

SENATE BILL 6001

State of Washington 63rd Legislature 2014 Regular Session

By Senators Eide and King; by request of Governor Inslee

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.63.160, 47.28.030, and 47.64.360; amending 2013 c 306
3 ss 101, 103, 106, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,
4 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301,
5 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 404, 405,
6 406, 407, 517, 518, 519, and 603 (uncodified); adding a new section to
7 chapter 306, Laws of 2013 (uncodified); making appropriations and
8 authorizing expenditures for capital improvements; and declaring an
9 emergency.

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

2013-2015 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES--OPERATING

13 **Sec. 101.** 2013 c 306 s 101 (uncodified) is amended to read as
14 follows:

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

16 Motor Vehicle Account--State Appropriation ((\$435,000))
17 \$462,000

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

6 **Sec. 102.** 2013 c 306 s 103 (uncodified) is amended to read as
7 follows:

8 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

9 Motor Vehicle Account--State Appropriation	((\$1,641,000))
	<u>\$1,639,000</u>
11 Puget Sound Ferry Operations Account--State	
12 Appropriation	\$176,000
13 TOTAL APPROPRIATION	((\$1,817,000))
14	<u>\$1,815,000</u>

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

17 (1) \$932,000 of the motor vehicle account--state appropriation is
18 provided solely for the office of financial management, from funds set
19 aside out of statewide fuel taxes distributed to counties according to
20 RCW 46.68.120(3), to contract with the Washington state association of
21 counties to identify, analyze, evaluate, and implement county
22 transportation performance measures associated with transportation
23 system policy goals outlined in RCW 47.04.280. The Washington state
24 association of counties, in cooperation with state agencies, must:
25 Identify, analyze, and report on county transportation system
26 preservation; identify, evaluate, and report on opportunities to
27 streamline reporting requirements for counties; and evaluate project
28 management tools to help improve project delivery at the county level.

29 (2) \$70,000 of the Puget Sound ferry operations account--state
30 appropriation is provided solely for the state's share of the marine
31 salary survey.

32 **Sec. 103.** 2013 c 306 s 106 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF AGRICULTURE**

35 Motor Vehicle Account--State Appropriation	((\$1,208,000))
36	<u>\$1,207,000</u>

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

3 (1) \$351,000 of the motor vehicle account--state appropriation is
4 provided solely for costs associated with the motor fuel quality
5 program.

6 (2) \$857,000 of the motor vehicle account--state appropriation is
7 provided solely to test the quality of biofuel. The department must
8 test fuel quality at the biofuel manufacturer, distributor, and
9 retailer.

10 **TRANSPORTATION AGENCIES--OPERATING**

11 **Sec. 201.** 2013 c 306 s 201 (uncodified) is amended to read as
12 follows:

13 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

14	Highway Safety Account--State Appropriation	((\$3,017,000))
15		<u>\$3,030,000</u>
16	Highway Safety Account--Federal Appropriation	((\$40,699,000))
17		<u>\$40,798,000</u>
18	Highway Safety Account--Private/Local Appropriation	((\$50,000))
19		<u>\$118,000</u>
20	School Zone Safety Account--State Appropriation	\$1,800,000
21	TOTAL APPROPRIATION	((\$45,566,000))
22		<u>\$45,746,000</u>

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

25 (1) The commission shall develop and implement, in collaboration
26 with the Washington state patrol, a target zero team pilot program in
27 Yakima and Spokane counties. The pilot program must demonstrate the
28 effectiveness of intense, high visibility driving under the influence
29 enforcement in Washington state. The commission shall apply to the
30 national highway traffic safety administration for federal highway
31 safety grants to cover the cost of the pilot program.

32 (2) \$20,000,000 of the highway safety account--federal
33 appropriation is provided solely for federal funds that may be
34 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
35 2013-2015 fiscal biennium.

1 ((+4)) (3) The commission may continue to oversee pilot projects
2 implementing the use of automated traffic safety cameras to detect
3 speed violations within cities west of the Cascade mountains that have
4 a population over one hundred ninety-five thousand. For the purposes
5 of pilot projects in this subsection, no more than one automated
6 traffic safety camera may be used to detect speed violations within any
7 one jurisdiction.

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

10 (b) By January 1, 2015, any local authority that is operating an
11 automated traffic safety camera to detect speed violations must provide
12 a summary to the transportation committees of the legislature
13 concerning the use of the cameras and data regarding infractions,
14 revenues, and costs.

15 **Sec. 202.** 2013 c 306 s 202 (uncodified) is amended to read as
16 follows:

17 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

18 Rural Arterial Trust Account--State Appropriation	((\$945,000))
	<u>\$942,000</u>
20 Motor Vehicle Account--State Appropriation	((\$2,186,000))
	<u>\$2,204,000</u>
22 County Arterial Preservation Account--State	
23 Appropriation	((\$1,456,000))
	<u>\$1,452,000</u>
25 TOTAL APPROPRIATION	((\$4,587,000))
	<u>\$4,598,000</u>

27 **Sec. 203.** 2013 c 306 s 203 (uncodified) is amended to read as
28 follows:

29 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30 Transportation Improvement Account--State	
31 Appropriation	((\$3,804,000))
	<u>\$3,912,000</u>

33 **Sec. 204.** 2013 c 306 s 204 (uncodified) is amended to read as
34 follows:

1 **FOR THE JOINT TRANSPORTATION COMMITTEE**

2 Motor Vehicle Account--State Appropriation ((~~\$1,330,000~~))
3 \$1,328,000

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

6 (1)(a) \$325,000 of the motor vehicle account--state appropriation
7 is for a study of transportation cost drivers and potential
8 efficiencies to contain project costs and gain more value from
9 investments in Washington state's transportation system. The goal is
10 to enable the department of transportation to construct bridge and
11 highway projects more quickly and to build and operate them at a lower
12 cost, while ensuring that appropriate environmental and regulatory
13 protections are maintained and a quality project is delivered. The
14 joint transportation committee must convene an advisory panel to
15 provide study guidance and discuss potential efficiencies and
16 recommendations. The scope of the study must be limited to state-level
17 policies and practices relating to the planning, design, permitting,
18 construction, financing, and operation of department of transportation
19 roadway and bridge projects. The study must:

20 (i) Identify best practices;

21 (ii) Identify inefficiencies in state policy or agency practice
22 where changes may save money;

23 (iii) Recommend changes to improve efficiency and save money; and

24 (iv) Identify potential savings to be achieved by adopting changes
25 in practice or policy.

26 (b) The joint transportation committee shall issue a report of its
27 findings to the house of representatives and senate transportation
28 committees by December 31, 2013.

29 (2) The joint transportation committee shall coordinate a work
30 group comprised of the department of licensing, the department of
31 revenue, county auditors or other agents, and subagents to identify
32 possible issues relating to the administration of, compliance with, and
33 enforcement of the existing statutory requirement for a person to
34 provide an unexpired driver's license when registering a vehicle. The
35 work group shall provide recommendations on how administration and
36 enforcement may be modified, as needed, to address any identified
37 issues, including whether statutory changes may be needed. A report

1 presenting the recommendations must be presented to the house of
2 representatives and senate transportation committees by December 31,
3 2013.

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

18 (4) The joint transportation committee shall convene a work group
19 to identify and evaluate internal refinance opportunities for the
20 Tacoma Narrows bridge. The study must include a staff work group,
21 including staff from the office of financial management, the
22 transportation commission, the department of transportation, the office
23 of the state treasurer, and the legislative transportation committees.
24 The joint transportation committee shall issue a report of its findings
25 to the house of representatives and the senate transportation
26 committees by December 31, 2013.

27 (5) The joint transportation committee shall study and review the
28 use of surplus property proceeds to fund facility replacement projects,
29 and the possibility of using the north central region as a pilot. The
30 joint transportation committee shall consult with the department of
31 transportation and the office of financial management regarding the
32 department's current process for prioritizing and funding facility
33 improvement and replacement projects.

34 **Sec. 205.** 2013 c 306 s 205 (uncodified) is amended to read as
35 follows:

36 **FOR THE TRANSPORTATION COMMISSION**

37 Motor Vehicle Account--State Appropriation ((~~\$2,947,000~~))

1		<u>\$2,946,000</u>
2	Multimodal Transportation Account--State	
3	Appropriation	\$112,000
4	TOTAL APPROPRIATION	((\$3,059,000))
5		<u>\$3,058,000</u>

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

8 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
9 during the 2013-2015 fiscal biennium, the legislature authorizes the
10 transportation commission to periodically review and, if necessary,
11 adjust the schedule of fares for the Washington state ferry system only
12 in amounts not greater than those sufficient to generate the amount of
13 revenue required by the biennial transportation budget. When adjusting
14 ferry fares, the commission must consider input from affected ferry
15 users by public hearing and by review with the affected ferry advisory
16 committees, in addition to the data gathered from the current ferry
17 user survey.

18 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
19 2015 fiscal biennium, the legislature authorizes the transportation
20 commission to periodically review and, if necessary, adjust the
21 schedule of toll charges applicable to the Tacoma Narrows bridge only
22 in amounts not greater than those sufficient to support (a) any
23 required costs for operating and maintaining the toll bridge, including
24 the cost of insurance, (b) any amount required by law to meet the
25 redemption of bonds and applicable interest payments, and (c) repayment
26 of the motor vehicle fund.

27 (3)(a) \$400,000 of the motor vehicle account--state appropriation
28 is provided solely for the development of the business case for the
29 transition to a road usage charge system as the basis for funding the
30 state transportation system, from the current motor fuel tax system.
31 The funds are provided for fiscal year 2014 only.

32 (b) The legislature finds that the efforts started in the 2011-2013
33 fiscal biennium regarding the transition to a road usage charge system
34 represent an important first step in the policy and conceptual
35 development of potential alternative systems to fund transportation
36 projects, but that the governance for the development needs
37 clarification. The legislature also finds that significant amounts of
38 research and public education are occurring in similar efforts in

1 several states and that these efforts can and should be leveraged to
2 advance the evaluation in Washington. The legislature intends,
3 therefore, that the commission and its staff lead the policy
4 development of the business case for a road usage charge system, with
5 the goal of providing the business case to the governor and the
6 legislative committees of the legislature in time for inclusion in the
7 2014 supplemental omnibus transportation appropriations act. The
8 legislature intends for additional oversight in the business case
9 development, with guidance from a steering committee as provided in
10 chapter 86, Laws of 2012, augmented with participation by the joint
11 transportation committee. The legislature further intends that the
12 department of transportation continue to address administrative,
13 technical, and conceptual operational issues related to road usage
14 charge systems, and that the department serve as a resource for
15 information gleaned from other states on this topic for the
16 commission's efforts.

17 (c) For the purposes of this subsection (3), the commission shall:

18 (i) Develop preliminary road usage charge policies that are
19 necessary to develop the business case, as well as supporting research
20 and data that will guide the potential application in Washington;

21 (ii) Develop the preferred operational concept or concepts that
22 reflect the preliminary policies;

23 (iii) Evaluate the business case for the road usage charge system
24 that would result from implementing the preliminary policies and
25 preferred operational concept or concepts. The evaluation must assess
26 likely financial outcomes if the system were to be implemented; and

27 (iv) Identify and document policy and other issues that are deemed
28 important to further refine the preferred operational concept or
29 concepts and to gain public acceptance. These identified issues should
30 form the basis for continued work beyond this funding cycle.

31 (d) The commission shall convene a steering committee to guide the
32 development of the business case. The membership must be the same as
33 provided in chapter 86, Laws of 2012, except that the membership must
34 also include the joint transportation committee executive members.

35 (e) The commission shall submit a report of the business case to
36 the governor and the transportation committees of the legislature by
37 December 15, 2013. The report must also include a proposed budget and

1 work plan for fiscal year 2015. A progress report must be submitted to
2 the governor and the joint transportation committee by November 1,
3 2013, including a presentation to the joint transportation committee.

4 (4) \$174,000 of the motor vehicle account--state appropriation is
5 provided solely for the voice of Washington survey program. The
6 funding must be utilized for continued program maintenance and two
7 transportation surveys for the 2013-2015 fiscal biennium.

8 **Sec. 206.** 2013 c 306 s 206 (uncodified) is amended to read as
9 follows:

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

11 Motor Vehicle Account--State Appropriation ((~~\$904,000~~))
12 \$984,000

13 **Sec. 207.** 2013 c 306 s 207 (uncodified) is amended to read as
14 follows:

15 **FOR THE WASHINGTON STATE PATROL**

16 State Patrol Highway Account--State
17 Appropriation ((~~\$370,354,000~~))
18 \$367,299,000

19 State Patrol Highway Account--Federal
20 Appropriation ((~~\$11,137,000~~))
21 \$11,108,000

22 State Patrol Highway Account--Private/Local
23 Appropriation ((~~\$3,591,000~~))
24 \$3,583,000

25 Highway Safety Account--State Appropriation ((~~\$19,429,000~~))
26 \$19,284,000

27 Multimodal Transportation Account--State
28 Appropriation ((~~\$273,000~~))
29 \$272,000

30 Ignition Interlock Device Revolving Account--State
31 Appropriation ((~~\$573,000~~))
32 \$571,000

33 TOTAL APPROPRIATION ((~~\$405,357,000~~))
34 \$402,117,000

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

1 (1) The Washington state patrol shall collaborate with the
2 Washington traffic safety commission on the target zero team pilot
3 program referenced in section 201 of this act.

4 (2) During the 2013-2015 fiscal biennium, the Washington state
5 patrol shall relocate its data center to the state data center in
6 Olympia. The Washington state patrol shall work with the department of
7 enterprise services to negotiate the lease termination agreement for
8 the current data center site.

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

17 (4) (~~(\$573,000)~~) \$571,000 of the ignition interlock device
18 revolving account--state appropriation is provided solely for the
19 ignition interlock program at the Washington state patrol to provide
20 funding for two staff to work and provide support for the program in
21 working with manufacturers, service centers, technicians, and
22 participants in the program.

23 (5) \$370,000 of the state patrol highway account--state
24 appropriation is provided solely for costs associated with the pilot
25 program described under section 216(~~(+6)~~) (5) of this act. The
26 Washington state patrol may incur costs related only to the assignment
27 of cadets and necessary computer equipment and to the reimbursement of
28 the department of transportation for contract costs. The appropriation
29 in this subsection must be funded from the portion of the automated
30 traffic safety camera infraction fines deposited into the state patrol
31 highway account; however, if the fines deposited into the state patrol
32 highway account from automated traffic safety camera infractions do not
33 reach three hundred seventy thousand dollars, the department of
34 transportation shall remit funds necessary to the Washington state
35 patrol to ensure the completion of the pilot program. The Washington
36 state patrol may not incur overtime as a result of this pilot program.
37 The Washington state patrol shall not assign troopers to operate or
38 deploy the pilot program equipment used in roadway construction zones.

1 (6) The cost allocation for any costs incurred for the facilities
2 at the Olympia, Washington airport used for the Washington state patrol
3 aviation section must be split evenly between the state patrol highway
4 account and the general fund.

5 (7) The Washington state patrol shall work with the state
6 interoperability executive committee to compile a list of recent
7 studies evaluating the potential savings and benefits of consolidating
8 law enforcement and emergency dispatching centers and report to the
9 joint transportation committee by December 1, 2014, on the findings and
10 recommendations of those studies. As part of this study, the
11 Washington state patrol must look for potential efficiencies within
12 state government.

13 **Sec. 208.** 2013 c 306 s 208 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF LICENSING**

16	Marine Fuel Tax Refund Account--State	
17	Appropriation	\$34,000
18	Motorcycle Safety Education Account--State	
19	Appropriation	((\$4,409,000))
20		<u>\$4,404,000</u>
21	State Wildlife Account--State Appropriation	((\$885,000))
22		<u>\$875,000</u>
23	Highway Safety Account--State Appropriation	((\$156,679,000))
24		<u>\$160,795,000</u>
25	Highway Safety Account--Federal Appropriation	((\$4,392,000))
26		<u>\$4,380,000</u>
27	Motor Vehicle Account--State Appropriation	((\$76,819,000))
28		<u>\$80,913,000</u>
29	Motor Vehicle Account--Federal Appropriation	\$467,000
30	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
31	Ignition Interlock Device Revolving Account--State	
32	Appropriation	((\$2,656,000))
33		<u>\$2,871,000</u>
34	Department of Licensing Services Account--State	
35	Appropriation	((\$5,959,000))
36		<u>\$5,992,000</u>
37	TOTAL APPROPRIATION	((\$253,844,000))

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

(1) \$1,235,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1752), Laws of 2013 (requirements for the operation of commercial motor vehicles in compliance with federal regulations). If chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(2) \$1,000,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(3) \$5,286,000 of the highway safety account--state appropriation is provided solely for business and technology modernization.

(4) \$2,355,000 of the motor vehicle account--state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(5) \$1,491,000 of the highway safety account--state appropriation is provided solely for the implementation of an updated central issuance system.

(6) \$201,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

~~((+4))~~ (7) \$425,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

~~((+5) \$172,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .~~

1 ~~(Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,~~
2 ~~the amount provided in this subsection lapses.~~

3 ~~(6) \$652,000 of the motor vehicle account state appropriation is~~
4 ~~provided solely for the implementation of chapter . . . (Engrossed~~
5 ~~Substitute Senate Bill No. 5785), Laws of 2013 (license plates). If~~
6 ~~chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013~~
7 ~~is not enacted by June 30, 2013, the amount provided in this subsection~~
8 ~~lapses.~~

9 ~~(7) \$78,000 of the motor vehicle account state appropriation and~~
10 ~~\$3,707,000 of the highway safety account state appropriation are~~
11 ~~provided solely for the implementation of chapter . . . (Engrossed~~
12 ~~Substitute Senate Bill No. 5857), Laws of 2013 (vehicle related fees).~~
13 ~~If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of~~
14 ~~2013 is not enacted by June 30, 2013, the amount provided in this~~
15 ~~subsection lapses.)~~

16 (8) The appropriation in this section reflects the department
17 charging an amount sufficient to cover the full cost of providing the
18 data requested under RCW 46.12.630(1)(b).

19 (9)(a) The department must convene a work group to examine the use
20 of parking placards and special license plates for persons with
21 disabilities and develop a strategic plan for ending any abuse. In
22 developing this plan, the department must work with the department of
23 health, disabled citizen advocacy groups, and representatives from
24 local government.

25 (b) The work group must be composed of no more than two
26 representatives from each of the entities listed in (a) of this
27 subsection. The work group may, when appropriate, consult with any
28 other public or private entity in order to complete the strategic plan.

29 (c) The strategic plan must include:

30 (i) Oversight measures to ensure that parking placards and special
31 license plates for persons with disabilities are being properly issued,
32 including: (A) The entity responsible for coordinating a randomized
33 review of applications for special parking privileges; (B) a volunteer
34 panel of medical professionals to conduct such reviews; (C) a means to
35 protect the anonymity of both the medical professional conducting a
36 review and the medical professional under review; (D) a means to
37 protect the privacy of applicants by removing any personally
38 identifiable information; and (E) possible sanctions against a medical

1 professional for repeated improper issuances of parking placards or
2 special license plates for persons with disabilities, including those
3 sanctions listed in chapter 18.130 RCW; and

4 (ii) The creation of a publicly accessible system in which the
5 validity of parking placards and special license plates for persons
6 with disabilities may be verified. This system must not allow the
7 public to access any personally identifiable information or protected
8 health information of a person who has been issued a parking placard or
9 special license plate.

10 (d) The work group must convene by July 1, 2013, and terminate by
11 December 1, 2013.

12 (e) By December 1, 2013, the work group must deliver to the
13 legislature and the appropriate legislative committees the strategic
14 plan required under this subsection, together with its findings,
15 recommendations, and any necessary draft legislation in order to
16 implement the strategic plan.

17 (10) \$3,082,000 of the highway safety account--state appropriation
18 is provided solely for exam and licensing activities, including the
19 workload associated with providing driver record abstracts, and is
20 subject to the following additional conditions and limitations:

21 (a) The department may furnish driving record abstracts only to
22 those persons or entities expressly authorized to receive the abstracts
23 under Title 46 RCW;

24 (b) The department may furnish driving record abstracts only for an
25 amount that does not exceed the specified fee amounts in RCW 46.52.130
26 (2)(e)(v) and (4); and

27 (c) The department may not enter into a contract, or otherwise
28 participate in any arrangement, with a third party or other state
29 agency for any service that results in an additional cost, in excess of
30 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
31 statutorily authorized persons or entities purchasing a driving record
32 abstract.

33 **Sec. 209.** 2013 c 306 s 209 (uncodified) is amended to read as
34 follows:

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

37 High-Occupancy Toll Lanes Operations Account--State

1	Appropriation	((\$1,851,000))
2		<u>\$1,969,000</u>
3	Motor Vehicle Account--State Appropriation	((\$509,000))
4		<u>\$814,000</u>
5	State Route Number 520 Corridor Account--State	
6	Appropriation	((\$32,419,000))
7		<u>\$35,089,000</u>
8	State Route Number 520 Civil Penalties Account--State	
9	Appropriation	((\$4,169,000))
10		<u>\$4,156,000</u>
11	Tacoma Narrows Toll Bridge Account--State	
12	Appropriation	((\$23,730,000))
13		<u>\$25,248,000</u>
14	Puget Sound Ferry Operations Account--State	
15	Appropriation	\$250,000
16	<u>Interstate 405 Express Toll Lanes Operations</u>	
17	<u>Account--State Appropriation</u>	<u>\$2,019,000</u>
18	TOTAL APPROPRIATION	((\$62,928,000))
19		<u>\$69,545,000</u>

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

22 (1)(a) The legislature finds that the department's tolling division
23 has expanded greatly in recent years to address the demands of
24 administering several newly tolled facilities using emerging toll
25 collection technologies. The legislature intends for the department to
26 continue its good work in administering the tolled facilities of the
27 state, while at the same time implementing controls and processes to
28 ensure the efficient and judicious administration of toll payer
29 dollars.

30 (b) The legislature finds that the department has undertaken a
31 cost-of-service study in the winter and spring of 2013 for the purposes
32 of identifying in detail the costs of operating and administering
33 tolling on state route number 520, state route number 167
34 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
35 of the study is to provide results to establish a baseline by which
36 future activity may be compared and opportunities identified for cost
37 savings and operational efficiencies. In addition, the legislature
38 finds that the state auditor has undertaken a performance audit of the

1 department's contract for the customer service center and back office
2 processing of tolling transactions. The audit findings, which are
3 expected to include lessons learned, are due in late spring 2013.

4 (c) Using the results of the cost-of-service study and the state
5 audit as a basis, the department shall conduct a review of operations
6 using lean management principles in order to eliminate inefficiencies
7 and redundancies, incorporate lessons learned, and identify
8 opportunities to conduct operations more efficiently and effectively.
9 Within current statutory and budgetary tolling policy, the department
10 shall use the results of the review to improve operations in order to
11 conduct toll operations within the appropriations provided in
12 subsections (2) through (4) of this section. The department shall
13 submit the review, along with the status of and plans for the
14 implementation of review recommendations, to the office of financial
15 management and the house of representatives and senate transportation
16 committees by October 15, 2013.

17 (2) \$10,482,000 of the Tacoma Narrows toll bridge account--state
18 appropriation, \$17,056,000 of the state route number 520 corridor
19 account--state appropriation, \$1,226,000 of the high-occupancy toll
20 lanes operations account--state appropriation, and \$509,000 of the
21 motor vehicle account--state appropriation are provided solely for
22 nonvendor costs of administering toll operations, including the costs
23 of: Staffing the division, consultants and other personal service
24 contracts required for technical oversight and management assistance,
25 insurance, payments related to credit card processing, transponder
26 purchases and inventory management, facility operations and
27 maintenance, and other miscellaneous nonvendor costs.

28 (3) \$10,907,000 of the Tacoma Narrows toll bridge account--state
29 appropriation, \$9,363,000 of the state route number 520 corridor
30 account--state appropriation, and \$625,000 of the high-occupancy toll
31 lanes operations account--state appropriation are provided solely for
32 vendor-related costs of operating tolled facilities, including the
33 costs of: The customer service center; cash collections on the Tacoma
34 Narrows bridge; electronic payment processing; and toll collection
35 equipment maintenance, renewal, and replacement.

36 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
37 appropriation and \$6,000,000 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 in
4 this section, which represent a portion of the required minimum fund
5 balance under the policy of the state treasurer, in unallotted status.
6 The office may release the funds only when it determines that all other
7 funds designated for operations and maintenance purposes have been
8 exhausted.

9 (5) \$4,169,000 of the state route number 520 civil penalties
10 account--state appropriation and \$1,039,000 of the Tacoma Narrows toll
11 bridge account--state appropriation are provided solely for
12 expenditures related to the toll adjudication process. The department
13 shall report on the civil penalty process to the office of financial
14 management and the house of representatives and senate transportation
15 committees by the end of each calendar quarter. The reports must
16 include a summary table for each toll facility that includes: The
17 number of notices of civil penalty issued; the number of recipients who
18 pay before the notice becomes a penalty; the number of recipients who
19 request a hearing and the number who do not respond; workload costs
20 related to hearings; the cost and effectiveness of debt collection
21 activities; and revenues generated from notices of civil penalty.

22 (6) The Tacoma Narrows toll bridge account--state appropriation in
23 this section reflects reductions in management costs of \$1,235,000.

24 (7) The department shall make detailed quarterly expenditure
25 reports available to the transportation commission and to the public on
26 the department's web site using current department resources. The
27 reports must include a summary of toll revenue by facility on all
28 operating toll facilities and high occupancy toll lane systems, and an
29 itemized depiction of the use of that revenue.

30 (8) The department shall make detailed quarterly reports to the
31 governor and the transportation committees of the legislature on the
32 use of consultants in the tolling program. The reports must include
33 the name of the contractor, the scope of work, the type of contract,
34 timelines, deliverables, any new task orders, and any extensions to
35 existing consulting contracts.

36 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
37 appropriation is provided solely for the development of a plan to

1 integrate and transition customer service, reservation, and payment
2 systems currently provided by the marine division to ferry users into
3 the statewide tolling customer service center.

4 (b)(i) The department shall develop a plan that addresses:

5 (A) A phased implementation approach, beginning with "Good To Go"
6 as a payment option for ferry users;

7 (B) The feasibility, schedule, and cost of creating a single
8 account-based system for toll road and ferry users;

9 (C) Transitioning customer service currently provided by the marine
10 division to the statewide tolling customer service center; and

11 (D) Transitioning existing and planned ferry reservation system
12 support from the marine division to the statewide tolling customer
13 service center.

14 (ii) The plan must be provided to the office of financial
15 management and the transportation committees of the legislature by
16 January 14, 2014.

17 (10) \$2,019,000 of the Interstate 405 express toll lanes account--
18 state appropriation is provided solely for operating and maintenance
19 costs, including staff costs related to operating an additional toll
20 facility, consulting support for operations, purchase of transponders,
21 costs related to adjudication, credit card fees, printing and postage,
22 and the customer service center support. Of the amount provided in
23 this subsection, \$519,000 of the Interstate 405 express toll lanes
24 account--state appropriation must be placed in unallotted status by the
25 office of financial management until tolling commences.

26 (11) \$2,458,000 of the state route number 520 corridor account--
27 state appropriation, \$122,000 of the high-occupancy toll lanes
28 operations account--state appropriation, and \$1,301,000 of the Tacoma
29 Narrows toll bridge account--state appropriation is provided solely for
30 replacement of the customer service center operator and supporting toll
31 systems required for billing. Included in the amounts provided within
32 this subsection is funding for an expert review panel to oversee the
33 development and implementation of the procurement process. Of the
34 amounts provided in this subsection, \$936,000 of the state route number
35 520 corridor account--state appropriation, \$12,000 of the high-
36 occupancy toll lanes operations account--state appropriation, and
37 \$613,000 of the Tacoma Narrows toll bridge account--state appropriation

1 must be placed in unallotted status by the office of financial
2 management until a procurement plan is finalized and approved by the
3 office of financial management.

4 **Sec. 210.** 2013 c 306 s 210 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
7 **C**

8	Transportation Partnership Account--State	
9	Appropriation	\$1,460,000
10	Motor Vehicle Account--State Appropriation	((\$68,773,000))
11		<u>\$66,542,000</u>
12	Multimodal Transportation Account--State	
13	Appropriation	((\$363,000))
14		<u>\$2,883,000</u>
15	Transportation 2003 Account (Nickel Account)--State	
16	Appropriation	\$1,460,000
17	<u>Puget Sound Ferry Operations Account--State</u>	
18	<u>Appropriation</u>	<u>\$263,000</u>
19	TOTAL APPROPRIATION	((\$72,056,000))
20		<u>\$72,608,000</u>

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

23 (1) \$290,000 of the motor vehicle account--state appropriation is
24 provided solely for the department's compliance with its national
25 pollution discharge elimination system permit.

26 (2) \$1,460,000 of the transportation partnership account--state
27 appropriation and \$1,460,000 of the transportation 2003 account (nickel
28 account)--state appropriation are provided solely for maintaining the
29 department's project management reporting system.

30 (3) \$603,000 of the motor vehicle account--state appropriation is
31 provided solely for the implementation of an interactive voice response
32 system to reduce the number of dropped customer calls, decrease
33 customer wait times, and increase the number of reservation requests
34 handled per hour without increasing agency staff.

35 **Sec. 211.** 2013 c 306 s 211 (uncodified) is amended to read as
36 follows:

1 FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE,
2 OPERATIONS, AND CONSTRUCTION--PROGRAM D--OPERATING
3 Motor Vehicle Account--State Appropriation ((~~\$26,251,000~~))
4 \$26,137,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: \$850,000 of the motor vehicle account--
7 state appropriation is provided solely for the department's compliance
8 with its national pollution discharge elimination system permit.

9 **Sec. 212.** 2013 c 306 s 212 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**
12 Aeronautics Account--State Appropriation ((~~\$7,361,000~~))
13 \$8,013,000
14 Aeronautics Account--Federal Appropriation \$2,150,000
15 TOTAL APPROPRIATION ((~~\$9,511,000~~))
16 \$10,163,000

17 The appropriations in this section are subject to the following
18 conditions and limitations: ((~~\$3,500,000~~))

19 (1) \$4,065,000 of the aeronautics account--state appropriation is
20 provided solely for airport investment studies and the airport aid
21 grant program, which provides competitive grants to public airports for
22 pavement, safety, maintenance, planning, and security.

23 (2) \$102,000 of the aeronautics account--state appropriation is
24 provided solely for the aviation emergency services program.

25 **Sec. 213.** 2013 c 306 s 213 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
28 **SUPPORT--PROGRAM H**
29 Motor Vehicle Account--State Appropriation ((~~\$47,607,000~~))
30 \$47,432,000
31 Motor Vehicle Account--Federal Appropriation \$500,000
32 Multimodal Transportation Account--State
33 Appropriation \$250,000
34 TOTAL APPROPRIATION ((~~\$48,357,000~~))
35 \$48,182,000

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

3 (1) \$4,423,000 of the motor vehicle account--state appropriation is
4 provided solely for the department's compliance with its national
5 pollution discharge elimination system permit.

6 (2) The real estate services division of the department must
7 recover the cost of its efforts from sale proceeds and fund additional
8 future sales from those proceeds.

9 (3) The legislature recognizes that the Dryden pit site (WSDOT
10 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
11 property under the jurisdiction of the department, and that the public
12 would benefit significantly from the complete enjoyment of the natural
13 scenic beauty and recreational opportunities available at the site.
14 Therefore, pursuant to RCW 47.12.080, the legislature declares that
15 transferring the property to the department of fish and wildlife for
16 recreational use and fish and wildlife restoration efforts is
17 consistent with the public interest in order to preserve the area for
18 the use of the public and the betterment of the natural environment.
19 The department shall work with the department of fish and wildlife and
20 transfer and convey the Dryden pit site to the department of fish and
21 wildlife as-is for an adjusted fair market value reflecting site
22 conditions, the proceeds of which must be deposited in the motor
23 vehicle fund. The department is not responsible for any costs
24 associated with the cleanup or transfer of this property. This
25 subsection expires June 30, 2014.

26 (4) The legislature recognizes that the trail known as the Apple
27 Capital Loop, and its extensions, serve to separate motor vehicle
28 traffic from pedestrians and bicyclists, increasing motor vehicle
29 safety on existing state route number 28. Consistent with chapter
30 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
31 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
32 and 2-09-04569 to Douglas county and the city of East Wenatchee is
33 consistent with the public interest. The legislature directs the
34 department to transfer the property to Douglas county and the city of
35 East Wenatchee. The department must be paid fair market value for any
36 portions of the transferred real property that is later abandoned,
37 vacated, or ceases to be publicly maintained for trail purposes.
38 Douglas county and the city of East Wenatchee must agree to accept

1 responsibility for trail segments within their respective jurisdictions
2 and sign an agreement with the state that the transfer of these parcels
3 to their respective jurisdictions extinguishes any state obligations to
4 improve, maintain, or be in any way responsible for these assets. This
5 subsection expires June 30, 2014.

6 (5) The legislature recognizes that the SR 20/Cook Road realignment
7 and extension project in the city of Sedro-Woolley will enhance the
8 state and local highway systems by providing a more direct route from
9 state route number 20 and state route number 9 to Interstate 5, and
10 will reduce traffic on state route number 20 and state route number 9,
11 improving the capacity of each route. Furthermore, the legislature
12 declares that certain portions of the department's property held for
13 highway purposes located primarily to the north and west of state route
14 number 20, between state route number 20 to the south and F and S Grade
15 Road to the north, in the incorporated limits of Sedro-Woolley in
16 Skagit county, can help facilitate completion of the project.
17 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
18 is the intent of the legislature that the department sell, transfer, or
19 lease, as appropriate, to the city of Sedro-Woolley only those portions
20 of the property necessary to construct the project, including necessary
21 staging areas. However, any staging areas should revert to the
22 department within three years of completion of the project.

23 (6) To further reform within the department, \$185,000 of the motor
24 vehicle account--state appropriation is provided solely for the
25 development and implementation of enhanced quality assurance processes
26 and practices. These organizational changes are intended to strengthen
27 the oversight of project design and construction decision making.

28 **Sec. 214.** 2013 c 306 s 214 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
31 **K**

32 Motor Vehicle Account--State Appropriation	((\$570,000))
	<u>\$568,000</u>
34 <u>Multimodal Transportation Account--State</u>	
35 <u>Appropriation</u>	<u>\$12,500,000</u>
36 <u>TOTAL APPROPRIATION</u>	<u>\$13,068,000</u>

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

3 (1) The legislature finds that the efforts started in the 2011-2013
4 fiscal biennium regarding the transition to a road usage charge system
5 represent an important first step in the policy and conceptual
6 development of potential alternative systems to fund transportation
7 projects, but that the governance for the development needs
8 clarification. The legislature also finds that significant amounts of
9 research and public education are occurring in similar efforts in
10 several states and that these efforts can and should be leveraged to
11 advance the evaluation in Washington. The legislature intends,
12 therefore, that the transportation commission and its staff lead the
13 policy development of the business case for a road usage charge system,
14 with the goal of providing the business case to the governor and the
15 legislative committees of the legislature in time for inclusion in the
16 2014 supplemental omnibus transportation appropriations act. The
17 legislature intends for additional oversight in the business case
18 development, with guidance from a steering committee as provided in
19 chapter 86, Laws of 2012 for the transportation commission, augmented
20 with participation by the joint transportation committee. The
21 legislature further intends that, through the economic partnerships
22 program, the department continue to address administrative, technical,
23 and conceptual operational issues related to road usage charge systems,
24 and that the department serve as a resource for information gleaned
25 from other states on this topic for the transportation commission's
26 efforts.

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

30 (3) \$7,500,000 of the multimodal transportation account--state
31 appropriation is provided solely for community energy efficiency
32 modeling, to aid local governments in prioritizing investments related
33 to fleet electrification, and operations and business development that
34 increase transportation energy efficiency. The department shall report
35 to the office of financial management and the transportation committees
36 of the legislature on its progress with implementing the modeling and
37 any outcomes for local governments by November 1, 2014.

1 (4) \$5,000,000 of the multimodal transportation account--state
2 appropriation is provided solely to enhance and expand Washington's
3 electric highway public fast-charging network through leveraging
4 public-private partnerships. The department shall report to the office
5 of financial management and the transportation committees of the
6 legislature on its progress with deploying electric vehicle charging
7 stations by November 1, 2014.

8 **Sec. 215.** 2013 c 306 s 215 (uncodified) is amended to read as
9 follows:

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

11 Highway Safety Account--State Appropriation	\$10,000,000
12 Motor Vehicle Account--State Appropriation	(\$390,040,000)
13	<u>\$394,149,000</u>
14 Motor Vehicle Account--Federal Appropriation	\$7,000,000
15 TOTAL APPROPRIATION	(\$407,040,000)
16	<u>\$411,149,000</u>

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

19 (1) \$377,779,000 of the motor vehicle account--state appropriation
20 and \$10,000,000 of the highway safety account--state appropriation are
21 provided solely for highway maintenance activities. It is expected
22 that the maintenance program ~~((to))~~ will achieve specific levels of
23 service on the thirty maintenance targets listed by statewide priority
24 in LEAP Transportation Document 2013-4 as developed April 23, 2013.
25 Beginning in February 2014, the department shall report to the
26 legislature annually on its updated maintenance accountability process
27 targets and whether or not the department was able to achieve its
28 targets.

29 (2) ~~(\$8,450,000)~~ \$10,910,000 of the motor vehicle account--state
30 appropriation is provided solely for the department's compliance with
31 its national pollution discharge elimination system permit.

32 (3) ~~(\$1,305,000)~~ \$3,926,000 of the motor vehicle account--state
33 appropriation is provided solely for utility fees assessed by local
34 governments as authorized under RCW 90.03.525 for the mitigation of
35 storm water runoff from state highways.

36 (4) The department shall submit a budget decision for the 2014

1 legislative session package that details all costs associated with
2 utility fees assessed by local governments as authorized under RCW
3 90.03.525.

4 (5) \$50,000 of the motor vehicle account--state appropriation is
5 provided solely for clearing and pruning dangerous trees along state
6 route number 542 between mile markers 43 and 48 to prevent safety
7 hazards and delays.

8 (6) \$2,277,000 of the motor vehicle account--state appropriation is
9 provided solely to replace or rehabilitate critical equipment needed to
10 perform snow and ice removal activities and roadway maintenance. These
11 funds may not be used to purchase passenger cars as defined in RCW
12 46.04.382.

13 **Sec. 216.** 2013 c 306 s 216 (uncodified) is amended to read as
14 follows:

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

17 Motor Vehicle Account--State Appropriation	((\$50,504,000))
	<u>\$50,221,000</u>
19 Motor Vehicle Account--Federal Appropriation	\$2,050,000
20 Motor Vehicle Account--Private/Local Appropriation	\$250,000
21 TOTAL APPROPRIATION	((\$52,804,000))
	<u>\$52,521,000</u>

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

25 (1) \$6,000,000 of the motor vehicle account--state appropriation is
26 provided solely for low-cost enhancements. The department shall give
27 priority to low-cost enhancement projects that improve safety or
28 provide congestion relief. The department shall prioritize low-cost
29 enhancement projects on a statewide rather than regional basis. By
30 September 1st of each even-numbered year, the department shall provide
31 a report to the legislature listing all low-cost enhancement projects
32 prioritized on a statewide rather than regional basis completed in the
33 prior year.

34 (2) \$9,000,000 of the motor vehicle account--state appropriation is
35 provided solely for the department's incident response program.

36 (3) During the 2013-2015 fiscal biennium, the department shall
37 continue a pilot program that expands private transportation providers'

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

19 (4) The department shall work with the cities of Lynnwood and
20 Edmonds to provide traffic light synchronization on state route number
21 524.

22 ~~((+6+))~~ (5) The department, in consultation with the Washington
23 state patrol, must continue a pilot program for the state patrol to
24 issue infractions based on information from automated traffic safety
25 cameras in roadway construction zones on state highways. For the
26 purpose of this pilot program, during the 2013-2015 fiscal biennium, a
27 roadway construction zone includes areas where public employees or
28 private contractors may be present or where a driving condition exists
29 that would make it unsafe to drive at higher speeds, such as, when the
30 department is redirecting or realigning lanes on any public roadway
31 pursuant to ongoing construction. The department shall use the
32 following guidelines to administer the program:

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

37 (b) The department shall plainly mark the locations where the
38 automated traffic safety cameras are used by placing signs on locations

1 that clearly indicate to a driver that he or she is entering a roadway
2 construction zone where traffic laws are enforced by an automated
3 traffic safety camera;

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

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

12 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
13 infractions detected through the use of automated traffic safety
14 cameras are not part of the registered owner's driving record under RCW
15 46.52.101 and 46.52.120. Additionally, infractions generated by the
16 use of automated traffic safety cameras must be processed in the same
17 manner as parking infractions for the purposes of RCW 3.50.100,
18 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
19 fine issued under this subsection (~~((+6+))~~) (5) for an infraction
20 generated through the use of an automated traffic safety camera is one
21 hundred thirty-seven dollars. The court shall remit thirty-two dollars
22 of the fine to the state treasurer for deposit into the state patrol
23 highway account; and

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

1 infraction notice issued, along with instructions for its completion
2 and use.

3 ((+7)) (6) \$102,000 of the motor vehicle account--state
4 appropriation is provided solely to replace or rehabilitate critical
5 equipment needed to perform traffic control. These funds may not be
6 used to purchase passenger cars as defined in RCW 46.04.382.

7 **Sec. 217.** 2013 c 306 s 217 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
10 **SUPPORT--PROGRAM S**

11	Motor Vehicle Account--State Appropriation	(((\$27,281,000))
12		<u>\$27,138,000</u>
13	Motor Vehicle Account--Federal Appropriation	(((\$30,000))
14		<u>\$280,000</u>
15	Multimodal Transportation Account--State	
16	Appropriation	(((\$973,000))
17		<u>\$1,131,000</u>
18	TOTAL APPROPRIATION	(((\$28,284,000))
19		<u>\$28,549,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: \$258,000 of the motor vehicle account--
22 state appropriation is provided solely for enhanced disadvantaged
23 business enterprise outreach to increase the pool of disadvantaged
24 businesses available for department contracts.

25 **Sec. 218.** 2013 c 306 s 218 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
28 **AND RESEARCH--PROGRAM T**

29	Motor Vehicle Account--State Appropriation	(((\$20,109,000))
30		<u>\$19,829,000</u>
31	Motor Vehicle Account--Federal Appropriation	(((\$24,885,000))
32		<u>\$27,385,000</u>
33	Multimodal Transportation Account--State	
34	Appropriation	\$662,000
35	Multimodal Transportation Account--Federal	
36	Appropriation	\$2,809,000

1 Multimodal Transportation Account--Private/Local
 2 Appropriation \$100,000
 3 TOTAL APPROPRIATION ((~~\$48,565,000~~))
 4 \$50,785,000

5 The appropriations in this section are subject to the following
 6 conditions and limitations: ((~~1~~)) Within available resources, the
 7 department must collaborate with the affected metropolitan planning
 8 organizations, regional transportation planning organizations, transit
 9 agencies, and private transportation providers to develop a plan to
 10 reduce vehicle demand, increase public transportation options, and
 11 reduce vehicle miles traveled on corridors affected by growth at Joint
 12 Base Lewis-McChord.

13 **Sec. 219.** 2013 c 306 s 219 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
 16 **PROGRAM U**

17 Motor Vehicle Account--State Appropriation ((~~\$81,628,000~~))
 18 \$74,319,000
 19 Motor Vehicle Account--Federal Appropriation \$400,000
 20 Multimodal Transportation Account--State Appropriation . . ((~~\$40,000~~))
 21 \$3,077,000
 22 TOTAL APPROPRIATION ((~~\$82,068,000~~))
 23 \$77,796,000

24 The appropriations in this section are subject to the following
 25 conditions and limitations: The department of enterprise services must
 26 provide a detailed accounting of the revenues and expenditures of the
 27 self-insurance fund to the transportation committees of the legislature
 28 on December 31st and June 30th of each year.

29 **Sec. 220.** 2013 c 306 s 220 (uncodified) is amended to read as
 30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
 32 **V**

33 State Vehicle Parking Account--State Appropriation ((~~\$452,000~~))
 34 \$754,000
 35 Regional Mobility Grant Program Account--State
 36 Appropriation ((~~\$49,948,000~~))

1		<u>\$51,111,000</u>
2	Rural Mobility Grant Program Account--State	
3	Appropriation	\$17,000,000
4	Multimodal Transportation Account--State	
5	Appropriation	((\$39,057,000))
6		<u>\$39,480,000</u>
7	Multimodal Transportation Account--Federal	
8	Appropriation	\$3,280,000
9	<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$160,000</u>
10	TOTAL APPROPRIATION	((\$109,737,000))
11		<u>\$111,785,000</u>

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

14 (1) \$25,000,000 of the multimodal transportation account--state
15 appropriation is provided solely for a grant program for special needs
16 transportation provided by transit agencies and nonprofit providers of
17 transportation. Of this amount:

18 (a) \$5,500,000 of the multimodal transportation account--state
19 appropriation is provided solely for grants to nonprofit providers of
20 special needs transportation. Grants for nonprofit providers must be
21 based on need, including the availability of other providers of service
22 in the area, efforts to coordinate trips among providers and riders,
23 and the cost effectiveness of trips provided.

24 (b) \$19,500,000 of the multimodal transportation account--state
25 appropriation is provided solely for grants to transit agencies to
26 transport persons with special transportation needs. To receive a
27 grant, the transit agency must, to the greatest extent practicable,
28 have a maintenance of effort for special needs transportation that is
29 no less than the previous year's maintenance of effort for special
30 needs transportation. Grants for transit agencies must be prorated
31 based on the amount expended for demand response service and route
32 deviated service in calendar year 2011 as reported in the "Summary of
33 Public Transportation - 2011" published by the department of
34 transportation. No transit agency may receive more than thirty percent
35 of these distributions.

36 (2) \$17,000,000 of the rural mobility grant program account--state
37 appropriation is provided solely for grants to aid small cities in
38 rural areas as prescribed in RCW 47.66.100.

1 (3)(a) \$6,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for a vanpool grant program for: (a)
3 Public transit agencies to add vanpools or replace vans; and (b)
4 incentives for employers to increase employee vanpool use. The grant
5 program for public transit agencies will cover capital costs only;
6 operating costs for public transit agencies are not eligible for
7 funding under this grant program. Additional employees may not be
8 hired from the funds provided in this section for the vanpool grant
9 program, and supplanting of transit funds currently funding vanpools is
10 not allowed. The department shall encourage grant applicants and
11 recipients to leverage funds other than state funds.

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

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

17 (4) (~~(\$9,948,000)~~) \$11,111,000 of the regional mobility grant
18 program account--state appropriation is reappropriated and provided
19 solely for the regional mobility grant projects identified in (~~LEAP~~)
20 TEIS Transportation Document (~~(2013-2-ALL-PROJECTS-Public~~
21 ~~Transportation-Program-V))~~) 14GOV001 as developed (~~(April-23)~~)
22 December 17, 2013.

23 (5)(a) \$40,000,000 of the regional mobility grant program account--
24 state appropriation is provided solely for the regional mobility grant
25 projects identified in (~~LEAP~~) TEIS Transportation Document (~~(2013-2~~
26 ~~ALL-PROJECTS-Public-Transportation-Program-V))~~) 14GOV001 as
27 developed (~~(April-23)~~) December 17, 2013. The department shall review
28 all projects receiving grant awards under this program at least
29 semiannually to determine whether the projects are making satisfactory
30 progress. Any project that has been awarded funds, but does not report
31 activity on the project within one year of the grant award, must be
32 reviewed by the department to determine whether the grant should be
33 terminated. The department shall promptly close out grants when
34 projects have been completed, and any remaining funds must be used only
35 to fund projects identified in the LEAP transportation document
36 referenced in this subsection. The department shall provide annual
37 status reports on December 15, 2013, and December 15, 2014, to the
38 office of financial management and the transportation committees of the

1 legislature regarding the projects receiving the grants. It is the
2 intent of the legislature to appropriate funds through the regional
3 mobility grant program only for projects that will be completed on
4 schedule. A grantee may not receive more than twenty-five percent of
5 the amount appropriated in this subsection. The department shall not
6 approve any increases or changes to the scope of a project for the
7 purpose of a grantee expending remaining funds on an awarded grant.

8 (b) In order to be eligible to receive a grant under (a) of this
9 subsection during the 2013-2015 fiscal biennium, a transit agency must
10 establish a process for private transportation providers to apply for
11 the use of park and ride facilities. For purposes of this subsection,
12 (i) "private transportation provider" means: An auto transportation
13 company regulated under chapter 81.68 RCW; a passenger charter carrier
14 regulated under chapter 81.70 RCW, except marked or unmarked stretch
15 limousines and stretch sport utility vehicles as defined under
16 department of licensing rules; a private nonprofit transportation
17 provider regulated under chapter 81.66 RCW; or a private employer
18 transportation service provider; and (ii) "private employer
19 transportation service" means regularly scheduled, fixed-route
20 transportation service that is offered by an employer for the benefit
21 of its employees.

22 (6) Funds provided for the commute trip reduction (CTR) program may
23 also be used for the growth and transportation efficiency center
24 program.

25 (7) (~~(\$6,122,000)~~) \$6,424,000 of the total appropriation in this
26 section is provided solely for CTR grants and activities. Of this
27 amount:

28 (a) \$3,900,000 of the multimodal transportation account--state
29 appropriation is provided solely for grants to local jurisdictions,
30 selected by the CTR board, for the purpose of assisting employers meet
31 CTR goals;

32 (b) \$1,770,000 of the multimodal transportation account--state
33 appropriation is provided solely for state costs associated with CTR.
34 The department shall develop more efficient methods of CTR assistance
35 and survey procedures; and

36 (c) (~~(\$452,000)~~) \$754,000 of the state vehicle parking account--
37 state appropriation is provided solely for CTR-related expenditures,

1 including all expenditures related to the guaranteed ride home program
2 and the STAR pass program.

3 (8) An affected urban growth area that has not previously
4 implemented a commute trip reduction program as of the effective date
5 of this section is exempt from the requirements in RCW 70.94.527.

6 (9) \$200,000 of the multimodal transportation account--state
7 appropriation is contingent on the timely development of an annual
8 report summarizing the status of public transportation systems as
9 identified under RCW 35.58.2796.

10 (10) \$454,000 of the multimodal transportation account--state
11 appropriation is provided solely for administering the state regional
12 and rural mobility grant programs.

13 **Sec. 221.** 2013 c 306 s 221 (uncodified) is amended to read as
14 follows:

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

16	Puget Sound Ferry Operations Account--State	
17	Appropriation	((\$485,076,000))
18		<u>\$485,370,000</u>
19	Puget Sound Ferry Operations Account--Private/Local	
20	Appropriation	\$121,000
21	TOTAL APPROPRIATION	((\$485,197,000))
22		<u>\$485,491,000</u>

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

25 (1) The office of financial management budget instructions require
26 agencies to recast enacted budgets into activities. The Washington
27 state ferries shall include a greater level of detail in its 2013-2015
28 supplemental and 2015-2017 omnibus transportation appropriations act
29 requests, as determined jointly by the office of financial management,
30 the Washington state ferries, and the transportation committees of the
31 legislature. This level of detail must include the administrative
32 functions in the operating as well as capital programs.

33 (2) Until a reservation system is operational on the San Juan
34 islands inter-island route, the department shall provide the same
35 priority loading benefits on the San Juan islands inter-island route to
36 home health care workers as are currently provided to patients
37 traveling for purposes of receiving medical treatment.

1 (3) For the 2013-2015 fiscal biennium, the department may enter
2 into a distributor controlled fuel hedging program and other methods of
3 hedging approved by the fuel hedging committee.

4 (4) \$112,342,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely for auto ferry vessel operating fuel
6 in the 2013-2015 fiscal biennium, which reflect cost savings from a
7 reduced biodiesel fuel requirement and, therefore, are contingent upon
8 the enactment of section 701 (~~(of this act)~~) chapter 306, Laws of 2013.
9 The amount provided in this subsection represent the fuel budget for
10 the purposes of calculating any ferry fare fuel surcharge. The
11 department shall develop a fuel reduction plan to be submitted as part
12 of its 2014 supplemental budget proposal. The plan must include fuel
13 saving proposals, such as vessel modifications, vessel speed
14 reductions, and changes to operating procedures, along with anticipated
15 fuel saving estimates.

16 (5) \$100,000 of the Puget Sound ferry operations account--state
17 appropriation is provided solely for the department's compliance with
18 its national pollution discharge elimination system permit.

19 (6) When purchasing uniforms that are required by collective
20 bargaining agreements, the department shall contract with the lowest
21 cost provider.

22 (7) \$3,049,000 of the Puget Sound ferry operations account--state
23 appropriation is provided solely for the operating program share of the
24 \$7,259,000 in lease payments for the ferry division's headquarters
25 building. Consistent with the 2012 facilities oversight plan, the
26 department shall strive to consolidate office space in downtown Seattle
27 by the end of 2015. The department (~~(shall consider renewing)~~) may
28 renew the lease for the ferry division's current headquarters building
29 for a period not to exceed five years only if the lease rate is reduced
30 at least (~~(fifty percent and analysis shows that this is the least cost~~
31 ~~and risk option for the department)~~) thirty-five percent.
32 Consolidation with other divisions or state agencies, or a reduction in
33 leased space, must also be considered as part of any headquarters lease
34 renewal analysis.

35 (8) \$5,000,000 of the Puget Sound ferry operations account--state
36 appropriation is provided solely for the purchase of a 2013-2015 marine
37 insurance policy. Within this amount, the department is expected to

1 purchase a policy with the lowest deductible possible, while
2 maintaining at least existing coverage levels for ferry vessels, and
3 providing coverage for all terminals.

4 **Sec. 222.** 2013 c 306 s 222 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
7 Multimodal Transportation Account--State
8 Appropriation ((\$32,924,000))
9 \$45,877,000

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

12 (1) ((\$27,319,000)) \$40,289,000 of the multimodal transportation
13 account--state appropriation is provided solely for (~~the Amtrak~~
14 ~~service contract and Talgo maintenance contract associated with~~
15 ~~providing~~) operating and maintaining state-supported passenger rail
16 service. In recognition of the increased costs the state is expected
17 to absorb due to changes in federal law, the department is directed to
18 analyze the Amtrak contract proposal and find cost saving alternatives.
19 The department shall report to the transportation committees of the
20 legislature before the 2014 regular legislative session on its
21 revisions to the Amtrak contract, including a review of the appropriate
22 costs within the contract for concession services, policing, host
23 railroad incentives, and station services and staffing needs. Within
24 thirty days of each annual cost/revenue reconciliation under the Amtrak
25 service contract, the department shall report any changes that would
26 affect the state subsidy amount appropriated in this subsection.
27 Through a competitive process, the department may contract with a
28 private entity for services related to operations and maintenance of
29 the Amtrak Cascades route, including, but not limited to, concession
30 services.

31 (2) Amtrak Cascades runs may not be eliminated.

32 (3) The department shall continue a pilot program by partnering
33 with the travel industry on the Amtrak Cascades service between
34 Vancouver, British Columbia, and Seattle to test opportunities for
35 increasing ridership, maximizing farebox recovery, and stimulating
36 private investment. The pilot program must run from December 31, 2013,
37 to December 31, 2014, and evaluate seasonal differences in the program

1 and the effect of advertising. The department may offer to Washington
2 universities an opportunity for business students to work as interns on
3 the analysis of the pilot program process and results. The department
4 shall report on the results of the pilot program to the office of
5 financial management and the legislature by January 31, 2015.

6 **Sec. 223.** 2013 c 306 s 223 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
9 **OPERATING**

10	Motor Vehicle Account--State Appropriation	((\$8,737,000))
11		<u>\$8,674,000</u>
12	Motor Vehicle Account--Federal Appropriation	\$2,567,000
13	TOTAL APPROPRIATION	((\$11,304,000))
14		<u>\$11,241,000</u>

15 **TRANSPORTATION AGENCIES--CAPITAL**

16 **Sec. 301.** 2013 c 306 s 301 (uncodified) is amended to read as
17 follows:

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

19	Freight Mobility Investment Account--State	
20	Appropriation	\$11,794,000
21	Freight Mobility Multimodal Account--State	
22	Appropriation	\$9,736,000
23	Freight Mobility Multimodal Account--Private/Local	
24	Appropriation	\$1,320,000
25	Highway Safety Account--State Appropriation	((\$2,450,000))
26		<u>\$2,591,000</u>
27	Motor Vehicle Account--State Appropriation	\$84,000
28	Motor Vehicle Account--Federal Appropriation	((\$3,250,000))
29		<u>\$5,750,000</u>
30	TOTAL APPROPRIATION	((\$28,634,000))
31		<u>\$31,275,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations: (~~Except as provided otherwise in this~~
34 ~~section,~~) The total appropriation in this section is provided solely

1 for the implementation of chapter (~~(. . . (Substitute House Bill No.~~
2 ~~1256))~~) 104, Laws of 2013 (addressing project selection by the freight
3 mobility strategic investment board). (~~(If chapter . . . (Substitute~~
4 ~~House Bill No. 1256), Laws of 2013 is not enacted by June 30, 2013, the~~
5 ~~amounts provided in this section lapse.)~~)

6 **Sec. 302.** 2013 c 306 s 302 (uncodified) is amended to read as
7 follows:

8 **FOR THE WASHINGTON STATE PATROL**

9 State Patrol Highway Account--State Appropriation . . . (~~(\$1,926,000)~~)
10 \$2,686,000

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

13 (1) \$200,000 of the state patrol highway account--state
14 appropriation is provided solely for unforeseen emergency repairs on
15 facilities.

16 (2) \$426,000 of the state patrol highway account--state
17 appropriation is provided solely for the replacement of the roofs of
18 the Marysville district office and vehicle inspection building and
19 Spokane East office.

20 (3) \$450,000 of the state patrol highway account--state
21 appropriation is provided solely for upgrades to scales at Ridgefield
22 Port of Entry, Dryden, South Pasco, Deer Park, and Kelso required to
23 meet current certification requirements.

24 (4) (~~(\$850,000)~~) \$1,200,000 of the state patrol highway
25 account--state appropriation is provided solely for the replacement of
26 the damaged and unrepairable scale house at the Everett southbound I-5
27 weigh scale(~~(s, including equipment, weigh-in-motion technology, and an~~
28 ~~ALPR camera)~~)).

29 (5) The Washington state patrol, in cooperation with the Washington
30 state department of transportation, must study the federal funding
31 options available for weigh station construction and improvements on
32 the national highway system. A study report must be provided by July
33 1, 2014, to the office of financial management and the transportation
34 committees of the legislature with recommendations on utilizing federal
35 funds for weigh station projects.

1 **Sec. 303.** 2013 c 306 s 303 (uncodified) is amended to read as
2 follows:

3 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

4	Rural Arterial Trust Account--State	
5	Appropriation	((\$35,894,000))
6		<u>\$55,894,000</u>
7	Highway Safety Account--State Appropriation	\$10,000,000
8	Motor Vehicle Account--State Appropriation	\$706,000
9	County Arterial Preservation Account--State	
10	Appropriation	\$30,000,000
11	TOTAL APPROPRIATION	((\$76,600,000))
12		<u>\$96,600,000</u>

13 **Sec. 304.** 2013 c 306 s 304 (uncodified) is amended to read as
14 follows:

15 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

16	Small City Pavement and Sidewalk Account--State	
17	Appropriation	((\$3,500,000))
18		<u>\$5,250,000</u>
19	Highway Safety Account--State Appropriation	\$10,000,000
20	Transportation Improvement Account--State	
21	Appropriation	((\$174,225,000))
22		<u>\$226,851,000</u>
23	TOTAL APPROPRIATION	((\$187,725,000))
24		<u>\$242,101,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: The highway safety account--state
27 appropriation is provided solely for:

- 28 (1) The arterial preservation program to help low tax-based,
- 29 medium-sized cities preserve arterial pavements;
- 30 (2) The small city pavement program to help cities meet urgent
- 31 preservation needs; and
- 32 (3) The small city low-energy street light retrofit demonstration
- 33 program.

34 **Sec. 305.** 2013 c 306 s 305 (uncodified) is amended to read as
35 follows:

1 FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--
2 (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL
3 Transportation Partnership Account--State
4 Appropriation ((~~\$13,425,000~~))
5 \$14,390,000
6 Motor Vehicle Account--State Appropriation ((~~\$8,106,000~~))
7 \$11,435,000
8 TOTAL APPROPRIATION ((~~\$21,531,000~~))
9 \$25,825,000

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

12 (1) The legislature recognizes that the Marginal Way site (King
13 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
14 real property under the jurisdiction of the department and that the
15 public would benefit significantly if this site is used to provide
16 important social services. Therefore, the legislature declares that
17 committing the Marginal Way site to this use is consistent with the
18 public interest.

19 Pursuant to RCW 47.12.063, the department shall work with the owner
20 of King county parcel number 7643400010, which abuts both parcels of
21 the Marginal Way site, and shall convey the Marginal Way site to that
22 abutting property owner for the appraised fair market value of the
23 parcels, the proceeds of which must be deposited in the motor vehicle
24 fund. The conveyance is conditional upon the purchaser's agreement to
25 commit the use of the Marginal Way site to operations with the goal of
26 ending hunger in western Washington. The department may not make this
27 conveyance before September 1, 2013, and may not make this conveyance
28 after January 15, ((2014)) 2015.

29 The Washington department of transportation is not responsible for
30 any costs associated with the cleanup or transfer of the Marginal Way
31 site.

32 (2) ((~~\$13,425,000~~)) \$14,390,000 of the transportation partnership
33 account--state appropriation is provided solely for the construction of
34 a new traffic management and emergency operations center on property
35 owned by the department on Dayton Avenue in Shoreline (project
36 100010T). Consistent with the office of financial management's 2012
37 study, it is the intent of the legislature to appropriate no more than
38 \$15,000,000 for the total construction costs. The department shall

1 report to the transportation committees of the legislature and the
2 office of financial management by June 30, 2014, on (a) the progress of
3 the construction of the traffic management and emergency operations
4 center, including a schedule for terminating the current lease of the
5 Goldsmith building in Seattle, or (b) a plan for addressing vacant
6 space in the Dayton Avenue building by June 30, 2015.

7 (3) \$2,294,000 of the motor vehicle account--state appropriation is
8 provided solely for facilities work related to storm water permit
9 compliance at the Northup, Lakeview, and Pines sites.

10 (4) The department shall complete a predesign study evaluating the
11 alternatives for meeting its long-term business needs for the Seattle
12 area workforce within the next five years. This study must include a
13 documentation of the business and facility needs of the Washington
14 state ferries, tolling, urban planning, and the northwest region
15 headquarters in Seattle. The predesign study must include, but not be
16 limited to, program, site, and cost analysis, including life-cycle
17 cost, in accordance with the predesign manual adopted by the office of
18 financial management. The study must also include an evaluation of
19 leasing, ownership, and purchase options utilizing private sector
20 market research. The department shall present the study to the
21 transportation committees of the legislature and the office of
22 financial management by November 1, 2014.

23 **Sec. 306.** 2013 c 306 s 306 (uncodified) is amended to read as
24 follows:

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

26 Multimodal Transportation Account--State	
27 Appropriation	\$1,000,000
28 Transportation Partnership Account--State	
29 Appropriation	((\$1,536,032,000))
30	\$1,313,559,000
31 Motor Vehicle Account--State Appropriation	((\$61,508,000))
32	\$69,481,000
33 Motor Vehicle Account--Federal Appropriation	((\$473,359,000))
34	\$488,487,000
35 Motor Vehicle Account--Private/Local	
36 Appropriation	((\$208,452,000))
37	\$164,853,000

1	Transportation 2003 Account (Nickel Account)--State	
2	Appropriation	((\$242,253,000))
3		<u>\$325,778,000</u>
4	State Route Number 520 Corridor Account--State	
5	Appropriation	((\$737,205,000))
6		<u>\$884,757,000</u>
7	State Route Number 520 Corridor Account--Federal	
8	Appropriation	\$300,000,000
9	Special Category C Account--State Appropriation\$124,000
10	TOTAL APPROPRIATION	((\$3,559,933,000))
11		<u>\$3,548,039,000</u>

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

14 (1) Except as provided otherwise in this section, the entire
15 transportation 2003 account (nickel account) appropriation and the
16 entire transportation partnership account appropriation are provided
17 solely for the projects and activities as listed by fund, project, and
18 amount in ((LEAP)) TEIS Transportation Document ((~~2013-1~~)) 14GOV001 as
19 developed ((~~April-23~~)) December 17, 2013, Program - Highway Improvement
20 Program (I). However, limited transfers of specific line-item project
21 appropriations may occur between projects for those amounts listed
22 subject to the conditions and limitations in section ((~~603~~)) 601 of
23 this act.

24 (2) Except as provided otherwise in this section, the entire motor
25 vehicle account--state appropriation and motor vehicle account--federal
26 appropriation are provided solely for the projects and activities
27 listed in ((LEAP)) TEIS Transportation Document ((~~2013-2 ALL PROJECTS~~))
28 14GOV001 as developed ((~~April-23~~)) December 17, 2013, Program - Highway
29 Improvement Program (I). It is the intent of the legislature to direct
30 the department to give first priority of federal funds gained through
31 efficiencies or the redistribution process to the "Contingency
32 (Unfunded) Highway Preservation Projects" as identified in ((LEAP))
33 TEIS Transportation Document ((~~2013-2 ALL PROJECTS~~)) 14GOV001 as
34 developed ((~~April-23~~)) December 17, 2013, Program - Highway
35 Preservation Program (P). However, no additional federal funds may be
36 allocated to the I-5/Columbia River Crossing project (400506A).

37 (3) Within the motor vehicle account--state appropriation and

1 motor vehicle account--federal appropriation, the department may
2 transfer funds between programs I and P, except for funds that are
3 otherwise restricted in this act.

4 (4) The transportation 2003 account (nickel account)--state
5 appropriation includes up to (~~(\$217,604,000)~~) \$267,599,000 in proceeds
6 from the sale of bonds authorized by RCW 47.10.861.

7 (5) The transportation partnership account--state appropriation
8 includes up to (~~(\$1,156,217,000)~~) \$828,637,000 in proceeds from the
9 sale of bonds authorized in RCW 47.10.873.

10 (6) The motor vehicle account--state appropriation includes up to
11 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
12 47.10.843.

13 (~~(+8)(a)~~ ~~\$5,000,000~~) (7)(a) \$6,174,000 of the motor vehicle
14 account--federal appropriation and (~~(\$200,000)~~) \$269,000 of the motor
15 vehicle account--state appropriation are provided solely for the I-90
16 Comprehensive Tolling Study and Environmental Review project (100067T).
17 The department shall prepare a detailed environmental impact statement
18 that complies with the national environmental policy act regarding
19 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
20 purposes of both managing traffic and providing funding for the
21 construction of the unfunded state route number 520 from Interstate 5
22 to Medina project. As part of the preparation of the statement, the
23 department must review any impacts to the network of highways and roads
24 surrounding Lake Washington. In developing this statement, the
25 department must provide significant outreach to potential affected
26 communities. The department may consider traffic management options
27 that extend as far east as Issaquah.

28 (b)(i) As part of the project in this subsection (~~(+8)~~) (7), the
29 department shall perform a study of all funding alternatives to tolling
30 Interstate 90 to provide funding for construction of the unfunded state
31 route number 520 and explore and evaluate options to mitigate the
32 effect of tolling on affected residents and all other users of the
33 network of highways and roads surrounding Lake Washington including,
34 but not limited to:

35 (A) Allowing all Washington residents to traverse a portion of the
36 tolled section of Interstate 90 without paying a toll. Residents may
37 choose either (I) the portion of Interstate 90 between the easternmost
38 landing west of Mercer Island and the westernmost landing on Mercer

1 Island, or (II) the portion of Interstate 90 between the westernmost
2 landing east of Mercer Island and the easternmost landing on Mercer
3 Island;

4 (B) Assessing a toll only when a driver traverses, in either
5 direction, the entire portion of Interstate 90 between the easternmost
6 landing west of Mercer Island and the westernmost landing east of
7 Mercer Island; and

8 (C) Allowing affected residents to choose one portion of the tolled
9 section of Interstate 90 upon which they may travel without paying a
10 toll. Residents may choose either (I) the portion of Interstate 90
11 between the easternmost landing west of Mercer Island and the
12 westernmost landing on Mercer Island, or (II) the portion of Interstate
13 90 between the westernmost landing east of Mercer Island and the
14 easternmost landing on Mercer Island.

15 (ii) The department may also consider any alternative mitigation
16 options that conform to the purpose of this subsection (~~((+8))~~) (7).

17 (iii) For the purposes of this subsection (~~((+8))~~) (7), "affected
18 resident" means anyone who must use a portion of Interstate 90 west of
19 Interstate 405 upon which tolling is considered in order to access
20 necessary medical services, such as a hospital.

21 (~~((+9)---\$541,901,000))~~) (8) \$486,585,000 of the transportation
22 partnership account--state appropriation, (~~((+\$144,954,000))~~) \$133,115,000
23 of the motor vehicle account--federal appropriation, (~~((+\$129,779,000))~~)
24 \$132,191,000 of the motor vehicle account--private/local appropriation,
25 and (~~((+\$78,004,000))~~) \$123,305,000 of the transportation 2003 account
26 (nickel account)--state appropriation are provided solely for the SR
27 99/Alaskan Way Viaduct - Replacement project (809936Z).

28 (~~((+10))~~) (9) The department shall reconvene an expert review panel
29 of no more than three members as described under RCW 47.01.400 for the
30 purpose of updating the work that was previously completed by the panel
31 on the Alaskan Way viaduct replacement project and to ensure that an
32 appropriate and viable financial plan is created and regularly
33 reviewed. The expert review panel must be selected cooperatively by
34 the chairs of the senate and house of representatives transportation
35 committees, the secretary of transportation, and the governor. The
36 expert review panel must report findings and recommendations to the
37 transportation committees of the legislature, the governor's Alaskan
38 Way viaduct project oversight committee, and the transportation

1 commission annually until the project is operationally complete. This
2 subsection takes effect if chapter ... (Substitute House Bill No.
3 1957), Laws of 2013 is not enacted by June 30, 2013.

4 ~~((11) \$7,408,000))~~ (10) \$7,104,000 of the transportation
5 partnership account--state appropriation, ~~((14,594,000))~~ \$22,773,000
6 of the transportation 2003 account (nickel account)--state
7 appropriation, ~~((3,730,000))~~ \$3,776,000 of the motor vehicle account--
8 state appropriation, \$1,000,000 of the multimodal transportation
9 account--state appropriation, and ~~((41,395,000))~~ \$51,703,000 of the
10 motor vehicle account--federal appropriation are provided solely for
11 the US 395/North Spokane Corridor projects (600010A & 600003A). Any
12 future savings on the projects must stay on the US 395/Interstate 90
13 corridor and be made available to the current phase of the North
14 Spokane corridor projects or any future phase of the projects.

15 ~~((12) \$114,369,000))~~ (11) \$129,952,000 of the transportation
16 partnership account--state appropriation and ~~((53,755,000))~~
17 \$58,582,000 of the transportation 2003 account (nickel account)--state
18 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
19 2 - Widening project (8BI1002). This project must be completed as soon
20 as practicable as a design-build project. Any future savings on this
21 project or other Interstate 405 corridor projects must stay on the
22 Interstate 405 corridor and be made available to either the I-405/SR
23 167 Interchange - Direct Connector project (140504C) or the I-405
24 Renton to Bellevue project.

25 ~~((13))~~ (12)(a) The SR 520 Bridge Replacement and HOV project
26 ~~((0BI1003))~~ (8BI1003) is supported over time from multiple sources,
27 including a \$300,000,000 TIFIA loan, ~~((819,524,625))~~ \$923,000,000 in
28 Garvee bonds, toll revenues, state bonds, interest earnings, and other
29 miscellaneous sources.

30 (b) The state route number 520 corridor account--state
31 appropriation includes up to ~~((668,142,000))~~ \$815,693,000 in proceeds
32 from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

33 (c) The state route number 520 corridor account--federal
34 appropriation includes up to \$300,000,000 in proceeds from the sale of
35 bonds authorized in RCW 47.10.879 and 47.10.886.

36 (d) ~~((153,124,000))~~ \$139,122,000 of the transportation partnership
37 account--state appropriation, \$300,000,000 of the state route number
38 520 corridor account--federal appropriation, and ~~((737,205,000))~~

1 \$733,003,000 of the state route number 520 corridor account--state
2 appropriation are provided solely for the SR 520 Bridge Replacement and
3 HOV project (~~((+0BI1003+))~~) (8BI1003). Of the amounts appropriated in
4 this subsection (~~((+13+))~~) (12)(d), (~~(\$105,085,000)~~) \$84,002,000 of the
5 state route number 520 corridor account--federal appropriation and
6 (~~(\$227,415,000)~~) 374,039,000 of the state route number 520 corridor
7 account--state appropriation must be put into unallotted status and are
8 subject to review by the office of financial management. The director
9 of the office of financial management shall consult with the joint
10 transportation committee prior to making a decision to allot these
11 funds.

12 (e) When developing the financial plan for the project, the
13 department shall assume that all maintenance and operation costs for
14 the new facility are to be covered by tolls collected on the toll
15 facility and not by the motor vehicle account.

16 (~~((+14) \$1,100,000)~~) (13) \$1,062,000 of the motor vehicle account--
17 federal appropriation and \$38,000 of the motor vehicle account--state
18 appropriation is provided solely for the 31st Ave SW Overpass Widening
19 and Improvement project (L1100048).

20 (~~((+15+))~~) (14) \$22,602,000 of the motor vehicle account--state
21 appropriation is provided solely to advance the design, preliminary
22 engineering, and rights-of-way acquisition for the priority projects
23 identified in LEAP Transportation Document 2013-3 as developed April
24 23, 2013. Funds must be used to advance the emergent, initial
25 development of these projects for the purpose of expediting delivery of
26 the associated major investments when funding for such investments
27 becomes available. Funding may be reallocated between projects to
28 maximize the accomplishment of design and preliminary engineering work
29 and rights-of-way acquisition, provided that all projects are
30 addressed. It is the intent of the legislature that, while seeking to
31 maximize the outcomes in this section, the department shall provide for
32 continuity of both the state and consulting engineer workforce, while
33 strategically utilizing private sector involvement to ensure
34 consistency with the department's business plan for staffing in the
35 highway construction program in the current fiscal biennium.

36 (~~((+16+))~~) (15) If a planned roundabout in the vicinity of state
37 route number 526 and 84th Street SW would divert commercial traffic
38 onto neighborhood streets, the department may not proceed with

1 improvements at state route number 526 and 84th Street SW until the
2 traffic impacts in the vicinity of state route number 526 and 40th
3 Avenue West are addressed.

4 ~~((+17))~~ (16) The legislature finds that there are sixteen
5 companies involved in wood preserving in the state that employ four
6 hundred workers and have an annual payroll of fifteen million dollars.
7 Prior to the department's switch to steel guardrails, ninety percent of
8 the twenty-five hundred mile guardrail system was constructed of
9 preserved wood and one hundred ten thousand wood guardrail posts were
10 produced annually for state use. Moreover, the policy of using steel
11 posts requires the state to use imported steel. Given these findings,
12 where practicable, and until June 30, 2015, the department shall
13 include the design option to use wood guardrail posts, in addition to
14 steel posts, in new guardrail installations. The selection of posts
15 must be consistent with the agency design manual policy that existed
16 before December 2009.

17 ~~((+18))~~ (17) The legislature finds that "right-sizing" is a lean,
18 metric-based approach to determining project investments. This concept
19 entails compromise between project cost and design, incorporating local
20 community needs, desired outcomes, and available funding. Furthermore,
21 the legislature finds that the concepts and principles the department
22 has utilized in the safety analyst program have been effective tools to
23 prioritize projects and reduce project costs. Therefore, the
24 department shall establish a pilot project on the SR 3/Belfair Bypass
25 - New Alignment (300344C) to begin implementing the concept of
26 "right-sizing" in the highway construction program.

27 ~~((+19))~~ (18) For urban corridors that are all or partially within
28 a metropolitan planning organization boundary, for which the department
29 has not initiated environmental review, and that require an
30 environmental impact statement, at least one alternative must be
31 consistent with the goals set out in RCW 47.01.440.

32 ~~((+20))~~ (19) The department shall itemize all future requests for
33 the construction of buildings on a project list and submit them through
34 the transportation executive information system as part of the
35 department's 2014 budget submittal. It is the intent of the
36 legislature that new facility construction must be transparent and not
37 appropriated within larger highway construction projects.

1 (~~(21)~~ \$28,963,000) (20) \$19,513,000 of the motor vehicle
2 account--state appropriation and \$9,450,000 of the motor vehicle
3 account--federal appropriation is provided solely for improvement
4 program support activities (095901X). \$18,000,000 of (~~this amount~~)
5 these amounts must be held in unallotted status until the office of
6 financial management certifies that the department's 2014 supplemental
7 budget request conforms to the terms of subsection (~~(20)~~) (19) of
8 this section.

9 (~~(23)~~) (21) Any new advisory group that the department convenes
10 during the 2013-2015 fiscal biennium must be representative of the
11 interests of the entire state of Washington.

12 (22) Practical design offers targeted benefits to a state
13 transportation system within available fiscal resources. This delivers
14 value not just for individual projects, but for the entire system.
15 Applying practical design standards will also preserve and enhance
16 safety and mobility. The department shall implement a practical design
17 strategy for transportation design standards. By June 30, 2015, the
18 department shall report to the governor and the house of
19 representatives and senate transportation committees on where practical
20 design has been applied or is intended to be applied in the department
21 and the cost savings resulting from the use of practical design.

22 **Sec. 307.** 2013 c 306 s 307 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

25 Transportation Partnership Account--State	
26 Appropriation	(\$36,480,000)
27	<u>\$34,966,000</u>
28 <u>Recreational Vehicle Account--State Appropriation</u>	<u>\$1,784,000</u>
29 Highway Safety Account--State Appropriation	\$10,000,000
30 Motor Vehicle Account--State Appropriation	(\$58,503,000)
31	<u>\$58,012,000</u>
32 Motor Vehicle Account--Federal Appropriation	(\$580,062,000)
33	<u>\$595,602,000</u>
34 Motor Vehicle Account--Private/Local Appropriation	(\$11,270,000)
35	<u>\$11,827,000</u>
36 Transportation 2003 Account (Nickel Account)--State	
37 Appropriation	(\$2,285,000)

1		<u>\$2,650,000</u>
2	<u>Tacoma Narrows Toll Bridge Account--State</u>	
3	<u>Appropriation</u>	<u>\$120,000</u>
4	TOTAL APPROPRIATION	<u>(\$698,600,000)</u>
5		<u>\$714,961,000</u>

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

8 (1) Except as provided otherwise in this section, the entire
9 transportation 2003 account (nickel account) appropriation and the
10 entire transportation partnership account appropriation are provided
11 solely for the projects and activities as listed by fund, project, and
12 amount in ((LEAP)) TEIS Transportation Document ((2013-1)) 14GOV001 as
13 developed ((April-23)) December 17, 2013, Program - Highway
14 Preservation Program (P). However, limited transfers of specific line-
15 item project appropriations may occur between projects for those
16 amounts listed subject to the conditions and limitations in section
17 ((603)) 601 of this act.

18 (2) Except as provided otherwise in this section, the entire motor
19 vehicle account--state appropriation and motor vehicle account--federal
20 appropriation are provided solely for the projects and activities
21 listed in ((LEAP)) TEIS Transportation Document ((2013-2-ALL-PROJECTS))
22 14GOV001 as developed ((April-23)) December 17, 2013, Program - Highway
23 Preservation Program (P). It is the intent of the legislature to
24 direct the department to give first priority of federal funds gained
25 through efficiencies or the redistribution process to the "Contingency
26 (Unfunded) Highway Preservation Projects" as identified in ((LEAP))
27 TEIS Transportation Document ((2013-2-ALL-PROJECTS)) 14GOV001 as
28 developed ((April-23)) December 17, 2013, Program - Highway
29 Preservation Program (P). However, no additional federal funds may be
30 allocated to the I-5/Columbia River Crossing project (400506A).

31 (3) Within the motor vehicle account--state appropriation and motor
32 vehicle account--federal appropriation, the department may transfer
33 funds between programs I and P, except for funds that are otherwise
34 restricted in this act.

35 (4) (((\$27,278,000)) \$26,610,000 of the motor vehicle account--
36 federal appropriation ((and \$1,141,000)), \$51,000 of the motor vehicle
37 account--state appropriation, and \$769,000 of the highway safety
38 account--state appropriation are provided solely for the SR

1 167/Puyallup River Bridge Replacement project (316725A). This project
2 must be completed as a design-build project. The department must work
3 with local jurisdictions and the community during the environmental
4 review process to develop appropriate esthetic design elements, at no
5 additional cost to the department, and traffic management plans
6 pertaining to this project. The department must report to the
7 transportation committees of the legislature on estimated cost and/or
8 time savings realized as a result of using the design-build process.

9 (5) The department shall examine the use of electric arc furnace
10 slag for use as an aggregate for new roads and paving projects in high
11 traffic areas and report back to the legislature on its current use in
12 other areas of the country and any characteristics that can provide
13 greater wear resistance and skid resistance in new pavement
14 construction.

15 **Sec. 308.** 2013 c 306 s 308 (uncodified) is amended to read as
16 follows:

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

19 Motor Vehicle Account--State Appropriation	((\$3,194,000))
	<u>\$4,916,000</u>
21 Motor Vehicle Account--Federal Appropriation	((\$7,959,000))
	<u>\$9,151,000</u>
23 <u>Motor Vehicle Account--Private/Local Appropriation</u>	<u>\$200,000</u>
24 TOTAL APPROPRIATION	((\$11,153,000))
	<u>\$14,267,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations: ((~~\$694,000~~)) \$910,000 of the motor vehicle
28 account--state appropriation is provided solely for project 000005Q as
29 state matching funds for federally selected competitive grants or
30 congressional earmark projects. These moneys must be placed into
31 reserve status until such time as federal funds are secured that
32 require a state match.

33 **Sec. 309.** 2013 c 306 s 309 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**

1	CONSTRUCTION--PROGRAM W	
2	Puget Sound Capital Construction Account--State	
3	Appropriation	((\$53,036,000))
4		<u>\$64,002,000</u>
5	Puget Sound Capital Construction Account--Federal	
6	Appropriation	((\$91,692,000))
7		<u>\$118,450,000</u>
8	Puget Sound Capital Construction Account--Private/Local	
9	Appropriation	((\$1,145,000))
10		<u>\$1,312,000</u>
11	Multimodal Transportation Account--State	
12	Appropriation	((\$1,534,000))
13		<u>\$2,588,000</u>
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	((\$143,941,000))
16		<u>\$140,032,000</u>
17	<u>Transportation Partnership Account--State</u>	
18	<u>Appropriation</u>	<u>\$2,813,000</u>
19	TOTAL APPROPRIATION	((\$291,348,000))
20		<u>\$329,197,000</u>

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

23 (1) Except as provided otherwise in this section, the entire
24 appropriations in this section are provided solely for the projects and
25 activities as listed in ((LEAP)) TEIS Transportation Document ((~~2013-2~~
26 ~~ALL PROJECTS~~)) 14GOV001 as developed ((~~April-23~~)) December 17, 2013,
27 Program - Washington State Ferries Capital Program (W).

28 (2) With each budget submittal, the department shall update the
29 improvement and preservation work to be completed within the fiscal
30 biennium and provide a specific description of the work in the TEIS
31 project list submitted with each budget request. The operationally
32 complete dates must also be updated. The ferry performance report
33 required under RCW 47.64.360 must include an appendix that documents
34 the estimated project costs and operationally complete dates provided
35 in each TEIS project list, including the initial agency request for the
36 fiscal biennium, each subsequent agency supplemental request as well as
37 an end-of-fiscal biennium actual costs version, and each legislatively
38 updated version of the project list throughout the fiscal biennium.

1 (3) The Puget Sound capital construction account--state
2 appropriation includes up to \$20,000,000 in proceeds from the sale of
3 bonds authorized in RCW 47.10.843.

4 ~~((3) \$143,633,000)~~ (4) \$137,425,000 of the transportation 2003
5 account (nickel account)--state appropriation ~~((is))~~, \$2,338,000 of the
6 transportation partnership account--state appropriation, and \$300,000
7 of the Puget Sound capital construction account--federal appropriation
8 are provided solely for the acquisition of two 144-car vessels
9 (projects L2200038 and L2200039). The department shall use as much
10 already procured equipment as practicable on the 144-car vessels.

11 ~~((4) \$8,270,000)~~ (5) \$14,727,000 of the Puget Sound capital
12 construction account--federal appropriation, ~~((3,935,000))~~ \$4,038,000
13 of the Puget Sound capital construction account--state appropriation,
14 and ~~((1,534,000))~~ \$1,535,000 of the multimodal transportation
15 account--state appropriation are provided solely for the Mukilteo ferry
16 terminal (project 952515P). To the greatest extent practicable, the
17 department shall seek additional federal funding for this project.

18 ~~((5) \$4,000,000)~~ (6) \$4,935,000 of the Puget Sound capital
19 construction account--state appropriation is provided solely for
20 emergency capital repair costs (project 999910K). Funds may only be
21 spent after approval by the office of financial management.

22 ~~((6))~~ (7) Consistent with RCW 47.60.662, which requires the
23 Washington state ferry system to collaborate with passenger-only ferry
24 and transit providers to provide service at existing terminals, the
25 department shall ensure that multimodal access, including for
26 passenger-only ferries and transit service providers, is not precluded
27 by any future modifications at the terminal.

28 ~~((7) \$3,800,000)~~ (8) \$4,026,000 of the Puget Sound capital
29 construction account--state appropriation is provided solely for the
30 reservation and communications system projects (L200041 & L200042).

31 ~~((8))~~ (9) \$4,210,000 of the Puget Sound capital construction
32 account--state appropriation is provided solely for the capital program
33 share of \$7,259,000 in lease payments for the ferry division's
34 headquarters building. Consistent with the 2012 facilities oversight
35 plan, the department shall strive to consolidate office space in
36 downtown Seattle by the end of 2015. The department shall consider
37 renewing the lease for the ferry division's current headquarters
38 building only if the lease rate is reduced at least fifty percent and

1 analysis shows that this is the least cost and risk option for the
2 department. Consolidation with other divisions or state agencies, or
3 a reduction in leased space, must also be considered as part of any
4 headquarters lease renewal analysis.

5 ~~((9) \$21,950,000))~~ (10) \$23,738,000 of the total appropriation is
6 for preservation work on the Hyak super class vessel (project 944431D),
7 including installation of a power management system and more efficient
8 propulsion systems, that in combination are anticipated to save up to
9 twenty percent in fuel and reduce maintenance costs. Upon completion
10 of this project, the department shall provide a report to the
11 transportation committees of the legislature on the fuel and
12 maintenance savings achieved for this vessel and the potential to save
13 additional funds through other vessel conversions.

14 (11) The request for proposal for a design-build contract to fully
15 convert the existing diesel powered Issaquah class fleet to be solely
16 powered by liquid natural gas did not result in a successful bidder as
17 of December 2013. \$320,000 of the Puget Sound capital construction
18 account--state appropriation and \$206,000 of the Puget Sound capital
19 construction account--federal appropriation are provided solely for the
20 department to contract for the detailed design and cost estimates for
21 the conversion of the Issaquah class fleet to liquid natural gas.

22 **Sec. 310.** 2013 c 306 s 310 (uncodified) is amended to read as
23 follows:

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

25 Essential Rail Assistance Account--State	
26 Appropriation	((\$861,000))
27	<u>\$1,021,000</u>
28 Transportation Infrastructure Account--State	
29 Appropriation	((\$8,582,000))
30	<u>\$9,188,000</u>
31 Multimodal Transportation Account--State	
32 Appropriation	((\$33,156,000))
33	<u>\$44,245,000</u>
34 Multimodal Transportation Account--Federal	
35 Appropriation	((\$333,881,000))
36	<u>\$426,858,000</u>
37 <u>Multimodal Transportation Account--Private/Local</u>	

1	<u>Appropriation</u>	<u>\$409,000</u>
2	TOTAL APPROPRIATION	((\$376,480,000))
3		<u>\$481,721,000</u>

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

6 (1)(a) Except as provided otherwise in this section, the entire
7 appropriations in this section are provided solely for the projects and
8 activities as listed by project and amount in ((LEAP)) TEIS
9 Transportation Document ((~~2013-2 ALL PROJECTS~~)) 14GOV001 as developed
10 ((~~April-23~~)) December 17, 2013, Program-Rail Capital Program (Y).

11 (b) Within the amounts provided in this section, ((~~\$7,332,000~~))
12 \$7,696,000 of the transportation infrastructure account--state
13 appropriation is for low-interest loans through the freight rail
14 investment bank program identified in the ((LEAP)) TEIS transportation
15 document referenced in (a) of this subsection. The department shall
16 issue freight rail investment bank program loans with a repayment
17 period of no more than ten years, and only so much interest as is
18 necessary to recoup the department's costs to administer the loans.

19 (c) Within the amounts provided in this section, \$2,439,000 of the
20 multimodal transportation account--state appropriation, \$1,250,000 of
21 the transportation infrastructure account--state appropriation, and
22 \$311,000 of the essential rail assistance account--state appropriation
23 are for statewide emergent freight rail assistance projects identified
24 in the ((LEAP)) TEIS transportation document referenced in (a) of this
25 subsection.

26 (2) Unsuccessful 2012 freight rail assistance program grant
27 applicants may be awarded freight rail investment bank program loans,
28 if eligible. If any funds remain in the freight rail investment bank
29 or freight rail assistance program reserves (projects F01001A and
30 F01000A), or any approved grants or loans are terminated, the
31 department shall issue a call for projects for the freight rail
32 investment bank loan program and the freight rail assistance grant
33 program, and shall evaluate the applications in a manner consistent
34 with past practices as specified in section 309, chapter 367, Laws of
35 2011. By November 1, 2013, the department shall submit a prioritized
36 list of recommended projects to the office of financial management and
37 the transportation committees of the legislature.

1 (3) (~~(\$314,647,000)~~) (a) \$421,065,000 of the multimodal
2 transportation account--federal appropriation and (~~(\$4,867,000)~~)
3 \$10,818,000 of the multimodal transportation account--state
4 appropriation are provided solely for expenditures related to passenger
5 high-speed rail grants. The multimodal transportation account--state
6 appropriation funds (~~(reflect one and one-half percent of the total~~
7 ~~project funds, and)~~) are provided solely for expenditures that are not
8 eligible for federal reimbursement.

9 (b) \$31,500,000 of the multimodal transportation account--federal
10 appropriation is provided solely for the purchase of two new train sets
11 for the state-supported intercity passenger rail service. The
12 department must apply for any federal waivers required to purchase the
13 new train sets, as allowable under existing competitive bidding
14 practices, and seek federal funds in addition to those available from
15 the high-speed rail grants.

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

21 (5) The department shall provide quarterly reports to the office of
22 financial management and the transportation committees of the
23 legislature regarding applications that the department submits for
24 federal funds and the status of such applications.

25 (6)(a) (~~(\$550,000)~~) \$709,000 of the essential rail assistance
26 account--state appropriation (~~(and)~~) \$1,893,000 of the multimodal
27 transportation account--state appropriation, and \$241,000 of the
28 transportation infrastructure account--state appropriation are provided
29 solely for the purpose of rehabilitation and maintenance of the Palouse
30 river and Coulee City railroad line (project F01111B). The department
31 shall complete an evaluation and assessment of future maintenance needs
32 on the line to ensure appropriate levels of state investment.

33 (b) Expenditures from the essential rail assistance account--state
34 appropriation in this section may not exceed the combined total of:

35 (i) Revenues deposited into the essential rail assistance account
36 from leases and sale of property pursuant to RCW 47.76.290; and

37 (ii) Revenues transferred from the miscellaneous program account to

1 the essential rail assistance account, pursuant to RCW 47.76.360, for
2 the purpose of sustaining the grain train program by maintaining the
3 Palouse river and Coulee City railroad line.

4 ~~((7) \$31,500,000 of the multimodal transportation account--federal
5 appropriation is provided solely for the purchase of two new train sets
6 for the state supported intercity passenger rail service. The
7 department must apply for any federal waivers required to purchase the
8 new train sets, as allowable under existing competitive bidding
9 practices, and seek federal funds in addition to those available from
10 the high speed rail grants.))~~

11 **Sec. 311.** 2013 c 306 s 311 (uncodified) is amended to read as
12 follows:

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

15	Highway Infrastructure Account--State Appropriation	\$207,000
16	Highway Infrastructure Account--Federal	
17	Appropriation	\$1,602,000
18	((Freight Mobility Investment Account--State	
19	 Appropriation	(\$11,794,000))
20	Transportation Partnership Account--State	
21	Appropriation	(\$7,214,000))
22		<u>\$9,236,000</u>
23	Highway Safety Account--State Appropriation	(\$11,255,000))
24		<u>\$8,915,000</u>
25	Motor Vehicle Account--State Appropriation	(\$6,918,000))
26		<u>\$7,400,000</u>
27	Motor Vehicle Account--Federal Appropriation	(\$28,413,000))
28		<u>\$34,581,000</u>
29	((Freight Mobility Multimodal Account--State	
30	 Appropriation	\$9,736,000
31	Freight Mobility Multimodal Account--Private/Local	
32	 Appropriation	\$1,320,000))
33	Multimodal Transportation Account--State	
34	Appropriation	(\$13,913,000))
35		<u>\$18,741,000</u>
36	TOTAL APPROPRIATION	(\$92,372,000))
37		<u>\$80,682,000</u>

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

3 (1) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects and
5 activities as listed by project and amount in ((LEAP)) TEIS
6 Transportation Document ((2013-2 ALL PROJECTS)) 14GOV001 as developed
7 ((April-23)) December 17, 2013, Program - Local Programs (Z).

8 (2) With each department budget submittal, the department shall
9 provide an update on the status of the repayment of the twenty million
10 dollars of unobligated federal funds authority advanced by the
11 department in September 2010 to the city of Tacoma for the Murray
12 Morgan/11th Street bridge project. The department may negotiate with
13 the city of Tacoma an agreement for repayment of the funds over a
14 period of up to twenty-five years at terms agreed upon by the
15 department and the city. The funds previously advanced by the
16 department to the city are not to be considered a general obligation of
17 the city but instead an obligation payable from identified revenues set
18 aside for the repayment of the funds.

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

22 (a) (((\$12,160,000)) \$16,542,000 of the multimodal transportation
23 account--state appropriation, (((\$6,824,000)) \$8,723,000 of the
24 transportation partnership account--state appropriation, and \$62,000 of
25 the motor vehicle account--federal appropriation are provided solely
26 for pedestrian and bicycle safety program projects.

27 (b) (((\$11,700,000)) \$18,203,000 of the motor vehicle account--
28 federal appropriation((, \$5,200,000 of the motor vehicle account--state
29 appropriation,)) and (((\$6,750,000)) \$8,914,000 of the highway safety
30 account--state appropriation are provided solely for ((newly selected))
31 safe routes to school projects((, and \$3,400,000 of the motor vehicle
32 account--federal appropriation and \$2,055,000 of the highway safety
33 account--state appropriation are reappropriated for safe routes to
34 school projects selected in the previous biennia. The amount provided
35 for new projects is consistent with federal funding levels from the
36 2011-2013 omnibus transportation appropriations act and the intent of
37 the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws of
38 2012. The motor vehicle account--state appropriation in this

1 ~~subsection (3)(b) is the amount made available by the repeal of the~~
2 ~~deduction from motor vehicle fuel tax liability for handling losses of~~
3 ~~motor vehicle fuel, as identified in chapter . . . (Substitute House~~
4 ~~Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel).~~
5 ~~If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not~~
6 ~~enacted by June 30, 2013, the motor vehicle account state~~
7 ~~appropriation in this subsection (3)(b) lapses)).~~

8 ~~(4) ((\$84,000 of the motor vehicle account state appropriation,~~
9 ~~\$3,250,000 of the motor vehicle account federal appropriation,~~
10 ~~\$2,450,000 of the highway safety account state appropriation,~~
11 ~~\$11,794,000 of the freight mobility investment account state~~
12 ~~appropriation, \$9,736,000 of the freight mobility multimodal account~~
13 ~~state appropriation, and \$1,320,000 of the freight mobility multimodal~~
14 ~~account private/local appropriation are provided solely for the~~
15 ~~projects and activities as listed by project and amount in LEAP~~
16 ~~Transportation Document 2013-B as developed April 23, 2013. If chapter~~
17 ~~. . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June~~
18 ~~30, 2013, the amounts provided in this subsection lapse.~~

19 ~~(5))~~ The department may enter into contracts and make expenditures
20 for projects on behalf of and selected by the freight mobility
21 strategic investment board from the amounts provided in section 301 of
22 this act.

23 ~~((+6))~~ (5) The department shall submit a report to the
24 transportation committees of the legislature by December 1, 2013, and
25 December 1, 2014, on the status of projects funded as part of the
26 pedestrian safety/safe routes to school grant program (0LP600P). The
27 report must include, but is not limited to, a list of projects selected
28 and a brief description of each project's status.

29 ~~((+7))~~ (6) \$50,000 of the motor vehicle account--state
30 appropriation is provided solely for the installation of a guard rail
31 on Deer Harbor Road in San Juan county (L2220054).

32 TRANSFERS AND DISTRIBUTIONS

33 **Sec. 401.** 2013 c 306 s 401 (uncodified) is amended to read as
34 follows:

35 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
2 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
3 **REVENUE**

4	Transportation Partnership Account--State	
5	Appropriation	(((\$10,406,000))
6		<u>\$7,577,000</u>
7	Motor Vehicle Account--State Appropriation	\$450,000
8	State Route Number 520 Corridor Account--State	
9	Appropriation	(((\$3,866,000))
10		<u>\$562,000</u>
11	Highway Bond Retirement Account--State	
12	Appropriation	(((\$1,074,580,000))
13		<u>\$1,094,299,000</u>
14	Ferry Bond Retirement Account--State	
15	Appropriation	(((\$31,824,000))
16		<u>\$31,830,000</u>
17	Transportation Improvement Board Bond Retirement	
18	Account--State Appropriation	(((\$16,267,000))
19		<u>\$16,271,000</u>
20	Nondebt-Limit Reimbursable Bond Retirement Account--State	
21	Appropriation	\$25,825,000
22	Toll Facility Bond Retirement Account--State	
23	Appropriation	\$52,050,000
24	Toll Facility Bond Retirement Account--Federal	
25	Appropriation	\$64,982,000
26	Transportation 2003 Account (Nickel Account)--State	
27	Appropriation	(((\$1,958,000))
28		<u>\$1,730,000</u>
29	((Special Category C Account--State Appropriation	(\$2,000))
30	TOTAL APPROPRIATION	(((\$1,282,210,000))
31		<u>\$1,295,576,000</u>

32 **Sec. 402.** 2013 c 306 s 402 (uncodified) is amended to read as
33 follows:

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

37 Transportation Partnership Account--State

1	Appropriation	((\$1,156,000))
2		<u>\$1,030,000</u>
3	Motor Vehicle Account--State Appropriation	\$50,000
4	State Route Number 520 Corridor Account--State	
5	Appropriation	((\$531,000))
6		<u>\$322,000</u>
7	Transportation 2003 Account (Nickel Account)--State	
8	Appropriation	((\$218,000))
9		<u>\$219,000</u>
10	TOTAL APPROPRIATION	((\$1,955,000))
11		<u>\$1,621,000</u>

12 NEW SECTION. **Sec. 403.** A new section is added to 2013 c 306
13 (uncodified) to read as 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	\$4,931,000
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19 **Sec. 404.** 2013 c 306 s 404 (uncodified) is amended to read as
20 follows:

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

22 Motor Vehicle Account--State Appropriation: For

23	motor vehicle fuel tax distributions to cities	
24	and counties	((\$474,610,000))
25		<u>\$476,185,000</u>

26 **Sec. 405.** 2013 c 306 s 405 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER--TRANSFERS**

29 Motor Vehicle Account--State Appropriation: For

30	motor vehicle fuel tax refunds and statutory	
31	transfers	((\$1,235,491,000))
32		<u>\$1,237,023,000</u>

33 **Sec. 406.** 2013 c 306 s 406 (uncodified) is amended to read as
34 follows:

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

2 Motor Vehicle Account--State Appropriation: For motor
3 vehicle fuel tax refunds and transfers ((\$138,627,000))
4 \$141,419,000

5 **Sec. 407.** 2013 c 306 s 407 (uncodified) is amended to read as
6 follows:

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

8 ~~(1) ((Recreational Vehicle Account--State
9 Appropriation: For transfer to the Motor Vehicle
10 Account--State \$1,300,000~~

11 ~~(2)) Multimodal Transportation Account--State
12 Appropriation: For transfer to the Puget Sound
13 Ferry Operations Account--State \$13,000,000~~

14 ~~((3)) (2) Rural Mobility Grant Program Account--State
15 Appropriation: For transfer to the Multimodal
16 Transportation Account--State \$3,000,000~~

17 ~~((4)) (3) Motor Vehicle Account--State
18 Appropriation: For transfer to the Special Category C
19 Account--State \$1,500,000~~

20 (4) Motor Vehicle Account--State Appropriation: For
21 transfer to the Interstate 405 Express Toll Lanes
22 Operations Account--State \$2,020,000

23 (5) Capital Vessel Replacement Account--State
24 Appropriation: For transfer to the Transportation 2003
25 Account (Nickel Account)--State \$7,702,000

26 (6) Multimodal Transportation Account--State
27 Appropriation: For transfer to the Public Transportation
28 Grant Program Account--State \$26,000,000

29 (7) Motor Vehicle Account--State Appropriation:
30 For transfer to the Puget Sound Ferry Operations
31 Account--State \$28,000,000

32 (8) Motor Vehicle Account--State Appropriation:
33 For transfer to the Puget Sound Capital Construction
34 Account--State \$28,000,000

35 (9) State Route Number 520 Civil Penalties
36 Account--State Appropriation: For transfer to the
37 State Route Number 520 Corridor Account--State \$886,000

1 (10) Multimodal Transportation Account--State
 2 Appropriation: For transfer to the Highway Safety
 3 Account--State \$10,000,000
 4 (11) Motor Vehicle Account--State Appropriation:
 5 For transfer to the State Patrol Highway
 6 Account--State \$27,000,000
 7 (12) Highway Safety Account--State Appropriation:
 8 For transfer to the Puget Sound Ferry Operations
 9 Account--State (~~(\$42,000,000)~~)
 10 \$37,000,000
 11 (13) Advanced Environmental Mitigation Revolving
 12 Account--State Appropriation: For transfer to the Motor
 13 Vehicle Account--State \$2,000,000
 14 (14) Advanced Right-of-Way Revolving Fund--State
 15 Appropriation: For transfer to the Motor Vehicle
 16 Account--State \$6,000,000
 17 (15) Tacoma Narrows Toll Bridge Account--State
 18 Appropriation: For transfer to the Motor Vehicle
 19 Account--State \$950,000
 20 (16) License Plate Technology Account--State
 21 Appropriation: For transfer to the Highway Safety
 22 Account--State \$3,000,000
 23 (17) Motor Vehicle Account--State Appropriation:
 24 For transfer to the Transportation Equipment
 25 Fund--State \$3,915,000
 26 (18) Multimodal Transportation Account--State
 27 Appropriation: For transfer to the Motor Vehicle
 28 Account--State \$10,000,000

29 (19) The transfers identified in this section are subject to the
 30 following conditions and limitations:

31 (a) The amount transferred shall not exceed the amount available in
 32 the contributing account. If a transfer is projected to draw an
 33 account negative, the administering agency must contact the office of
 34 the state treasurer and the office of financial management to determine
 35 possible actions, such as requesting a legislative adjustment to future
 36 transfer amounts or transferring only the amount available in the
 37 account without drawing the account negative. The legislative

1 transportation committees must be promptly notified of the recommended
2 course of action.

3 (b) If a legislative adjustment is not feasible, the office of the
4 state treasurer shall transfer only up to the amount available in the
5 account.

6 **COMPENSATION**

7 **Sec. 501.** 2013 c 306 s 517 (uncodified) is amended to read as
8 follows:

9 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
10 **BENEFITS**

11 No agreement has been reached between the governor and the health
12 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
13 biennium. Appropriations in this act for fiscal year 2014 for state
14 agencies, including institutions of higher education, are sufficient to
15 continue the provisions of the 2011-2013 collective bargaining
16 agreement. An agreement was reached between the governor and the
17 health care super coalition under chapter 41.80 RCW for fiscal year
18 2015. The agreement includes employer contributions to premiums at
19 eighty-five percent of the total weighted average of the projected
20 health care premiums. Appropriations in this act for fiscal year 2015
21 are sufficient to fund the provisions of the fiscal year 2015
22 collective bargaining agreement, and are subject to the following
23 conditions and limitations:

24 (1)(a) The monthly employer funding rate for insurance benefit
25 premiums, public employees' benefits board administration, and the
26 uniform medical plan must not exceed \$809 per eligible employee for
27 fiscal year 2014. For fiscal year 2015, the monthly employer funding
28 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

29 (b) In order to achieve the level of funding provided for health
30 benefits, the public employees' benefits board must require any of the
31 following: Employee premium copayments; increases in point-of-service
32 cost sharing; the implementation of managed competition; or other
33 changes to benefits consistent with the collective bargaining agreement
34 and RCW 41.05.065.

1 (c) The health care authority shall deposit any moneys received on
2 behalf of the uniform medical plan as a result of rebates on
3 prescription drugs, audits of hospitals, subrogation payments, or any
4 other moneys recovered as a result of prior uniform medical plan claims
5 payments into the public employees' and retirees' insurance account to
6 be used for insurance benefits. Such receipts must not be used for
7 administrative expenditures.

8 (2) The health care authority, subject to the approval of the
9 public employees' benefits board, shall provide subsidies for health
10 benefit premiums to eligible retired or disabled public employees and
11 school district employees who are eligible for medicare, pursuant to
12 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
13 \$150.00 per month.

14 **Sec. 502.** 2013 c 306 s 518 (uncodified) is amended to read as
15 follows:

16 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
17 **BENEFITS**

18 Appropriations for state agencies in this act are sufficient for
19 represented employees outside the super coalition for health benefits
20 and are subject to the following conditions and limitations:

21 (1)(a) The monthly employer funding rate for insurance benefit
22 premiums, public employees' benefits board administration, and the
23 uniform medical plan must not exceed \$809 per eligible employee for
24 fiscal year 2014. For fiscal year 2015, the monthly employer funding
25 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

26 (b) In order to achieve the level of funding provided for health
27 benefits, the public employees' benefits board shall require any of the
28 following: Employee premium copayments; increases in point-of-service
29 cost sharing; the implementation of managed competition; or other
30 changes to benefits consistent with RCW 41.05.065.

31 (c) The health care authority shall deposit any moneys received on
32 behalf of the uniform medical plan as a result of rebates on
33 prescription drugs, audits of hospitals, subrogation payments, or any
34 other moneys recovered as a result of prior uniform medical plan claims
35 payments into the public employees' and retirees' insurance account to
36 be used for insurance benefits. Such receipts must not be used for
37 administrative expenditures.

1 (2) The health care authority, subject to the approval of the
2 public employees' benefits board, shall provide subsidies for health
3 benefit premiums to eligible retired or disabled public employees and
4 school district employees who are eligible for medicare, pursuant to
5 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
6 \$150.00 per month.

7 **Sec. 503.** 2013 c 306 s 519 (uncodified) is amended to read as
8 follows:

9 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

10 Appropriations for state agencies in this act are sufficient for
11 nonrepresented state employee health benefits for state agencies,
12 including institutions of higher education, and are subject to the
13 following conditions and limitations:

14 (1)(a) The monthly employer funding rate for insurance benefit
15 premiums, public employees' benefits board administration, and the
16 uniform medical plan must not exceed \$809 per eligible employee for
17 fiscal year 2014. For fiscal year 2015, the monthly employer funding
18 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

19 (b) In order to achieve the level of funding provided for health
20 benefits, the public employees' benefits board shall require any of the
21 following: Employee premium copayments; increases in point-of-service
22 cost sharing; the implementation of managed competition; or make other
23 changes to benefits consistent with RCW 41.05.065.

24 (c) The health care authority shall deposit any moneys received on
25 behalf of the uniform medical plan as a result of rebates on
26 prescription drugs, audits of hospitals, subrogation payments, or any
27 other moneys recovered as a result of prior uniform medical plan claims
28 payments into the public employees' and retirees' insurance account to
29 be used for insurance benefits. Such receipts must not be used for
30 administrative expenditures.

31 (2) The health care authority, subject to the approval of the
32 public employees' benefits board, shall provide subsidies for health
33 benefit premiums to eligible retired or disabled public employees and
34 school district employees who are eligible for medicare, pursuant to
35 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
36 \$150.00 per month.

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 601.** 2013 c 306 s 603 (uncodified) is amended to read as
3 follows:

4 **FUND TRANSFERS**

5 (1) The transportation 2003 projects or improvements and the 2005
6 transportation partnership projects or improvements are listed in the
7 ((LEAP)) TEIS list titled ((2013-1)) 14GOV001 as developed ((April-23))
8 December 17, 2013, which consists of a list of specific projects by
9 fund source and amount over a ten-year period. Current fiscal biennium
10 funding for each project is a line-item appropriation, while the outer
11 year funding allocations represent a ten-year plan. The department is
12 expected to use the flexibility provided in this section to assist in
13 the delivery and completion of all transportation partnership account
14 and transportation 2003 account (nickel account) projects on the
15 ((LEAP)) TEIS transportation documents referenced in this act.
16 However, this section does not apply to the I-5/Columbia River Crossing
17 project (400506A). For the 2011-2013 and 2013-2015 project
18 appropriations, unless otherwise provided in this act, the director of
19 financial management may authorize a transfer of appropriation
20 authority between projects funded with transportation 2003 account
21 (nickel account) appropriations, or transportation partnership account
22 appropriations, in order to manage project spending and efficiently
23 deliver all projects in the respective program under the following
24 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 in
29 the scope of a project;

30 (c) Each transfer between projects may only occur if the director
31 of financial management finds that any resulting change will not hinder
32 the completion of the projects as approved by the legislature. Until
33 the legislature reconvenes to consider the 2014 supplemental omnibus
34 transportation appropriations act, any unexpended 2011-2013
35 appropriation balance as approved by the office of financial
36 management, in consultation with the legislative staff of the house of
37 representatives and senate transportation committees, may be considered
38 when transferring funds between projects;

1 (d) Transfers from a project may be made if the funds appropriated
2 to the project are in excess of the amount needed to complete the
3 project;

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

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

8 (g) Transfers between projects may be made, without the approval of
9 the director of the office of financial management, by the department
10 of transportation until the transfer amount by project exceeds two
11 hundred fifty thousand dollars, or ten percent of the total project,
12 whichever is less. These transfers must be reported quarterly to the
13 director of financial management and the chairs of the house of
14 representatives and senate transportation committees.

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

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

21 (4) The office of financial management shall document approved
22 transfers and schedule changes in the transportation executive
23 information system, compare changes to the legislative baseline funding
24 and schedules identified by project identification number identified in
25 the LEAP transportation documents referenced in this act, and transmit
26 revised project lists to chairs of the transportation committees of the
27 legislature on a quarterly basis.

28 MISCELLANEOUS 2013-2015 FISCAL BIENNIUM

29 **Sec. 701.** RCW 46.63.160 and 2013 c 226 s 1 are each amended to
30 read as follows:

31 (1) This section applies only to civil penalties for nonpayment of
32 tolls detected through use of photo toll systems.

33 (2) Nothing in this section prohibits a law enforcement officer
34 from issuing a notice of traffic infraction to a person in control of

1 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
2 (b), or (c).

3 (3) A notice of civil penalty may be issued by the department of
4 transportation when a toll is assessed through use of a photo toll
5 system and the toll is not paid by the toll payment due date, which is
6 eighty days from the date the vehicle uses the toll facility and incurs
7 the toll charge.

8 (4) Any registered owner or renter of a vehicle traveling upon a
9 toll facility operated under chapter 47.56 or 47.46 RCW is subject to
10 a civil penalty governed by the administrative procedures set forth in
11 this section when the vehicle incurs a toll charge and the toll is not
12 paid by the toll payment due date, which is eighty days from the date
13 the vehicle uses the toll facility and incurs the toll charge.

14 (5)(a) Consistent with chapter 34.05 RCW, the department of
15 transportation shall develop an administrative adjudication process to
16 review appeals of civil penalties issued by the department of
17 transportation for toll nonpayment detected through the use of a photo
18 toll system under this section. The department of transportation shall
19 submit to the transportation committees of the legislature an annual
20 report on the number of times adjudicators reduce or dismiss the civil
21 penalty as provided in (b) of this subsection and the total amount of
22 the civil penalties dismissed. The report must be submitted by
23 December 1st of each year.

24 (b) During the adjudication process, the alleged violator must have
25 an opportunity to explain mitigating circumstances. Hospitalization,
26 a divorce decree or legal separation agreement resulting in a transfer
27 of the vehicle, an active duty member of the military or national guard
28 covered by the federal service members civil relief act, 50 U.S.C. Sec.
29 501 et seq., or state service members' civil relief act, chapter 38.42
30 RCW, eviction, homelessness, the death of the alleged violator or of an
31 immediate family member, or if the alleged violator did not receive a
32 toll charge bill or notice of civil penalty are valid mitigating
33 circumstances. All of these reasons that constitute mitigating
34 circumstances must occur within a reasonable time of the alleged toll
35 violation. In response to these circumstances, the adjudicator may
36 reduce or dismiss the civil penalty.

37 (6) The use of a photo toll system is subject to the following
38 requirements:

1 (a) Photo toll systems may take photographs, digital photographs,
2 microphotographs, videotapes, or other recorded images of the vehicle
3 and vehicle license plate only.

4 (b) A notice of civil penalty must include with it a certificate or
5 facsimile thereof, based upon inspection of photographs,
6 microphotographs, videotape, or other recorded images produced by a
7 photo toll system, stating the facts supporting the notice of civil
8 penalty. This certificate or facsimile is prima facie evidence of the
9 facts contained in it and is admissible in a proceeding established
10 under subsection (5) of this section. The photographs, digital
11 photographs, microphotographs, videotape, or other recorded images
12 evidencing the toll nonpayment civil penalty must be available for
13 inspection and admission into evidence in a proceeding to adjudicate
14 the liability for the civil penalty.

15 (c) Notwithstanding any other provision of law, all photographs,
16 digital photographs, microphotographs, videotape, other recorded
17 images, or other records identifying a specific instance of travel
18 prepared under this section are for the exclusive use of the tolling
19 agency for toll collection and enforcement purposes and are not open to
20 the public and may not be used in a court in a pending action or
21 proceeding unless the action or proceeding relates to a civil penalty
22 under this section. No photograph, digital photograph,
23 microphotograph, videotape, other recorded image, or other record
24 identifying a specific instance of travel may be used for any purpose
25 other than toll collection or enforcement of civil penalties under this
26 section. Records identifying a specific instance of travel by a
27 specific person or vehicle must be retained only as required to ensure
28 payment and enforcement of tolls and to comply with state records
29 retention policies.

30 (d) All locations where a photo toll system is used must be clearly
31 marked by placing signs in locations that clearly indicate to a driver
32 that he or she is entering a zone where tolls are assessed and enforced
33 by a photo toll system.

34 (e) Within existing resources, the department of transportation
35 shall conduct education and outreach efforts at least six months prior
36 to activating an all-electronic photo toll system. Methods of outreach
37 shall include a department presence at community meetings in the
38 vicinity of a toll facility, signage, and information published in

1 local media. Information provided shall include notice of when all
2 electronic photo tolling shall begin and methods of payment.
3 Additionally, the department shall provide quarterly reporting on
4 education and outreach efforts and other data related to the issuance
5 of civil penalties.

6 (f) The envelope containing a toll charge bill or related notice
7 issued pursuant to RCW 47.46.105 or 47.56.795, or a notice of civil
8 penalty issued under this section, must prominently indicate that the
9 contents are time sensitive and related to a toll violation.

10 (7) Civil penalties for toll nonpayment detected through the use of
11 photo toll systems must be issued to the registered owner of the
12 vehicle identified by the photo toll system, but are not part of the
13 registered owner's driving record under RCW 46.52.101 and 46.52.120.

14 (8) The civil penalty for toll nonpayment detected through the use
15 of a photo toll system is forty dollars plus the photo toll and
16 associated fees.

17 (9) Except as provided otherwise in this subsection, all civil
18 penalties, including the photo toll and associated fees, collected
19 under this section must be deposited into the toll facility account of
20 the facility on which the toll was assessed. However, through June 30,
21 ((2013)) 2015, civil penalties deposited into the Tacoma Narrows toll
22 bridge account created under RCW 47.56.165 that are in excess of
23 amounts necessary to support the toll adjudication process applicable
24 to toll collection on the Tacoma Narrows bridge must first be allocated
25 toward repayment of operating loans and reserve payments provided to
26 the account from the motor vehicle account under section 1005(15),
27 chapter 518, Laws of 2007. Additionally, all civil penalties,
28 resulting from nonpayment of tolls on the state route number 520
29 corridor, shall be deposited into the state route number 520 civil
30 penalties account created under section 4, chapter 248, Laws of 2010
31 but only if chapter 248, Laws of 2010 is enacted by June 30, 2010.

32 (10) If the registered owner of the vehicle is a rental car
33 business, the department of transportation shall, before a toll bill is
34 issued, provide a written notice to the rental car business that a toll
35 bill may be issued to the rental car business if the rental car
36 business does not, within thirty days of the mailing of the written
37 notice, provide to the issuing agency by return mail:

1 (a) A statement under oath stating the name and known mailing
2 address of the individual driving or renting the vehicle when the toll
3 was assessed; or

4 (b) A statement under oath that the business is unable to determine
5 who was driving or renting the vehicle at the time the toll was
6 assessed because the vehicle was stolen at the time the toll was
7 assessed. A statement provided under this subsection must be
8 accompanied by a copy of a filed police report regarding the vehicle
9 theft; or

10 (c) In lieu of identifying the vehicle operator, the rental car
11 business may pay the applicable toll and fee.

12 Timely mailing of this statement to the issuing agency relieves a
13 rental car business of any liability under this section for the payment
14 of the toll.

15 (11) Consistent with chapter 34.05 RCW, the department of
16 transportation shall develop rules to implement this section.

17 (12) For the purposes of this section, "photo toll system" means
18 the system defined in RCW 47.56.010 and 47.46.020.

19 **Sec. 702.** RCW 47.28.030 and 2011 c 367 s 710 are each amended to
20 read as follows:

21 (1)(a) A state highway shall be constructed, altered, repaired, or
22 improved, and improvements located on property acquired for
23 right-of-way purposes may be repaired or renovated pending the use of
24 such right-of-way for highway purposes, by contract or state forces.
25 The work or portions thereof may be done by state forces when the
26 estimated costs thereof are less than fifty thousand dollars and
27 effective July 1, 2005, sixty thousand dollars.

28 (b) When delay of performance of such work would jeopardize a state
29 highway or constitute a danger to the traveling public, the work may be
30 done by state forces when the estimated cost thereof is less than
31 eighty thousand dollars and effective July 1, 2005, one hundred
32 thousand dollars.

33 (c) When the department of transportation determines to do the work
34 by state forces, it shall enter a statement upon its records to that
35 effect, stating the reasons therefor.

36 (d) To enable a larger number of small businesses and veteran,
37 minority, and women contractors to effectively compete for department

1 of transportation contracts, the department may adopt rules providing
2 for bids and award of contracts for the performance of work, or
3 furnishing equipment, materials, supplies, or operating services
4 whenever any work is to be performed and the engineer's estimate
5 indicates the cost of the work would not exceed eighty thousand dollars
6 and effective July 1, 2005, one hundred thousand dollars.

7 (2) The rules adopted under this section:

8 (a) Shall provide for competitive bids to the extent that
9 competitive sources are available except when delay of performance
10 would jeopardize life or property or inconvenience the traveling
11 public; and

12 (b) Need not require the furnishing of a bid deposit nor a
13 performance bond, but if a performance bond is not required then
14 progress payments to the contractor may be required to be made based on
15 submittal of paid invoices to substantiate proof that disbursements
16 have been made to laborers, material suppliers, mechanics, and
17 subcontractors from the previous partial payment; and

18 (c) May establish prequalification standards and procedures as an
19 alternative to those set forth in RCW 47.28.070, but the
20 prequalification standards and procedures under RCW 47.28.070 shall
21 always be sufficient.

22 (3) The department of transportation shall comply with such goals
23 and rules as may be adopted by the office of minority and women's
24 business enterprises to implement chapter 39.19 RCW with respect to
25 contracts entered into under this chapter. The department may adopt
26 such rules as may be necessary to comply with the rules adopted by the
27 office of minority and women's business enterprises under chapter 39.19
28 RCW.

29 (4)(a) For the period of March (~~(15, 2010)~~) 1, 2014, through June
30 30, (~~(2013)~~) 2015, work for less than (~~(one)~~) two hundred (~~(twenty)~~)
31 thousand dollars may be performed on ferry vessels and terminals by
32 state forces.

33 (b) The department shall hire a disinterested, third party to
34 conduct an independent analysis to identify methods of reducing out-of-
35 service times for vessel maintenance, preservation, and improvement
36 projects. The analysis must include options that consider
37 consolidating work while vessels are at shipyards by having state
38 forces perform services traditionally performed at Eagle Harbor at the

1 shipyard and decreasing the allowable time at shipyards. The analysis
2 must also compare the out-of-service vessel times of performing
3 services by state forces versus contracting out those services which in
4 turn must be used to form a recommendation as to what the threshold of
5 work performed on ferry vessels and terminals by state forces should
6 be. This analysis must be presented to the transportation committees
7 of the senate and house of representatives by December 1, 2010.

8 (c) The department shall develop a proposed ferry vessel
9 maintenance, preservation, and improvement program and present it to
10 the transportation committees of the senate and house of
11 representatives by December 1, 2010. The proposed program must:

12 (i) Improve the basis for budgeting vessel maintenance,
13 preservation, and improvement costs and for projecting those costs into
14 a sixteen-year financial plan;

15 (ii) Limit the amount of planned out-of-service time to the
16 greatest extent possible, including options associated with department
17 staff as well as commercial shipyards; and

18 (iii) Be based on the service plan in the capital plan, recognizing
19 that vessel preservation and improvement needs may vary by route.

20 (d) In developing the proposed ferry vessel maintenance,
21 preservation, and improvement program, the department shall consider
22 the following, related to reducing vessel out-of-service time:

23 (i) The costs compared to benefits of Eagle Harbor repair and
24 maintenance facility operations options to include staffing costs and
25 benefits in terms of reduced out-of-service time;

26 (ii) The maintenance requirements for on-vessel staff, including
27 the benefits of a systemwide standard;

28 (iii) The costs compared to benefits of staff performing
29 preservation or maintenance work, or both, while the vessel is
30 underway, tied up between sailings, or not deployed;

31 (iv) A review of the department's vessel maintenance, preservation,
32 and improvement program contracting process and contractual
33 requirements;

34 (v) The costs compared to benefits of allowing for increased costs
35 associated with expedited delivery;

36 (vi) A method for comparing the anticipated out-of-service time of
37 proposed projects and other projects planned during the same
38 construction period;

1 (vii) Coordination with required United States coast guard dry
2 dockings;

3 (viii) A method for comparing how proposed projects relate to the
4 service requirements of the route on which the vessel normally
5 operates; and

6 (ix) A method for evaluating the ongoing maintenance and
7 preservation costs associated with proposed improvement projects.

8 **Sec. 703.** RCW 47.64.360 and 2011 1st sp.s. c 16 s 12 are each
9 amended to read as follows:

10 (1) The office of financial management shall complete a government
11 management and accountability performance report that provides a
12 baseline assessment of current performance on the performance measures
13 identified in RCW 47.64.355 (~~and section 11 of this act~~) using final
14 2009-2011 data. This report must be presented to the legislature by
15 November 1, 2011, through the attainment report required in RCW
16 47.01.071(5) and 47.04.280.

17 (2) Except as required in subsection (4) of this section, by
18 December 31, 2012, and each year thereafter, the office of financial
19 management shall complete a performance report for the prior fiscal
20 year. This report must be reviewed by the joint transportation
21 committee.

22 (3) Management shall lead implementation of the performance
23 measures in RCW 47.64.355 (~~and section 11 of this act~~).

24 (4) The department of transportation shall complete the performance
25 report due December 31, 2014, as required under subsection (2) of this
26 section.

27 **MISCELLANEOUS**

28 NEW SECTION. **Sec. 801.** If any provision of this act or its
29 application to any person or circumstance is held invalid, the
30 remainder of the act or the application of the provision to other
31 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

(End of Bill)

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