

**SENATE BILL 5164**

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Lias and King; by request of Office of Financial Management

Prefiled 01/05/23.

1 AN ACT Relating to transportation funding and appropriations;  
2 amending 2022 c 186 ss 206, 207, 208, 209, 210, 211, 212, 213, 214,  
3 216, 217, 218, 219, 221, 222, 223, 224, 301, 303, 304, 305, 306, 307,  
4 308, 309, 310, 401, 402, 403, 404, 405, 406, 601, and 602  
5 (uncodified); 2022 c 187 ss 205 and 308 (uncodified); adding a new  
6 section to 2022 c 186 (uncodified); repealing 2022 c 187 ss 203, 304,  
7 305, and 307 (uncodified); making appropriations and authorizing  
8 expenditures for capital improvements; and declaring an emergency.

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

**2021-2023 FISCAL BIENNIUM**

**TRANSPORTATION AGENCIES—OPERATING**

13 **Sec. 101.** 2022 c 186 s 206 (uncodified) is amended to read as  
14 follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

16 Freight Mobility Investment Account—State

17 Appropriation. . . . . ((~~\$843,000~~))  
18 \$895,000

1 The appropriations in this section are subject to the following  
 2 conditions and limitations: Within appropriated funds, the freight  
 3 mobility strategic investment board may opt in as provided under RCW  
 4 70A.02.030 to assume all of the substantive and procedural  
 5 requirements of covered agencies under chapter 70A.02 RCW. The board  
 6 shall include in its 2022 annual report to the legislature a progress  
 7 report on opting into the healthy environment for all act and a  
 8 status report on diversity, equity, and inclusion within the board's  
 9 jurisdiction.

10 **Sec. 102.** 2022 c 186 s 207 (uncodified) is amended to read as  
 11 follows:

12 **FOR THE WASHINGTON STATE PATROL**

13 State Patrol Highway Account—State Appropriation. . . . .	(( <del>\$524,348,000</del> ))
14	<u>\$526,335,000</u>
15 State Patrol Highway Account—Federal Appropriation. . . . .	\$16,433,000
16 State Patrol Highway Account—Private/Local	
17 Appropriation. . . . .	\$4,314,000
18 Highway Safety Account—State Appropriation. . . . .	\$1,292,000
19 Ignition Interlock Device Revolving Account—State	
20 Appropriation. . . . .	\$2,243,000
21 Multimodal Transportation Account—State	
22 Appropriation. . . . .	\$293,000
23 State Route Number 520 Corridor Account—State	
24 Appropriation. . . . .	\$433,000
25 Tacoma Narrows Toll Bridge Account—State	
26 Appropriation. . . . .	\$77,000
27 I-405 and SR 167 Express Toll Lanes Account—State	
28 Appropriation. . . . .	\$1,348,000
29 TOTAL APPROPRIATION. . . . .	(( <del>\$550,781,000</del> ))
30	<u>\$552,768,000</u>

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

33 (1) Washington state patrol officers engaged in off-duty  
 34 uniformed employment providing traffic control services to the  
 35 department of transportation or other state agencies may use state  
 36 patrol vehicles for the purpose of that employment, subject to  
 37 guidelines adopted by the chief of the Washington state patrol. The  
 38 Washington state patrol must be reimbursed for the use of the vehicle

1 at the prevailing state employee rate for mileage and hours of usage,  
2 subject to guidelines developed by the chief of the Washington state  
3 patrol.

4 (2) \$580,000 of the state patrol highway account—state  
5 appropriation is provided solely for the operation of and  
6 administrative support to the license investigation unit to enforce  
7 vehicle registration laws in southwestern Washington. The Washington  
8 state patrol, in consultation with the department of revenue, shall  
9 maintain a running estimate of the additional vehicle registration  
10 fees, sales and use taxes, and local vehicle fees remitted to the  
11 state pursuant to activity conducted by the license investigation  
12 unit. Beginning October 1, 2021, and quarterly thereafter, the  
13 Washington state patrol shall submit a report detailing the  
14 additional revenue amounts generated since January 1, 2021, to the  
15 director of the office of financial management and the transportation  
16 committees of the legislature. At the end of the calendar quarter in  
17 which it is estimated that more than \$625,000 in state sales and use  
18 taxes have been remitted to the state since January 1, 2021, the  
19 Washington state patrol shall notify the state treasurer and the  
20 state treasurer shall transfer funds pursuant to section 406, chapter  
21 333, Laws of 2021.

22 (3) \$4,000,000 of the state patrol highway account—state  
23 appropriation is provided solely for a third arming and a third  
24 trooper basic training class. The cadet class is expected to graduate  
25 in June 2023.

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

- 30 (a) A summary of recruitment and retention strategies;
- 31 (b) The number of transportation funded staff vacancies by major  
32 category;
- 33 (c) The number of applicants for each of the positions by these  
34 categories;
- 35 (d) The composition of workforce;
- 36 (e) Other relevant outcome measures with comparative information  
37 with recent comparable months in prior years; and
- 38 (f) Activities related to the implementation of the agency's  
39 workforce diversity plan, including short-term and long-term,  
40 specific comprehensive outreach and recruitment strategies to

1 increase populations underrepresented within both commissioned and  
2 noncommissioned employee groups.

3 (5) \$493,000 of the state patrol highway account—state  
4 appropriation is provided solely for aerial criminal investigation  
5 tools, including software licensing and maintenance, and annual  
6 certification, and is subject to the conditions, limitations, and  
7 review requirements of section 701, chapter 333, Laws of 2021.

8 (6) \$6,422,000 of the state patrol highway account—state  
9 appropriation is provided solely for the land mobile radio system  
10 replacement, upgrade, and other related activities. Beginning January  
11 1, 2022, the Washington state patrol must report semiannually to the  
12 office of the state chief information officer on the progress related  
13 to the projects and activities associated with the land mobile radio  
14 system, including the governance structure, outcomes achieved in the  
15 prior six month time period, and how the activities are being managed  
16 holistically as recommended by the office of the chief information  
17 officer. At the time of submittal to the office of the state chief  
18 information officer, this report shall be transmitted to the office  
19 of financial management and the house and senate transportation  
20 committees.

21 (7) \$510,000 of the ignition interlock device revolving account—  
22 state appropriation is provided solely for the ignition interlock  
23 program at the Washington state patrol to provide funding for two  
24 staff to work and provide support for the program in working with  
25 manufacturers, service centers, technicians, and participants in the  
26 program.

27 (8) \$1,348,000 of the Interstate 405 and state route number 167  
28 express toll lanes account—state appropriation, \$433,000 of the state  
29 route number 520 corridor account—state appropriation, and \$77,000 of  
30 the Tacoma Narrows toll bridge account—state appropriation are  
31 provided solely for the Washington state patrol's proportional share  
32 of time spent supporting tolling operations and enforcement for the  
33 respective tolling facilities.

34 (9) \$289,000 of the state patrol highway account—state  
35 appropriation is provided solely for the replacement of 911  
36 workstations.

37 (10) \$35,000 of the state patrol highway account—state  
38 appropriation is provided solely for the replacement of bomb response  
39 equipment.

1 (11) \$713,000 of the state patrol highway account—state  
2 appropriation is provided solely for information technology  
3 infrastructure maintenance.

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

8 (13) \$945,000 of the state patrol highway account—state  
9 appropriation is provided solely for implementation of chapter 329,  
10 Laws of 2021 (custodial interrogations).

11 (14) \$46,000 of the state patrol highway account—state  
12 appropriation is provided solely for implementation of chapter 320,  
13 Laws of 2021 (peace officer tactics).

14 (15) \$46,000 of the state patrol highway account—state  
15 appropriation is provided solely for implementation of chapter 324,  
16 Laws of 2021 (use of force by officers).

17 (16)(a) The legislature finds that the water connection extension  
18 constructed by the Washington state patrol from the city of Shelton's  
19 water facilities to the Washington state patrol academy was necessary  
20 to meet the water supply needs of the academy. The legislature also  
21 finds that the water connection provides an ongoing water supply that  
22 is necessary to the operation of the training facility, that the  
23 state is making use of the water connection for these public  
24 activities, and that any future incidental use of the municipal  
25 infrastructure put in place to support these activities will not  
26 impede the Washington state patrol's ongoing use of the water  
27 connection extension.

28 (b) \$2,220,000 of the transfer from the waste tire removal  
29 account to the motor vehicle fund, as required under RCW 70A.205.425,  
30 reimburses the motor vehicle fund for the portion of the water  
31 project costs assigned by the agreement to properties, other than the  
32 Washington state patrol academy, that make use of the water  
33 connection while the agreement remains in effect. This reimbursement  
34 to the motor vehicle fund is intended to address any possibility that  
35 the termination of this agreement could be determined to result in  
36 the unconstitutional use of 18th amendment designated funds for  
37 nonhighway purposes under the constitution of the state of  
38 Washington; however, this transfer is not intended to indicate that  
39 the incidental use of this infrastructure by these properties

1 necessarily requires such reimbursement under the state Constitution.  
2 Immediately following the transfer of funds, Washington state patrol  
3 and the city of Shelton shall meet to formally update the terms of  
4 their "Agreement for Utility Connection and Reimbursement of Water  
5 Extension Expenses" executed on June 12, 2017, to reflect the intent  
6 of the proviso.

7 (17) The appropriations in this section provide sufficient  
8 funding for state patrol staffing assuming vacancy savings which may  
9 change over time. Funding for staffing will be monitored and adjusted  
10 in the 2023 supplemental budget to restore funding as authorized  
11 staffing levels are achieved.

12 (18) \$331,000 of the state patrol highway account—state  
13 appropriation is provided solely for the state patrol's diversity,  
14 equity, and inclusion program and a contract with an external  
15 psychologist to perform exams. If chapter 146, Laws of 2022 is not  
16 enacted by June 30, 2022, the amount provided in this subsection  
17 lapses.

18 (19) \$793,000 of the state patrol highway account—state  
19 appropriation is provided solely for the tenant improvements and  
20 higher than expected equipment costs for the toxicology lab in  
21 Federal Way, and preparing a report on the current cost recovery  
22 mechanisms and opportunities for expanding these cost recovery  
23 mechanisms in the future. The report must be submitted to the  
24 governor and the transportation committees of the legislature by  
25 November 1, 2022.

26 (20) \$14,788,000 of the state patrol highway account—state  
27 appropriation is provided solely for contingency funding to address  
28 emergent issues related to mitigating negative impacts of the high  
29 level of commissioned and noncommissioned staff vacancies. Potential  
30 uses of the funding include, but are not limited to, the following:  
31 Operating a miniacademy and training opportunities for lateral  
32 transfers from other agencies; increased overtime, travel, and other  
33 related costs; increased contracting to maintain adequate service  
34 levels; and unanticipated facility and equipment needs. By January 1,  
35 2023, the state patrol must submit a report to the governor and the  
36 transportation committees of the legislature detailing the specific  
37 expenditures made from the contingency funding provided in this  
38 subsection. The report must also include a description of the  
39 miniacademy training, including the number of lateral transfers that

1 entered the training, the number which completed training, the cost  
2 of the miniacademy, and a comparison of how the training was  
3 different from a conventional academy class.

4 (21) \$122,000 of the state patrol highway account—state  
5 appropriation, \$1,000 of the highway safety account—state  
6 appropriation, and \$4,000 of the ignition interlock account—state  
7 appropriation are provided solely for implementation of chapter . . .  
8 (House Bill No. 1804), Laws of 2022 (interruptive military service  
9 credit for members of the state retirement systems). If chapter . . .  
10 (House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,  
11 the amount provided in this subsection lapses.

12 (22) \$250,000 of the state patrol highway account—state  
13 appropriation is provided solely for implementation of chapter 80,  
14 Laws of 2022 (peace officers/use of force). If chapter 80, Laws of  
15 2022 is not enacted by June 30, 2022, the amount provided in this  
16 subsection lapses.

17 (23) \$949,000 of the state patrol highway account—state is  
18 provided solely for vehicle identification number inspection staff to  
19 reduce the backlog of inspections and a study of how to incorporate  
20 best practices into the program, including the timeliness of  
21 inspections.

22 **Sec. 103.** 2022 c 186 s 208 (uncodified) is amended to read as  
23 follows:

24 **FOR THE DEPARTMENT OF LICENSING**

25	Marine Fuel Tax Refund Account—State Appropriation. . . . .	\$34,000
26	Motorcycle Safety Education Account—State	
27	Appropriation. . . . .	\$5,016,000
28	Limited Fish and Wildlife Account—State	
29	Appropriation. . . . .	\$922,000
30	Highway Safety Account—State Appropriation. . . . .	<del>(\$242,712,000)</del>
31		<u>\$243,238,000</u>
32	Highway Safety Account—Federal Appropriation. . . . .	\$1,294,000
33	Motor Vehicle Account—State Appropriation. . . . .	\$80,449,000
34	Motor Vehicle Account—Federal Appropriation. . . . .	\$400,000
35	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$1,336,000
36	Ignition Interlock Device Revolving Account—State	
37	Appropriation. . . . .	\$6,123,000
38	Department of Licensing Services Account—State	

1	Appropriation. . . . .	\$7,964,000
2	License Plate Technology Account—State Appropriation	
3	. . . . .	\$4,092,000
4	Abandoned Recreational Vehicle Account—State	
5	Appropriation. . . . .	\$3,078,000
6	Limousine Carriers Account—State Appropriation. . . . .	\$110,000
7	Electric Vehicle Account—State Appropriation. . . . .	\$425,000
8	DOL Technology Improvement & Data Management	
9	Account—State Appropriation. . . . .	\$874,000
10	Agency Financial Transaction Account—State	
11	Appropriation. . . . .	\$22,257,000
12	TOTAL APPROPRIATION. . . . .	<del>(\$377,086,000)</del>
13		<u>\$377,612,000</u>

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

16 (1) \$1,100,000 of the highway safety account—state appropriation  
17 is provided solely for the department to provide an interagency  
18 transfer to the department of social and health services, children's  
19 administration division for the purpose of providing driver's license  
20 support to a larger population of foster youth than is already served  
21 within existing resources. Support services include reimbursement of  
22 driver's license issuance costs, fees for driver training education,  
23 and motor vehicle liability insurance costs.

24 (2) The appropriations in this section assume implementation by  
25 the department of cost recovery mechanisms to recoup at least  
26 \$21,257,000 during the 2021-2023 biennium in credit card and other  
27 financial transaction costs as part of charges imposed for driver and  
28 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
29 department must report any amounts recovered to the office of  
30 financial management and appropriate committees of the legislature on  
31 a quarterly basis.

32 (3) (a) For the 2021-2023 biennium, the department shall charge  
33 \$1,336,000 for the administration and collection of a motor vehicle  
34 excise tax on behalf of a regional transit authority, as authorized  
35 under RCW 82.44.135. The amount in this subsection must be deducted  
36 before distributing any revenues to a regional transit authority.

37 (b) \$100,000 of the motor vehicle account—state appropriation is  
38 provided solely for the department to work with the regional transit  
39 authority imposing a motor vehicle excise tax pursuant to RCW



1 81.104.160 and transportation benefit districts imposing vehicle fees  
2 pursuant to RCW 82.80.140, and other relevant parties, to determine  
3 cost recovery options for the administration and collection of the  
4 taxes and fees. The options must include:

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

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

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

12 (4) \$12,000 of the motorcycle safety education account—state  
13 appropriation, \$2,000 of the limited fish and wildlife account—state  
14 appropriation, \$728,000 of the highway safety account—state  
15 appropriation, \$238,000 of the motor vehicle account—state  
16 appropriation, \$10,000 of the ignition interlock device revolving  
17 account—state appropriation, and \$10,000 of the department of  
18 licensing services account—state appropriation are provided solely  
19 for the department to redesign and improve its online services and  
20 website, and are subject to the conditions, limitations, and review  
21 requirements of section 701, chapter 333, Laws of 2021.

22 (5) \$28,636,000 of the highway safety account—state appropriation  
23 is provided solely for costs necessary to accommodate increased  
24 demand for enhanced drivers' licenses and enhanced identicards. The  
25 department shall report on a quarterly basis on the use of these  
26 funds, associated workload, and information with comparative  
27 information with recent comparable months in prior years. The report  
28 must include detailed statewide and by licensing service office  
29 information on staffing levels, average monthly wait times, the  
30 number of enhanced drivers' licenses and enhanced identicards issued/  
31 renewed, and the number of primary drivers' licenses and identicards  
32 issued/renewed. Within the amounts provided in this subsection, the  
33 department shall implement efficiency measures to reduce the time for  
34 licensing transactions and wait times including, but not limited to,  
35 the installation of additional cameras at licensing service offices  
36 that reduce bottlenecks and align with the "keep your customer"  
37 initiative.

38 (6) \$500,000 of the highway safety account—state appropriation is  
39 provided solely for communication and outreach activities necessary

1 to inform the public of federally acceptable identification options  
2 including, but not limited to, enhanced drivers' licenses and  
3 enhanced identicards. The department shall continue the outreach plan  
4 that includes informational material that can be effectively  
5 communicated to all communities and populations in Washington. To  
6 accomplish this work, the department shall contract with an external  
7 vendor with demonstrated experience and expertise in outreach and  
8 marketing to underrepresented communities in a culturally responsive  
9 fashion.

10 (7) \$523,000 of the highway safety account—state appropriation is  
11 provided solely for the implementation of chapter 158, Laws of 2021  
12 (DOL issued documents).

13 (8) \$929,000 of the highway safety account—state appropriation is  
14 provided solely for the implementation of chapter 240, Laws of 2021  
15 (suspension of licenses for traffic infractions).

16 (9) \$23,000 of the highway safety account—state appropriation is  
17 provided solely for the implementation of chapter 10, Laws of 2021  
18 (restoring voter eligibility after felony conviction).

19 (10) \$3,074,000 of the abandoned recreational vehicle disposal  
20 account—state appropriation is provided solely for providing  
21 reimbursements in accordance with the department's abandoned  
22 recreational vehicle disposal reimbursement program. It is the intent  
23 of the legislature that the department prioritize this funding for  
24 allowable and approved reimbursements and not to build a reserve of  
25 funds within the account. During the 2021-2023 fiscal biennium, the  
26 department must report any amounts recovered to the office of  
27 financial management and appropriate committees of the legislature on  
28 a quarterly basis.

29 (11)(a) \$54,000 of the motor vehicle account—state appropriation  
30 is provided solely for the issuance of nonemergency medical  
31 transportation vehicle decals to implement the high occupancy vehicle  
32 lane access pilot program established in section 216, chapter 333,  
33 Laws of 2021. A for hire nonemergency medical transportation vehicle  
34 is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that  
35 provides nonemergency medical transportation, including for life-  
36 sustaining transportation purposes, to meet the medical  
37 transportation needs of individuals traveling to medical practices  
38 and clinics, cancer centers, dialysis facilities, hospitals, and  
39 other care providers.

1 (b) As part of this pilot program, the owner of a for hire  
2 nonemergency medical transportation vehicle may apply to the  
3 department, county auditor or other agent, or subagent appointed by  
4 the director, for a high occupancy vehicle exempt decal for a for  
5 hire nonemergency medical transportation vehicle. The high occupancy  
6 vehicle exempt decal allows the for hire nonemergency medical  
7 transportation vehicle to use a high occupancy vehicle lane as  
8 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal  
9 biennium.

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

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

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

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

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

21 (i) The name and address of the person who is the owner of the  
22 vehicle;

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

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

26 (iv) An attestation signed by the vehicle's owner or the owner's  
27 representative that the vehicle's owner has a minimum of one contract  
28 or service agreement to provide for hire transportation services for  
29 medical purposes with one or more of the following entities: A health  
30 insurance company; a hospital, clinic, dialysis center, or other  
31 medical institution; a day care center, retirement home, or group  
32 home; a federal, state, or local agency or jurisdiction; or a broker  
33 who negotiates these services on behalf of one or more of these  
34 entities; and

35 (v) Other information as required by the department upon  
36 application.

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

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

4 (g) A high occupancy vehicle exempt decal expires June 30, 2023,  
5 and must be marked to indicate its expiration date. The decal may be  
6 renewed if the pilot program is continued past the date of a decal's  
7 expiration. The status as an exempt vehicle continues until the high  
8 occupancy vehicle exempt decal is suspended or revoked for misuse,  
9 the vehicle is no longer used as a for hire nonemergency medical  
10 transportation vehicle, or the pilot program established in section  
11 216, chapter 333, Laws of 2021 is terminated.

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

13 (12) \$434,000 of the highway safety account—state appropriation  
14 is provided solely for the implementation of the Thurston county  
15 superior court order in *Pierce et al. v. Department of Licensing*.

16 (13) The department shall consult with the department of  
17 corrections and state board for community and technical colleges to  
18 develop a pilot program that allows incarcerated individuals who are  
19 not prohibited by state or federal law from receiving a commercial  
20 driver's license upon release to participate in a prerelease  
21 commercial driver training program. The department must submit a  
22 report to the legislature by June 30, 2023, detailing the status of  
23 the program.

24 (14) \$100,000 of the highway safety account—state appropriation  
25 is provided solely for the department to lead a study on the  
26 potential impacts that current licensing requirements, including  
27 required training hours, and testing requirements may have on the  
28 shortage of commercial drivers, and whether adjustments to these  
29 requirements may be warranted to help alleviate the shortage. In  
30 completing the study, the department must consult with the workforce  
31 training board, state board for community and technical colleges,  
32 federal motor carrier safety officials, organizations representing  
33 veterans, organizations representing commercial drivers, and  
34 organizations representing businesses or government entities that  
35 rely on commercial drivers. The report must be submitted to the  
36 governor and the transportation committees of the legislature by  
37 December 1, 2022.

38 (15) \$965,000 of the motor vehicle account—state appropriation is  
39 provided solely for the increased costs associated with delays in the

1 production of license plates, and to provide a report detailing  
2 license plate inventory practices and whether those practices should  
3 be changed to guard against potential future plate production delays.  
4 The report must be submitted to the governor and the transportation  
5 committees of the legislature by December 1, 2022.

6 (16) \$28,000 of the motor vehicle account—state appropriation is  
7 provided solely for the implementation of chapter 96, Laws of 2022  
8 (state leadership board) and making improvements to the annual  
9 information submitted by special license plate sponsoring  
10 organizations pursuant to RCW 46.18.120(2). The improvements must  
11 include, but are not limited to, the following: An annual budget for  
12 the sponsoring organization's activities in the preceding year;  
13 information regarding private and other governmental support for the  
14 activities of the sponsoring organization; and a description of the  
15 number of people served or services delivered, as appropriate, by the  
16 sponsoring organization in the preceding year. If chapter 96, Laws of  
17 2022 is not enacted by June 30, 2022, the amount provided in this  
18 subsection lapses.

19 ~~((17) (\$268,000 of the highway safety account—state appropriation~~  
20 ~~is provided solely for the implementation of chapter . . . (Engrossed~~  
21 ~~Senate Bill No. 5054), Laws of 2022 (impaired driving). If~~  
22 ~~chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not~~  
23 ~~enacted by June 30, 2022, the amount provided in this subsection~~  
24 ~~lapses.~~

25 ~~((18))~~ \$113,000 of the highway safety account—state appropriation  
26 is provided solely for the implementation of chapter 51, Laws of 2022  
27 (human trafficking disqualification for a commercial driver's  
28 license). If chapter 51, Laws of 2022 is not enacted by June 30,  
29 2022, the amount provided in this subsection lapses.

30 ~~((19))~~ (18) \$18,000 of the motor vehicle account—state  
31 appropriation is provided solely for the implementation of chapter  
32 239, Laws of 2022 (Patches pal special license plates). If chapter  
33 239, Laws of 2022 is not enacted by June 30, 2022, the amount  
34 provided in this subsection lapses.

35 ~~((20))~~ (19) \$350,000 of the highway safety account—state  
36 appropriation is provided solely to expand driver's license  
37 assistance and support services in King county with an existing  
38 provider that is already providing these services to low-income  
39 immigrant and refugee women. By March 1, 2023, the contracted

1 provider must submit information on the annual budget in the  
2 preceding year; information regarding private and other governmental  
3 support for the activities of the provider; and a description of the  
4 number of people served, services delivered, and outcome measures.

5 ~~((21))~~ (20) \$6,139,000 of the highway safety account—state  
6 appropriation, \$1,849,000 of the motor vehicle account—state  
7 appropriation, \$203,000 of the department of licensing services  
8 account—state appropriation, and \$105,000 of the department of  
9 licensing technology improvement and data management account—state  
10 appropriation are provided solely for contingency funding to address  
11 emergent issues related to mitigating negative impacts of the high  
12 level of staff vacancies and agency operations and customer service  
13 levels. Potential uses of the funding include, but are not limited  
14 to, the following: Increased overtime, travel, and other related  
15 costs; increased contracting to maintain adequate service levels; and  
16 unanticipated facility and equipment needs. By January 1, 2023, the  
17 department shall submit a report to the governor and the legislative  
18 transportation committees detailing the specific expenditures made  
19 from the contingency funding provided in this subsection.

20 ~~((22))~~ (21) \$28,000 of the motor vehicle account—state  
21 appropriation is provided solely for the implementation of chapter  
22 191, Laws of 2022 (veterans and military suicide). If chapter 191,  
23 Laws of 2022 is not enacted by June 30, 2022, the amount provided in  
24 this subsection lapses.

25 ~~((23))~~ (22) \$83,000 of the motor vehicle account—state  
26 appropriation is provided solely for the implementation of chapter  
27 36, Laws of 2022 (vehicle registration certificate addresses). If  
28 chapter 36, Laws of 2022 is not enacted by June 30, 2022, the amount  
29 provided in this subsection lapses.

30 ~~((24))~~ (23) \$57,000 of the motor vehicle account—state  
31 appropriation is provided solely for the implementation of chapter  
32 40, Laws of 2022 (off-road vehicles fees). If chapter 40, Laws of  
33 2022 is not enacted by June 30, 2022, the amount provided in this  
34 subsection lapses.

35 ~~((25))~~ (24) \$18,000 of the motor vehicle account—state  
36 appropriation is provided solely for the implementation of chapter  
37 117, Laws of 2022 (wine special license plate). If chapter 117, Laws  
38 of 2022 is not enacted by June 30, 2022, the amount provided in this  
39 subsection lapses.

1        ~~((26))~~ (25) \$316,000 of the motor vehicle account—state  
2 appropriation is provided solely for the implementation of chapter  
3 132, Laws of 2022 (temporary license plates). If chapter 132, Laws of  
4 2022 is not enacted by June 30, 2022, the amount provided in this  
5 subsection lapses.

6        ~~((27))~~ (26) \$251,000 of the highway safety account—state  
7 appropriation is provided solely for the department to: (a) Provide  
8 each driver's license, identicard, instruction permit, intermediate  
9 license, and commercial driver's license applicant with written  
10 materials regarding the contents and requirements of RCW 46.61.212,  
11 the slow down and move over law, at the completion of the applicant's  
12 licensing transaction; (b) place signage in each of the licensing  
13 service offices that provide background on the written materials that  
14 the applicant will receive regarding the slow down and move over law;  
15 and (c) initiate the development of an appropriate training module  
16 relating to the requirements of RCW 46.61.212, for inclusion in all  
17 new driver training curricula.

18        **Sec. 104.** 2022 c 186 s 209 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**  
21 **—PROGRAM B**

22 State Route Number 520 Corridor Account—State	
23     Appropriation. . . . .	( <del>(\$58,356,000)</del> )
24	<u>\$55,324,000</u>
25 State Route Number 520 Civil Penalties Account—State	
26     Appropriation. . . . .	\$4,163,000
27 Tacoma Narrows Toll Bridge Account—State	
28     Appropriation. . . . .	( <del>(\$31,102,000)</del> )
29	<u>\$33,330,000</u>
30 Alaskan Way Viaduct Replacement Project Account—	
31     State Appropriation. . . . .	( <del>(\$21,806,000)</del> )
32	<u>\$23,725,000</u>
33 Interstate 405 and State Route Number 167 Express	
34     Toll Lanes Account—State Appropriation. . . . .	( <del>(\$24,647,000)</del> )
35	<u>\$23,146,000</u>
36           TOTAL APPROPRIATION. . . . .	( <del>(\$140,074,000)</del> )
37	<u>\$139,688,000</u>

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

3       (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
4 appropriation and \$12,484,000 of the state route number 520 corridor  
5 account—state appropriation are provided solely for the purposes of  
6 addressing unforeseen operations and maintenance costs on the Tacoma  
7 Narrows bridge and the state route number 520 bridge, respectively.  
8 The office of financial management shall place the amounts provided  
9 in this subsection, which represent a portion of the required minimum  
10 fund balance under the policy of the state treasurer, in unallotted  
11 status. The office may release the funds only when it determines that  
12 all other funds designated for operations and maintenance purposes  
13 have been exhausted.

14       (2) As long as the facility is tolled, the department must  
15 provide annual reports to the transportation committees of the  
16 legislature on the Interstate 405 express toll lane project  
17 performance measures listed in RCW 47.56.880(4). These reports must  
18 include:

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

29       (b) A month-to-month comparison of travel times and travel time  
30 reliability for the entire corridor and commonly made trips in the  
31 corridor as specified in (a) of this subsection since implementation  
32 of the express toll lanes and, to the extent available, a comparison  
33 to the travel times and travel time reliability prior to  
34 implementation of the express toll lanes;

35       (c) Total express toll lane and total general purpose lane  
36 traffic volumes, as well as per lane traffic volumes for each type of  
37 lane (i) compared to total express toll lane and total general  
38 purpose lane traffic volumes, as well as per lane traffic volumes for  
39 each type of lane, on this segment of Interstate 405 prior to



1 implementation of the express toll lanes and (ii) compared to total  
2 express toll lane and total general purpose lane traffic volumes, as  
3 well as per lane traffic volumes for each type of lane, from month to  
4 month since implementation of the express toll lanes; and

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

8 (3) (a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state  
9 route number 167 express toll lanes account—state appropriation,  
10 (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor  
11 account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma  
12 Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~)  
13 \$1,155,000 of the Alaskan Way viaduct replacement project account—  
14 state appropriation are provided solely for the reappropriation of  
15 unspent funds on the new tolling back office system from the  
16 2019-2021 biennium.

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

24 (4) \$121,000 of the Interstate 405 and state route number 167  
25 express toll lanes account—state appropriation, \$288,000 of the state  
26 route number 520 corridor account—state appropriation, \$128,000 of  
27 the Tacoma Narrows toll bridge account—state appropriation, and  
28 \$163,000 of the Alaskan Way viaduct replacement project account—state  
29 appropriation are provided solely for the department to contract with  
30 the state auditor's office for a performance audit of the  
31 department's project to replace its electronic toll collection  
32 system. The audit should include an evaluation of the department's  
33 project planning, vendor procurement, contract management and project  
34 oversight. The final report is to be issued by December 31, 2022. The  
35 state auditor will transmit copies of the report to the  
36 jurisdictional committees of the legislature and the department.

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

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

5 (b) The nonvendor costs of administering toll operations,  
6 including the costs of staffing the division, consultants, and other  
7 personal service contracts required for technical oversight and  
8 management assistance, insurance, payments related to credit card  
9 processing, transponder purchases and inventory management, facility  
10 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

22 (iv) Workload costs related to hearings;

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

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

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

28 (6) During the 2021-2023 fiscal biennium, the department plans to  
29 issue a request for proposals as the first stage of a competitive  
30 procurement process that will replace the toll equipment and select a  
31 new tolling operator for the Tacoma Narrows Bridge. The request for  
32 proposals and subsequent competitive procurement must incorporate  
33 elements that prioritize the overall goal of lowering costs per  
34 transaction for the facility, such as incentives for innovative  
35 approaches which result in lower transactional costs, requests for  
36 efficiencies on the part of the bidder that lower operational costs,  
37 and incorporation of technologies such as self-serve credit card  
38 machines or other point-of-payment technologies that lower costs or  
39 improve operational efficiencies.

1 (7) \$19,908,000 of the Alaskan Way viaduct replacement project  
2 account—state appropriation is provided solely for the new state  
3 route number 99 tunnel toll facility's expected share of collecting  
4 toll revenues, operating customer services, and maintaining toll  
5 collection systems. The legislature expects to see appropriate  
6 reductions to the other toll facility accounts once tolling on the  
7 new state route number 99 tunnel toll facility stabilizes and any  
8 previously incurred costs for start-up of the new facility are  
9 charged back to the Alaskan Way viaduct replacement project account.  
10 The office of financial management shall closely monitor the  
11 application of the cost allocation model and ensure that the new  
12 state route number 99 tunnel toll facility is adequately sharing  
13 costs and the other toll facility accounts are not being overspent or  
14 subsidizing the new state route number 99 tunnel toll facility.

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

21 (9) (~~(\$4,554,000)~~) \$5,779,000 of the state route number 520  
22 corridor account—state appropriation and (~~(\$580,000)~~) \$744,000 of the  
23 Tacoma Narrows toll bridge account—state appropriation are provided  
24 solely for the increased costs of insurance for the state route  
25 number 520 floating bridge and the Tacoma Narrows bridge,  
26 respectively. The department shall conduct an evaluation of the short  
27 and long-term costs and benefits including risk mitigation of self-  
28 insurance as compared to the commercial insurance option for the  
29 state route number 520 floating bridge, as allowed under the terms of  
30 the state route number 520 master bond resolution. By December 15,  
31 2021, the department shall report to the legislature on the results  
32 of this evaluation.

33 (10) As part of the department's 2023-2025 biennial budget  
34 request, the department shall update the cost allocation  
35 recommendations that assign appropriate costs to each of the toll  
36 funds for services provided by relevant Washington state department  
37 of transportation programs, the Washington state patrol, and the  
38 transportation commission. The recommendations shall be based on

1 updated traffic and toll transaction patterns and other relevant  
2 factors.

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

8 (12) \$14,000 of the Interstate 405 and state route number 167  
9 express toll lanes account—state appropriation, \$32,000 of the state  
10 route number 520 corridor account—state appropriation, \$22,000 of the  
11 Tacoma Narrows toll bridge account—state appropriation, and \$27,000  
12 of the Alaskan Way viaduct replacement project account—state  
13 appropriation are provided solely to implement chapter 132, Laws of  
14 2022 (temporary license plates). If chapter 132, Laws of 2022 is not  
15 enacted by June 30, 2022, the amounts provided in this subsection  
16 lapse.

17 **Sec. 105.** 2022 c 186 s 210 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**  
20 **C**

21	Transportation Partnership Account—State	
22	Appropriation. . . . .	\$1,461,000
23	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$101,010,000</del> ))
24		<u>\$101,026,000</u>
25	Puget Sound Ferry Operations Account—State	
26	Appropriation. . . . .	\$307,000
27	Multimodal Transportation Account—State	
28	Appropriation. . . . .	\$7,013,000
29	Transportation 2003 Account (Nickel Account)—State	
30	Appropriation. . . . .	\$1,461,000
31	TOTAL APPROPRIATION. . . . .	(( <del>\$111,252,000</del> ))
32		<u>\$111,268,000</u>

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

35 (1) \$4,273,000 of the multimodal transportation account—state  
36 appropriation and \$4,273,000 of the motor vehicle account—state  
37 appropriation are provided solely for the department's cost related  
38 to the one Washington project, and is subject to the conditions,

1 limitations, and review requirements of section 701, chapter 333,  
2 Laws of 2021.

3 (2) \$2,404,000 of the motor vehicle account—state appropriation  
4 and \$119,000 of the multimodal transportation account—state  
5 appropriation are provided solely for contingency funding to address  
6 emergent issues related to mitigating negative impacts of the high  
7 level of staff vacancies. Potential uses of the funding include, but  
8 are not limited to, the following: Increased overtime, travel, and  
9 other related costs; increased contracting to maintain adequate  
10 service levels; and unanticipated facility and equipment needs. By  
11 January 1, 2023, the department must submit a report to the governor  
12 and the transportation committees of the legislature detailing the  
13 specific expenditures made from the contingency funding provided in  
14 this subsection.

15 **Sec. 106.** 2022 c 186 s 211 (uncodified) is amended to read as  
16 follows:

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

19 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$36,843,000</del> ))
20	<u>\$37,931,000</u>
21 State Route Number 520 Corridor Account—State	
22 Appropriation. . . . .	\$34,000
23 TOTAL APPROPRIATION. . . . .	(( <del>\$36,877,000</del> ))
24	<u>\$37,965,000</u>

25 The appropriations in this section are subject to the following  
26 conditions and limitations: \$780,000 of the motor vehicle account—  
27 state appropriation is provided solely for contingency funding to  
28 address emergent issues related to mitigating negative impacts of the  
29 high level of staff vacancies. Potential uses of the funding include,  
30 but are not limited to, the following: Increased overtime, travel,  
31 and other related costs; increased contracting to maintain adequate  
32 service levels; and unanticipated facility and equipment needs. By  
33 January 1, 2023, the department must submit a report to the governor  
34 and the transportation committees of the legislature detailing the  
35 specific expenditures made from the contingency funding provided in  
36 this subsection.

1       **Sec. 107.** 2022 c 186 s 212 (uncodified) is amended to read as  
2 follows:

3       **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**  
4 **PROGRAM E**

5 Motor Vehicle Account—State Appropriation. . . . . (~~(\$12,396,000)~~)  
6 \$13,860,000

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

9       (1) (~~(\$10,396,000)~~) \$11,860,000 of the motor vehicle account—  
10 state appropriation is provided solely for the department's costs  
11 related to replacing obsolete transportation equipment. The  
12 appropriations to the department in this section must be expended to  
13 maximize the amount of obsolete equipment replaced in the 2021-2023  
14 biennium.

15       (2) \$2,000,000 of the motor vehicle account—state appropriation  
16 is provided solely for the department's costs related to replacing  
17 snow removal equipment. The appropriations to the department in this  
18 section must be expended to maximize the amount of snow removal  
19 equipment replaced in the 2021-2023 biennium.

20       **Sec. 108.** 2022 c 186 s 213 (uncodified) is amended to read as  
21 follows:

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

23 Aeronautics Account—State Appropriation. . . . . (~~(\$8,127,000)~~)  
24 \$8,130,000

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

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

27 Multimodal Transportation Account—State  
28 Appropriation. . . . . \$150,000

29       TOTAL APPROPRIATION. . . . . (~~(\$12,253,000)~~)  
30 \$12,256,000

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

33       (1) \$2,888,000 of the aeronautics account—state appropriation is  
34 provided solely for the airport aid grant program, which provides  
35 competitive grants to public use airports for pavement, safety,  
36 maintenance, planning, and security.

1 (2) \$257,000 of the aeronautics account—state appropriation is  
2 provided solely for supporting the commercial aviation coordinating  
3 commission, pursuant to section 718, chapter 333, Laws of 2021.

4 (3) \$280,000 of the aeronautics account—state appropriation is  
5 provided solely for the implementation of chapter 131, Laws of 2021  
6 (unpiloted aircraft system state coordinator). If chapter 131, Laws  
7 of 2021 is not enacted by June 30, 2021, the amount provided in this  
8 subsection lapses.

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

19 (b) Community engagement efforts may include:

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

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

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

28 (iv) Providing opportunities for members of the public to provide  
29 direct input to the commission during the pandemic that limits  
30 opportunities for direct social contact;

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

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

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

1       **Sec. 109.** 2022 c 186 s 214 (uncodified) is amended to read as  
2 follows:

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

5 Motor Vehicle Account—State Appropriation. . . . .	(\$58,254,000)
6	<u>\$57,866,000</u>
7 Motor Vehicle Account—Federal Appropriation. . . . .	\$500,000
8 Multimodal Transportation Account—State	
9     Appropriation. . . . .	\$758,000
10       TOTAL APPROPRIATION. . . . .	(\$59,512,000)
11	<u>\$59,124,000</u>

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

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

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

28       (b) Prior to completing the transfer in this subsection (1), the  
29 department must ensure that provisions are made to accommodate  
30 private and public utilities and any facilities that predate the  
31 department's acquisition of the property, at no cost to those  
32 entities. Prior to completing the transfer, the department shall also  
33 ensure that provisions, by fair market assessment, are made to  
34 accommodate other private and public utilities and any facilities  
35 that have been legally allowed by permit or other instrument.

36       (c) The department may sell any adjoining property that is not  
37 necessary to support the Rocky Reach Trail and adjacent buffer areas  
38 only after the transfer of trail-related property to the Washington  
39 state parks and recreation commission is complete. Adjoining property



1 owners must be given the first opportunity to acquire such property  
2 that abuts their property, and applicable boundary line or other  
3 adjustments must be made to the legal descriptions for recording  
4 purposes.

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

13 (3) The department shall report to the transportation committees  
14 of the legislature by December 1, 2021, on the status of its efforts  
15 to consolidate franchises for broadband facilities across the state,  
16 including plans for increasing the number of consolidated franchises  
17 in the future.

18 (4) During the 2021-2023 biennium, if the department takes  
19 possession of the property situated in the city of Edmonds for which  
20 a purchase agreement was executed between Unocal and the department  
21 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department  
22 confirms that the property is still no longer needed for  
23 transportation purposes, the department shall provide the city of  
24 Edmonds with the right of first purchase at fair market value in  
25 accordance with RCW 47.12.063(3) for the city's intended use of the  
26 property to rehabilitate near-shore habitat for salmon and related  
27 species.

28 (5) (~~(\$535,000)~~) \$125,000 of the motor vehicle account—state  
29 appropriation is provided solely for the implementation of chapter  
30 217, Laws of 2021 (noxious weeds).

31 (6) \$1,026,000 of the multimodal transportation account—state  
32 appropriation is provided solely for the implementation of chapter  
33 314, Laws of 2021 (environmental justice task force).

34 (7) \$2,399,000 of the motor vehicle account—state appropriation  
35 is provided solely for contingency funding to address emergent issues  
36 related to mitigating negative impacts of the high level of staff  
37 vacancies. Potential uses of the funding include, but are not limited  
38 to, the following: Increased overtime, travel, and other related  
39 costs; increased contracting to maintain adequate service levels; and

1 unanticipated facility and equipment needs. By January 1, 2023, the  
2 department must submit a report to the governor and the  
3 transportation committees of the legislature detailing the specific  
4 expenditures made from the contingency funding provided in this  
5 subsection.

6 (8) The department shall offer to sell the northern parcel of  
7 site 14 on the Puget Sound Gateway Program SR 509 Completion Project  
8 Surplus Property list, located immediately south of S. 216th Street  
9 and adjacent to the Barnes Creek Nature Trail in Des Moines, to  
10 Seattle Goodwill Industries, a nonprofit organization with tax ID  
11 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in  
12 accordance with RCW 47.12.063 at fair market value because the  
13 legislature finds it in the public interest to do so for the public  
14 benefit that will result from Goodwill's redevelopment of the  
15 property it owns at Rainier Ave. South and South Dearborn Street to  
16 increase the supply of affordable housing.

17 **Sec. 110.** 2022 c 187 s 205 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**  
20 **PROGRAM K**

21 Multimodal Transportation Account—State  
22 Appropriation . . . . . \$10,000  
23 Multimodal Transportation Account—Federal  
24 Appropriation . . . . . ((\$9,822,000))  
25 \$10,172,000  
26 TOTAL APPROPRIATION. . . . . \$10,182,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations: ~~(\$9,822,000)~~ \$10,172,000 of the  
29 multimodal transportation account—federal appropriation is provided  
30 solely to implement the national electric vehicle program,  
31 established in the federal infrastructure investment and jobs act  
32 (P.L. 117-58), as directed by the interagency electric vehicle  
33 coordinating council created in chapter 182, Laws of 2022. The  
34 amounts provided in this subsection include staff support for the  
35 council. The funding provided in this subsection may be used to  
36 support the publicly available mapping and forecasting tool under RCW  
37 47.01.520, but only to the extent not funded in the omnibus  
38 appropriations act.

1       **Sec. 111.** 2022 c 186 s 216 (uncodified) is amended to read as  
2 follows:

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

4	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$505,015,000</del> ))
5		<u>\$509,127,000</u>
6	Motor Vehicle Account—Federal Appropriation. . . . .	\$7,000,000
7	Motor Vehicle Account—Local Appropriation. . . . .	\$17,000
8	State Route Number 520 Corridor Account—State	
9	Appropriation. . . . .	\$4,657,000
10	Tacoma Narrows Toll Bridge Account—State	
11	Appropriation. . . . .	\$1,560,000
12	Alaskan Way Viaduct Replacement Project Account—	
13	State Appropriation. . . . .	\$8,611,000
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation. . . . .	\$2,594,000
16	Waste Tire Removal Account—State Appropriation. . . . .	\$5,000,000
17	TOTAL APPROPRIATION. . . . .	(( <del>\$534,454,000</del> ))
18		<u>\$538,566,000</u>

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

21       (1) \$7,529,000 of the motor vehicle account—state appropriation  
22 is provided solely for utility fees assessed by local governments as  
23 authorized under RCW 90.03.525 for the mitigation of stormwater  
24 runoff from state highways. Plan and reporting requirements as  
25 required in chapter 435, Laws of 2019 (Local Stormwater Charges)  
26 shall be consistent with the January 2012 findings of the Joint  
27 Transportation Committee Report for Effective Cost Recovery Structure  
28 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

29       (2) \$5,000,000 of the motor vehicle account—state appropriation  
30 is provided solely for a contingency pool for snow and ice removal.  
31 The department must notify the office of financial management and the  
32 transportation committees of the legislature when they have spent the  
33 base budget for snow and ice removal and will begin using the  
34 contingency pool funding.

35       (3) \$1,025,000 of the motor vehicle account—state appropriation  
36 is provided solely for the department to implement safety  
37 improvements and debris clean up on department-owned rights-of-way in  
38 the city of Seattle at levels above that being implemented as of  
39 January 1, 2019, to be administered in conjunction with subsection

1 (9) of this section. The department must maintain a crew dedicated  
2 solely to collecting and disposing of garbage, clearing debris or  
3 hazardous material, and implementing safety improvements where  
4 hazards exist to the traveling public, department employees, or  
5 people encamped upon department-owned rights-of-way. The department  
6 may request assistance from the Washington state patrol as necessary  
7 in order for both agencies to provide enhanced safety-related  
8 activities regarding the emergency hazards along state highway  
9 rights-of-way in the Seattle area.

10 (4) \$1,015,000 of the motor vehicle account—state appropriation  
11 is provided solely for a partnership program between the department  
12 and the city of Tacoma, to be administered in conjunction with  
13 subsection (9) of this section. The program shall address the safety  
14 and public health problems created by homeless encampments on the  
15 department's property along state highways within the city limits.  
16 \$570,000 is for dedicated department maintenance staff and associated  
17 clean-up costs. The department and the city of Tacoma shall enter  
18 into a reimbursable agreement to cover up to \$445,000 of the city's  
19 expenses for clean-up crews and landfill costs.

20 (5) The department must continue a pilot program for the  
21 2021-2023 fiscal biennium at the four highest demand safety rest  
22 areas to create and maintain an online calendar for volunteer groups  
23 to check availability of weekends for the free coffee program. The  
24 calendar must be updated at least weekly and show dates and times  
25 that are, or are not, available to participate in the free coffee  
26 program. The department must submit a report to the legislature on  
27 the ongoing pilot by December 1, 2022, outlining the costs and  
28 benefits of the online calendar pilot, and including surveys from the  
29 volunteer groups and agency staff to determine its effectiveness.

30 (6) \$686,000 of the motor vehicle account—state appropriation is  
31 provided solely for reimbursing the Oregon department of  
32 transportation (ODOT) for the department's share of increased  
33 maintenance costs of six highway bridges over the Columbia River that  
34 are maintained by ODOT.

35 (7) \$8,290,000 of the motor vehicle account—state appropriation  
36 is provided solely for increased costs of highway maintenance  
37 materials.

38 (8) \$5,816,000 of the motor vehicle account—state appropriation  
39 is provided solely for a contingency pool for repairing damages to

1 highways caused by known and unknown third parties. The department  
2 must notify the office of financial management and the transportation  
3 committees of the legislature when they have spent the base budget  
4 for third-party damage repair and will begin using the contingency  
5 pool funding.

6 (9) (a) \$3,000,000 of the motor vehicle account—state  
7 appropriation and \$5,000,000 of the waste tire removal account—state  
8 appropriation are provided solely for the department to address the  
9 risks to safety and public health associated with homeless  
10 encampments on department owned rights-of-way. The department must  
11 coordinate and work with local government officials and social  
12 service organizations who provide services and direct people to  
13 housing alternatives that are not in highway rights-of-way to help  
14 prevent future encampments from forming on highway rights-of-way, and  
15 may reimburse the organizations doing this outreach assistance who  
16 transition people into treatment or housing or for debris clean up on  
17 highway rights-of-way. A minimum of \$2,000,000 of this appropriation  
18 must be used to provide more frequent removal of litter on the  
19 highway rights-of-way that is generated by unsheltered people and may  
20 be used to hire crews specializing in collecting and disposing of  
21 garbage, clearing debris or hazardous material, and implementing  
22 safety improvements where hazards exist to the traveling public and  
23 department employees. The department may use these funds to either  
24 reimburse local law enforcement costs or the Washington state patrol  
25 if they are providing enhanced safety to department staff during  
26 debris cleanup or during efforts to prevent future encampments from  
27 forming on highway rights-of-way.

28 (b) Beginning November 1, 2022, and semiannually thereafter, the  
29 Washington state patrol and the department of transportation must  
30 jointly submit a report to the governor and the house and senate  
31 transportation committees of the legislature on the status of these  
32 efforts, including:

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

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

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

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

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

13 (b) The city must coordinate and work with the department and  
14 local governments and social service organizations who provide  
15 services and direct people to housing alternatives that are not in  
16 highway rights-of-way to help prevent future encampments from forming  
17 on highway rights-of-way. State funds may be used to reimburse the  
18 organizations doing this outreach assistance who transition people  
19 into treatment or housing that is not on the rights-of-way or for  
20 debris clean up on highway rights-of-way.

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

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

29 (e) It is the intent of the legislature that the city and  
30 collaborating partners should place particular emphasis on utilizing  
31 available funds for addressing large scale and multiple homeless  
32 encampments that impact public safety and health. Funding for  
33 initiatives associated with such encampments may include targeted  
34 assistance to local governments and social service organizations,  
35 directing moneys toward not only initial efforts to clear  
36 encampments, clean up debris and restore sightlines, but to ongoing  
37 work, monitoring, and maintenance of efforts to place individuals in  
38 housing, treatment and services, and to better ensure individuals  
39 experiencing homelessness receive needed assistance while sites  
40 remain safe and secure for the traveling public.

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

12 (12) \$5,400,000 of the motor vehicle account—state appropriation  
13 is provided solely for replacement of traffic signs and to increase  
14 the visibility of road pavement markings. Investments must replace  
15 traffic signs that do not meet the department's standards or that are  
16 faded, lacking in reflectivity, cracked, illegible, or damaged.  
17 Investments must also increase the visibility of road pavement  
18 markings during periods of low light conditions and during  
19 precipitation with pavement marking products that contain all-weather  
20 optical reflectivity capability. The request for proposals and  
21 subsequent competitive procurement for the signs shall be performed  
22 following state specifications and standards.

23 (13) \$17,000 of the motor vehicle account—local appropriation is  
24 provided solely to update existing signs along Interstate 5 in the  
25 vicinity of Seattle center. The department must install new Seattle  
26 center logos with a redesigned logo that recognizes climate pledge  
27 arena, but is not responsible for design or fabrication of the logo  
28 or new sign.

29 (14) \$100,000 of the motor vehicle account—state appropriation is  
30 provided solely for the department to install fencing to delineate  
31 between the privately leased property owned by the department and the  
32 public right-of-way property maintained by the city of Seattle. The  
33 parameters of the adjacent properties located under the Interstate 5  
34 corridor, south of milepost 165, are south Jackson street and south  
35 King street going north and south, and 8th avenue south and 9th  
36 avenue south going west to east in the international district.

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

1 (i) Additional resources for operations, maintenance, facility  
2 replacements, security, and upgrades to safety rest areas to ensure  
3 that safety rest areas owned and operated by the department are open  
4 for use except for seasonal closures or cleaning, maintenance, and  
5 repair; and

6 (ii) Reconfiguration of maintenance operations pursuant to  
7 chapter 262, Laws of 2022 (safety rest areas).

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

12 (c) It is the intent of the legislature that these funds are  
13 additional resources for the department and not meant to supplant  
14 underlying resources for the maintenance and operations of safety  
15 rest areas.

16 (d) The department must make a report to the transportation  
17 committees of the legislature regarding the additional operations and  
18 maintenance activities made at safety rest areas to ensure that rest  
19 areas stayed open by January 15, 2023. The report must include the  
20 status per safety rest area of openings and closures that were  
21 impacted by the additional activities; the additional activities,  
22 including security efforts, that were performed at the rest areas;  
23 and an update on the status and a review of the safety rest area  
24 strategic plan.

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

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

31 (c) The posters must:

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

33 (ii) Include contact information for seeking help, which may  
34 include toll-free telephone numbers a person may call for assistance,  
35 including the number for the national human trafficking resource  
36 center and the number for the Washington state office of crime  
37 victims advocacy; and

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



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

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

9 (f) The department must make a report to the transportation  
10 committees of the legislature regarding the installation of  
11 informational posters at safety rest areas by January 15, 2023. The  
12 report must include the number of informational posters installed,  
13 the location of the poster installations, and the completion date of  
14 the poster installations.

15 **Sec. 112.** 2022 c 186 s 217 (uncodified) is amended to read as  
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
18 **OPERATING**

19 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$73,760,000</del> ))
20	<u>\$74,070,000</u>
21 Motor Vehicle Account—Federal Appropriation. . . . .	\$2,050,000
22 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$295,000
23 State Route Number 520 Corridor Account—State	
24 Appropriation. . . . .	\$225,000
25 Tacoma Narrows Toll Bridge Account—State	
26 Appropriation. . . . .	\$40,000
27 Alaskan Way Viaduct Replacement Project Account—	
28 State Appropriation. . . . .	\$1,112,000
29 Interstate 405 and State Route Number 167 Express	
30 Toll Lanes Account—State Appropriation. . . . .	\$20,000
31 Agency Financial Transaction Account—State	
32 Appropriation. . . . .	\$100,000
33 TOTAL APPROPRIATION. . . . .	(( <del>\$77,602,000</del> ))
34	<u>\$77,912,000</u>

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

37 (1) \$6,000,000 of the motor vehicle account—state appropriation  
38 is provided solely for low-cost enhancements. The department shall

1 give priority to low-cost enhancement projects that improve safety or  
2 provide congestion relief. By December 15th of each odd-numbered  
3 year, the department shall provide a report to the legislature  
4 listing all low-cost enhancement projects completed in the prior  
5 fiscal biennium.

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

27 (b) The department shall expand the high occupancy vehicle lane  
28 access pilot program to vehicles that deliver or collect blood,  
29 tissue, or blood components for a blood-collecting or distributing  
30 establishment regulated under chapter 70.335 RCW. Under the pilot  
31 program, when the department reserves a portion of a highway based on  
32 the number of passengers in a vehicle, blood-collecting or  
33 distributing establishment vehicles that are clearly and identifiably  
34 marked as such on all sides of the vehicle are considered emergency  
35 vehicles and must be authorized to use the reserved portion of the  
36 highway.

37 (c) The department shall expand the high occupancy vehicle lane  
38 access pilot program to organ transport vehicles transporting a time  
39 urgent organ for an organ procurement organization as defined in RCW  
40 68.64.010. Under the pilot program, when the department reserves a

1 portion of a highway based on the number of passengers in a vehicle,  
2 organ transport vehicles that are clearly and identifiably marked as  
3 such on all sides of the vehicle are considered emergency vehicles  
4 and must be authorized to use the reserved portion of the highway.

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

15 (e) The department shall expand the high occupancy vehicle lane  
16 access pilot program to for hire nonemergency medical transportation  
17 vehicles, when in use for medical purposes, as described in section  
18 208, chapter 333, Laws of 2021. Under the pilot program, when the  
19 department reserves a portion of a highway based on the number of  
20 passengers in a vehicle, nonemergency medical transportation vehicles  
21 that meet the requirements identified in section 208, chapter 333,  
22 Laws of 2021 must be authorized to use the reserved portion of the  
23 highway.

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

27 (3) \$2,574,000 of the motor vehicle account—state appropriation  
28 is provided solely for contingency funding to address emergent issues  
29 related to mitigating negative impacts of the high level of staff  
30 vacancies. Potential uses of the funding include, but are not limited  
31 to, the following: Increased overtime, travel, and other related  
32 costs; increased contracting to maintain adequate service levels; and  
33 unanticipated facility and equipment needs. By January 1, 2023, the  
34 department must submit a report to the governor and the  
35 transportation committees of the legislature detailing the specific  
36 expenditures made from the contingency funding provided in this  
37 subsection.

38 (4) The appropriations in this section assume implementation of  
39 additional cost recovery mechanisms to recoup at least \$100,000 in  
40 credit card and other financial transaction costs related to the

1 collection of fees imposed under RCW 46.44.0941 for driver and  
 2 vehicle fee transactions beginning January 1, 2023. The department  
 3 may recover transaction fees incurred through credit card  
 4 transactions. At the direction of the office of financial management,  
 5 the department shall develop a method of tracking the additional  
 6 amount of credit card and other financial cost-recovery revenues. In  
 7 consultation with the office of financial management, the department  
 8 shall notify the office of the state treasurer of these amounts and  
 9 the state treasurer must deposit these revenues in the agency  
 10 financial transaction account created in RCW 46.01.385 on a quarterly  
 11 basis. The department shall also submit, as part of its 2023-2025  
 12 budget submittal, an overview of the credit card cost recovery  
 13 approach, including fee rates and the amount of revenue expected to  
 14 be generated in the 2021-2023 and 2023-2025 biennia.

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

24 **Sec. 113.** 2022 c 186 s 218 (uncodified) is amended to read as  
 25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**  
 27 **SUPPORT—PROGRAM S**

28 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$37,365,000</del> ))
	<u>\$37,369,000</u>
30 Motor Vehicle Account—Federal Appropriation. . . . .	\$780,000
31 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$500,000
32 Puget Sound Ferry Operations Account—State	
33     Appropriation. . . . .	\$266,000
34 Multimodal Transportation Account—State	
35     Appropriation. . . . .	\$5,129,000
36 State Route Number 520 Corridor Account—State	
37     Appropriation. . . . .	\$186,000
38 Tacoma Narrows Toll Bridge Account—State	

1	Appropriation. . . . .	\$150,000
2	Alaskan Way Viaduct Replacement Project Account—	
3	State Appropriation. . . . .	\$121,000
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation. . . . .	\$77,000
6	TOTAL APPROPRIATION. . . . .	<del>(\$44,574,000)</del>
7		<u>\$44,578,000</u>

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

10 (1) \$4,000,000 of the multimodal transportation account—state  
11 appropriation is provided solely for efforts to increase diversity in  
12 the transportation construction workforce through: (a) The  
13 preapprenticeship support services (PASS) program, which aims to  
14 increase diversity in the highway construction workforce and prepare  
15 individuals interested in entering the highway construction  
16 workforce. In addition to the services allowed by RCW 47.01.435, the  
17 PASS program may provide housing assistance for youth aging out of  
18 the foster care and juvenile rehabilitation systems in order to  
19 support the participation of these youth in a transportation-related  
20 preapprenticeship program; (b) assisting minority and women-owned  
21 businesses to perform work in the highway construction industry. This  
22 assistance shall include technical assistance, business training,  
23 counseling, guidance, prime to subcontractor relationship building,  
24 and a capacity building mentorship program. At a minimum, \$1,000,000  
25 of the total appropriation in this subsection shall be directed  
26 toward the efforts outlined in (b) of this subsection. The  
27 provider(s) chosen to complete the work in this subsection shall be  
28 selected through a competitive bidding process. The program shall be  
29 administered by the Washington state department of transportation's  
30 office of equal opportunity.

31 (2) \$1,446,000 of the motor vehicle account—state appropriation  
32 is provided solely for contingency funding to address emergent issues  
33 related to mitigating negative impacts of the high level of staff  
34 vacancies. Potential uses of the funding include, but are not limited  
35 to, the following: Increased overtime, travel, and other related  
36 costs; increased contracting to maintain adequate service levels; and  
37 unanticipated facility and equipment needs. By January 1, 2023, the  
38 department must submit a report to the governor and the  
39 transportation committees of the legislature detailing the specific

1 expenditures made from the contingency funding provided in this  
2 subsection.

3 (3) \$774,000 of the motor vehicle account—state appropriation and  
4 \$266,000 of the Puget Sound ferry operations account—state  
5 appropriation are provided solely for the department to hire a  
6 workforce development consultant to develop, track, and monitor the  
7 progress of community workforce agreements, and to hire staff to  
8 assist with the development and implementation of internal diversity,  
9 equity, and inclusion efforts and serve as subject matter experts on  
10 federal and state civil rights provisions. The department shall  
11 engage with relevant stakeholders, and provide a progress report on  
12 the implementation of efforts under this subsection to the  
13 transportation committees of the legislature and the governor by  
14 December 1, 2022.

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

22 **Sec. 114.** 2022 c 186 s 219 (uncodified) is amended to read as  
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**  
25 **AND RESEARCH—PROGRAM T**

26	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$26,483,000</del> ))
27		<u>\$26,503,000</u>
28	Motor Vehicle Account—Federal Appropriation. . . . .	\$34,865,000
29	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
30	Multimodal Transportation Account—State	
31	Appropriation. . . . .	(( <del>\$1,902,000</del> ))
32		<u>\$1,322,000</u>
33	Multimodal Transportation Account—Federal	
34	Appropriation. . . . .	\$2,809,000
35	Multimodal Transportation Account—Private/Local	
36	Appropriation. . . . .	\$100,000
37	State Route Number 520 Corridor Account—State	
38	Appropriation. . . . .	\$451,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation. . . . .	\$2,879,000
3	TOTAL APPROPRIATION. . . . .	<del>(\$69,889,000)</del>
4		<u>\$69,329,000</u>

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

7       (1) \$4,080,000 of the motor vehicle account—federal appropriation  
8 is provided solely for the Forward Drive road usage charge research  
9 project overseen by the transportation commission using a portion of  
10 the amount of the federal grant award. The purpose of the Forward  
11 Drive road usage charge research project is to advance research in  
12 key policy areas related to road usage charge including assessing  
13 impacts of future mobility shifts on road usage charge revenues,  
14 conducting an equity analysis, updating and assessing emerging  
15 mileage reporting methods, determining opportunities to reduce cost  
16 of collection, conducting small-scale pilot tests, and identifying a  
17 long-term, detailed phase-in plan.

18       (2) \$2,879,000 of the Interstate 405 and state route number 167  
19 express toll lanes account—state appropriation is provided solely for  
20 completion of updating the state route number 167 master plan.

21       (3) \$500,000 of the multimodal transportation account—state  
22 appropriation is provided solely for the department to partner with  
23 the department of commerce in developing vehicle miles traveled  
24 targets for the counties in Washington state with (a) a population  
25 density of at least 100 people per square mile and a population of at  
26 least 200,000; or (b) a population density of at least 75 people per  
27 square mile and an annual growth rate of at least 1.75 percent as  
28 determined by the office of financial management. Given land use  
29 patterns are key factors in travel demand and should be taken into  
30 consideration when developing the targets, the department and the  
31 department of commerce shall partner with local jurisdictions,  
32 regional transportation planning organizations and other stakeholders  
33 to inventory existing laws and rules that promote transportation and  
34 land use, identify gaps and make recommendations for changes in laws,  
35 rules and agency guidance, and establish a framework for considering  
36 underserved and rural communities in the evaluation. The department  
37 and the department of commerce shall provide an initial technical  
38 report by December 31, 2021, an interim report by June 22, 2022, and  
39 a final report to the governor and appropriate committees of the

1 legislature by June 30, 2023, that includes a process for  
2 establishing vehicle miles traveled reduction targets, a recommended  
3 suite of options for local jurisdictions to achieve the targets, and  
4 funding requirements for state and local jurisdictions.

5 (4) \$451,000 of the state route number 520 corridor account—state  
6 appropriation is provided solely for the department to contract with  
7 the University of Washington department of mechanical engineering, to  
8 study measures to reduce noise impacts from the state route number  
9 520 bridge expansion joints. The field testing shall be scheduled  
10 during existing construction, maintenance, or other scheduled  
11 closures to minimize impacts. The testing must also ensure safety of  
12 the traveling public. The study shall examine testing methodologies  
13 and project timelines and costs. A draft report must be submitted to  
14 the transportation committees of the legislature and the governor by  
15 March 1, 2022. A final report must be submitted to the transportation  
16 committees of the legislature and the governor by December 31, 2022.

17 (5) \$5,900,000 of the motor vehicle account—federal appropriation  
18 and \$400,000 of the motor vehicle account—private/local appropriation  
19 are provided solely for delivery of the department's state planning  
20 and research work program and pooled fund research projects.

21 (6) \$800,000 of the motor vehicle account—state appropriation is  
22 provided solely for WSDOT to do a corridor study of SR 302 (Victor  
23 Area) to recommend safety and infrastructure improvements to address  
24 current damage and prevent future roadway collapse and landslides  
25 that have caused road closures.

26 (7) \$1,000,000 of the motor vehicle account—state appropriation  
27 is provided solely for a study on the need for additional  
28 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in  
29 South Pierce County.

30 (8) \$1,654,000 of the motor vehicle account—state appropriation  
31 and \$108,000 of the multimodal transportation account—state  
32 appropriation are provided solely for contingency funding to address  
33 emergent issues related to mitigating negative impacts of the high  
34 level of staff vacancies. Potential uses of the funding include, but  
35 are not limited to, the following: Increased overtime, travel, and  
36 other related costs; increased contracting to maintain adequate  
37 service levels; and unanticipated facility and equipment needs. By  
38 January 1, 2023, the department must submit a report to the governor  
39 and the transportation committees of the legislature detailing the



1 specific expenditures made from the contingency funding provided in  
2 this subsection.

3 (9) \$450,000 of the motor vehicle account—state appropriation is  
4 provided solely for the department to complete a performance-based  
5 project evaluation model based on the initial work done for section  
6 218(7), chapter 219, Laws of 2020, in a way that operationalizes the  
7 six transportation policy goals in RCW 47.04.280. This work should  
8 first include clarification of the transportation policy goals  
9 through development of objectives and criteria that reflect system  
10 priorities based on outcomes of community engagement. After a  
11 framework is established by which goals can be more directly related  
12 to outcomes, the project evaluation model should leverage the  
13 department's existing experts and best practices used for  
14 prioritizing programmatic funds to develop procedures by which  
15 evaluators could consistently score and rank all types of projects.  
16 The department must issue a report by June 30, 2023, summarizing the  
17 new project evaluation model, and provide recommendations for how  
18 this process could be implemented in coordination with the  
19 legislative work cycle.

20 (10) (a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation  
21 account—state appropriation is provided solely for Thurston regional  
22 planning council (TRPC) to conduct a study examining options for  
23 multimodal high capacity transportation (HCT) to serve travelers on  
24 the I-5 corridor between central Thurston county (Olympia area) and  
25 Pierce county.

26 (b) The study will include an assessment of travelsheds and  
27 ridership potential and identify and provide an evaluation of options  
28 to enhance connectivity and accessibility for the greater south Puget  
29 Sound region with an emphasis on linking to planned or existing  
30 commuter or regional light rail. The study must account for previous  
31 and ongoing efforts by transit agencies and the department. The study  
32 will emphasize collaboration with a diverse community of interests,  
33 including but not limited to transit, business, public agencies,  
34 tribes, and providers and users of transportation who because of age,  
35 income, or ability may face barriers and challenges. TRPC will  
36 provide to the transportation committees of the legislature a study  
37 outline and recommendations of deliverables by December 1, 2022.

38 (11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation  
39 account—state appropriation is provided solely for the city of

1 Seattle's office of planning and community development to support an  
2 equitable development initiative to reconnect the South Park  
3 neighborhood, currently divided by State Route 99.

4 (a) The support work must include:

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

7 (ii) A feasibility study of decommissioning SR 99 in the South  
8 Park neighborhood to include, but not be limited to, traffic studies,  
9 environmental impact analysis, and development of alternatives,  
10 including the transfer of the land to a neighborhood-led community  
11 land trust.

12 (b) The support work must be conducted in coordination and  
13 partnership with neighborhood residents, neighborhood industrial and  
14 commercial representatives, the state department of transportation,  
15 and other entities and neighborhoods potentially impacted by changes  
16 to the operation of SR 99.

17 (c) The city must provide a report on the plan that includes  
18 recommendations to the Seattle city council, state department of  
19 transportation, and the transportation committees of the legislature  
20 by January 1, 2025.

21 **Sec. 115.** 2022 c 186 s 221 (uncodified) is amended to read as  
22 follows:

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

24 State Vehicle Parking Account—State Appropriation. . . . .	\$784,000
25 Regional Mobility Grant Program Account—State	
26 Appropriation. . . . .	<del>(\$115,488,000)</del>
27	<u>\$83,488,000</u>
28 Rural Mobility Grant Program Account—State	
29 Appropriation. . . . .	\$33,283,000
30 Multimodal Transportation Account—State	
31 Appropriation. . . . .	<del>(\$134,754,000)</del>
32	<u>\$129,245,000</u>
33 Multimodal Transportation Account—Federal	
34 Appropriation. . . . .	\$3,574,000
35 Multimodal Transportation Account—Local	
36 Appropriation. . . . .	\$100,000
37 TOTAL APPROPRIATION. . . . .	<del>(\$287,983,000)</del>
38	<u>\$250,474,000</u>

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

3 (1) \$67,821,000 of the multimodal transportation account—state  
4 appropriation is provided solely for a grant program for special  
5 needs transportation provided by transit agencies and nonprofit  
6 providers of transportation. Of this amount:

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

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

27 (2) \$33,283,000 of the rural mobility grant program account—state  
28 appropriation is provided solely for grants to aid small cities in  
29 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a  
30 factor in the grant selection process.

31 (3) \$2,000,000 of the multimodal transportation account—state  
32 appropriation is provided solely for a public transit rideshare grant  
33 program for: (a) Public transit agencies to add or replace rideshare  
34 vehicles; and (b) incentives and outreach to increase rideshare use.  
35 The grant program for public transit agencies may cover capital costs  
36 only; operating costs for public transit agencies are not eligible  
37 for funding under this grant program. Additional employees may not be  
38 hired from the funds provided in this section for the vanpool grant  
39 program, and supplanting of transit funds currently funding vanpools

1 is not allowed. The department shall encourage grant applicants and  
2 recipients to leverage funds other than state funds. Fuel type may  
3 not be a factor in the grant selection process.

4 (4) \$37,809,000 of the regional mobility grant program account—  
5 state appropriation is reappropriated and provided solely for the  
6 regional mobility grant projects identified in (~~LEAP Transportation~~  
7 ~~Document 2022-2 ALL PROJECTS as developed March 9, 2022, Program~~)  
8 2022 OFM Transportation Document 2023-1: Proposed Transportation  
9 Project List as developed December 14, 2022, Public Transportation  
10 Program (V).

11 (5) (a) (~~(\$77,679,000)~~) \$83,488,000 of the regional mobility grant  
12 program account—state appropriation is provided solely for the  
13 regional mobility grant projects identified in (~~LEAP Transportation~~  
14 ~~Document 2022-2 ALL PROJECTS as developed March 9, 2022, Program~~)  
15 2022 OFM Transportation Document 2023-1: Proposed Transportation  
16 Project List as developed December 14, 2022, Public Transportation  
17 Program (V). The department shall review all projects receiving grant  
18 awards under this program at least semiannually to determine whether  
19 the projects are making satisfactory progress. Any project that has  
20 been awarded funds, but does not report activity on the project  
21 within one year of the grant award, must be reviewed by the  
22 department to determine whether the grant should be terminated. The  
23 department shall promptly close out grants when projects have been  
24 completed, and any remaining funds must be used only to fund projects  
25 identified in the (~~LEAP~~) OFM transportation document referenced in  
26 this subsection. The department shall provide annual status reports  
27 on December 15, 2021, and December 15, 2022, to the office of  
28 financial management and the transportation committees of the  
29 legislature regarding the projects receiving the grants. It is the  
30 intent of the legislature to appropriate funds through the regional  
31 mobility grant program only for projects that will be completed on  
32 schedule. A grantee may not receive more than twenty-five percent of  
33 the amount appropriated in this subsection. Additionally, when  
34 allocating funding for the 2023-2025 biennium, no more than thirty  
35 percent of the total grant program may directly benefit or support  
36 one grantee unless all other funding is awarded. The department shall  
37 not approve any increases or changes to the scope of a project for  
38 the purpose of a grantee expending remaining funds on an awarded  
39 grant. Fuel type may not be a factor in the grant selection process.

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

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

18 (7) \$6,500,000 of the multimodal transportation account—state  
19 appropriation and \$784,000 of the state vehicle parking account—state  
20 appropriation are provided solely for CTR grants and activities. Fuel  
21 type may not be a factor in the grant selection process. Of this  
22 amount:

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

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

1 transportation committees of the legislature a report on the  
2 effectiveness of this grant program and best practices for continuing  
3 the program.

4 (8) (a) Except as provided otherwise in this subsection,  
5 \$29,030,000 of the multimodal transportation account—state  
6 appropriation is provided solely for connecting Washington transit  
7 projects identified in (~~LEAP Transportation Document 2022-2 ALL~~  
8 ~~PROJECTS as developed March 9,~~) OFM Transportation Document 2023-1:  
9 Proposed Transportation Project List as developed December 14, 2022.

10 It is the intent of the legislature that entities identified to  
11 receive funding in the (~~LEAP~~) OFM document referenced in this  
12 subsection receive the amounts specified in the time frame specified  
13 in that (~~LEAP~~) OFM document. If an entity has already completed a  
14 project in the (~~LEAP~~) OFM document referenced in this subsection  
15 before the time frame identified, the entity may substitute another  
16 transit project or projects that cost a similar or lesser amount.

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

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

23 (10) (~~(\$23,349,000)~~) \$20,849,000 of the multimodal transportation  
24 account—state appropriation is provided solely for the green  
25 transportation capital grant program established in chapter 287, Laws  
26 of 2019 (advancing green transportation adoption).

27 (11) \$555,000 of the multimodal transportation account—state  
28 appropriation is provided solely for an interagency transfer to the  
29 Washington State University extension energy program to establish and  
30 administer a technical assistance and education program for public  
31 agencies on the use of alternative fuel vehicles. The Washington  
32 State University extension energy program shall prepare a report  
33 regarding the utilization of the program and provide this report to  
34 the transportation committees of the legislature by November 15,  
35 2021.

36 (12) The department must provide telework assistance to employers  
37 as part of its CTR activities. The objectives of telework assistance  
38 include improving transportation system performance, supporting  
39 economic vitality, and increasing equity and access to opportunity.

1 (13) \$150,000 of the multimodal transportation account—state  
2 appropriation is provided solely for Intercity Transit for the Dash  
3 shuttle program.

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

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

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

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

26 (i) Development of definitions of frequent fixed route transit  
27 and accessible frequent fixed route transit; and

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

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

38 (16) Within existing resources, the department shall prepare a  
39 report regarding the funding, implementation, and operation of the

1 grant management system or systems utilized by the public  
2 transportation division. In preparing this report, the department  
3 must survey and report on all grant recipients experience with the  
4 operation of this system or systems. The department shall provide  
5 this report to the transportation committees of the legislature by  
6 November 15, 2022.

7 **Sec. 116.** 2022 c 186 s 222 (uncodified) is amended to read as  
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

10	Puget Sound Ferry Operations Account—State	
11	Appropriation. . . . .	(( <del>\$430,388,000</del> ))
12		<u>\$445,616,000</u>
13	Puget Sound Ferry Operations Account—Federal	
14	Appropriation. . . . .	(( <del>\$156,789,000</del> ))
15		<u>\$155,756,000</u>
16	Puget Sound Ferry Operations Account—Private/Local	
17	Appropriation. . . . .	\$121,000
18	<u>Multimodal Transportation Account—State Appropriation. . . . .</u>	<u>\$9,000</u>
19	TOTAL APPROPRIATION. . . . .	(( <del>\$587,298,000</del> ))
20		<u>\$601,502,000</u>

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

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

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

37 (3) \$32,905,000 of the Puget Sound ferry operations account—  
38 federal appropriation and ((~~\$53,794,000~~)) \$67,688,000 of the Puget



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

9 (4) \$500,000 of the Puget Sound ferry operations account—state  
10 appropriation is provided solely for operating costs related to  
11 moving vessels for emergency capital repairs. Funds may only be spent  
12 after approval by the office of financial management.

13 (5) \$2,400,000 of the Puget Sound ferry operations account—state  
14 appropriation and \$2,000,000 of the Puget Sound ferry operations  
15 account—federal appropriation are provided solely for staffing and  
16 overtime expenses incurred by engine and deck crewmembers. The  
17 department must provide updated staffing cost estimates for fiscal  
18 years 2022 and 2023 with its annual budget submittal and updated  
19 estimates by January 1, 2022.

20 (6) \$688,000 of the Puget Sound ferry operations account—state  
21 appropriation and \$697,000 of the Puget Sound ferry operations  
22 account—federal appropriation are provided solely for new employee  
23 training. The department must work to increase its outreach and  
24 recruitment of populations underrepresented in maritime careers and  
25 continue working to expand apprenticeship and internship programs,  
26 with an emphasis on programs that are shown to improve recruitment  
27 for positions with the state ferry system.

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

31 (8) \$484,000 of the Puget Sound ferry operations account—federal  
32 is provided solely for the department to contract for additional  
33 traffic control assistance at the Kingston ferry terminal during peak  
34 ferry travel times, with a particular focus on Sundays and holiday  
35 weekends. Traffic control methods should include, but not be limited  
36 to, holding traffic on the shoulder at Lindvog Road until space opens  
37 for cars at the tollbooths and dock, and management of traffic on  
38 Highway 104 in order to ensure Kingston residents and business owners  
39 have access to businesses, roads, and driveways.

1 (9) \$336,000 of the Puget Sound ferry operations account—state  
2 appropriation is provided solely for evacuation slide training.

3 (10) \$336,000 of the Puget Sound ferry operations account—state  
4 appropriation is provided solely for fall restraint labor and  
5 industries inspections.

6 (11) \$735,000 of the Puget Sound ferry operations account—state  
7 appropriation and \$410,000 of the Puget Sound ferry operations  
8 account—federal appropriation are provided solely for familiarization  
9 for new assignments of engine crew and terminal staff.

10 (12) \$160,000 of the Puget Sound ferry operations account—state  
11 appropriation is provided solely for electronic navigation training.

12 (13) \$250,000 of the Puget Sound ferry operations account—state  
13 appropriation is provided solely for Washington State Ferries to  
14 conduct a study of passenger demographics. The study must include:

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

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

19 (c) Frequency of passenger trips by mode and fare products  
20 utilized.

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

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

27 (i) Continuously recruit and hire deck, engine, and terminal  
28 staff;

29 (ii) Contract with an external recruitment firm to increase  
30 recruitment efforts both locally and nationally with an emphasis on  
31 attracting maritime workers from communities underrepresented in the  
32 ferry system;

33 (iii) Enhance employee retention by standardizing on-call worker  
34 schedules;

35 (iv) Increase training and development opportunities for  
36 employees; and

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

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

4 (15) \$248,000 of the Puget Sound ferry operations account—federal  
5 appropriation is provided solely for labor at the Vashon terminal.

6 (16) \$194,000 of the Puget Sound ferry operations account—federal  
7 appropriation is provided solely for operating costs at the Mukilteo  
8 terminal.

9 (17) \$294,000 of the Puget Sound ferry operations account—federal  
10 appropriation is provided solely for deck and engine internships.

11 (18) By December 1, 2022, the department must report on the  
12 status of efforts to increase training and development opportunities  
13 for employees. The report must include a description of the new  
14 training and career advancement programs for able-bodied sailors,  
15 mates, and engineers; the numbers of employees participating in each  
16 program; the number of employees completing each program; the number  
17 of open positions that the program is designed to fill; and the  
18 anticipated number of employee promotions as a result of program  
19 completion. The department must provide the report to the office of  
20 financial management and the transportation committees of the  
21 legislature.

22 (19) For the Mukilteo multimodal terminal, the department must  
23 submit a report showing for a 12-month period, on a monthly basis,  
24 how much electricity is generated by solar power generated on-site,  
25 electricity usage, and actual electricity cost savings. The report is  
26 due to the transportation committees of the legislature by June 30,  
27 2023.

28 (20) \$93,000 of the Puget Sound ferry operations account—state  
29 appropriation is provided solely for Washington state ferries to  
30 partner with local community colleges and universities to secure  
31 housing for workforce training sessions and to pay in advance for the  
32 costs of transportation worker identification credentials for  
33 incoming ferry system employees and trainees.

34 (21)(a) \$300,000 of the Puget Sound ferry operations account—  
35 state appropriation is provided solely for the department, in  
36 consultation with the joint transportation committee, to oversee a  
37 consultant study to identify and recommend cost-effective strategies  
38 to maximize walk-on passenger ridership of the Anacortes - San Juan  
39 ferry routes. The study must also identify available public funding

1 sources to support these strategies. Reducing the need for passengers  
2 to bring their cars on the ferries will increase the capacity of each  
3 ferry run to transport more people.

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

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

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

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

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

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

18 (c) Outreach for the study, including on the feasibility and  
19 effectiveness of each strategy evaluated, must include outreach to  
20 representatives of:

21 (i) Washington state ferries;

22 (ii) San Juan county council;

23 (iii) Anacortes and San Juan Islands ferry advisory committee  
24 members;

25 (iv) San Juan economic development council;

26 (v) City of Anacortes;

27 (vi) City of Friday Harbor;

28 (vii) Skagit transit;

29 (viii) Skagit RTPO;

30 (ix) Eastsound;

31 (x) Lopez Village;

32 (xi) Transit dependent populations; and

33 (xii) Others as deemed appropriate by the committee.

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

38 (22)(a) During negotiations of the 2023-2025 collective  
39 bargaining agreements, the department must conduct a review and  
40 analysis of the collective bargaining agreements governing state

1 ferry employees, to identify provisions that create barriers for, or  
2 contribute to creating a disparate impact on, newly hired ferry  
3 employees, including those who are women, people of color, veterans,  
4 and other employees belonging to communities that have historically  
5 been underrepresented in the workforce. The review and analysis must  
6 include, but not be limited to, provisions regarding seniority, work  
7 assignments, and work shifts. The review and analysis must also  
8 include consultation with the governor's office of labor relations,  
9 the governor's office of equity, and the attorney general's office.

10 (b) For future negotiations or modifications of the collective  
11 bargaining agreements, it is the intent of the legislature that the  
12 collective bargaining representatives for the state and ferry  
13 employee organizations may consider the findings of the review and  
14 analysis required in (a) of this subsection and negotiate in a manner  
15 to remove identified barriers and address identified impacts so as  
16 not to perpetuate negative impacts.

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

21 **Sec. 117.** 2022 c 186 s 223 (uncodified) is amended to read as  
22 follows:

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

24 Multimodal Transportation Account—State

25 Appropriation. . . . . ((\$68,430,000))  
26 \$68,432,000

27 Multimodal Transportation Account—Private/Local

28 Appropriation. . . . . \$46,000

29 Multimodal Transportation Account—Federal

30 Appropriation. . . . . \$500,000

31 TOTAL APPROPRIATION. . . . . ((\$68,976,000))  
32 \$68,978,000

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

35 (1) The department is directed to continue to pursue efforts to  
36 reduce costs, increase ridership, and review Amtrak Cascades fares  
37 and fare schedules. Within thirty days of each annual cost/revenue  
38 reconciliation under the Amtrak service contract, the department

1 shall report annual credits to the office of financial management and  
2 the legislative transportation committees. Annual credits from Amtrak  
3 to the department including, but not limited to, credits due to  
4 higher ridership, reduced level of service, and fare or fare schedule  
5 adjustments, must be used to offset corresponding amounts of the  
6 multimodal transportation account—state appropriation, which must be  
7 placed in reserve.

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

24 (3) \$4,000,000 of the multimodal transportation account—state  
25 appropriation is provided solely for the continued coordination,  
26 engagement, and planning for a new ultra high-speed ground  
27 transportation corridor with participation from Washington, Oregon,  
28 and British Columbia. This funding is contingent on meaningful  
29 financial contributions for this effort by Oregon or British  
30 Columbia. "Ultra high-speed" means a maximum testing speed of at  
31 least 250 miles per hour. These efforts are to support and advance  
32 activities and must abide by the memorandum of understanding signed  
33 by the governors of Washington and Oregon, and the premier of the  
34 province of British Columbia in November 2021. The department shall  
35 establish a policy committee with participation from Washington,  
36 Oregon, and British Columbia, including representation from the two  
37 largest caucuses of each chamber of the Washington state legislature,  
38 and coordinate the activities of the policy committee to include:

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

3 (b) Developing a public engagement approach with a focus on  
4 equity, inclusion, and meaningful engagement with communities,  
5 businesses, federal, state, provincial, and local governments  
6 including indigenous communities;

7 (c) Developing and leading a collaborative approach to prepare  
8 and apply for potential future federal, state, and provincial funding  
9 opportunities, including development of strategies for incorporating  
10 private sector participation and private sector contributions to  
11 funding, including through the possible use of public-private  
12 partnerships;

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

16 (e) Developing a recommendation on the structure and membership  
17 of a formal coordinating entity that will be responsible for  
18 advancing the project through the project initiation stage to project  
19 development and recommended next steps for establishment of the  
20 coordinating entity. Project development processes must include  
21 consideration of negative and positive impacts on communities of  
22 color, low-income households, indigenous peoples, and other  
23 disadvantaged communities.

24 By June 30, 2023, the department shall provide to the governor  
25 and the transportation committees of the legislature a report  
26 detailing the work conducted by the policy committee and  
27 recommendations for establishing a coordinating entity. The report  
28 must also include an assessment of current activities and results  
29 relating to stakeholder engagement, planning, and any federal funding  
30 application. As applicable, the assessment should also be sent to the  
31 executive and legislative branches of government in Oregon and  
32 appropriate government bodies in the province of British Columbia.

33 (4) The department shall consider applying for federal grant  
34 opportunities that support the development of the Amtrak Cascades  
35 service. Grant submittals must align with the department's federally  
36 required service development plan and state rail plans and  
37 partnership agreements with Amtrak as the service provider and BNSF  
38 Railway as the host railroad.

1       **Sec. 118.** 2022 c 186 s 224 (uncodified) is amended to read as  
2 follows:

3       **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**  
4 **OPERATING**

5	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$12,451,000</del> ))
6		<u>\$12,456,000</u>
7	Motor Vehicle Account—Federal Appropriation. . . . .	\$2,567,000
8	Multiuse Roadway Safety Account—State Appropriation. . . . .	\$900,000
9	Multimodal Transportation Account—State	
10	Appropriation. . . . .	\$250,000
11	TOTAL APPROPRIATION. . . . .	(( <del>\$16,168,000</del> ))
12		<u>\$16,173,000</u>

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

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

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

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

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

27       (2) \$1,023,000 of the motor vehicle account—state appropriation  
28 is provided solely for the department, from amounts set aside out of  
29 statewide fuel taxes distributed to counties according to RCW  
30 46.68.120(3), to contract with the Washington state association of  
31 counties to:

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

35       (b) Streamline and update the county road administration board's  
36 data dashboard, county reporting systems, and program management  
37 software to provide a more detailed, more transparent, and user-  
38 friendly platform for data management, reporting, and research by the  
39 public and other interested parties; and



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

4 NEW SECTION. **Sec. 119.** 2022 c 187 s 203 (uncodified) is  
5 repealed.

(End of part)

**TRANSPORTATION AGENCIES—CAPITAL**

**Sec. 201.** 2022 c 186 s 301 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State	
Appropriation. . . . .	\$17,769,000
Freight Mobility Multimodal Account—State	
Appropriation. . . . .	\$14,004,000
TOTAL APPROPRIATION. . . . .	\$31,773,000

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

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in (~~the LEAP Transportation Document 2022-2 ALL PROJECTS as developed March 9,~~) 2022 OFM Transportation Document 2023-2: Proposed FMSIB Project List as developed December 14, 2022, Freight Mobility Strategic Investment Board (FMSIB).

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

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

(4) (a) For the 2021-2023 project appropriations, unless otherwise provided in this act, the director of the office of financial

1 management may authorize a transfer of appropriation authority  
2 between projects managed by the freight mobility strategic investment  
3 board in order for the board to manage project spending and support  
4 the efficient and timely delivery of all projects in the program. The  
5 office of financial management may authorize a transfer of  
6 appropriation authority between projects under the following  
7 conditions and limitations:

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

11 (ii) Each transfer between projects may only occur if the  
12 director of the office of financial management finds that any  
13 resulting change will not hinder the completion of the projects (~~on~~  
14 ~~LEAP Transportation Document 2022-2 ALL PROJECTS as developed March~~  
15 ~~9, 2022~~) in 2022 OFM Transportation Document 2023-2: Proposed FMSIB  
16 Project List as developed December 14, 2022;

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

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

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

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

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

1       **Sec. 202.** 2022 c 186 s 303 (uncodified) is amended to read as  
2 follows:

3       **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

4	Rural Arterial Trust Account—State Appropriation. . . . .	\$55,028,000
5	Motor Vehicle Account—State Appropriation. . . . .	\$1,456,000
6	County Arterial Preservation Account—State	
7	Appropriation. . . . .	<del>(\$44,653,000)</del>
8		<u>\$45,666,000</u>
9	TOTAL APPROPRIATION. . . . .	<del>(\$101,137,000)</del>
10		<u>\$102,150,000</u>

11       **Sec. 203.** 2022 c 186 s 304 (uncodified) is amended to read as  
12 follows:

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

15	Motor Vehicle Account—State Appropriation. . . . .	<del>(\$16,076,000)</del>
16		<u>\$15,743,000</u>
17	Connecting Washington Account—State Appropriation. . . . .	\$3,667,000
18	TOTAL APPROPRIATION. . . . .	<del>(\$19,743,000)</del>
19		<u>\$19,410,000</u>

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

22       (1) ~~(\$3,289,000)~~ \$3,667,000 of the connecting Washington  
23 account—state appropriation is provided solely for a new Olympic  
24 region maintenance and administration facility to be located on the  
25 department-owned site at the intersection of Marvin Road and 32nd  
26 Avenue in Lacey, Washington.

27       (2) (a) ~~(\$4,325,000)~~ \$4,025,000 of the motor vehicle account—  
28 state appropriation is provided solely for payments of a financing  
29 contract issued pursuant to chapter 39.94 RCW for the department  
30 facility located at 15700 Dayton Ave N in Shoreline.

31       (b) Payments from the department of ecology pursuant to the  
32 agreement with the department to pay a share of the financing  
33 contract in (a) of this subsection must be deposited into the motor  
34 vehicle account.

35       **Sec. 204.** 2022 c 186 s 305 (uncodified) is amended to read as  
36 follows:

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

1	Transportation 2003 Account (Nickel Account)—State	
2	Appropriation. . . . .	(( <del>\$482,000</del> ))
3		<u>\$486,000</u>
4	Transportation Partnership Account—State	
5	Appropriation. . . . .	(( <del>\$232,566,000</del> ))
6		<u>\$169,880,000</u>
7	Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$246,948,000</del> ))
8		<u>\$233,798,000</u>
9	Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$251,835,000</del> ))
10		<u>\$259,638,000</u>
11	Coronavirus State Fiscal Recovery Fund—Federal	
12	Appropriation. . . . .	(( <del>\$400,000,000</del> ))
13		<u>\$100,000,000</u>
14	Motor Vehicle Account—Private/Local Appropriation. . . . .	(( <del>\$56,192,000</del> ))
15		<u>\$87,854,000</u>
16	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$2,063,783,000</del> ))
17		<u>\$1,116,840,000</u>
18	Special Category C Account—State Appropriation. . . . .	(( <del>\$86,198,000</del> ))
19		<u>\$78,734,000</u>
20	Multimodal Transportation Account—State	
21	Appropriation. . . . .	(( <del>\$10,792,000</del> ))
22		<u>\$4,934,000</u>
23	Puget Sound Gateway Facility Account—State	
24	Appropriation. . . . .	\$8,400,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation. . . . .	\$70,886,000
27	Interstate 405 and State Route Number 167 Express	
28	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$217,282,000</del> ))
29		<u>\$44,028,000</u>
30	Move Ahead WA Account—State Appropriation. . . . .	(( <del>\$10,771,000</del> ))
31		<u>\$26,293,000</u>
32	Move Ahead WA Account—Federal Appropriation. . . . .	(( <del>\$7,200,000</del> ))
33		<u>\$52,312,000</u>
34	TOTAL APPROPRIATION. . . . .	(( <del>\$3,663,335,000</del> ))
35		<u>\$2,254,083,000</u>

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

38 (1) Except as provided otherwise in this section, the entire  
39 connecting Washington account—state appropriation and the entire

1 transportation partnership account—state appropriation are provided  
2 solely for the projects and activities as listed by fund, project,  
3 and amount in (~~LEAP Transportation Document 2022-1 as developed~~  
4 ~~March 9,~~) 2022 OFM Transportation Document 2023-1: Proposed  
5 Transportation Project List as developed December 14, 2022, ((Program  
6 ~~-)) Highway Improvements Program (I). However, limited transfers of~~  
7 specific line-item project appropriations may occur between projects  
8 for those amounts listed subject to the conditions and limitations in  
9 section 601, chapter 333, Laws of 2021.

10 (2) Except as provided otherwise in this section, the entire  
11 motor vehicle account—state appropriation and motor vehicle account—  
12 federal appropriation are provided solely for the projects and  
13 activities listed in (~~LEAP Transportation Document 2022-2 ALL~~  
14 ~~PROJECTS as developed March 9,~~) 2022 OFM Transportation Document  
15 2023-1: Proposed Transportation Project List as developed December  
16 14, 2022, ((Program—)) Highway Improvements Program (I). Any federal  
17 funds gained through efficiencies, adjustments to the federal funds  
18 forecast, or the federal funds redistribution process must then be  
19 applied to highway and bridge preservation activities or fish passage  
20 barrier corrections (OBI4001), as long as the application of the  
21 funds is not inconsistent with subsection (26) of this section.

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

31 (4) The connecting Washington account—state appropriation  
32 includes up to \$326,594,000 in proceeds from the sale of bonds  
33 authorized in RCW 47.10.889.

34 (5) The special category C account—state appropriation includes  
35 up to \$51,460,000 in proceeds from the sale of bonds authorized in  
36 RCW 47.10.812.

37 (6) The transportation partnership account—state appropriation  
38 includes up to \$124,629,000 in proceeds from the sale of bonds  
39 authorized in RCW 47.10.873.

1           (7)    (~~(\$161,792,000)~~)   \$106,947,000   of   the   transportation  
2 partnership account—state appropriation, \$3,882,000 of the motor  
3 vehicle    account—private/local    appropriation,    (~~(\$9,000,000)~~)  
4 \$4,880,000 of the motor vehicle account—state appropriation, (~~(\$1,000~~  
5 ~~of the transportation 2003 account (nickel account) state~~  
6 ~~appropriation,~~) and (~~(\$985,000)~~) \$987,000 of the multimodal  
7 transportation account—state appropriation are provided solely for  
8 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is  
9 the intent of the legislature that any legal damages paid to the  
10 state as a result of a lawsuit related to contractual provisions for  
11 construction and delivery of the Alaskan Way viaduct replacement  
12 project be used to repay project cost increases paid from the  
13 transportation partnership account—state funds and motor vehicle  
14 account—state funds.

15           (8)    (~~(\$186,820,000)~~)   \$11,512,000 of the connecting Washington  
16 account—state appropriation (~~and \$488,000 of the motor vehicle~~  
17 ~~account—local appropriation are~~) is provided solely for the US 395  
18 North Spokane Corridor project (M00800R). If the department expects  
19 the original scope of this project to be completed under budget when  
20 a final design is approved for the interchange with I-90 and nearby  
21 on ramp access, then the scope of work for this project must also  
22 include constructing a land bridge in the vicinity of Liberty Park in  
23 Spokane, if appropriations are sufficient. It is the intent of the  
24 legislature, consistent with the move ahead WA proposal, to advance  
25 future funding for this project in order to accelerate delivery by up  
26 to two years.

27           (9) (a) (~~(\$177,982,000)~~)   \$30,962,000 of the Interstate 405 and  
28 state route number 167 express toll lanes account—state appropriation  
29 is provided solely for the I-405/SR 522 to I-5 Capacity Improvements  
30 project (L2000234) for activities related to adding capacity on  
31 Interstate 405 between state route number 522 and Interstate 5, with  
32 the goals of increasing vehicle throughput and aligning project  
33 completion with the implementation of bus rapid transit in the  
34 vicinity of the project.

35           (b) The department may advance the I-405/SR 522 to I-5 Capacity  
36 Improvements project (L2000234) and construct the project earlier  
37 than is scheduled in the (~~LEAP~~) OFM transportation document  
38 referenced in subsection (2) of this section if additional funding is  
39 identified and submitted through the existing unanticipated receipts

1 process by September 1, 2021. The department and the state treasurer  
2 shall pursue alternatives to toll revenue funding including but not  
3 limited to federal loan and grant programs. The department shall  
4 explore phasing and modifying the project to attempt to align project  
5 completion with the anticipated deployment of bus rapid transit on  
6 the corridor in the 2023-2025 biennium. The department shall report  
7 back to the transportation committees of the legislature on this work  
8 by September 15, 2021.

9 (10) (a) (~~(\$329,681,000)~~) \$309,774,000 of the connecting  
10 Washington account—state appropriation, \$70,886,000 of the state  
11 route number 520 corridor account—state appropriation, and  
12 (~~(\$1,021,000)~~) \$1,411,000 of the motor vehicle account—private/local  
13 appropriation are provided solely for the SR 520 Seattle Corridor  
14 Improvements - West End project (M00400R).

15 (b) Upon completion of the Montlake Phase of the West End project  
16 (current anticipated contract completion of 2023), the department  
17 shall sell that portion of the property not used for permanent  
18 transportation improvements and initiate a process to convey that  
19 surplus property to a subsequent owner.

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

26 (11) (~~(\$361,296,000)~~) \$318,062,000 of the connecting Washington  
27 account—state appropriation, (~~(\$4,800,000)~~) \$2,300,000 of the  
28 multimodal transportation account—state appropriation,  
29 (~~(\$13,725,000)~~) \$4,729,000 of the motor vehicle account—private/local  
30 appropriation, \$7,200,000 of the move ahead WA account—federal  
31 appropriation, \$8,400,000 of the Puget Sound Gateway facility account  
32 —state appropriation, and (~~(\$85,015,000)~~) \$86,015,000 of the motor  
33 vehicle account—federal appropriation are provided solely for the SR  
34 167/SR 509 Puget Sound Gateway project (M00600R).

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

37 (b) In making budget allocations to the Puget Sound Gateway  
38 project, the department shall implement the project's construction as  
39 a single corridor investment. The department shall continue to



1 collaborate with the affected stakeholders as it implements the  
2 corridor construction and implementation plan for state route number  
3 167 and state route number 509. Specific funding allocations must be  
4 based on where and when specific project segments are ready for  
5 construction to move forward and investments can be best optimized  
6 for timely project completion. Emphasis must be placed on avoiding  
7 gaps in fund expenditures for either project.

8 (c) It is the legislature's intent that the department shall  
9 consult with the joint executive committee and joint steering  
10 committee to determine the most appropriate interchange at the  
11 junction of state route number 161 (Meridian avenue) and state route  
12 number 167.

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

19 (e) Of the amounts provided in this subsection, \$2,500,000 of the  
20 multimodal transportation account—state appropriation is provided  
21 solely for segment 2 of the state route number 167 completion project  
22 shared-use path to provide connections to the interchange of state  
23 route number 167 at 54th to the intersection of state route number  
24 509 and Taylor Way in Tacoma.

25 (12) (a) (~~(\$25,378,000)~~) \$25,379,000 of the motor vehicle account—  
26 state appropriation and (~~(\$413,000)~~) \$36,414,000 of the motor vehicle  
27 account—private/local appropriation are provided solely to support a  
28 project office and the continued work toward the I-5 Interstate  
29 Bridge Replacement project (~~(L2000370)~~) (L4000054).

30 (b) The project office must also study the possible different  
31 governance structures for a bridge authority that would provide for  
32 the joint administration of the bridges over the Columbia river  
33 between Oregon and Washington. As part of this study, the project  
34 office must examine the feasibility and necessity of an interstate  
35 compact in conjunction with the national center for interstate  
36 compacts.

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

- 1 (i) Conduct all work necessary to prepare and publish a draft  
2 SEIS;
- 3 (ii) Coordinate with regulatory agencies to begin the process of  
4 obtaining environmental approvals and permits;
- 5 (iii) Identify a locally preferred alternative; and
- 6 (iv) Begin preparing a final SEIS.

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

10 (13) (a) (~~(\$400,000,000)~~) \$100,000,000 of the coronavirus state  
11 fiscal recovery fund—federal appropriation, (~~(\$25,327,000)~~)  
12 \$167,194,000 of the connecting Washington account—state  
13 appropriation, \$35,263,000 of the motor vehicle account—federal  
14 appropriation, \$5,618,000 of the motor vehicle account—local  
15 appropriation, \$9,016,000 of the transportation partnership account—  
16 state appropriation, and \$149,776,000 of the motor vehicle account—  
17 state appropriation are provided solely for the Fish Passage Barrier  
18 Removal project (OBI4001) with the intent of fully complying with the  
19 federal *U.S. v. Washington* court injunction by 2030.

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

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

36 (d) Of the amount provided in this subsection, \$142,923,000 of  
37 the motor vehicle account—federal appropriation reflects the  
38 department's portion of the unrestricted funds from the coronavirus  
39 response and relief supplemental appropriations act of 2021. If the

1 final amount from this act changes while the legislature is not in  
2 session, the department shall follow the existing unanticipated  
3 receipt process and adjust the list referenced in subsection (1) of  
4 this section accordingly, supplanting state funds with federal funds  
5 if possible as directed in section 601, chapter 333, Laws of 2021.

6 (14) (~~(\$14,367,000)~~) \$13,542,000 of the connecting Washington  
7 account—state appropriation(~~(, \$311,000 of the motor vehicle account~~  
8 ~~—state appropriation,)~~) and (~~(\$3,149,000)~~) \$4,285,000 of the motor  
9 vehicle account—private/local appropriation are provided solely for  
10 the I-90/Barker to Harvard - Improve Interchanges & Local Roads  
11 project (L2000122). The connecting Washington account appropriation  
12 for the improvements that fall within the city of Liberty Lake may  
13 only be expended if the city of Liberty Lake agrees to cover any  
14 project costs within the city of Liberty Lake above the \$20,900,000  
15 of state appropriation provided for the total project on the list  
16 referenced in subsection (1) of this section.

17 (15) (~~(\$16,984,000)~~) \$18,155,000 of the motor vehicle account—  
18 federal appropriation, (~~(\$269,000)~~) \$177,000 of the motor vehicle  
19 account—state appropriation, \$5,000 of the motor vehicle account—  
20 private/local appropriation, and (~~(\$17,900,000)~~) \$13,666,000 of the  
21 Interstate 405 and state route number 167 express toll lanes account—  
22 state appropriation are provided solely for the SR 167/SR 410 to SR  
23 18 - Congestion Management project (316706C).

24 (16) (~~(\$18,915,000)~~) \$12,019,000 of the Special Category C  
25 account—state appropriation is provided solely for the SR 18 Widening  
26 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving  
27 and widening state route number 18 to four lanes from Issaquah-Hobart  
28 Road to Raging River.

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

1 (18) (~~(\$1,237,000)~~) \$148,000 of the motor vehicle account—state  
2 appropriation is provided solely for the US 101/East Sequim Corridor  
3 Improvements project (L2000343).

4 (19) (~~(\$2,197,000)~~) \$873,000 of the motor vehicle account—state  
5 appropriation (~~((and \$749,000 of the connecting Washington account—~~  
6 ~~state appropriation are))~~) is provided solely for the SR 522/Paradise  
7 Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project  
8 (NPARADI).

9 (20) (~~(\$1,455,000)~~) \$1,382,000 of the motor vehicle account—  
10 federal appropriation (~~(is)~~) and \$73,000 of the motor vehicle account  
11 —state appropriation are provided solely for the US 101/Morse Creek  
12 Safety Barrier project (L1000247).

13 (21) (~~(\$1,000,000)~~) \$780,000 of the motor vehicle account—state  
14 appropriation is provided solely for the SR 162/410 Interchange  
15 Design and Right of Way project (L1000276).

16 (22) (~~(\$7,185,000)~~) \$1,892,000 of the connecting Washington  
17 account—state appropriation (~~(is)~~), \$2,000 of the motor vehicle  
18 account—private/local appropriation, and \$7,000 of the motor vehicle  
19 account—state appropriation are provided solely for the US Hwy 2  
20 Safety project (N00200R).

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

27 (24) Any advisory group that the department convenes during the  
28 2021-2023 fiscal biennium must consider the interests of the entire  
29 state of Washington.

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

1 Further, the legislature determines construction aggregate and  
2 recycled concrete materials substantially meet widely recognized  
3 international, national, and local standards and specifications  
4 referenced in American society for testing and materials, American  
5 concrete institute, Washington state department of transportation,  
6 Seattle department of transportation, American public works  
7 association, federal aviation administration, and federal highway  
8 administration specifications, and are described as necessary and  
9 desirable products for recycling and reuse by state and federal  
10 agencies.

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

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

25 (27) (~~(\$12,635,000)~~) \$1,961,000 of the connecting Washington  
26 account—state appropriation is provided solely for the SR 3 Freight  
27 Corridor (T30400R) project. The legislature intends to provide a  
28 total of \$78,910,000 for this project, including an increase of  
29 \$12,000,000 in future biennia to safeguard against inflation and  
30 supply/labor interruptions and ensure that:

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

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

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

38 (28) (~~(\$450,000 of the motor vehicle account—state appropriation~~  
39 ~~is provided solely for the SR 900 Safety Improvements project~~

1 ~~(L2021118). The department must: (a) Work in collaboration with King~~  
2 ~~county and Skyway coalition to align community assets, transportation~~  
3 ~~infrastructure needs, and initial design for safety improvements~~  
4 ~~along SR 900; and (b) work with the Skyway coalition to lead~~  
5 ~~community planning engagement and active transportation activities.~~

6 ~~(29) \$5,694,000)~~ \$3,686,000 of the connecting Washington account  
7 —state appropriation is provided solely for the I-5/Chamber Way  
8 Interchange Vicinity Improvements project (L2000223).

9 ~~((30) \$500,000)~~ (29) \$166,000 of the motor vehicle account—  
10 state appropriation is provided solely for SR 162/SR 161 Additional  
11 Connectivity in South Pierce County project (L1000312) to conduct a  
12 study on the need for additional connectivity in the area between SR  
13 162, south of Military Road East and north of Orting, and SR 161 in  
14 South Pierce county.

15 **Sec. 205.** 2022 c 186 s 306 (uncodified) is amended to read as  
16 follows:

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

18	Recreational Vehicle Account—State Appropriation. . . . .	\$1,520,000
19	Transportation 2003 Account (Nickel Account)—State	
20	Appropriation. . . . .	\$53,911,000
21	Transportation Partnership Account—State	
22	Appropriation. . . . .	<del>((21,441,000))</del>
23		<u>\$23,038,000</u>
24	Motor Vehicle Account—State Appropriation. . . . .	<del>((111,174,000))</del>
25		<u>\$138,099,000</u>
26	Motor Vehicle Account—Federal Appropriation. . . . .	<del>((545,560,000))</del>
27		<u>\$583,466,000</u>
28	Motor Vehicle Account—Private/Local Appropriation. . . . .	<del>((13,735,000))</del>
29		<u>\$13,734,000</u>
30	Connecting Washington Account—State Appropriation. . . . .	<del>((224,342,000))</del>
31		<u>\$112,001,000</u>
32	State Route Number 520 Corridor Account—State	
33	Appropriation. . . . .	<del>((2,143,000))</del>
34		<u>\$812,000</u>
35	Tacoma Narrows Toll Bridge Account—State	
36	Appropriation. . . . .	<del>((5,676,000))</del>
37		<u>\$3,578,000</u>
38	Alaskan Way Viaduct Replacement Project Account—	

1	State Appropriation. . . . .	(( <del>\$391,000</del> ))
2		<u>\$251,000</u>
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation. . . . .	(( <del>\$12,830,000</del> ))
5		<u>\$9,216,000</u>
6	TOTAL APPROPRIATION. . . . .	(( <del>\$992,723,000</del> ))
7		<u>\$939,626,000</u>

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

10 (1) Except as provided otherwise in this section, the entire  
11 connecting Washington account—state appropriation and the entire  
12 transportation partnership account—state appropriation are provided  
13 solely for the projects and activities as listed by fund, project,  
14 and amount in ((~~LEAP Transportation Document 2022-1 as developed~~  
15 ~~March 9, 2022~~)) 2022 OFM Transportation Document 2023-1: Proposed  
16 Transportation Project List as developed December 14, 2022, ((Program  
17 -)) Highway Preservation Program (P). However, limited transfers of  
18 specific line-item project appropriations may occur between projects  
19 for those amounts listed subject to the conditions and limitations in  
20 section 601, chapter 333, Laws of 2021.

21 (2) Except as provided otherwise in this section, the entire  
22 motor vehicle account—state appropriation and motor vehicle account—  
23 federal appropriation are provided solely for the projects and  
24 activities listed in ((~~LEAP Transportation Document 2022-2 ALL~~  
25 ~~PROJECTS as developed March 9, 2022~~)) 2022 OFM Transportation Document  
26 2023-1: Proposed Transportation Project List as developed December  
27 14, 2022, ((Program -)) Highway Preservation Program (P). Any federal  
28 funds gained through efficiencies, adjustments to the federal funds  
29 forecast, or the federal funds redistribution process must then be  
30 applied to highway and bridge preservation activities or fish passage  
31 barrier corrections (0BI4001) ((~~as long as the application of the~~  
32 ~~funds is not inconsistent with subsection (10) of this section~~)).

33 (3) Within the motor vehicle account—state appropriation and  
34 motor vehicle account—federal appropriation, the department may  
35 transfer funds between programs I and P, except for funds that are  
36 otherwise restricted in this act. Ten days prior to any transfer, the  
37 department must submit its request to the office of financial  
38 management and the transportation committees of the legislature and  
39 consider any concerns raised. The department shall submit a report on

1 fiscal year funds transferred in the prior fiscal year using this  
2 subsection as part of the department's annual budget submittal.

3 (4) \$8,531,000 of the connecting Washington account—state  
4 appropriation is provided solely for the land mobile radio upgrade  
5 (G2000055) and is subject to the conditions, limitations, and review  
6 provided in section 701, chapter 333, Laws of 2021. The land mobile  
7 radio project is subject to technical oversight by the office of the  
8 chief information officer. The department, in collaboration with the  
9 office of the chief information officer, shall identify where  
10 existing or proposed mobile radio technology investments should be  
11 consolidated, identify when existing or proposed mobile radio  
12 technology investments can be reused or leveraged to meet multiagency  
13 needs, increase mobile radio interoperability between agencies, and  
14 identify how redundant investments can be reduced over time. The  
15 department shall also provide quarterly reports to the technology  
16 services board on project progress.

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

30 (6) (~~(\$11,679,000)~~) \$23,731,000 of the motor vehicle account—  
31 federal appropriation (~~(is)~~) and \$85,227,000 of the connecting  
32 Washington account—state appropriation are provided solely for  
33 preservation projects within project L1100071 that ensure the  
34 reliable movement of freight on the national highway freight system.  
35 The department shall give priority to those projects that can be  
36 advertised by September 30, 2021.

37 (7) The appropriation in this section includes funding for  
38 starting planning, engineering, and construction of the Elwha River



1 bridge replacement. To the greatest extent practicable, the  
2 department shall maintain public access on the existing route.

3 (8) Within the connecting Washington account—state appropriation,  
4 the department may transfer funds from Highway System Preservation  
5 (L1100071) to other preservation projects listed in the (~~LEAP~~) OFM  
6 transportation document identified in subsection (1) of this section,  
7 if it is determined necessary for completion of these high priority  
8 preservation projects. The department's next budget submittal after  
9 using this subsection must appropriately reflect the transfer.

10 (~~((9) \$1,700,000 of the motor vehicle account—state appropriation~~  
11 ~~is provided solely for the SR 109/88 Corner Roadway project~~  
12 ~~(G2000106).)~~)

13 **Sec. 206.** 2022 c 186 s 307 (uncodified) is amended to read as  
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**  
16 **CAPITAL**

17 Motor Vehicle Account—State Appropriation. . . . .	(( <del>\$9,618,000</del> ))
	<u>\$10,084,000</u>
18 Motor Vehicle Account—Federal Appropriation. . . . .	\$11,215,000
19 Motor Vehicle Account—Private/Local Appropriation. . . . .	\$500,000
20 Interstate 405 and State Route Number 167 Express	
21 Toll Lanes Account—State Appropriation. . . . .	\$900,000
22 TOTAL APPROPRIATION. . . . .	(( <del>\$22,233,000</del> ))
23	<u>\$22,699,000</u>
24	

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

27 (1) (~~(\$579,000)~~) \$580,000 of the motor vehicle account—state  
28 appropriation is provided solely for the SR 99 Aurora Bridge ITS  
29 project (L2000338).

30 (2) (~~(\$1,001,000)~~) \$1,612,000 of the motor vehicle account—state  
31 appropriation and (~~(\$2,060,000)~~) \$2,018,000 of the motor vehicle  
32 account—federal appropriation are provided solely for the Challenge  
33 Seattle project (000009Q). The department shall provide a progress  
34 report on this project to the transportation committees of the  
35 legislature by January 15, 2022.

36 **Sec. 207.** 2022 c 186 s 308 (uncodified) is amended to read as  
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**

2 **CONSTRUCTION—PROGRAM W**

3 Puget Sound Capital Construction Account—State

4 Appropriation. . . . . ((\$167,533,000))  
5 \$145,849,000

6 Puget Sound Capital Construction Account—Federal

7 Appropriation. . . . . ((\$180,571,000))  
8 \$154,759,000

9 Puget Sound Capital Construction Account—

10 Private/Local Appropriation. . . . . ((\$2,181,000))  
11 \$1,844,000

12 Transportation Partnership Account—State

13 Appropriation. . . . . ((\$9,432,000))  
14 \$3,759,000

15 Connecting Washington Account—State Appropriation. . . . . ((\$99,141,000))  
16 \$97,904,000

17 Capital Vessel Replacement Account—State

18 Appropriation. . . . . ((\$45,668,000))  
19 \$5,769,000

20 (~~Motor Vehicle Account—State Appropriation. . . . . \$1,000~~)

21 Transportation 2003 Account (Nickel Account)—State

22 Appropriation. . . . . \$987,000

23 TOTAL APPROPRIATION. . . . . ((\$505,514,000))  
24 \$410,871,000

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

27 (1) Except as provided otherwise in this section, the entire  
28 appropriations in this section are provided solely for the projects  
29 and activities as listed in (~~LEAP Transportation Document 2022-2 ALL~~  
30 ~~PROJECTS as developed March 9, 2022~~) 2022 OFM Transportation Document  
31 2023-1: Proposed Transportation Project List as developed December  
32 14, 2022, (~~Program~~) Washington State Ferries Capital Program (W).

33 (2) For the 2021-2023 biennium, the marine division shall provide  
34 to the office of financial management and the legislative  
35 transportation committees the following reports on ferry capital  
36 projects:

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

- 1 (i) Anticipated cost increases and cost savings;  
2 (ii) Anticipated cash flow and schedule changes; and  
3 (iii) Explanations for the changes.

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

- 7 (i) What work has been done;  
8 (ii) How have schedules shifted; and  
9 (iii) Associated changes in funding among projects, accompanied  
10 by explanations for the changes.

11 (c) On an annual basis the report must include an update on the  
12 implementation of the maintenance management system with  
13 recommendations for using the system to improve the efficiency of  
14 project reporting under this subsection.

15 (3) (~~(\$12,232,000)~~) \$19,940,000 of the Puget Sound capital  
16 construction account—state appropriation is provided solely for  
17 emergency capital repair costs (999910K). Funds may only be spent  
18 after approval by the office of financial management.

19 (4) (~~(\$2,385,000)~~) \$2,384,000 of the Puget Sound capital  
20 construction account—state appropriation is provided solely for the  
21 ORCA card next generation project (L2000300). The ferry system shall  
22 work with Washington technology solutions and the tolling division on  
23 the development of a new, interoperable ticketing system.

24 (5) (~~(\$28,134,000)~~) \$18,226,000 of the Puget Sound capital  
25 construction account—state appropriation is provided solely for the  
26 conversion of up to two Jumbo Mark II vessels to electric hybrid  
27 propulsion (G2000084). The department shall seek additional funds for  
28 the purposes of this subsection. The department may spend from the  
29 Puget Sound capital construction account—state appropriation in this  
30 section only as much as the department receives in Volkswagen  
31 settlement funds for the purposes of this subsection.

32 (6) (~~(\$45,668,000)~~) \$5,769,000 of the capital vessel replacement  
33 account—state appropriation is provided solely for the acquisition of  
34 a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature  
35 amended RCW 47.60.810 to direct the department to modify an existing  
36 vessel construction contract to provide for an additional five  
37 ferries. As such, it is the intent of the legislature that the  
38 department award the contract for the hybrid electric Olympic class  
39 vessel #5(L2000329) in a timely manner. In addition, the legislature

1 intends to minimize costs and maximize construction efficiency by  
2 providing sufficient funding for construction of all five vessels,  
3 including funding for long lead time materials procured at the lowest  
4 possible prices. The commencement of construction of new vessels for  
5 the ferry system is important not only for safety reasons, but also  
6 to keep skilled marine construction jobs in the Puget Sound region  
7 and to sustain the capacity of the region to meet the ongoing  
8 construction and preservation needs of the ferry system fleet of  
9 vessels. The legislature has determined that the current vessel  
10 procurement process must move forward with all due speed, balancing  
11 the interests of both the taxpayers and shipyards. To accomplish  
12 construction of vessels in accordance with RCW 47.60.810, the  
13 prevailing shipbuilder, for vessels initially funded after July 1,  
14 2020, is encouraged to follow the historical practice of  
15 subcontracting the construction of ferry superstructures to a  
16 separate nonaffiliated contractor located within the Puget Sound  
17 region, that is qualified in accordance with RCW 47.60.690. If the  
18 department elects not to execute a new modification to an existing  
19 option contract for one or more additional 144-auto ferries under RCW  
20 47.60.810(4), the department shall proceed with development of a new  
21 design-build request for proposals in accordance with RCW 47.60.810,  
22 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,  
23 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this  
24 section, \$200,000 is provided solely for hiring an independent  
25 owner's representative to perform quality oversight, manage the  
26 change order process, and ensure contract compliance.

27 (7) The capital vessel replacement account—state appropriation  
28 includes up to \$45,468,000 in proceeds from the sale of bonds  
29 authorized in RCW 47.10.873.

30 (8) (~~(\$4,200,000)~~) \$2,838,000 of the connecting Washington  
31 account—state appropriation is provided solely for ferry vessel and  
32 terminal preservation (L2000110). The funds provided in this  
33 subsection must be used for unplanned preservation needs before  
34 shifting funding from other preservation projects.

35 **Sec. 208.** 2022 c 186 s 309 (uncodified) is amended to read as  
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**  
38 Essential Rail Assistance Account—State

1	Appropriation. . . . .	\$1,108,000
2	Transportation Infrastructure Account—State	
3	Appropriation. . . . .	(( <del>\$6,218,000</del> ))
4		<u>\$6,219,000</u>
5	Multimodal Transportation Account—State	
6	Appropriation. . . . .	(( <del>\$118,320,000</del> ))
7		<u>\$66,712,000</u>
8	Multimodal Transportation Account—Federal	
9	Appropriation. . . . .	(( <del>\$6,567,000</del> ))
10		<u>\$11,568,000</u>
11	Multimodal Transportation Account—Private/Local	
12	Appropriation. . . . .	\$13,000
13	Motor Vehicle Account—State Appropriation. . . . .	\$1,810,000
14	TOTAL APPROPRIATION. . . . .	(( <del>\$134,036,000</del> ))
15		<u>\$87,430,000</u>

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

18 (1) Except as provided otherwise in this section, the entire  
19 appropriations in this section are provided solely for the projects  
20 and activities as listed by project and amount in ((~~LEAP~~  
21 ~~Transportation Document 2022-2 ALL PROJECTS as developed March 9,~~)  
22 2022 OFM Transportation Document 2023-1: Proposed Transportation  
23 Project List as developed December 14, 2022, ((Program—)) Rail  
24 Program (Y).

25 (2) ((~~\$5,089,000~~)) \$5,090,000 of the transportation  
26 infrastructure account—state appropriation is provided solely for new  
27 low-interest loans approved by the department through the freight  
28 rail investment bank (FRIB) program. The department shall issue FRIB  
29 program loans with a repayment period of no more than ten years, and  
30 charge only so much interest as is necessary to recoup the  
31 department's costs to administer the loans. The department shall  
32 report annually to the transportation committees of the legislature  
33 and the office of financial management on all FRIB loans issued. FRIB  
34 program loans may be recommended by the department for 2022  
35 supplemental transportation appropriations up to the amount provided  
36 in this appropriation that has not been provided for the projects  
37 listed in ((~~2021-2 ALL PROJECTS~~)) 2023-1: Proposed Transportation  
38 Project List, as referenced in subsection (1) of this section. The  
39 department shall submit a prioritized list for any loans recommended

1 to the office of financial management and the transportation  
2 committees of the legislature by November 15, 2021.

3 (3) (~~(\$7,041,000)~~) \$7,814,000 of the multimodal transportation  
4 account—state appropriation is provided solely for new statewide  
5 emergent freight rail assistance projects (FRAP) identified in the  
6 (~~LEAP~~) OFM transportation document referenced in subsection (1) of  
7 this section.

8 (4) \$367,000 of the transportation infrastructure account—state  
9 appropriation and \$1,100,000 of the multimodal transportation account  
10 —state appropriation are provided solely to reimburse Highline Grain,  
11 LLC for approved work completed on Palouse River and Coulee City  
12 (PCC) railroad track in Spokane county between the BNSF Railway  
13 Interchange at Cheney and Geiger Junction and must be administered in  
14 a manner consistent with freight rail assistance program projects.  
15 The value of the public benefit of this project is expected to meet  
16 or exceed the cost of this project in: Shipper savings on  
17 transportation costs; jobs saved in rail-dependent industries; and/or  
18 reduced future costs to repair wear and tear on state and local  
19 highways due to fewer annual truck trips (reduced vehicle miles  
20 traveled). The amounts provided in this subsection are not a  
21 commitment for future legislatures, but it is the legislature's  
22 intent that future legislatures will work to approve biennial  
23 appropriations until the full \$7,337,000 cost of this project is  
24 reimbursed.

25 (5) (a) \$1,008,000 of the essential rail assistance account—state  
26 appropriation is provided solely for the purpose of the  
27 rehabilitation and maintenance of the Palouse river and Coulee City  
28 railroad line (F01111B).

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

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

34 (ii) Revenues from trackage rights agreement fees paid by  
35 shippers; and

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

1 (6) The department shall issue a call for projects for the  
2 freight rail assistance program, and shall evaluate the applications  
3 in a manner consistent with past practices as specified in section  
4 309, chapter 367, Laws of 2011. By November 15, 2022, the department  
5 shall submit a prioritized list of recommended projects to the office  
6 of financial management and the transportation committees of the  
7 legislature.

8 (7) (~~(\$32,996,000)~~) \$5,148,000 of the multimodal transportation  
9 account—state appropriation is provided solely for Passenger Rail  
10 Equipment Replacement (project 700010C). The appropriation in this  
11 subsection include insurance proceeds received by the state. The  
12 department must use these funds only to purchase replacement  
13 equipment that has been competitively procured and for service  
14 recovery needs and corrective actions related to the December 2017  
15 derailment.

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

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

28 **Sec. 209.** 2022 c 186 s 310 (uncodified) is amended to read as  
29 follows:

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

32 Highway Infrastructure Account—State Appropriation. . . . .	\$1,744,000
33 Highway Infrastructure Account—Federal Appropriation	
34 . . . . .	\$2,935,000
35 Transportation Partnership Account—State	
36 Appropriation. . . . .	( <del>(\$1,000,000)</del> )
37	<u>\$500,000</u>
38 Motor Vehicle Account—State Appropriation. . . . .	( <del>(\$25,101,000)</del> )

1		<u>\$21,631,000</u>
2	Motor Vehicle Account—Federal Appropriation. . . . .	(( <del>\$79,306,000</del> ))
3		<u>\$44,945,000</u>
4	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$6,600,000
5	Connecting Washington Account—State Appropriation. . . . .	(( <del>\$178,464,000</del> ))
6		<u>\$141,403,000</u>
7	Multimodal Transportation Account—State	
8	Appropriation. . . . .	(( <del>\$96,975,000</del> ))
9		<u>\$62,362,000</u>
10	TOTAL APPROPRIATION. . . . .	(( <del>\$392,125,000</del> ))
11		<u>\$282,120,000</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 appropriations in this section are provided solely for the projects  
16 and activities as listed by project and amount in ((~~LEAP~~  
17 ~~Transportation Document 2022-2 ALL PROJECTS as developed March 9,~~)  
18 2022 OFM Transportation Document 2023-1: Proposed Transportation  
19 Project List as developed December 14, 2022, ((~~Program~~) Local  
20 Programs Program (Z).

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

24       (a) (i) ((~~\$46,163,000~~)) \$29,870,000 of the multimodal  
25 transportation account—state appropriation is provided solely for  
26 pedestrian and bicycle safety program projects (L2000188).

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

33       (b) ((~~\$26,086,000~~)) \$18,349,000 of the motor vehicle account—  
34 federal appropriation and ((~~\$21,656,000~~)) \$16,562,000 of the  
35 multimodal transportation account—state appropriation are provided  
36 solely for safe routes to school projects (L2000189). The department  
37 may consider the special situations facing high-need areas, as  
38 defined by schools or project areas in which the percentage of the  
39 children eligible to receive free and reduced-price meals under the



1 national school lunch program is equal to, or greater than, the state  
2 average as determined by the department, when evaluating project  
3 proposals against established funding criteria while ensuring  
4 continued compliance with federal eligibility requirements.

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

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

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

22 (6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—  
23 federal appropriation is provided solely for national highway freight  
24 network projects identified on the project list submitted in  
25 accordance with section 218(4)(b), chapter 14, Laws of 2016 on  
26 October 31, 2016 (L1000169).

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

1 (8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—  
2 federal appropriation is provided solely for acceleration of local  
3 preservation projects that ensure the reliable movement of freight on  
4 the national highway freight system (G2000100). The department will  
5 identify projects through its current national highway system asset  
6 management call for projects with applications due in February 2021.  
7 The department shall give priority to those projects that can be  
8 obligated by September 30, 2021.

9 (9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation  
10 account—state appropriation is provided solely for a grant to the  
11 Northwest Seaport Alliance (NWSA) to lead the creation and  
12 coordination of a multistakeholder zero emissions truck collaborative  
13 that will: (a) Facilitate the development and implementation of one  
14 or more zero-emissions drayage truck demonstration projects in  
15 Washington state; and (b) develop a roadmap for transitioning the  
16 entire fleet of approximately 4,500 drayage trucks that serve the  
17 NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner  
18 (L2021119).

19 (10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington  
20 account—state appropriation is provided solely for the I-5/Mellen  
21 Street Connector project (L2000205).

22 (11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state  
23 appropriation is provided solely for the 166th/SR 410 Interchange  
24 (L20211244).

25 (12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state  
26 appropriation is provided solely for repairs and rehabilitation of  
27 the Pierce county ferry landings at Anderson Island and Steilacoom  
28 (L1000314).

29 (13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state  
30 appropriation is provided solely for the city of Spokane for  
31 preliminary engineering of the US 195/Inland Empire Way project.  
32 Funds may be used for predesign environmental assessment work,  
33 community engagement, design, and project cost estimation (L1000316).

34 (14) \$800,000 of the motor vehicle account—state appropriation is  
35 provided solely for the SR 109/88 Corner Roadway project (G2000106).

36 **Sec. 210.** 2022 c 187 s 308 (uncodified) is amended to read as  
37 follows:

38 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z**

1	Move Ahead WA Account—State Appropriation . . . . .	(( <del>\$131,900,000</del> ))
2		<u>\$5,000,000</u>
3	Move Ahead WA Flexible Account—State Appropriation. .	(( <del>\$5,000,000</del> ))
4		<u>\$3,000,000</u>
5	Climate Active Transportation Account—State	
6	Appropriation . . . . .	(( <del>\$20,182,000</del> ))
7		<u>\$12,182,000</u>
8	TOTAL APPROPRIATION. . . . .	(( <del>\$157,082,000</del> ))
9		<u>\$20,182,000</u>

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

12       (1) The entire move ahead WA account—state appropriation is  
13 provided solely for the local road projects and activities as listed  
14 in ((~~LEAP Transportation Document 2022 NL-1 as developed March 9,~~  
15 ~~2022~~)) OFM Transportation Document 2023-1: Proposed Transportation  
16 Project List as developed December 14, 2022.

17       (2) The department shall submit the projects ((~~on LEAP~~  
18 ~~Transportation Document 2022 NL-2 as developed March 9, 2022~~)) in OFM  
19 Transportation Document 2023-1: Proposed Transportation Project List  
20 as developed December 14, 2022, in three tiers to the transportation  
21 committees of the legislature and the office of financial management  
22 by December 1, 2022, prioritizing projects based on community impacts  
23 to overburdened communities as defined in RCW 70A.02.010.

24       (3) ((~~\$10,686,000~~)) \$6,686,000 of the climate active  
25 transportation account—state appropriation is provided solely for  
26 newly selected safe routes to school grants (L1000306).

27       (4) ((~~\$9,496,000~~)) \$5,496,000 of the climate active  
28 transportation account—state appropriation is provided solely for  
29 newly selected pedestrian and bicycle grants (L1000307).

30       (5) It is the intent of the legislature that up to \$14,000,000  
31 will be provided for the Guemes Ferry Boat Replacement Project  
32 (L4000124).

33       (6) ((~~\$5,000,000~~)) \$3,000,000 of the move ahead WA flexible  
34 account—state appropriation is provided solely for railroad crossing  
35 grant awards which match federal funds for city and county projects  
36 which eliminate at-grade highway-rail crossings.

37       (7) It is the intent of the legislature that \$25,000,000 will be  
38 provided as part of the move ahead WA investment package in a future  
39 biennium, as indicated on the list identified in subsection (1) of

1 this section, for the Ballard and Magnolia bridge project (L4000123).  
2 As part of the project, the Seattle department of transportation  
3 (SDOT) must consult with an independent engineering firm to verify  
4 that the costs for the type, size, and location preliminary design  
5 report (TS&L), environmental impact statement (EIS), and 60 percent  
6 design work are within industry cost range standards in advance of  
7 moving forward with construction. SDOT must ensure that funds are  
8 maximized by limiting the percentage for TS&L, EIS, and 60 percent  
9 design work to 10 percent of the total cost of the project. Of the  
10 \$25,000,000, \$12,500,000 must remain in unallotted status, and may be  
11 distributed to SDOT only upon determination by the office of  
12 financial management that SDOT's cost estimates have been verified by  
13 an independent engineering firm as within industry cost range  
14 standards, and SDOT has secured the additional matching funding  
15 needed to complete the TS&L, EIS, and 60 percent design work.

16 (8) (a) It is the intent of the legislature, over the first five  
17 years of the move ahead WA program, that \$50,000,000 will be provided  
18 to SDOT to implement Aurora Avenue North Safety Improvements  
19 (L4000154). Under this program, SDOT will be required to implement  
20 strategic transportation investments for the Aurora Ave N Corridor  
21 from N 90th St to N 105th St that ensure slow vehicle speeds,  
22 walkability, multimodal mobility, safe routes to local schools, and  
23 safety for residents, which will demonstrate the benefits of similar  
24 transportation investments for other locations along Aurora Avenue  
25 and elsewhere. SDOT must convene a neighborhood oversight board  
26 consisting of residents of communities of the Aurora Ave N Corridor  
27 to prioritize investments and monitor project implementation. The  
28 oversight board should be composed of an equitable representation of  
29 local communities along the Aurora Ave N Corridor, including  
30 residents with disabilities. SDOT will ensure that the oversight  
31 board is consulted on a bimonthly basis during the prioritization  
32 process.

33 (b) The legislature intends, upon completion of the State Route  
34 99/Aurora Avenue North Planning Study, that projects recommended in  
35 the study will be funded by this program. A specific focus must be on  
36 access management to consolidate driveways and improve safety for  
37 vulnerable users. This work must also include installation of full  
38 curb and sidewalks to improve safety, mobility, transit ridership,  
39 equity, and work towards the goals set forth in vision zero, target  
40 zero, and the Washington state active transportation plan. SDOT must

1 ensure the design and implementation of an accessible sidewalk  
2 network to support users with mobility limitations, convenient and  
3 accessible transit stops, all-ages-and-abilities bicycle facilities,  
4 and safe pedestrian-activated crosswalks that puts safety over speed,  
5 balances the needs of different modes, reduces the level of traffic  
6 stress experienced by pedestrians and cyclists, connects to existing  
7 bicycle and transit networks, creates safe walking and bicycling  
8 routes to local schools including crosswalks, improves human and  
9 environmental health, and supports the surrounding neighborhoods.  
10 SDOT must coordinate with the Washington state department of  
11 transportation and King county metro in implementing the investments.  
12 SDOT must ensure that funds are maximized by limiting the percentage  
13 for planning, predesign, design, permitting, and environmental review  
14 to 10 percent of the total cost of each project.

15 (c) The legislature intends that all Aurora Avenue North Safety  
16 Improvement projects funded in this program be completed by December  
17 31, 2029, and that no funds may be expended for this purpose after  
18 this date.

19 NEW SECTION. **Sec. 211.** The following acts or parts of acts are  
20 each repealed:

- 21 (1) 2022 c 187 s 304 (uncodified);  
22 (2) 2022 c 187 s 305 (uncodified); and  
23 (3) 2022 c 187 s 307 (uncodified).

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 301. 2022 c 186 s 401 (uncodified) is amended to read as  
3 follows:

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

8	Transportation Partnership Account—State	
9	Appropriation. . . . .	((\$794,000))
10		<u>\$481,000</u>
11	Connecting Washington Account—State Appropriation. . . . .	\$1,633,000
12	Special Category C Account—State Appropriation. . . . .	((\$257,000))
13		<u>\$259,000</u>
14	Highway Bond Retirement Account—State	
15	Appropriation. . . . .	((\$1,408,622,000))
16		<u>\$1,406,716,000</u>
17	Ferry Bond Retirement Account—State Appropriation. . . . .	\$17,150,000
18	Transportation Improvement Board Bond Retirement	
19	Account—State Appropriation. . . . .	((\$18,152,000))
20		<u>\$14,153,000</u>
21	Nondebt-Limit Reimbursable Bond Retirement Account—	
22	State Appropriation. . . . .	((\$26,278,000))
23		<u>\$29,230,000</u>
24	Toll Facility Bond Retirement Account—State	
25	Appropriation. . . . .	\$76,376,000
26	TOTAL APPROPRIATION. . . . .	((\$1,542,811,000))
27		<u>\$1,544,365,000</u>

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

33 Sec. 302. 2022 c 186 s 402 (uncodified) is amended to read as  
34 follows:

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

1	Transportation Partnership Account—State	
2	Appropriation. . . . .	(( <del>\$150,000</del> ))
3		<u>\$88,000</u>
4	(( <del>Connecting Washington Account—State Appropriation. . . . .</del>	<del>\$327,000</del> ))
5	Special Category C Account—State Appropriation. . . . .	(( <del>\$51,000</del> ))
6		<u>\$52,000</u>
7	Transportation Improvement Account—State	
8	Appropriation. . . . .	\$20,000
9	TOTAL APPROPRIATION. . . . .	(( <del>\$548,000</del> ))
10		<u>\$160,000</u>

11       **Sec. 303.** 2022 c 186 s 403 (uncodified) is amended to read as  
12 follows:

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

14	Motor Vehicle Account—State Appropriation: For motor	
15	vehicle fuel tax statutory distributions to	
16	cities and counties. . . . .	(( <del>\$474,003,000</del> ))
17		<u>\$473,248,000</u>
18	Multimodal Transportation Account—State	
19	Appropriation: For distribution to cities and	
20	counties. . . . .	\$26,786,000
21	Motor Vehicle Account—State Appropriation: For	
22	distribution to cities and counties. . . . .	\$23,438,000

23       **Sec. 304.** 2022 c 186 s 404 (uncodified) is amended to read as  
24 follows:

25 **FOR THE STATE TREASURER—TRANSFERS**

26	Motor Vehicle Account—State Appropriation: For motor	
27	vehicle fuel tax refunds and statutory	
28	transfers. . . . .	(( <del>\$2,000,419,000</del> ))
29		<u>\$2,014,975,000</u>

30       **Sec. 305.** 2022 c 186 s 405 (uncodified) is amended to read as  
31 follows:

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

33	Motor Vehicle Account—State Appropriation: For motor	
34	vehicle fuel tax refunds and transfers. . . . .	(( <del>\$240,330,000</del> ))
35		<u>\$265,457,000</u>

1       **Sec. 306.** 2022 c 186 s 406 (uncodified) is amended to read as  
2 follows:

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

4       (1) Highway Safety Account—State Appropriation:

5 For transfer to the State Patrol Highway

6 Account—State. . . . . ((\$47,000,000))

7 \$52,500,000

8       (2) ~~((a) Transportation Partnership Account—State~~

9 ~~Appropriation: For transfer to the Capital Vessel~~

10 ~~Replacement Account—State. . . . . \$45,468,000~~

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

13 ~~(3)) (a) Transportation Partnership Account—State~~

14 ~~Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account~~

15 ~~—State. . . . . \$30,293,000~~

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

22       ~~((4)) (3) (a) Motor Vehicle Account—State Appropriation:~~

23 ~~For transfer to Alaskan Way Viaduct Replacement Project~~

24 ~~Account—State. . . . . \$6,000,000~~

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

30       ~~((5)) (4) Motor Vehicle Account—State Appropriation:~~

31 ~~For transfer to the County Arterial Preservation~~

32 ~~Account—State. . . . . \$7,666,000~~

33       ~~((6)) (5) Motor Vehicle Account—State Appropriation:~~

34 ~~For transfer to the Freight Mobility Investment~~

35 ~~Account—State. . . . . \$5,511,000~~

36       ~~((7)) (6) Motor Vehicle Account—State Appropriation:~~

37 ~~For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000~~

38       ~~((8)) (7) Motor Vehicle Account—State Appropriation:~~

39 ~~For transfer to the Transportation Improvement~~



1 Account—State. . . . . \$9,688,000  
2 ((+9)) (8) Rural Mobility Grant Program Account—State  
3 Appropriation: For transfer to the Multimodal  
4 Transportation Account—State. . . . . \$3,000,000  
5 ((+10)) (9) (a) State Route Number 520 Civil Penalties  
6 Account—State Appropriation: For transfer to the  
7 Motor Vehicle Account—State  
8 . . . . . \$2,000,000  
9 (b) The transfer in this subsection is to repay moneys loaned to  
10 the state route number 520 civil penalties account in the 2019-2021  
11 fiscal biennium.  
12 ((+11)) (10) State Route Number 520 Civil Penalties  
13 Account—State Appropriation: For transfer to the  
14 State Route Number 520 Corridor Account—State. . . . . \$1,532,000  
15 ((+12)) (11) Capital Vessel Replacement Account—State  
16 Appropriation: For transfer to the Connecting  
17 Washington Account—State. . . . . \$35,000,000  
18 ((+13)) (12) (a) Capital Vessel Replacement Account—State  
19 Appropriation: For transfer to the Transportation  
20 Partnership Account—State. . . . . ((\$1,542,000))  
21 \$35,547,000  
22 (b) The amount transferred in this subsection represents  
23 (~~repayment of debt service incurred for the construction of the~~  
24 ~~Hybrid Electric Olympic Class (144-auto) Vessel #5 project~~  
25 ~~(L2000329).~~) proceeds from the sale of bonds authorized in the  
26 2019-2021 biennium in RCW 47.10.873.  
27 ((+14)) (13) Multimodal Transportation Account—State  
28 Appropriation: For transfer to the Complete Streets  
29 Grant Program Account—State. . . . . \$14,670,000  
30 ((+15)) (14) Multimodal Transportation Account—State  
31 Appropriation: For transfer to the Connecting  
32 Washington Account—State. . . . . \$200,000,000  
33 ((+16)) (15) Multimodal Transportation Account—State  
34 Appropriation: For transfer to the Freight Mobility  
35 Multimodal Account—State. . . . . \$4,011,000  
36 ((+17)) (16) Multimodal Transportation Account—State  
37 Appropriation: For transfer to the Ignition Interlock  
38 Device Revolving Account—State. . . . . \$600,000  
39 ((+18)) (17) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Pilotage  
2 Account—State. . . . . \$2,000,000  
3     (~~(19)~~) (18) Multimodal Transportation Account—State  
4 Appropriation: For transfer to the Puget Sound  
5 Capital Construction Account—State. . . . . \$816,700,000  
6     (~~(20)~~) (19) Multimodal Transportation Account—State  
7 Appropriation: For transfer to the Regional Mobility  
8 Grant Program Account—State. . . . . \$27,679,000  
9     (~~(21)~~) (20) Multimodal Transportation Account—State  
10 Appropriation: For transfer to the Rural Mobility  
11 Grant Program Account—State. . . . . \$15,223,000  
12     (~~(22)~~) (21)(a) Alaskan Way Viaduct Replacement Project  
13 Account—State Appropriation: For transfer to the  
14 Transportation Partnership Account—State. . . . . \$22,884,000  
15     (b) The amount transferred in this subsection represents  
16 repayment of debt service incurred for the construction of the SR 99/  
17 Alaskan Way Viaduct Replacement project (809936Z).  
18     (~~(23)~~) (22) Tacoma Narrows Toll Bridge Account—State  
19 Appropriation: For transfer to the Motor Vehicle  
20 Account—State. . . . . \$950,000  
21     (~~(24)~~) (23) Puget Sound Ferry Operations Account—State  
22 Appropriation: For transfer to the Puget Sound  
23 Capital Construction Account—State. . . . . \$60,000,000  
24     (~~(25)~~) (24)(a) General Fund Account—State  
25 Appropriation: For transfer to the State Patrol  
26 Highway Account—State. . . . . \$625,000  
27     (b) The state treasurer shall transfer the funds only after  
28 receiving notification from the Washington state patrol under section  
29 207(2), chapter 333, Laws of 2021.  
30     (~~(26)~~) (25) Motor Vehicle Account—State  
31 Appropriation: For transfer to the Puget Sound  
32 Capital Construction Account—State. . . . . \$30,000,000  
33     (~~(27)~~) (26) Multimodal Transportation Account—State  
34 Appropriation: For transfer to the I-405 and SR 167  
35 Express Toll Lanes Account—State. . . . . \$268,433,000  
36     (~~(28)~~) (27) Multimodal Transportation Account—State  
37 Appropriation: For transfer to the Move Ahead WA  
38 Account—State. . . . . \$874,081,000  
39     (~~(29)~~) (28) Multimodal Transportation Account—State

1 Appropriation: For transfer to the State Route  
2 Number 520 Corridor Account—State. . . . . \$70,786,000  
3 (~~(30)~~) (29) Motor Vehicle Account—State  
4 Appropriation: For transfer to the Connecting Washington  
5 Account—State. . . . . \$80,000,000  
6 (~~(31)~~) (30) Move Ahead WA Account—State  
7 Appropriation: For transfer to the Connecting Washington  
8 Account—State. . . . . \$600,000,000  
9 (~~(32)~~) (31) Transportation Improvement Account—State  
10 Appropriation: For transfer to the Transportation  
11 Improvement Board Bond Retirement Account. . . . . \$6,451,550

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 401.** 2022 c 186 s 601 (uncodified) is amended to read as  
3 follows:

4 **MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN**  
5 **SESSION**

6 (1) The 2005 transportation partnership projects or improvements  
7 and 2015 connecting Washington projects or improvements are listed in  
8 (~~the LEAP Transportation Document 2022-1 as developed March 9,~~  
9 ~~2022~~) OFM Transportation Document 2023-1: Proposed Transportation  
10 Project List as developed December 14, 2022, which consists of a list  
11 of specific projects by fund source and amount over a sixteen-year  
12 period. Current fiscal biennium funding for each project is a line-  
13 item appropriation, while the outer year funding allocations  
14 represent a sixteen-year plan. The department of transportation is  
15 expected to use the flexibility provided in this section to assist in  
16 the delivery and completion of all transportation partnership account  
17 and connecting Washington account projects on the (~~LEAP~~) OFM  
18 transportation document referenced in this subsection. For the  
19 2021-2023 project appropriations, unless otherwise provided in this  
20 act, the director of the office of financial management may provide  
21 written authorization for a transfer of appropriation authority  
22 between projects funded with transportation partnership account  
23 appropriations or connecting Washington account appropriations to  
24 manage project spending and efficiently deliver all projects in the  
25 respective program under the following conditions and limitations:

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

28 (b) Transfers from a project may not be made as a result of the  
29 reduction of the scope of a project or be made to support increases  
30 in the scope of a project;

31 (c) Transfers from a project may be made if the funds  
32 appropriated to the project are in excess of the amount needed in the  
33 current fiscal biennium;

34 (d) Transfers may not occur for projects not identified on the  
35 applicable project list;

36 (e) Transfers to a project may not occur if that project is a  
37 programmatic funding item described in broad general terms on the  
38 applicable project list without referencing a specific state route  
39 number;

- 1 (f) Transfers may not be made while the legislature is in  
2 session;
- 3 (g) Transfers to a project may not be made with funds designated  
4 as attributable to practical design savings as described in RCW  
5 47.01.480;
- 6 (h) Except for transfers made under (l) of this subsection,  
7 transfers may only be made in fiscal year 2023;
- 8 (i) The total amount of transfers under this section may not  
9 exceed \$50,000,000;
- 10 (j) Except as otherwise provided in (l) of this subsection,  
11 transfers made to a single project may not cumulatively total more  
12 than \$20,000,000 per biennium;
- 13 (k) Each transfer between projects may only occur if the director  
14 of the office of financial management finds that any resulting change  
15 will not hinder the completion of the projects as approved by the  
16 legislature; and
- 17 (l) Transfers between projects may be made by the department of  
18 transportation without the formal written approval provided under  
19 this subsection (1), provided that the transfer amount to a single  
20 project does not exceed two hundred fifty thousand dollars or ten  
21 percent of the total project per biennium, whichever is less. These  
22 transfers must be reported quarterly to the director of the office of  
23 financial management and the chairs of the house of representatives  
24 and senate transportation committees.
- 25 (2) The department of transportation must submit quarterly all  
26 transfers authorized under this section in the transportation  
27 executive information system. The office of financial management must  
28 maintain a legislative baseline project list identified in the  
29 ((LEAP)) OFM transportation documents referenced in this act, and  
30 update that project list with all authorized transfers under this  
31 section, including any effects to the total project budgets and  
32 schedules beyond the current biennium.
- 33 (3) At the time the department submits a request to transfer  
34 funds under this section, a copy of the request must be submitted to  
35 the chairs and ranking members of the transportation committees of  
36 the legislature.
- 37 (4) Before approval, the office of financial management shall  
38 work with legislative staff of the house of representatives and  
39 senate transportation committees to review the requested transfers in

1 a timely manner and address any concerns raised by the chairs and  
2 ranking members of the transportation committees.

3 (5) No fewer than ten days after the receipt of a project  
4 transfer request, the director of the office of financial management  
5 must provide written notification to the department of any decision  
6 regarding project transfers, with copies submitted to the  
7 transportation committees of the legislature.

8 (6) The department must submit annually as part of its budget  
9 submittal a report detailing all transfers made pursuant to this  
10 section, including any effects to the total project budgets and  
11 schedules beyond the current biennium.

12 (7)(a) If the department of transportation receives federal  
13 funding not appropriated in this act, the department shall apply such  
14 funds to any of the following activities in lieu of state funds, if  
15 compliant with federal funding restrictions, and in the order that  
16 most reduces administrative burden and minimizes the use of bond  
17 proceeds:

18 (i) (~~(Projects on LEAP Transportation Document 2022-2 ALL~~  
19 ~~PROJECTS as developed March 9,)) 2022 OFM Transportation Document  
20 2023-1: Proposed Transportation Project List as developed December  
21 14, 2022; or~~

22 (ii) Other department of transportation operating or capital  
23 expenditures funded by appropriations from state accounts in this  
24 act.

25 (b) However, if the funds received may not be used for any of the  
26 purposes enumerated in this section and must be obligated before the  
27 next regular legislative session, then the department may program the  
28 funds for other transportation-related activities, provided that  
29 these actions do not initiate any new programs, policies, or  
30 expenditure levels requiring additional one-time or ongoing state  
31 funds that have not been expressly authorized by the legislature. The  
32 department shall follow the existing unanticipated receipt process to  
33 notify the legislative standing committees on transportation and the  
34 office of financial management of the amount of federal funds  
35 received in addition to those appropriated in this act and the  
36 projects or activities receiving funding through this process.

37 **Sec. 402.** 2022 c 186 s 602 (uncodified) is amended to read as  
38 follows:

39 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

1           (1) By November 15th of each year, the department of  
2 transportation must report on amounts expended to benefit transit,  
3 bicycle, or pedestrian elements within all connecting Washington  
4 projects in programs I, P, and Z identified in (~~LEAP Transportation~~  
5 ~~Document 2022-2 ALL PROJECTS as developed March 9,~~) 2022 OFM  
6 Transportation Document 2023-1: Proposed Transportation Project List  
7 as developed December 14, 2022. The report must address each modal  
8 category separately and identify if eighteenth amendment protected  
9 funds have been used and, if not, the source of funding.

10           (2) To facilitate the report in subsection (1) of this section,  
11 the department of transportation must require that all bids on  
12 connecting Washington projects include an estimate on the cost to  
13 implement any transit, bicycle, or pedestrian project elements.

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 501.** A new section is added to 2022 c 186  
3 (uncodified) to read as follows:

4 The appropriations to the department of transportation in chapter  
5 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act  
6 must be expended for the programs and in the amounts specified in  
7 chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and  
8 this act. However, after May 1, 2023, unless specifically prohibited,  
9 the department may transfer state appropriations for the 2021-2023  
10 fiscal biennium among operating programs after approval by the  
11 director of the office of financial management. However, the  
12 department shall not transfer state moneys that are provided solely  
13 for a specific purpose. The department shall not transfer funds, and  
14 the director of the office of financial management shall not approve  
15 the transfer, unless the transfer is consistent with the objective of  
16 conserving, to the maximum extent possible, the expenditure of state  
17 funds and not federal funds. The director of the office of financial  
18 management shall notify the appropriate transportation committees of  
19 the legislature prior to approving any allotment modifications or  
20 transfers under this section.

21 NEW SECTION. **Sec. 502.** If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 503.** This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of  
27 the state government and its existing public institutions, and takes  
28 effect immediately.

(End of part)



(End of Bill)

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