
SUBSTITUTE SENATE BILL 5458

State of Washington

61st Legislature

2009 Regular Session

By Senate Transportation (originally sponsored by Senators Marr, Swecker, Haugen, King, and Shin; by request of Office of Financial Management)

READ FIRST TIME 03/02/09.

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

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

12 **ECONOMIC STIMULUS FUNDING**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **GENERAL GOVERNMENT AGENCIES--OPERATING**

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

16 **FOR THE MARINE EMPLOYEES COMMISSION**

17 Puget Sound Ferry Operations Account--State

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

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

23 **TRANSPORTATION AGENCIES--OPERATING**

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

26 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

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

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

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

24 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

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

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

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

3 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

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

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

12 **FOR THE JOINT TRANSPORTATION COMMITTEE**

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

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

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

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

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

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

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

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

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

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

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

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

12 (i) Ridership demand forecast;

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

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

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

22 (c) Making recommendations regarding:

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

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

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

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

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

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

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

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

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

33 **FOR THE TRANSPORTATION COMMISSION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 State Patrol Highway Account--Private/Local

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

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

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

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

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

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

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

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

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

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

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

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

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

14 **FOR THE DEPARTMENT OF LICENSING**

15	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
16	Motorcycle Safety Education Account--State	
17	Appropriation	((\$3,898,000))
18		<u>\$3,865,000</u>
19	Wildlife Account--State Appropriation	((\$830,000))
20		<u>\$819,000</u>
21	Highway Safety Account--State Appropriation	((\$145,444,000))
22		<u>\$144,531,000</u>
23	Highway Safety Account--Federal Appropriation	\$233,000
24	Motor Vehicle Account--State Appropriation	((\$78,235,000))
25		<u>\$77,030,000</u>
26	Motor Vehicle Account--Private/Local Appropriation	\$1,372,000
27	Motor Vehicle Account--Federal Appropriation	\$1,354,000
28	Department of Licensing Services Account--State	
29	Appropriation	((\$4,639,000))
30		<u>\$3,115,000</u>
31	Washington State Patrol Highway Account--State	
32	Appropriation	\$1,145,000
33	TOTAL APPROPRIATION	((\$237,182,000))
34		<u>\$233,496,000</u>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (A) Taxpayer reporting and payment processes;

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

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

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

12 ~~(3) ((\$3,300,000 of the motor vehicle account--state appropriation~~
13 ~~is provided solely for preliminary work needed to transition the~~
14 ~~department to the state government network. In collaboration with the~~
15 ~~department of information services the department shall complete an~~
16 ~~inventory of the current network infrastructure, develop an~~
17 ~~implementation plan for transition to the state government network,~~
18 ~~improve security, and initiate connection to the state government~~
19 ~~network.~~

20 ~~(4))~~ \$1,000,000 of the motor vehicle account--state appropriation,
21 ~~((\$5,892,000))~~ \$5,142,000 of the transportation partnership account--
22 state appropriation, and ~~((\$5,337,000))~~ \$4,587,000 of the
23 transportation 2003 account (nickel account)--state appropriation are
24 provided solely for the department to develop a project management and
25 reporting system which is a collection of integrated tools for capital
26 construction project managers to use to perform all the necessary tasks
27 associated with project management. The department shall integrate
28 commercial off-the-shelf software with existing department systems and
29 enhanced approaches to data management to provide web-based access for
30 multi-level reporting and improved business workflows and reporting.
31 Beginning September 1, 2007, and on a quarterly basis thereafter, the
32 department shall report to the office of financial management and the
33 transportation committees of the legislature on the status of the
34 development and integration of the system. The first report shall
35 include a detailed work plan for the development and integration of the
36 system including timelines and budget milestones. At a minimum the
37 ensuing reports shall indicate the status of the work as it compares to

1 the work plan, any discrepancies, and proposed adjustments necessary to
2 bring the project back on schedule or budget if necessary.

3 ~~((+5))~~ (4) The department may submit information technology
4 related requests for funding only if the department has coordinated
5 with the department of information services as required by section 602
6 of this act.

7 ~~((+6))~~ (5) \$1,600,000 of the motor vehicle account--state
8 appropriation is provided solely for the critical application
9 assessment implementation project. The department shall submit a
10 progress report on the critical application assessment implementation
11 project to the house of representatives and senate transportation
12 committees on or before December 1, 2007, and December 1, 2008, with a
13 final report on or before June 30, 2009.

14 **Sec. 212.** 2008 c 121 s 215 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

17 Aeronautics Account--State Appropriation	((\$7,866,000))
	<u>\$7,659,000</u>
19 Aeronautics Account--Federal Appropriation	\$2,150,000
20 Multimodal Transportation Account--State Appropriation	\$631,000
21 TOTAL APPROPRIATION	((\$10,647,000))
	<u>\$10,440,000</u>

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

28 **Sec. 213.** 2008 c 121 s 216 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
31 **SUPPORT--PROGRAM H**

32 Transportation Partnership Account--State	
33 Appropriation	\$2,422,000
34 Motor Vehicle Account--State Appropriation	((\$52,275,000))
	<u>\$51,925,000</u>
36 Motor Vehicle Account--Federal Appropriation	\$500,000

1	Multimodal Transportation Account--State	
2	Appropriation	\$250,000
3	Transportation 2003 Account (Nickel Account)--State	
4	Appropriation	\$2,422,000
5	TOTAL APPROPRIATION	((\$57,869,000))
6		<u>\$57,519,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations: \$2,422,000 of the transportation
9 partnership account appropriation and \$2,422,000 of the transportation
10 2003 account (nickel account)--state appropriation are provided solely
11 for consultant contracts to assist the department in the delivery of
12 the capital construction program by identifying improvements to program
13 delivery, program management, project controls, program and project
14 monitoring, forecasting, and reporting. The consultants shall work
15 with the department of information services in the development of the
16 project management and reporting system.

17 The consultants shall provide an updated copy of the capital
18 construction strategic plan to the legislative transportation
19 committees and to the office of financial management on June 30, 2008,
20 and each year thereafter.

21 The department shall coordinate its work with other budget and
22 performance efforts, including Roadmap, the findings of the critical
23 applications modernization and integration strategies study, including
24 proposed next steps, and the priorities of government process.

25 The department shall report to the transportation committees of the
26 house of representatives and senate, and the office of financial
27 management, by December 31, 2007, on the implementation status of
28 recommended capital budgeting and reporting options. Options must
29 include: Reporting against legislatively-established project
30 identification numbers and may include recommendations for reporting
31 against other appropriate project groupings; measures for reporting
32 progress, timeliness, and cost which create an incentive for the
33 department to manage effectively and report its progress in a
34 transparent manner; and criteria and process for transfers of funds
35 among projects.

36 **Sec. 214.** 2008 c 121 s 218 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
2	Motor Vehicle Account--State Appropriation	((\$331,342,000))
3		<u>\$350,553,000</u>
4	Motor Vehicle Account--Federal Appropriation	((\$5,000,000))
5		<u>\$25,000,000</u>
6	Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
7	TOTAL APPROPRIATION	((\$342,139,000))
8		<u>\$381,350,000</u>

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

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

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

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

25 (4) \$5,000,000 of the motor vehicle account--federal appropriation
26 is provided for unanticipated federal funds that may be received during
27 the 2007-09 biennium. Upon receipt of the funds, the department shall
28 provide a report on the use of the funds to the transportation
29 committees of the legislature and the office of financial management.

30 (5) Funding is provided for maintenance on the state system to
31 deliver service level targets as listed in LEAP Transportation Document
32 2007-C, as developed April 20, 2007. In delivering the program and
33 aiming for these targets, the department should concentrate on the
34 following areas:

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

37 (b) Evaluating, analyzing, and potentially redistributing resources

1 within and among regions to provide greater consistency in delivering
2 the program statewide and in achieving overall level of service
3 targets.

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

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

9 (8) The department shall prepare a comprehensive listing of
10 maintenance backlogs and related costs and report to the office of
11 financial management and the transportation committees of the
12 legislature by December 31, 2008.

13 (9) (~~(\$76,026,000)~~) \$92,526,000 of the motor vehicle account--state
14 appropriation is for snow and ice related expenses, within which (~~is~~
15 ~~a~~) are one-time increases of (~~(\$3,250,000)~~) \$17,250,000 provided
16 solely for extraordinary snow and ice removal expenses and \$2,500,000
17 provided solely for winter storm damage repair costs incurred during
18 the winters of 2007-08 and 2008-09.

19 **Sec. 215.** 2008 c 121 s 221 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
22 **AND RESEARCH--PROGRAM T**

23	Motor Vehicle Account--State Appropriation	((\$27,757,000))
24		<u>\$27,264,000</u>
25	Motor Vehicle Account--Federal Appropriation	((\$19,163,000))
26		<u>\$18,932,000</u>
27	Multimodal Transportation Account--State	
28	Appropriation	\$1,760,000
29	Multimodal Transportation Account--Federal	
30	Appropriation	\$2,809,000
31	Multimodal Transportation Account--Private/Local	
32	Appropriation	\$100,000
33	TOTAL APPROPRIATION	((\$51,589,000))
34		<u>\$50,865,000</u>

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

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

4 (2) \$800,000 of the multimodal transportation account--state
5 appropriation is provided solely for a transportation demand management
6 program, developed by the Whatcom council of governments, to further
7 reduce drive-alone trips and maximize the use of sustainable
8 transportation choices. The community-based program must focus on all
9 trips, not only commute trips, by providing education, assistance, and
10 incentives to four target audiences: (a) Large work sites; (b)
11 employees of businesses in downtown areas; (c) school children; and (d)
12 residents of Bellingham.

13 (3) (~~(\$320,000)~~) \$77,000 of the motor vehicle account--state
14 appropriation and (~~(\$128,000)~~) \$47,000 of the motor vehicle account--
15 federal appropriation are provided solely for development of a freight
16 database to help guide freight investment decisions and track project
17 effectiveness. The database will be based on truck movement tracked
18 through geographic information system technology. TransNow will
19 contribute an additional \$192,000 in federal funds which are not
20 appropriated in the transportation budget. The department shall work
21 with the freight mobility strategic investment board to implement this
22 project.

23 (4) By December 1, 2008, the department shall require confirmation
24 from jurisdictions that plan under the growth management act, chapter
25 36.70A RCW, and that receive state transportation funding under this
26 act, that the jurisdictions have adopted standards for access
27 permitting on state highways that meet or exceed department standards
28 in accordance with RCW 47.50.030. The objective of this subsection is
29 to encourage local governments, through the receipt of state
30 transportation funding, to adhere to best practices in access control
31 applicable to development activity significantly impacting state
32 transportation facilities. By January 1, 2009, the department shall
33 submit a report to the appropriate committees of the legislature
34 detailing the progress of the local jurisdictions in adopting the
35 highway access permitting standards.

36 (~~(\$150,000 of the motor vehicle account--federal appropriation~~
37 ~~is provided solely for the costs to develop an electronic map-based~~

1 ~~computer application that will enable law enforcement officers and~~
2 ~~others to more easily locate collisions and other incidents in the~~
3 ~~field.~~

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

7 ~~((7))~~ (6) The department shall evaluate the feasibility of
8 developing a freight corridor bypass from Everett to Gold Bar on US 2,
9 including a connection to SR 522. US 2 is an important freight
10 corridor, and is an alternative route for I-90. Congestion, safety
11 issues, and flooding concerns have all contributed to the need for
12 major improvements to the corridor. The evaluation shall consider the
13 use of toll lanes for the project. The department must report to the
14 transportation committees of the legislature by December 1, 2007, on
15 its analysis and recommendations regarding the benefit of a freight
16 corridor and the potential use of freight toll lanes to improve safety
17 and congestion in the corridor.

18 ~~((8))~~ (7) The department shall work with the department of
19 ecology, the county road administration board, and the transportation
20 improvement board to develop model procedures and municipal and state
21 rules in regard to maximizing the use of recycled asphalt on road
22 construction and preservation projects. The department shall report to
23 the joint transportation committee by December 1, 2008, with
24 recommendations on increasing the use of recycled asphalt at the state
25 and local level.

26 ~~((9))~~ (8) \$140,000 of the multimodal transportation account--
27 state appropriation is provided solely for a full-time employee to
28 develop vehicle miles traveled and other greenhouse gas emissions
29 benchmarks as described in Engrossed Second Substitute House Bill No.
30 2815. If Engrossed Second Substitute House Bill No. 2815 is not
31 enacted by June 30, 2008, the amount provided in this subsection shall
32 lapse.

33 ~~((10))~~ (9) \$80,000 of the motor vehicle account--state
34 appropriation is provided solely to study the feasibility of a new
35 interchange on interstate 5 between the city of Rochester and Harrison
36 Avenue.

37 ~~((11))~~ (10) \$100,000 of the multimodal transportation
38 account--state appropriation is provided solely to support the commuter

1 rail study between eastern Snohomish county and eastern King county as
2 defined in Substitute House Bill No. 3224. Funds are provided to the
3 Puget Sound regional council for one time only. If Substitute House
4 Bill No. 3224 is not enacted by June 30, 2008, the amount provided in
5 this subsection shall lapse.

6 **Sec. 216.** 2008 c 121 s 222 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
9 **PROGRAM U**

10	Motor Vehicle Account--State Appropriation	((\$66,102,000))
11		<u>\$60,507,000</u>
12	Motor Vehicle Account--Federal Appropriation	\$400,000
13	Multimodal Transportation Account--State	
14	Appropriation	\$259,000
15	TOTAL APPROPRIATION	((\$66,761,000))
16		<u>\$61,166,000</u>

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

19 (1) ((~~\$36,665,000~~)) \$29,958,000 of the motor vehicle fund--state
20 appropriation is provided solely for the liabilities attributable to
21 the department of transportation. The office of financial management
22 must provide a detailed accounting of the revenues and expenditures of
23 the self-insurance fund to the transportation committees of the
24 legislature on December 31st and June 30th of each year.

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

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

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

31 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
32 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
33 MAIL SERVICES \$4,859,000

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

36 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
37 PREMIUMS AND ADMINISTRATION ((~~\$36,665,000~~))

1		<u>\$29,958,000</u>
2	(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL	
3	ADMINISTRATION CAPITAL PROJECTS SURCHARGE	\$1,838,000
4	(g) FOR ARCHIVES AND RECORDS MANAGEMENT	\$677,000
5	(h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS	
6	ENTERPRISES	\$1,042,000
7	(i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY	
8	THE OFFICE OF FINANCIAL MANAGEMENT	\$1,266,000
9	(j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT	
10	OF INFORMATION SERVICES	((\$945,000))
11		<u>\$944,000</u>
12	(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
13	GENERAL'S OFFICE	\$9,045,000
14	(l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
15	GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT	
16	LITIGATION	((\$158,000))
17		<u>\$271,000</u>
18	<u>(3) \$1,000,000 of the motor vehicle account--state appropriation is</u>	
19	<u>provided solely for the purposes of settling all claims that were found</u>	
20	<u>against the state in the verdict and judgment issued in the case of</u>	
21	<u>Marable v. Nitchman (WSF), United States District Court, Western</u>	
22	<u>District of Washington, Cause No. 05-01270MJP.</u>	

23 **Sec. 217.** 2008 c 121 s 223 (uncodified) is amended to read as
24 follows:

25	FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM	
26	V	
27	Regional Mobility Grant Program Account--State	
28	Appropriation	((\$40,000,000))
29		<u>\$12,732,000</u>
30	Multimodal Transportation Account--State	
31	Appropriation	((\$85,601,000))
32		<u>\$80,583,000</u>
33	Multimodal Transportation Account--Federal	
34	Appropriation	\$2,582,000
35	Multimodal Transportation Account--Private/Local	
36	Appropriation	\$659,000
37	TOTAL APPROPRIATION	((\$128,842,000))

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

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

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

(b) \$19,500,000 of the amount provided in this subsection is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies shall be prorated based on the amount expended for demand response service and route deviated service in calendar year 2005 as reported in the "Summary of Public Transportation - 2005" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

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

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

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

1 (3) \$8,600,000 of the multimodal transportation account--state
2 appropriation is provided solely for a vanpool grant program for: (a)
3 Public transit agencies to add vanpools; and (b) incentives for
4 employers to increase employee vanpool use. The grant program for
5 public transit agencies will cover capital costs only; no operating
6 costs for public transit agencies are eligible for funding under this
7 grant program. No additional employees may be hired from the funds
8 provided in this section for the vanpool grant program, and supplanting
9 of transit funds currently funding vanpools is not allowed. Additional
10 criteria for selecting grants must include leveraging funds other than
11 state funds.

12 (4) (~~(\$40,000,000)~~) \$12,732,000 of the regional mobility grant
13 program account--state appropriation is provided solely for the
14 regional mobility grant projects identified on the LEAP Transportation
15 Document 2007-B as developed April 20, 2007. The department shall
16 review all projects receiving grant awards under this program at least
17 semiannually to determine whether the projects are making satisfactory
18 progress. Any project that has been awarded funds, but does not report
19 activity on the project within one year of the grant award, shall be
20 reviewed by the department to determine whether the grant should be
21 terminated. The department shall promptly close out grants when
22 projects have been completed, and any remaining funds available to the
23 office of transit mobility shall be used only to fund projects on the
24 LEAP Transportation Document 2007-B as developed April 20, 2007. The
25 department shall provide annual status reports on December 15, 2007,
26 and December 15, 2008, to the office of financial management and the
27 transportation committees of the legislature regarding the projects
28 receiving the grants.

29 (5) (~~(\$17,168,087)~~) \$12,150,087 of the multimodal transportation
30 account--state appropriation is reappropriated and provided solely for
31 the regional mobility grant projects identified on the LEAP
32 Transportation Document 2006-D, regional mobility grant program
33 projects as developed March 8, 2006. The department shall continue to
34 review all projects receiving grant awards under this program at least
35 semiannually to determine whether the projects are making satisfactory
36 progress. The department shall promptly close out grants when projects
37 have been completed, and any remaining funds available to the office of

1 transit mobility shall be used only to fund projects on the LEAP
2 Transportation Document 2007-B as developed April 20, 2007, or the LEAP
3 Transportation Document 2006-D as developed March 8, 2006.

4 (6) \$200,000 of the multimodal transportation account--state
5 appropriation is provided solely for the department to study and then
6 develop pilot programs aimed at addressing commute trip reduction
7 strategies for K-12 students and for college and university students.
8 The department shall submit to the legislature by January 1, 2009, a
9 summary of the program results and recommendations for future student
10 commute trip reduction strategies. The pilot programs are described as
11 follows:

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

16 (b) The department shall design a program that includes student
17 employment options as part of the pilot program applicable to college
18 and university students.

19 (7) \$2,400,000 of the multimodal account--state appropriation is
20 provided solely for establishing growth and transportation efficiency
21 centers (GTEC). Funds are appropriated for one time only. The
22 department shall provide in its annual report to the legislature an
23 evaluation of the GTEC concept and recommendations on future funding
24 levels.

25 (8) \$381,000 of the multimodal transportation account--state
26 appropriation is provided solely for the implementation of Substitute
27 House Bill No. 1694 (reauthorizing the agency council on coordinated
28 transportation). If Substitute House Bill No. 1694 is not enacted by
29 June 30, 2007, the amount provided in this subsection shall lapse.

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

35 (10) \$60,000 of the multimodal transportation account--state
36 appropriation is provided solely for low-income car ownership programs.
37 The department shall collaborate with interested regional
38 transportation planning organizations and metropolitan planning

1 organizations to determine the effectiveness of the programs at
2 providing transportation solutions for low-income persons who depend
3 upon cars to travel to their places of employment.

4 (11) \$1,000,000 of the multimodal transportation account--state
5 appropriation is provided solely for additional funding for the trip
6 reduction performance program, including telework enhancement projects.
7 Funds are appropriated for one time only.

8 (12) \$2,309,000 of the multimodal transportation account--state
9 appropriation is provided solely for the tri-county connection service
10 for Island, Skagit, and Whatcom transit agencies.

11 (13) \$150,000 of the multimodal transportation account--state
12 appropriation is provided solely as a grant for a telework pilot
13 project to be developed, administered, and monitored by the Kitsap
14 regional coordinating council. Funds are appropriated for one time
15 only. The primary purposes of the pilot project are to educate
16 employers about telecommuting, develop telework policies and resources
17 for employers, and reduce traffic congestion by encouraging teleworking
18 in the workplace. As part of the pilot project, the council shall
19 recruit public and private sector employer participants throughout the
20 county, identify telework sites, develop an employer's toolkit
21 consisting of teleworking resources, and create a telecommuting
22 template that may be applied in other communities. The council shall
23 submit to the legislature by July 1, 2009, a summary of the program
24 results and any recommendations for future telework strategies.

25 **Sec. 218.** 2008 c 121 s 224 (uncodified) is amended to read as
26 follows:

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

28 Puget Sound Ferry Operations Account--State

29	Appropriation	((\$426,761,000))
30		<u>\$442,663,000</u>
31	Multimodal Transportation Account--State	
32	Appropriation	((\$1,914,000))
33		<u>\$3,035,000</u>
34	TOTAL APPROPRIATION	((\$428,675,000))
35		<u>\$445,698,000</u>

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

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

4 (2) The Washington state ferries must work with the department's
5 information technology division to implement an electronic fare system,
6 including the integration of the regional fare coordination system
7 (smart card). Each December and June, semiannual updates must be
8 provided to the transportation committees of the legislature concerning
9 the status of implementing and completing this project, with updates
10 concluding the first December after full project implementation.

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

13 (4) \$1,914,000 of the multimodal transportation account--state
14 appropriation is provided solely to provide passenger-only ferry
15 service. The ferry system shall continue passenger-only ferry service
16 from Vashon Island to Seattle through June 30, 2008. Ferry system
17 management shall continue to implement its agreement with the
18 inlandboatmen's union of the pacific and the international organization
19 of masters, mates and pilots providing for part-time passenger-only
20 work schedules.

21 (5) (~~(\$932,000)~~) \$674,000 of the Puget Sound ferries operations
22 account--state appropriation is provided solely for compliance with
23 department of ecology rules regarding the transfer of oil on or near
24 state waters. Funding for compliance with on-board fueling rules is
25 provided for the 2008 fiscal year. The department may request funding
26 for the 2009 fiscal year if the request is submitted with an
27 alternative compliance plan filed with the department of ecology, as
28 allowed by rule.

29 (6) (~~(\$1,116,000)~~) \$1,006,000 of the Puget Sound ferry operations
30 account--state appropriation is provided solely for ferry security
31 operations necessary to comply with the ferry security plan submitted
32 by the Washington state ferry system to the United States coast guard.
33 The department shall track security costs and expenditures. Ferry
34 security operations costs shall not be included as part of the
35 operational costs that are used to calculate farebox recovery.

36 (7) \$378,000 of the Puget Sound ferry operations account--state
37 appropriation is provided solely to meet the United States coast guard

1 requirements for appropriate rest hours between shifts for vessel crews
2 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

3 (8) \$694,000 of the Puget Sound ferries operating account--state
4 appropriation is provided solely for implementing Engrossed Substitute
5 House Bill No. 2358 as follows:

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

10 (i) Development and implementation of a survey of ferry customers;

11 (ii) Analysis and reestablishment of vehicle level of service
12 standards. In reestablishing the standards, consideration shall be
13 given to whether boat wait is the appropriate measure. The level of
14 service standard shall be reestablished in conjunction with or after
15 the survey has been implemented;

16 (iii) Development of pricing policy proposals. In developing these
17 policies, the policies, in effect on some routes, of collecting fares
18 in only one direction shall be evaluated to determine whether one-way
19 fare pricing best serves the ferry system. The pricing policy
20 proposals must be developed in conjunction with or after the survey has
21 been implemented;

22 (iv) Development of operational strategies. The operational
23 strategies shall be reestablished in conjunction with the survey or
24 after the survey has been implemented;

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

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

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

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

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

5 (9) \$200,000 of the Puget Sound ferry operations account--state
6 appropriation is provided solely for the initial acquisition of
7 transportation worker identification credentials required by the United
8 States department of homeland security for unescorted access to secure
9 areas of ferries and terminals.

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

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

18 ~~((+13))~~ (12) While developing fare and pricing policy proposals,
19 the department may consider the desirability of reasonable fares for
20 persons using the ferry system to commute daily to work and other
21 frequent users who live in ferry-dependent communities.

22 **Sec. 219.** 2008 c 121 s 225 (uncodified) is amended to read as
23 follows:

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

25 Multimodal Transportation Account--State

26 Appropriation ((~~\$37,010,000~~))
27 \$35,096,000

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

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

36 (2)(a) ~~((~~\$29,091,000~~))~~ \$28,577,000 of the multimodal transportation
37 account--state appropriation is provided solely for the Amtrak service

1 contract and Talgo maintenance contract associated with providing and
2 maintaining the state-supported passenger rail service. Upon
3 completion of the rail platform project in the city of Stanwood, the
4 department shall provide daily Amtrak Cascades service to the city.

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

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

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

12 (4) \$40,000 of the multimodal transportation account--state
13 appropriation is provided solely for the produce railcar program. The
14 department is encouraged to implement the produce railcar program by
15 maximizing private investment.

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

18 **TRANSPORTATION AGENCIES--CAPITAL**

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

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

22 Rural Arterial Trust Account--State Appropriation	\$64,000,000
23 Motor Vehicle Account--State Appropriation	(\$2,370,000)
24	<u>\$1,555,000</u>
25 County Arterial Preservation Account--State	
26 Appropriation	(\$32,641,000)
27	<u>\$31,541,000</u>
28 TOTAL APPROPRIATION	(\$99,011,000)
29	<u>\$97,096,000</u>

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

32 (1) ~~(\$2,370,000)~~ \$1,555,000 of the motor vehicle account--state
33 appropriation may be used for county ferry projects as set forth in RCW
34 47.56.725(4).

1 (2) The appropriations contained in this section include funding to
2 counties to assist them in efforts to recover from (~~winter storm and~~
3 ~~flood damage~~) federally declared emergencies, by providing
4 capitalization advances and local match for federal emergency funding
5 as determined by the county road administration board. The county road
6 administration board shall specifically identify any such selected
7 projects and shall include information concerning them in its next
8 annual report to the legislature.

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

11 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

12	Small City Pavement and Sidewalk Account--State	
13	Appropriation	\$5,900,000
14	Urban Arterial Trust Account--State Appropriation	((\$126,600,000))
15		<u>\$106,600,000</u>
16	Transportation Improvement Account--State	
17	Appropriation	((\$87,143,000))
18		<u>\$77,495,000</u>
19	TOTAL APPROPRIATION	((\$219,643,000))
20		<u>\$189,995,000</u>

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

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

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

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

33 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
34 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

35	Motor Vehicle Account--State Appropriation	((\$6,255,000))
36		<u>\$6,265,000</u>

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

3 (1) \$584,000 of the motor vehicle account--state appropriation is
4 for statewide administration.

5 (2) \$803,000 of the motor vehicle account--state appropriation is
6 for regional minor projects.

7 (3) \$568,000 of the motor vehicle account--state appropriation is
8 for the Olympic region headquarters property payments.

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

14 (5) \$1,600,000 of the motor vehicle account--state appropriation is
15 for site acquisition for the Tri-cities area maintenance facility.

16 (6) \$2,700,000 of the motor vehicle account--state appropriation is
17 for site acquisition for the Vancouver light industrial facility.

18 (7) The department shall work with the office of financial
19 management and staff of the transportation committees of the
20 legislature to develop a statewide inventory of all department-owned
21 surplus property that is suitable for development for department
22 facilities or that should be sold. By December 1, 2008, the department
23 shall report to the joint transportation committee on the findings of
24 this study.

25 (8) \$10,000 of the motor vehicle account--state appropriation is
26 provided solely for reconstruction of the Wandermere facility that was
27 destroyed in the 2008-09 winter storms.

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

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

31 Transportation Partnership Account--State

32 Appropriation	((\$1,109,593,000))
	<u>\$900,809,000</u>
34 Motor Vehicle Account--State Appropriation	((\$87,210,000))
	<u>\$67,416,000</u>
36 Motor Vehicle Account--Federal Appropriation	((\$457,580,000))
	<u>\$538,126,000</u>

37

1	Motor Vehicle Account--Private/Local	
2	Appropriation	(((\$64,487,000))
3		<u>\$65,902,000</u>
4	Special Category C Account--State Appropriation	(((\$29,125,000))
5		<u>\$29,772,000</u>
6	((Multimodal Transportation Account--Federal	
7	 Appropriation	\$.86,100,000))
8	Tacoma Narrows Toll Bridge Account--State	
9	Appropriation	(((\$32,277,000))
10		<u>\$26,045,000</u>
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	(((\$1,147,529,000))
13		<u>\$1,052,094,000</u>
14	Freight Mobility Multimodal Account--State	
15	Appropriation	(((\$208,000))
16		<u>\$189,000</u>
17	TOTAL APPROPRIATION	(((\$3,014,109,000))
18		<u>\$2,680,353,000</u>

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

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

31 (2) The department shall not commence construction on any part of
32 the state route number 520 bridge replacement and HOV project until a
33 record of decision has been reached providing reasonable assurance that
34 project impacts will be avoided, minimized, or mitigated as much as
35 practicable to protect against further adverse impacts on neighborhood
36 environmental quality as a result of repairs and improvements made to
37 the state route 520 bridge and its connecting roadways, and that any
38 such impacts will be addressed through engineering design choices,

1 mitigation measures, or a combination of both. The requirements of
2 this section shall not apply to off-site pontoon construction
3 supporting the state route number 520 bridge replacement and HOV
4 project.

5 (3) Within the amounts provided in this section, (~~(\$1,895,000)~~)
6 \$11,363 of the transportation partnership account--state appropriation,
7 (~~(\$2,147,000)~~) \$505,099 of the motor vehicle account--federal
8 appropriation, and (~~(\$10,331,000)~~) \$11,031,179 of the transportation
9 2003 account (nickel account)--state appropriation are for project
10 109040T as identified in the LEAP transportation document referenced in
11 subsection (1) of this section: I-90/Two Way Transit-Transit and HOV
12 Improvements - Stage 1. Expenditure of the funds on construction is
13 contingent upon revising the access plan for Mercer Island traffic such
14 that Mercer Island traffic will have access to the outer roadway high
15 occupancy vehicle (HOV) lanes during the period of operation of such
16 lanes following the removal of Mercer Island traffic from the center
17 roadway and prior to conversion of the outer roadway HOV lanes to high
18 occupancy toll (HOT) lanes. Sound transit may only have access to the
19 center lanes when alternative R8A is complete.

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

23 (5) The funding described in this section includes (~~(\$36,693,000)~~)
24 \$46,693,000 of the transportation 2003 account (nickel account)--state
25 appropriation (~~and \$208,000~~), \$188,357 of the freight mobility
26 multimodal account--state appropriation, and \$20,000 of the motor
27 vehicle account--private/local appropriation, which are for the SR 519
28 project identified as project number 851902A in the LEAP Transportation
29 Document referenced in subsection (1) of this section. The total
30 project is expected to cost no more than (~~(\$74,400,000)~~) \$84,467,000
31 including (~~(\$10,610,000)~~) \$10,792,000 in contributions from project
32 partners, including Burlington Northern Santa Fe railroad.

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

35 (a) Prepare a draft directive that establishes how each community's
36 priorities and concerns may be identified and addressed in order to
37 allow consideration of a community's preferred methods of advanced
38 visual shielding and aesthetic screening, for the purpose of improving

1 the noise environment of major state roadway projects in locations that
2 do not meet the criteria for standard noise barriers. The intent is
3 for these provisions to be supportable by existing project budgets.
4 The directive shall also include direction on the coordination and
5 selection of visual and aesthetic options with local communities. The
6 draft directive shall be provided to the standing transportation
7 committees of the legislature by January 2008; and

8 (b) Pilot the draft directive established in (a) of this subsection
9 in two locations along major state roadways. If practicable, the
10 department should begin work on the pilot projects while the directive
11 is being developed. One pilot project shall be located in Clark county
12 on a significant capacity improvement project. The second pilot
13 project shall be located in urban King county, which shall be on a
14 corridor highway project through mixed land use areas that is nearing
15 or under construction. The department shall provide a written report
16 to the standing transportation committees of the legislature on the
17 findings of the Clark county pilot project by January 2009, and the
18 King county pilot project by January 2010. Based on results of the
19 pilot projects, the department shall update its design manual,
20 environmental procedures, or other appropriate documents to incorporate
21 the directive.

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

27 (8) If on the I-405/I-90 to SE 8th Street Widening project the
28 department finds that there is an alternative investment to preserve
29 reliable rail accessibility to major manufacturing sites within the
30 I-405 corridor that are less expensive than replacing the Wilburton
31 Tunnel, the department may enter into the necessary agreements to
32 implement that alternative provided that costs remain within the
33 approved project budget.

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

1 (10) \$250,000 of the motor vehicle account--state appropriation and
2 \$226,000 of the motor vehicle account--federal appropriation are
3 provided solely for an inland pacific hub study to develop an inland
4 corridor for the movement of freight and goods to and through eastern
5 Washington; and \$500,000 of the motor vehicle account--state
6 appropriation is provided solely for the SR3/SR16 corridor study to
7 plan and prioritize state and local improvements needed over the next
8 10-20 years to support safety, capacity development, and economic
9 development within the corridor.

10 (11) The department shall, on a quarterly basis beginning July 1,
11 2007, provide to the office of financial management and the legislature
12 reports providing the status on each active project funded in part or
13 whole by the transportation 2003 account (nickel account) or the
14 transportation partnership account. Funding provided at a programmatic
15 level for transportation partnership account and transportation 2003
16 account (nickel account) projects relating to bridge rail, guard rail,
17 fish passage barrier removal, and roadside safety projects should be
18 reported on a programmatic basis. Projects within this programmatic
19 level funding should be completed on a priority basis and scoped to be
20 completed within the current programmatic budget. Other projects may
21 be reported on a programmatic basis. The department shall work with
22 the office of financial management and the transportation committees of
23 the legislature to agree on report formatting and elements. Elements
24 shall include, but not be limited to, project scope, schedule, and
25 costs. The department shall also provide the information required
26 under this subsection on a quarterly basis via the transportation
27 executive information systems (TEIS).

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

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

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

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

8 (b) The state's project expenditures shall not exceed
9 \$2,800,000,000.

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

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

18 (16) The transportation 2003 account (nickel account)--state
19 appropriation includes up to \$874,610,000 in proceeds from the sale of
20 bonds authorized by RCW 47.10.861.

21 (17) The transportation partnership account--state appropriation
22 includes up to \$900,000,000 in proceeds from the sale of bonds
23 authorized in RCW 47.10.873.

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

29 (19) \$4,500,000 of the motor vehicle account--federal appropriation
30 is provided solely for cost increases on the SR 304/Bremerton tunnel
31 project.

32 (20) \$2,071,000 of the motor vehicle account--federal appropriation
33 is provided solely for initial design and right of way work on a new
34 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

35 (21) \$500,000 of the motor vehicle account--federal appropriation
36 to the SR 543/I-5 to Canadian border project is provided solely for
37 retaining wall facia improvements.

1 (22) (~~(\$950,000)~~) \$846,700 of the motor vehicle account--federal
2 appropriation and (~~(\$24,000)~~) \$17,280 of the motor vehicle
3 account--state appropriation are provided solely for the Westview
4 school noise wall.

5 (23) (~~(\$1,600,000)~~) \$1,567,600 of the motor vehicle account--state
6 appropriation is provided solely for two noise walls on SR 161 in King
7 county.

8 (24) (~~(\$20,000)~~) \$10,640 of the motor vehicle account--state
9 appropriation and (~~(\$280,000)~~) \$252,300 of the motor vehicle account--
10 federal appropriation are provided solely for interchange design and
11 planning work on US 12 at A street and tank farm road.

12 (25) The funding described in this section includes (~~(\$19,939,000)~~)
13 \$19,928,000 of the transportation partnership account--state
14 appropriation, (~~(\$29,000)~~) \$26,000 of the motor vehicle account--state
15 appropriation, (~~(\$308,000)~~) \$6,747,000 of the motor vehicle account--
16 private/local appropriation, and (~~(\$17,900,000)~~) \$17,821,000 of the
17 motor vehicle account--federal appropriation for the I-5/Columbia river
18 crossing/Vancouver project. The funding described in this subsection
19 includes up to \$15,000,000 awarded to Washington and Oregon jointly
20 through the U.S. department of transportation corridors of the future
21 program in the 2007 federal highway authority discretionary fund
22 allocations.

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

33 (27) (~~(\$1,500,000)~~) \$1,928,232 of the motor vehicle
34 account--federal appropriation (~~(and \$4,908,000)~~), \$2,611,000 of the
35 transportation partnership account--state appropriation, and \$14,682 of
36 the transportation 2003 account (nickel account)--state appropriation
37 are provided solely for project 109040Q as identified in the LEAP
38 transportation document in subsection (1) of this section:

1 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of
2 these amounts, up to \$550,000 of the transportation partnership
3 account--state appropriation is to provide funding for an independent
4 technical review, overseen by the joint transportation committee, of
5 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.
6 The technical review shall complement sound transit's current and
7 planned engineering design work to expand light rail in the central
8 Puget Sound region. The department shall coordinate its work with
9 sound transit and seek contributions from sound transit for the review.

10 (28) (~~(\$1,400,000)~~) \$800,000 of the motor vehicle account--state
11 appropriation is provided solely for safety improvements on US Highway
12 2 between Monroe and Gold Bar. Additional project funding of
13 (~~(\$8,600,000)~~) \$9,200,000 is assumed in the 2009-2011 biennium,
14 bringing the total project funding to \$10,000,000. This high priority
15 safety project will provide safety enhancements on US Highway 2 between
16 Gold Bar and Monroe, such as a passing lane or interchange/turning lane
17 improvements. The department shall seek input from the US Highway 2
18 safety coalition to select projects that will help reduce fatalities on
19 this corridor.

20 (29) (~~(\$2,267,000)~~) \$1,663,700 of the motor vehicle account--
21 federal appropriation, (~~(\$218,500)~~) \$234,000 of the motor vehicle
22 account--state appropriation, and \$1,500,000 of the motor vehicle
23 account--private/local appropriation are provided solely for installing
24 centerline rumble strips and related improvements on US Highway 2
25 between Monroe and Sultan. The section of US Highway 2 from Monroe to
26 Deception Creek has a high frequency of centerline crossover
27 collisions. By installing centerline rumble strips, the project will
28 reduce the risk of crossover collisions. This project will also place
29 shoulder rumble strips between Monroe and Sultan.

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

36 (31) For the period of preconstruction tolling on the state route
37 520 bridge, the department shall develop improvements of traffic flow

1 from the eastern Lake Washington shoreline to 108th avenue northeast in
2 Bellevue including:

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

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

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

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

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

16	Transportation Partnership Account--State	
17	Appropriation	(((\$181,666,000))
18		<u>\$181,316,000</u>
19	Motor Vehicle Account--State Appropriation	(((\$86,540,000))
20		<u>\$94,784,000</u>
21	Motor Vehicle Account--Federal Appropriation	(((\$463,338,000))
22		<u>\$462,427,000</u>
23	Motor Vehicle Account--Private/Local Appropriation	(((\$18,138,000))
24		<u>\$19,049,000</u>
25	Transportation 2003 Account (Nickel Account)--State	
26	Appropriation	(((\$11,136,000))
27		<u>\$15,399,000</u>
28	Puyallup Tribal Settlement Account--State	
29	Appropriation	(((\$12,500,000))
30		<u>\$6,000,000</u>
31	TOTAL APPROPRIATION	(((\$773,318,000))
32		<u>\$778,975,000</u>

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

35 (1) Except as provided otherwise in this section, the entire
36 transportation 2003 account (nickel account) appropriation and the
37 entire transportation partnership account appropriation are provided

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

8 (2) \$287,000 of the motor vehicle account--federal appropriation
9 and \$11,000 of the motor vehicle account--state appropriation are
10 provided solely for the department to determine the most cost efficient
11 way to replace the current Keller ferry. Options reviewed shall not
12 include an expansion of the current capacity of the Keller ferry.

13 (3) \$5,308,000 of the transportation partnership account--state
14 appropriation is provided solely for the purposes of settling all
15 identified and potential claims from the Lower Elwha Klallam Tribe
16 related to the construction of a graving dock facility on the graving
17 dock property. In the matter of *Lower Elwha Klallam Tribe et al v.*
18 *State et al*, Thurston county superior court, cause no. 05-2-01595-8,
19 the Lower Elwha Klallam Tribe and the state of Washington entered into
20 a settlement agreement that settles all claims related to graving dock
21 property and associated construction and releases the state from all
22 claims related to the construction of the graving dock facilities. The
23 expenditure of this appropriation is contingent on the conditions and
24 limitations set forth in subsections (a) and (b) of this subsection.

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

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

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

1 (5) The department shall, on a quarterly basis beginning July 1,
2 2007, provide to the office of financial management and the legislature
3 reports providing the status on each active project funded in part or
4 whole by the transportation 2003 account (nickel account) or the
5 transportation partnership account. Funding provided at a programmatic
6 level for transportation partnership account projects relating to
7 seismic bridges should be reported on a programmatic basis. Projects
8 within this programmatic level funding should be completed on a
9 priority basis and scoped to be completed within the current
10 programmatic budget. Other projects may be reported on a programmatic
11 basis. The department shall work with the office of financial
12 management and the transportation committees of the legislature to
13 agree on report formatting and elements. Elements shall include, but
14 not be limited to, project scope, schedule, and costs. The department
15 shall also provide the information required under this subsection on a
16 quarterly basis via the transportation executive information systems
17 (TEIS).

18 (6) The department of transportation shall continue to implement
19 the lowest life cycle cost planning approach to pavement management
20 throughout the state to encourage the most effective and efficient use
21 of pavement preservation funds. Emphasis should be placed on
22 increasing the number of roads addressed on time and reducing the
23 number of roads past due.

24 (7) \$13,257,000 of the motor vehicle account--federal appropriation
25 and \$5,000,000 of the motor vehicle account--state appropriation are
26 for expenditures on damaged state roads due to flooding, mudslides,
27 rock fall, or other unforeseen events.

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

33 (9) (~~(\$12,500,000)~~) \$6,000,000 of the Puyallup tribal settlement
34 account--state appropriation is provided solely for mitigation costs
35 associated with the Murray Morgan/11th Street Bridge demolition. The
36 department may negotiate with the city of Tacoma for the purpose of
37 transferring ownership of the Murray Morgan/11th Street Bridge to the
38 city. If the city agrees to accept ownership of the bridge, the

1 department may use the Puyallup tribal settlement account appropriation
2 and other appropriated funds for bridge rehabilitation, bridge
3 replacement, bridge demolition, and related mitigation. In no event
4 shall the department's participation exceed \$39,953,000. No funds may
5 be expended unless the city of Tacoma agrees to take ownership of the
6 bridge in its entirety and provides that the payment of these funds
7 extinguishes any real or implied agreements regarding future bridge
8 expenditures.

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

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

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

19	Motor Vehicle Account--State Appropriation	((\$9,462,000))
20		<u>\$7,588,000</u>
21	Motor Vehicle Account--Federal Appropriation	((\$15,951,000))
22		<u>\$14,809,000</u>
23	Motor Vehicle Account--Private/Local Appropriation	\$74,000
24	TOTAL APPROPRIATION	((\$25,487,000))
25		<u>\$22,471,000</u>

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

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

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

1	CONSTRUCTION--PROGRAM W	
2	Puget Sound Capital Construction Account--State	
3	Appropriation	((\$142,250,000))
4		<u>\$105,182,000</u>
5	Puget Sound Capital Construction Account--Federal	
6	Appropriation	((\$45,259,000))
7		<u>\$40,174,000</u>
8	Puget Sound Capital Construction Account--	
9	Private/Local Appropriation	\$2,089,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$4,100,000
12	Transportation 2003 Account (Nickel Account)--State	
13	Appropriation	((\$59,469,000))
14		<u>\$38,402,000</u>
15	TOTAL APPROPRIATION	((\$253,167,000))
16		<u>\$189,947,000</u>

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

19 (1) ((~~\$36,500,000~~)) \$27,380,000 of the Puget Sound capital
20 construction account--state appropriation is provided solely for
21 project 944470A as identified in the LEAP Transportation Document 2008-
22 1, Ferries Construction Program (W) as developed March 10, 2008, for
23 the construction of ((~~three~~)) one marine vessel((~~s~~)) to replace the
24 steel electric auto ferry vessels. The document includes a total of
25 ((~~\$84,500,000~~)) \$76,930,000 for ((~~these~~)) this replacement vessel((~~s~~)).

26 (2) ((~~\$21,460,823~~)) \$17,812,000 of the Puget Sound capital
27 construction account--state appropriation, \$4,100,000 of the multimodal
28 transportation account--state appropriation, \$5,410,000 of the
29 transportation 2003 account (nickel account)--state appropriation,
30 ((~~\$4,490,000~~)) \$1,002,000 of the Puget Sound capital construction
31 account--federal appropriation, and \$2,089,000 of the Puget Sound
32 capital construction account--private/local appropriation are provided
33 solely for the terminal projects listed:

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

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

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

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

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

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

10 (g) Keystone and Port Townsend ferry terminals - route
11 environmental planning;

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

14 (i) Mukilteo ferry terminal - right-of-way acquisition,
15 archaeological studies, environmental planning, and additional vehicle
16 holding;

17 (j) Orcas ferry terminal - dolphin replacement;

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

20 (l) Seattle ferry terminal - environmental planning, coordination
21 with local jurisdictions, coordination with highway projects, and
22 contractor payment for automated re-entry gates;

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

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

28 (3) (~~(\$46,020,666)~~) \$31,036,000 of the transportation 2003 account
29 (nickel account)--state appropriation and \$3,750,000 of the Puget Sound
30 capital construction account--federal appropriation are provided solely
31 for the procurement of up to three 144-vehicle auto-passenger ferry
32 vessels.

33 (4) (~~(\$18,716,000)~~) \$5,867,000 of the Puget Sound capital
34 construction account--state appropriation is provided solely for the
35 Eagle Harbor maintenance facility preservation project. These funds
36 may not be used for relocating any warehouses not currently on the
37 Eagle Harbor site.

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

7 (6) The department shall sell the M.V. Chinook and M.V. Snohomish
8 passenger-only fast ferries as soon as practicable and deposit the
9 proceeds of the sales into the passenger ferry account created in RCW
10 47.60.645. Once the department ceases to provide passenger-only ferry
11 service, the department shall sell the M.V. Kalama and M.V. Skagit
12 passenger-only ferries and deposit the proceeds of the sales into the
13 passenger ferry account created in RCW 47.60.645.

14 (7) The department shall, on a quarterly basis beginning July 1,
15 2007, provide to the office of financial management and the legislature
16 reports providing the status on each project listed in this section and
17 in the project lists submitted pursuant to this act and on any
18 additional projects for which the department has expended funds during
19 the 2007-09 fiscal biennium. Elements shall include, but not be
20 limited to, project scope, schedule, and costs. The department shall
21 also provide the information required under this subsection via the
22 transportation executive information systems (TEIS).

23 (8) \$1,105,000 of the Puget Sound capital construction
24 account--state appropriation and (~~(\$8,038,000)~~) \$1,956,000 of the
25 transportation 2003 account (nickel account)--state appropriation are
26 provided solely for a dolphin replacement project at the Vashon Island
27 ferry terminal. The department shall submit a predesign study to the
28 joint transportation committee before beginning design or construction
29 of this project.

30 (9) The department of transportation is authorized to sell up to
31 (~~(\$105,000,000)~~) \$68,000,000 in bonds authorized by RCW 47.10.843 for
32 vessel and terminal acquisition, major and minor improvements, and long
33 lead-time materials acquisition for the Washington state ferries.

34 (10) The department shall review the costs and benefits of
35 continued use of the primavera scheduling system in the Washington
36 state ferries marine division and include that review with its 2009-
37 2011 budget submittal.

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

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

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

12 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**
13 ~~((Essential Rail Assistance Account--State Appropriation . . . \$500,000))~~
14 Transportation Infrastructure Account--State
15 Appropriation ((~~\$1,713,000~~))
16 \$1,580,000
17 ~~((Transportation Infrastructure Account--Federal~~
18 ~~Appropriation \$787,000))~~
19 Multimodal Transportation Account--State
20 Appropriation ((~~\$165,512,000~~))
21 \$104,564,000
22 Multimodal Transportation Account--Federal
23 Appropriation ((~~\$33,906,000~~))
24 \$20,165,000
25 Multimodal Transportation Account--Private/Local
26 Appropriation ((~~\$2,659,000~~))
27 \$363,000
28 TOTAL APPROPRIATION ((~~\$205,077,000~~))
29 \$126,672,000

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

32 (1)(a) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects and
34 activities as listed by ~~((fund,))~~ project(~~(,--and--amount))~~ in LEAP
35 Transportation Document 2008-1, Rail Capital Program (Y) as developed
36 March 10, 2008. ~~((However, limited transfers of specific line item~~

1 ~~project appropriations may occur between projects for those amounts~~
2 ~~listed subject to the conditions and limitations in section 603 of this~~
3 ~~act.)~~)

4 (b) Within the amounts provided in this section, (~~(\$1,713,000)~~)
5 \$1,080,000 of the transportation infrastructure account--state
6 appropriation (~~and \$787,000 of the transportation infrastructure~~
7 ~~account--federal appropriation are~~) is for low-interest loans for rail
8 capital projects through the freight rail investment bank program. The
9 department shall issue a call for projects based upon the legislative
10 priorities specified in subsection (7)(a) of this section. Application
11 must be received by the department by October 1, 2008. By November 1,
12 2008, the department shall submit a prioritized list of recommended
13 projects to the office of financial management and the transportation
14 committees of the legislature. The department shall award low-interest
15 loans to the port of Moses Lake in the amount of (~~(\$213,000)~~) \$150,000,
16 and based upon the prioritized list of rail capital projects most
17 recently submitted to the legislature pursuant to this subsection, as
18 follows: Port of Benton County (\$250,000); Port of Everett (\$250,000);
19 (~~Central Terminals, LLC (\$250,000);~~) Tacoma Rail--Maintenance
20 Facility (\$250,000); (~~NW Container Service (\$250,000); Port of~~
21 ~~Chehalis (\$250,000); Ballard Terminal Railroad (\$250,000); Eastern~~
22 ~~Washington Gateway Railroad (\$36,875);~~) Spokane County (~~(+\$250,000)~~)
23 (\$150,000); Tacoma Rail--Locomotive Idling (~~(+\$250,000)~~) (\$30,000).

24 (c) Within the amounts provided in this section, \$2,561,000 of the
25 multimodal transportation account--state appropriation is for statewide
26 - emergent freight rail assistance projects as listed in LEAP
27 Transportation Document 2008-1, Rail Capital Program (Y) as developed
28 March 10, 2008. (~~However, the department shall perform a cost/benefit~~
29 ~~analysis of the projects according to the legislative priorities~~
30 ~~specified in subsection (7)(a) of this section, and shall give priority~~
31 ~~to the following projects: Rail—Tacoma rail yard switching upgrades~~
32 ~~(\$500,000); Rail—Port of Ephrata spur rehabilitation (\$127,000); Rail~~
33 ~~—Lewis and Clark rail improvements (\$1,100,000); Rail—Port of Grays~~
34 ~~Harbor rail access improvements (\$543,000); and Rail—Port of Longview~~
35 ~~rail loop construction (\$291,000). If the relative cost of any of the~~
36 ~~six projects identified in this subsection (1)(c) is not substantially~~
37 ~~less than the public benefits to be derived from the project, then the~~
38 ~~department shall not assign the funds to the project, and instead shall~~

1 use those funds toward those projects identified by the department in
2 the attachments to the "Washington State Department of Transportation
3 FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project
4 List and Program Update" dated December 2006 for which the proportion
5 of public benefits to be gained compared to the cost of the project is
6 greatest.))

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

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

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

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

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

31 (5) The department shall sell any ancillary property, acquired when
32 the state purchased the right-of-ways to the PCC rail line system, to
33 a lessee of the ancillary property who is willing to pay fair market
34 value for the property. The department shall deposit the proceeds from
35 the sale of ancillary property into the transportation infrastructure
36 account.

37 (6)(a) The department shall develop and implement the
38 benefit/impact evaluation methodology recommended in the statewide rail

1 capacity and needs study finalized in December 2006. The
2 benefit/impact evaluation methodology shall be developed using the
3 following priorities, in order of relative importance:

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

6 (ii) Self-sustaining economic development that creates family-wage
7 jobs;

8 (iii) Preservation of transportation corridors that would otherwise
9 be lost;

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

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

14 (vi) Mitigation of impacts of increased rail traffic on
15 communities.

16 (b) The department shall convene a work group to collaborate on the
17 development of the benefit/impact analysis method to be used in the
18 evaluation. The work group must include, at a minimum, the freight
19 mobility strategic investment board, the department of agriculture, and
20 representatives from the various users and modes of the state's rail
21 system.

22 (c) The department shall use the benefit/impact analysis and
23 priorities in (a) of this subsection when submitting requests for state
24 funding for rail projects. The department shall develop a standardized
25 format for submitting requests for state funding for rail projects that
26 includes an explanation of the analysis undertaken, and the conclusions
27 derived from the analysis.

28 (d) The department and the freight mobility strategic investment
29 board shall collaborate to submit a report to the office of financial
30 management and the transportation committees of the legislature by
31 September 1, 2008, listing proposed freight highway and rail projects.
32 The report must describe the analysis used for selecting such projects,
33 as required by this act for the department and as required by chapter
34 47.06A RCW for the board. When developing its list of proposed freight
35 highway and rail projects, the freight mobility strategic investment
36 board shall use the priorities identified in (a) of this subsection to
37 the greatest extent possible.

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

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

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

19 (10) \$500,000 of the transportation infrastructure account--state
20 appropriation is provided solely for grants to any intergovernmental
21 entity or local rail district to which the department of transportation
22 assigns the management and oversight responsibility for the business
23 and economic development elements of existing operating leases on the
24 Palouse River and Coulee City (PCC) rail lines. The PCC rail line
25 system is made up of the CW, P&L, and PV Hooper rail lines. Business
26 and economic development elements include such items as levels of
27 service and business operating plans, but shall not include the state's
28 oversight of railroad regulatory compliance, rail infrastructure
29 condition, or real property management issues. The PCC rail system
30 must be managed in a self-sustaining manner and best efforts shall be
31 used to ensure that it does not require state capital or operating
32 subsidy beyond the level of state funding expended on it to date. The
33 assignment of the stated responsibilities to an intergovernmental
34 entity or rail district shall be on such terms and conditions as the
35 department of transportation and the intergovernmental entity or rail
36 district mutually agree. The grant funds may be used only to refurbish
37 the rail lines. It is the intent of the legislature to make the funds
38 appropriated in this section available as grants to an

1 intergovernmental entity or local rail district for the purposes stated
2 in this section at least until June 30, 2012, and to reappropriate as
3 necessary any portion of the appropriation in this section that is not
4 used by June 30, 2009.

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

7 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
8 **CAPITAL**

9	Highway Infrastructure Account--State Appropriation	\$207,000
10	Highway Infrastructure Account--Federal	
11	Appropriation	\$1,602,000
12	Freight Mobility Investment Account--State	
13	Appropriation	((\$12,378,000))
14		<u>\$5,630,000</u>
15	Transportation Partnership Account--State	
16	Appropriation	((\$3,906,000))
17		<u>\$2,543,000</u>
18	Motor Vehicle Account--State Appropriation	((\$12,870,000))
19		<u>\$7,545,000</u>
20	Motor Vehicle Account--Federal Appropriation	((\$63,823,000))
21		<u>\$30,916,000</u>
22	Freight Mobility Multimodal Account--State	
23	Appropriation	((\$12,750,000))
24		<u>\$4,848,000</u>
25	Freight Mobility Multimodal Account--	
26	Private/Local Appropriation	((\$3,755,000))
27		<u>\$750,000</u>
28	Multimodal Transportation Account--Federal	
29	Appropriation	((\$4,224,000))
30		<u>\$3,520,000</u>
31	Multimodal Transportation Account--State	
32	Appropriation	((\$32,134,000))
33		<u>\$17,517,000</u>
34	Transportation 2003 Account (Nickel Account)--State	
35	Appropriation	((\$2,721,000))
36		<u>\$2,012,000</u>
37	Passenger Ferry Account--State Appropriation	((\$8,500,000))

1 \$2,879,000
2 TOTAL APPROPRIATION ((~~\$158,870,000~~))
3 \$79,969,000

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

6 (1) The department shall, on a quarterly basis, provide status
7 reports to the legislature on the delivery of projects as outlined in
8 the project lists incorporated in this section. For projects funded by
9 new revenue in the 2003 and 2005 transportation packages, reporting
10 elements shall include, but not be limited to, project scope, schedule,
11 and costs. Other projects may be reported on a programmatic basis.
12 The department shall also provide the information required under this
13 subsection on a quarterly basis via the transportation executive
14 information system (TEIS).

15 (2) (~~(\$8,500,000)~~) \$2,879,000 of the passenger ferry account--state
16 appropriation is provided solely for near and long-term costs of
17 capital improvements in a business plan approved by the governor for
18 passenger ferry service.

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

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

26 (5) Federal funds may be transferred from program Z to programs I
27 and P and state funds shall be transferred from programs I and P to
28 program Z to replace those federal funds in a dollar-for-dollar match.
29 Fund transfers authorized under this subsection shall not affect
30 project prioritization status. Appropriations shall initially be
31 allotted as appropriated in this act. The department may not transfer
32 funds as authorized under this subsection without approval of the
33 office of financial management. The department shall submit a report
34 on those projects receiving fund transfers to the office of financial
35 management and the transportation committees of the legislature by
36 December 1, 2007, and December 1, 2008.

37 (6) The city of Winthrop may utilize a design-build process for the
38 Winthrop bike path project. Of the amount appropriated in this section

1 for this project, \$500,000 of the multimodal transportation account--
2 state appropriation is contingent upon the state receiving from the
3 city of Winthrop \$500,000 in federal funds awarded to the city of
4 Winthrop by its local planning organization.

5 (7) (~~(\$11,591,224)~~) \$4,052,968 of the multimodal transportation
6 account--state appropriation(~~(, \$8,640,239 of the motor vehicle~~
7 ~~account--federal appropriation,)~~) and (~~(\$4,000,000)~~) \$3,412,837 of the
8 motor vehicle account--federal appropriation are provided solely for
9 the pedestrian and bicycle safety program projects and safe routes to
10 schools program projects identified in the LEAP Transportation Document
11 2007-A, pedestrian and bicycle safety program projects and safe routes
12 to schools program projects as developed April 20, 2007. Projects must
13 be allocated funding based on order of priority. The department shall
14 review all projects receiving grant awards under this program at least
15 semiannually to determine whether the projects are making satisfactory
16 progress. Any project that has been awarded funds, but does not report
17 activity on the project within one year of the grant award, shall be
18 reviewed by the department to determine whether the grant should be
19 terminated. The department shall promptly close out grants when
20 projects have been completed, and identify where unused grant funds
21 remain because actual project costs were lower than estimated in the
22 grant award.

23 (8) (~~(Up to a maximum of \$5,000,000 of the multimodal~~
24 ~~transportation account--state appropriation and up to a maximum of~~
25 ~~\$2,000,000 of the motor vehicle account--federal appropriation are~~
26 ~~reappropriated for the pedestrian and bicycle safety program projects~~
27 ~~and safe routes to schools program projects identified in the LEAP~~
28 ~~transportation document 2006-B, pedestrian and bicycle safety program~~
29 ~~projects and safe routes to schools program projects as developed March~~
30 ~~8, 2006. Projects must be allocated funding based on order of~~
31 ~~priority. The department shall review all projects receiving grant~~
32 ~~awards under this program at least semiannually to determine whether~~
33 ~~the projects are making satisfactory progress. Any project that has~~
34 ~~been awarded funds, but does not report activity on the project within~~
35 ~~one year of the grant award, shall be reviewed by the department to~~
36 ~~determine whether the grant should be terminated. The department shall~~
37 ~~promptly close out grants when projects have been completed, and~~

1 identify where unused grant funds remain because actual project costs
2 were lower than estimated in the grant award.

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

6 ~~((10) \$250,000))~~ (9) \$100,000 of the multimodal transportation
7 account--state appropriation is provided solely for the icicle rail
8 station in Leavenworth.

9 ~~((11))~~ (10) \$1,500,000 of the motor vehicle account--state
10 appropriation is provided solely for the Union Gap city road project.

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

14 ~~((13))~~ (12) \$1,000,000 of the motor vehicle account--state
15 appropriation and ~~((\$4,688,000))~~ \$5,374,000 of the motor vehicle
16 account--federal appropriation are provided solely for the coal creek
17 parkway project.

18 ~~((14) \$250,000))~~ (13) \$150,790 of the multimodal transportation
19 account--state appropriation is provided solely for a streetcar
20 feasibility study in downtown Spokane.

21 ~~((15))~~ (14) \$500,000 of the motor vehicle account--~~(federal)~~
22 state appropriation is provided solely for slide repairs completed
23 during 2007 and 2008 at or in the vicinity of marine view drive bridge
24 on Marine View Drive and on Des Moines Memorial Drive in Des Moines.

25 ~~((16) \$1,100,000))~~ (15) \$225,000 of the motor vehicle account--
26 state appropriation is provided solely for local road improvements that
27 connect to the I-82 valley mall boulevard project (5082010). ~~((Planned~~
28 ~~funding of an additional \$2,000,000 shall be made available to this~~
29 ~~project in the 2009-11 biennium.~~

30 ~~(17) \$2,400,000 of the motor vehicle account--state appropriation~~
31 ~~is provided solely for completion of the riverside avenue extension~~
32 ~~project in the city of Spokane.~~

33 ~~(18))~~ It is the intent of the legislature that an additional
34 \$2,875,000 will be provided in the 2009-11 omnibus transportation
35 appropriations act to complete this project.

36 (16) For the 2007-09 project appropriations, unless otherwise
37 provided in this act, the director of financial management may
38 authorize a transfer of appropriation authority between projects

1 managed by the freight mobility strategic investment board, in order
2 for the board to manage project spending and efficiently deliver all
3 projects in the respective program.

4 **TRANSFERS AND DISTRIBUTIONS**

5 **Sec. 401.** 2008 c 121 s 401 (uncodified) is amended to read as
6 follows:

7 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
9 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
10 **REVENUE**

11	Highway Bond Retirement Account Appropriation	((\$544,061,000))
12		<u>\$515,861,000</u>
13	Ferry Bond Retirement Account Appropriation	\$37,380,000
14	Transportation Improvement Board Bond Retirement	
15	Account--State Appropriation	((\$26,822,000))
16		<u>\$26,462,000</u>
17	Nondebt-Limit Reimbursable Account Appropriation	((\$13,059,000))
18		<u>\$8,248,000</u>
19	Transportation Partnership Account--State	
20	Appropriation	((\$1,823,000))
21		<u>\$2,223,000</u>
22	Motor Vehicle Account--State Appropriation	((\$457,000))
23		<u>\$301,000</u>
24	Transportation Improvement Account--State Appropriation	\$68,000
25	Multimodal Transportation Account--State	
26	Appropriation	((\$675,000))
27		<u>\$337,000</u>
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation	((\$2,003,000))
30		<u>\$2,503,000</u>
31	Urban Arterial Trust Account--State Appropriation	\$113,000
32	Special Category C Account Appropriation	((\$99,000))
33		<u>\$78,000</u>
34	TOTAL APPROPRIATION	((\$626,560,000))
35		<u>\$593,574,000</u>

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

3 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
5 **FISCAL AGENT CHARGES**

6	Transportation Partnership Account--State	
7	Appropriation	(((\$243,000))
8		<u>\$369,000</u>
9	Motor Vehicle Account--State Appropriation	(((\$61,000))
10		<u>\$49,000</u>
11	Transportation Improvement Account--State Appropriation	\$5,000
12	Multimodal Transportation Account--State Appropriation	(((\$90,000))
13		<u>\$55,000</u>
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	(((\$267,000))
16		<u>\$406,000</u>
17	Urban Arterial Trust Account--State Appropriation	\$38,000
18	Special Category C Account--State Appropriation	\$13,000
19	TOTAL APPROPRIATION	(((\$717,000))
20		<u>\$935,000</u>

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

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

25 Motor Vehicle Account--State Reappropriation:

26	For transfer to the Tacoma Narrows Toll Bridge	
27	Account	(((\$19,133,000))
28		<u>\$12,717,000</u>

29 The department of transportation is authorized to sell up to
30 (((\$18,000,000)) \$12,717,000 in bonds authorized by RCW 47.10.843 for
31 the Tacoma Narrows bridge project. Proceeds from the sale of the bonds
32 shall be deposited into the motor vehicle account. The department of
33 transportation shall inform the treasurer of the amount to be
34 deposited.

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

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

3 Motor Vehicle Account--State Appropriation: For
4 transfer to the Puget Sound Capital Construction
5 Account ((~~\$105,000,000~~))
6 \$66,200,000

7 The state treasurer is authorized to sell up to ((~~\$105,000,000~~))
8 \$66,200,000 in bonds authorized by RCW 47.10.843 for vessel and
9 terminal acquisition, major and minor improvements, and long lead-time
10 materials acquisition for the Washington state ferries.

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

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

14 Motor Vehicle Account Appropriation for
15 motor vehicle fuel tax distributions to cities
16 and counties ((~~\$501,783,827~~))
17 \$491,628,000

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

20 **FOR THE STATE TREASURER--TRANSFERS**

21 Motor Vehicle Account--State
22 Appropriation: For motor vehicle fuel tax
23 refunds and statutory transfers ((~~\$902,982,000~~))
24 \$854,291,000

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

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

28 Motor Vehicle Account--State
29 Appropriation: For motor vehicle
30 fuel tax refunds and transfers ((~~\$445,345,000~~))
31 \$480,666,000

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

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

2 (1) Recreational Vehicle Account--State

3 Appropriation: For transfer to the Motor Vehicle

4 Account--State \$4,505,000

5 (2) License Plate Technology Account--State

6 Appropriation: For transfer to the Multimodal

7 Transportation Account--State \$4,500,000

8 (3) Motor Vehicle Account--State Appropriation:

9 For transfer to the High-Occupancy Toll Lanes Operations--

10 State Account \$3,000,000

11 (4) Motor Vehicle Account--State Appropriation:

12 For transfer to the Puget Sound Capital Construction

13 Account--State ((\$20,000,000))

14 \$4,000,000

15 (5) Multimodal Transportation Account--State

16 Appropriation: For transfer to the Puget Sound

17 Ferry Operations Account--State ((\$66,000,000))

18 \$89,000,000

19 (6) Advanced Right-of-Way Revolving Account--State

20 Appropriation: For transfer to the Motor Vehicle

21 Account--State ((\$30,000,000))

22 \$24,000,000

23 (7) Waste Tire Removal Account--State Appropriation:

24 For transfer to the Motor Vehicle Account--State \$5,600,000

25 (8) Motor Vehicle Account--State Appropriation:

26 For transfer to the Puget Sound Ferry Operations Account--

27 State \$3,000,000

28 (9) ((~~Multimodal Transportation Account--State~~

29 ~~Appropriation: For transfer to the Transportation~~

30 ~~Infrastructure Account--State \$6,600,000~~

31 ~~(+10)) Highway Safety Account--State Appropriation:~~

32 ~~For transfer to the Multimodal Transportation~~

33 ~~Account--State ((\$9,500,000))~~

34 ~~\$14,000,000~~

35 ((~~(11) Urban Arterial Trust Account--State Appropriation:~~

36 ~~For transfer to the Small City Pavement and Sidewalk~~

37 ~~Account--State \$1,400,000))~~

38 (10) Motor Vehicle Account--State Appropriation:

1	<u>For transfer to the State Patrol Highway</u>	
2	<u>Account--State</u>	<u>\$4,000,000</u>
3	<u>(11) Motorcycle Safety Education Account--State</u>	
4	<u>Appropriation: For transfer to the Multimodal</u>	
5	<u>Transportation Account--State</u>	<u>\$2,500,000</u>
6	<u>(12) Department of Licensing Services Account--State</u>	
7	<u>Appropriation: For transfer to the Motor Vehicle</u>	
8	<u>Account--State</u>	<u>\$3,000,000</u>
9	<u>(13) Motor Vehicle Account--State Appropriation:</u>	
10	<u>For transfer to the Special Category C Account--State</u>	<u>\$1,500,000</u>
11	<u>(14) Passenger Ferry Account--State Appropriation:</u>	
12	<u>For transfer to the Multimodal Transportation</u>	
13	<u>Account--State</u>	<u>\$1,121,000</u>
14	<u>(15) Multimodal Transportation Account--State</u>	
15	<u>Appropriation: For transfer to the Puget Sound Capital</u>	
16	<u>Construction Account--State</u>	<u>\$8,000,000</u>
17	<u>(16) Transportation Partnership Account--State</u>	
18	<u>Appropriation: For transfer to the Transportation 2003</u>	
19	<u>Account (Nickel Account)--State</u>	<u>\$45,000,000</u>
20	<u>(17) Miscellaneous Transportation Programs</u>	
21	<u>Account--State Appropriation: For transfer to the Motor</u>	
22	<u>Vehicle Account--State</u>	<u>\$10,000,000</u>

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

28 **MISCELLANEOUS 2007-09 BIENNIUM**

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

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

32	Aeronautics Account--State Appropriation	\$2,000
33	State Patrol Highway Account--State Appropriation	\$338,000
34	Puget Sound Capital Construction Account--State	
35	Appropriation	\$24,000

1	Transportation Partnership Account--State Appropriation	\$44,000
2	Highway Safety Account--State Appropriation	\$120,000
3	Motor Vehicle Account--State Appropriation	\$882,000
4	Puget Sound Ferry Operating Account--State Appropriation	\$294,000
5	Urban Arterial Trust Account--State Appropriation	\$2,000
6	Transportation Improvement Account--State Appropriation	\$2,000
7	Department of Licensing Services Account--State	
8	Appropriation	\$2,000
9	Multimodal Transportation Account--State Appropriation	\$12,000
10	Tacoma Narrows Bridge Toll Account--State Appropriation	\$10,000
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	\$120,000
13	TOTAL APPROPRIATION	\$1,852,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: The appropriations in this section fund
16 various state transportation agencies to support the state insurance
17 accounting system. ~~((From the applicable accounts, the office of~~
18 ~~financial management shall reduce allotments to the respective agencies~~
19 ~~by an amount that conforms with the insurance accounting system special~~
20 ~~appropriations enacted in the 2008 supplemental omnibus appropriations~~
21 ~~act, Engrossed Substitute House Bill No. 2687 (chapter . . . , Laws of~~
22 ~~2008). The allotment reductions under this section shall be placed in~~
23 ~~reserve status and remain unexpended.))~~ The appropriations in this
24 section are provided solely for expenditure into the health care
25 authority administrative account.

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

28 There is hereby created the motorcycle safety education account in
29 the highway safety fund of the state treasury, to the credit of which
30 shall be deposited all moneys directed by law to be credited thereto.
31 All expenses incurred by the director of the department of licensing in
32 administering RCW 46.20.505 through 46.20.520 shall be borne by
33 appropriations from this account, and moneys deposited into this
34 account shall be used only for the purposes authorized in RCW 46.20.505
35 through 46.20.520. During the 2007-2009 fiscal biennium, the
36 legislature may transfer from the motorcycle safety education account
37 such amounts as reflect the excess fund balance of the account.

1 NEW SECTION. **Sec. 509.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

(End of bill)

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