows:

3 The state-interest component of the statewide ~~((multimodal))~~
4 transportation plan ~~((shall))~~ must include a state public
5 transportation plan that:

6 (1) Articulates the state vision of an interest in public
7 transportation ~~((and provides quantifiable objectives, including~~
8 ~~benefits indicators))~~, consistent with the goals and objectives
9 established under RCW 47.01.012;

10 (2) Identifies ~~((the goals for public transit and))~~ the roles of
11 federal, state, regional, and local entities in achieving ~~((those))~~ the
12 policy goals and objectives established under RCW 47.01.012;

13 (3) Recommends mechanisms for coordinating state, regional, and
14 local planning for public transportation;

15 (4) Recommends mechanisms for coordinating public transportation
16 with other transportation services and modes;

17 (5) Recommends criteria, consistent with the goals and objectives
18 identified in ~~((subsection (2) of this section and with RCW 82.44.180~~
19 ~~(2) and (3)))~~ RCW 47.01.012, for existing federal authorizations
20 administered by the department to transit agencies; and

21 (6) Recommends a statewide public transportation facilities and
22 equipment management system as required by federal law.

23 In developing the state public transportation component of the
24 statewide transportation plan, the ~~((department))~~ transportation
25 commission shall involve local jurisdictions, public and private
26 providers of transportation services, nonmotorized interests, and the
27 department and other state agencies with an interest in public
28 transportation, including but not limited to the office of transit
29 mobility, the departments of community, trade, and economic
30 development, social and health services, and ecology, the office of the
31 superintendent of public instruction, the office of the governor, and
32 the office of financial management.

33 ~~((The department shall submit to the senate and house~~
34 ~~transportation committees by December 1st of each year, reports~~
35 ~~summarizing the plan's progress.))~~

36 **Sec. 19.** RCW 47.06.140 and 1998 c 171 s 7 are each amended to read
37 as follows:

1 The legislature declares the following transportation facilities
2 and services to be of statewide significance: The interstate highway
3 system, interregional state principal arterials including ferry
4 connections that serve statewide travel, intercity passenger rail
5 services, intercity high-speed ground transportation, major passenger
6 intermodal terminals excluding all airport facilities and services, the
7 freight railroad system, the Columbia/Snake navigable river system,
8 marine port facilities and services that are related solely to marine
9 activities affecting international and interstate trade, and high-
10 capacity transportation systems serving regions as defined in RCW
11 81.104.015. The ((department)) transportation commission, in
12 cooperation with the department, regional transportation planning
13 organizations, counties, cities, transit agencies, public ports,
14 private railroad operators, and private transportation providers, as
15 appropriate, shall plan for improvements to transportation facilities
16 and services of statewide significance in the statewide ((multimodal))
17 transportation plan. Improvements to facilities and services of
18 statewide significance identified in the statewide ((multimodal))
19 transportation plan, or designated by the legislature under chapter
20 47.05 RCW, are essential state public facilities under RCW 36.70A.200.

21 The department of transportation, in consultation with local
22 governments, shall set level of service standards for state highways
23 and state ferry routes of statewide significance. Although the
24 department shall consult with local governments when setting level of
25 service standards, the department retains authority to make final
26 decisions regarding level of service standards for state highways and
27 state ferry routes of statewide significance. In establishing level of
28 service standards for state highways and state ferry routes of
29 statewide significance, the department shall consider the necessary
30 balance between providing for the free interjurisdictional movement of
31 people and goods and the needs of local communities using these
32 facilities.

33 **Sec. 20.** RCW 81.104.060 and 1991 c 318 s 6 are each amended to
34 read as follows:

35 (1) The state's planning role in high capacity transportation
36 development as one element of a multimodal transportation system should
37 facilitate cooperative state and local planning efforts.

1 (2) The department of transportation may serve as a contractor for
2 high capacity transportation system and project design, administer
3 construction, and assist agencies authorized to provide service in the
4 acquisition, preservation, and joint use of rights of way.

5 (3) The department and local jurisdictions shall continue to
6 cooperate with respect to the development of high occupancy vehicle
7 lanes and related facilities, associated roadways, transfer stations,
8 people mover systems developed either by the public or private sector,
9 and other related projects.

10 (4) The department, in cooperation with local jurisdictions and the
11 transportation commission, shall develop policies which enhance the
12 development of high speed interregional systems by both the private and
13 the public sector. These policies may address joint use of rights of
14 way, identification and preservation of transportation corridors, and
15 joint development of stations and other facilities.

16 NEW SECTION. Sec. 21. The following acts or parts of acts are
17 each repealed:

18 (1) RCW 47.05.051 (Ten-year comprehensive investment program--
19 Priority selection criteria--Improvement program criteria) and 2006 c
20 334 s 47, 2005 c 319 s 11, 2002 c 189 s 3, 2002 c 5 s 406, 1998 c 175
21 s 12, 1993 c 490 s 5, 1987 c 179 s 5, 1979 ex.s. c 122 s 5, & 1975 1st
22 ex.s. c 143 s 4;

23 (2) RCW 47.01.370 (Review of performance and outcome measures of
24 transportation-related agencies--Definition) and 2006 c 334 s 44;

25 (3) RCW 47.06.040 (Statewide multimodal transportation plan) and
26 2002 c 189 s 4, 1998 c 199 s 1, 1994 c 258 s 5, & 1993 c 446 s 4; and

27 (4) RCW 47.06.120 (High-capacity transportation planning and
28 regional transportation planning--Role of department) and 1993 c 446 s
29 12.

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