PROPOSED 2014 SUPPLEMENTAL TRANSPORTATION APPROPRIATIONS BILL

Governor Jay Inslee
December 17, 2013

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0634.5/14 5th draft

ATTY/TYPIST: BP:lel

BRIEF DESCRIPTION: Making 2013-2015 supplemental transportation appropriations.

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

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

2013-2015 FISCAL BIENNIUM
GENERAL GOVERNMENT AGENCIES--OPERATING

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

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account--State Appropriation . . . . . ((~~$435,000~~)) <u>$462,000</u>

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

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

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account--State Appropriation . . . . . ((~~$1,641,000~~))
$1,639,000

Puget Sound Ferry Operations Account--State
Appropriation $176,000

TOTAL APPROPRIATION . . . . . ((~~$1,817,000~~))
$1,815,000

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

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

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

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

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account--State Appropriation . . . . . ((~~$1,208,000~~))
$1,207,000

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

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

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

TRANSPORTATION AGENCIES--OPERATING

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

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account--State Appropriation . . . . . ((~~$3,017,000~~))
$3,030,000

Highway Safety Account--Federal Appropriation . . . . . ((~~$40,699,000~~))
$40,798,000

Highway Safety Account--Private/Local Appropriation . . . . ((~~$50,000~~))
$118,000

School Zone Safety Account--State Appropriation $1,800,000

TOTAL APPROPRIATION . . . . . ((~~$45,566,000~~))
$45,746,000

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

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

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

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

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

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

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

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation . . . . ((~~$945,000~~)) $942,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$2,186,000~~)) $2,204,000

County Arterial Preservation Account--State Appropriation . . . . . ((~~$1,456,000~~)) $1,452,000

TOTAL APPROPRIATION . . . . . ((~~$4,587,000~~)) $4,598,000

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

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account--State Appropriation . . . . . ((~~$3,804,000~~)) $3,912,000

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

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account--State Appropriation . . . . . ((~~$1,330,000~~))
$1,328,000

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

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

(i) Identify best practices;

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

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

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

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

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

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

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

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

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

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

FOR THE TRANSPORTATION COMMISSION

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

$2,946,000

Multimodal Transportation Account--State

Appropriation $112,000

TOTAL APPROPRIATION . . . . . ((~~$3,059,000~~))

$3,058,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account--State Appropriation . . . . . ((~~$904,000~~)) $984,000

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

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account--State Appropriation . . . . . ((~~$370,354,000~~)) $367,299,000

State Patrol Highway Account--Federal Appropriation . . . . . ((~~$11,137,000~~)) $11,108,000

State Patrol Highway Account--Private/Local Appropriation . . . . . ((~~$3,591,000~~)) $3,583,000

Highway Safety Account--State Appropriation . . . . . ((~~$19,429,000~~)) $19,284,000

Multimodal Transportation Account--State Appropriation . . . . . ((~~$273,000~~)) $272,000

Ignition Interlock Device Revolving Account--State Appropriation . . . . . ((~~$573,000~~)) $571,000

TOTAL APPROPRIATION . . . . . ((~~$405,357,000~~)) $402,117,000

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

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account--State
Appropriation $34,000

Motorcycle Safety Education Account--State
Appropriation . . . . . ((~~$4,409,000~~))
$4,404,000

State Wildlife Account--State Appropriation . . . . . .((~~$885,000~~))
$875,000

Highway Safety Account--State Appropriation . . . . . ((~~$156,679,000~~))
$160,795,000

Highway Safety Account--Federal Appropriation . . . . . ((~~$4,392,000~~))
$4,380,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$76,819,000~~))
$80,913,000

Motor Vehicle Account--Federal Appropriation $467,000

Motor Vehicle Account--Private/Local Appropriation $1,544,000

Ignition Interlock Device Revolving Account--State
Appropriation . . . . . ((~~$2,656,000~~))
$2,871,000

Department of Licensing Services Account--State
Appropriation . . . . . ((~~$5,959,000~~))
$5,992,000

TOTAL APPROPRIATION . . . . . .((~~$253,844,000~~))

$262,275,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The strategic plan must include:

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

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

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

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

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

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

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

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

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

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

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

High-Occupancy Toll Lanes Operations Account--State

Appropriation . . . . . ((~~$1,851,000~~))
$1,969,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$509,000~~))
$814,000

State Route Number 520 Corridor Account--State
Appropriation . . . . . ((~~$32,419,000~~))
$35,089,000

State Route Number 520 Civil Penalties Account--State
Appropriation . . . . . ((~~$4,169,000~~))
$4,156,000

Tacoma Narrows Toll Bridge Account--State
Appropriation . . . . . ((~~$23,730,000~~))
$25,248,000

Puget Sound Ferry Operations Account--State
Appropriation $250,000

Interstate 405 Express Toll Lanes Operations
Account--State Appropriation $2,019,000

TOTAL APPROPRIATION . . . . . ((~~$62,928,000~~))
$69,545,000

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

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

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

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

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

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

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

(4) $1,300,000 of the Tacoma Narrows toll bridge account--state appropriation and $6,000,000 of the state route number 520 corridor account--state appropriation are provided solely for the purposes of

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM C

Transportation Partnership Account--State
Appropriation $1,460,000
Motor Vehicle Account--State Appropriation . . . . . ((~~$68,773,000~~))
$66,542,000
Multimodal Transportation Account--State
Appropriation . . . . . ((~~$363,000~~))
$2,883,000
Transportation 2003 Account (Nickel Account)--State
Appropriation $1,460,000
Puget Sound Ferry Operations Account--State
Appropriation $263,000
TOTAL APPROPRIATION . . . . . ((~~$72,056,000~~))
$72,608,000

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

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

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

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

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

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

Motor Vehicle Account--State Appropriation . . . . . ((~~$26,251,000~~)) $26,137,000

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

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

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

Aeronautics Account--State Appropriation . . . . . ((~~$7,361,000~~)) $8,013,000

Aeronautics Account--Federal Appropriation $2,150,000

TOTAL APPROPRIATION . . . . . ((~~$9,511,000~~)) $10,163,000

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

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

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

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

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

Motor Vehicle Account--State Appropriation . . . . . ((~~$47,607,000~~)) $47,432,000

Motor Vehicle Account--Federal Appropriation $500,000

Multimodal Transportation Account--State Appropriation $250,000

TOTAL APPROPRIATION . . . . . ((~~$48,357,000~~)) $48,182,000

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

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation . . . . . ((~~$570,000~~))
$568,000

Multimodal Transportation Account--State
Appropriation $12,500,000

TOTAL APPROPRIATION $13,068,000

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

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

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

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

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

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

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

Highway Safety Account--State Appropriation $10,000,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$390,040,000~~))
$394,149,000

Motor Vehicle Account--Federal Appropriation $7,000,000

TOTAL APPROPRIATION . . . . . ((~~$407,040,000~~))
$411,149,000

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

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

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

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

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

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

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

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

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

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

Motor Vehicle Account--State Appropriation . . . . . ((~~$50,504,000~~)) $50,221,000

Motor Vehicle Account--Federal Appropriation $2,050,000

Motor Vehicle Account--Private/Local Appropriation $250,000

TOTAL APPROPRIATION . . . . . ((~~$52,804,000~~)) $52,521,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S

Motor Vehicle Account--State Appropriation . . . . . ((~~$27,281,000~~)) $27,138,000

Motor Vehicle Account--Federal Appropriation . . . . . .((~~$30,000~~)) $280,000

Multimodal Transportation Account--State Appropriation . . . . . ((~~$973,000~~)) $1,131,000

TOTAL APPROPRIATION . . . . . ((~~$28,284,000~~)) $28,549,000

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

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

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

Motor Vehicle Account--State Appropriation . . . . . ((~~$20,109,000~~)) $19,829,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$24,885,000~~)) $27,385,000

Multimodal Transportation Account--State Appropriation $662,000

Multimodal Transportation Account--Federal Appropriation $2,809,000

Multimodal Transportation Account--Private/Local
Appropriation $100,000
TOTAL APPROPRIATION . . . . . ((~~$48,565,000~~))
<u>$50,785,000</u>

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

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

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

Motor Vehicle Account--State Appropriation . . . . . ((~~$81,628,000~~))
<u>$74,319,000</u>
Motor Vehicle Account--Federal Appropriation $400,000
Multimodal Transportation Account--State Appropriation . . ((~~$40,000~~))
<u>$3,077,000</u>
TOTAL APPROPRIATION . . . . . ((~~$82,068,000~~))
<u>$77,796,000</u>

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V

State Vehicle Parking Account--State Appropriation . . . . ((~~$452,000~~))
<u>$754,000</u>
Regional Mobility Grant Program Account--State
Appropriation . . . . . ((~~$49,948,000~~))

$51,111,000

Rural Mobility Grant Program Account--State
Appropriation $17,000,000

Multimodal Transportation Account--State
Appropriation . . . . . ((~~$39,057,000~~))
$39,480,000

Multimodal Transportation Account--Federal
Appropriation $3,280,000

Motor Vehicle Account--Federal Appropriation $160,000

TOTAL APPROPRIATION . . . . . .((~~$109,737,000~~))
$111,785,000

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. Of this amount:

(a) $5,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must 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 multimodal transportation account--state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, 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 must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2011 as reported in the "Summary of Public Transportation - 2011" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Puget Sound Ferry Operations Account--State
Appropriation . . . . . ((~~$485,076,000~~))
$485,370,000

Puget Sound Ferry Operations Account--Private/Local
Appropriation $121,000

TOTAL APPROPRIATION . . . . . ((~~$485,197,000~~))
$485,491,000

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

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

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

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

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

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

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

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

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

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

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

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

Multimodal Transportation Account--State

Appropriation . . . . . ((~~$32,924,000~~)) $45,877,000

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

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

(2) Amtrak Cascades runs may not be eliminated.

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--OPERATING

Motor Vehicle Account--State Appropriation . . . . . ((~~$8,737,000~~)) $8,674,000

Motor Vehicle Account--Federal Appropriation $2,567,000

TOTAL APPROPRIATION . . . . . ((~~$11,304,000~~)) $11,241,000

TRANSPORTATION AGENCIES--CAPITAL

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

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account--State Appropriation $11,794,000

Freight Mobility Multimodal Account--State Appropriation $9,736,000

Freight Mobility Multimodal Account--Private/Local Appropriation $1,320,000

Highway Safety Account--State Appropriation . . . . . ((~~$2,450,000~~)) $2,591,000

Motor Vehicle Account--State Appropriation $84,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$3,250,000~~)) $5,750,000

TOTAL APPROPRIATION . . . . . ((~~$28,634,000~~)) $31,275,000

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

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

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

FOR THE WASHINGTON STATE PATROL

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

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

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

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

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

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

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

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

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation . . . . . ((~~$35,894,000~~)) $55,894,000

Highway Safety Account--State Appropriation $10,000,000

Motor Vehicle Account--State Appropriation $706,000

County Arterial Preservation Account--State Appropriation $30,000,000

TOTAL APPROPRIATION . . . . . ((~~$76,600,000~~)) $96,600,000

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

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account--State Appropriation . . . . . ((~~$3,500,000~~)) $5,250,000

Highway Safety Account--State Appropriation $10,000,000

Transportation Improvement Account--State Appropriation . . . . . ((~~$174,225,000~~)) $226,851,000

TOTAL APPROPRIATION . . . . . .((~~$187,725,000~~)) $242,101,000

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

(1) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(2) The small city pavement program to help cities meet urgent preservation needs; and

(3) The small city low-energy street light retrofit demonstration program.

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

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL

Transportation Partnership Account--State
Appropriation . . . . . ((~~$13,425,000~~)) $14,390,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$8,106,000~~)) $11,435,000

TOTAL APPROPRIATION . . . . . ((~~$21,531,000~~)) $25,825,000

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

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

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

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

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

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

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

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

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

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

Multimodal Transportation Account--State
Appropriation $1,000,000

Transportation Partnership Account--State
Appropriation . . . . . ((~~$1,536,032,000~~))
$1,313,559,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$61,508,000~~))
$69,481,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$473,359,000~~))
$488,487,000

Motor Vehicle Account--Private/Local
Appropriation . . . . . ((~~$208,452,000~~))
$164,853,000

Transportation 2003 Account (Nickel Account)--State Appropriation . . . . . ((~~$242,253,000~~)) $325,778,000

State Route Number 520 Corridor Account--State Appropriation . . . . . ((~~$737,205,000~~)) $884,757,000

State Route Number 520 Corridor Account--Federal Appropriation $300,000,000

Special Category C Account--State Appropriation $124,000

TOTAL APPROPRIATION . . . . . .((~~$3,559,933,000~~)) $3,548,039,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Transportation Partnership Account--State
Appropriation . . . . . ((~~$36,480,000~~))
$34,966,000

Recreational Vehicle Account--State Appropriation $1,784,000

Highway Safety Account--State Appropriation $10,000,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$58,503,000~~))
$58,012,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$580,062,000~~))
$595,602,000

Motor Vehicle Account--Private/Local Appropriation . . ((~~$11,270,000~~))
$11,827,000

Transportation 2003 Account (Nickel Account)--State
Appropriation . . . . . ((~~$2,285,000~~))

$2,650,000

Tacoma Narrows Toll Bridge Account--State Appropriation $120,000

TOTAL APPROPRIATION . . . . . ((~~$698,600,000~~)) $714,961,000

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

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

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

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

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

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL

Motor Vehicle Account--State Appropriation . . . . . ((~~$3,194,000~~)) $4,916,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$7,959,000~~)) $9,151,000

Motor Vehicle Account--Private/Local Appropriation $200,000

TOTAL APPROPRIATION . . . . . ((~~$11,153,000~~)) $14,267,000

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES

CONSTRUCTION--PROGRAM W

Puget Sound Capital Construction Account--State
Appropriation . . . . . ((~~$53,036,000~~)) $64,002,000

Puget Sound Capital Construction Account--Federal
Appropriation . . . . . ((~~$91,692,000~~)) $118,450,000

Puget Sound Capital Construction Account--Private/Local
Appropriation . . . . . ((~~$1,145,000~~)) $1,312,000

Multimodal Transportation Account--State
Appropriation . . . . . ((~~$1,534,000~~)) $2,588,000

Transportation 2003 Account (Nickel Account)--State
Appropriation . . . . . ((~~$143,941,000~~)) $140,032,000

Transportation Partnership Account--State
Appropriation $2,813,000

TOTAL APPROPRIATION . . . . . ((~~$291,348,000~~)) $329,197,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Essential Rail Assistance Account--State
Appropriation . . . . . ((~~$861,000~~))
$1,021,000

Transportation Infrastructure Account--State
Appropriation . . . . . ((~~$8,582,000~~))
$9,188,000

Multimodal Transportation Account--State
Appropriation . . . . . ((~~$33,156,000~~))
$44,245,000

Multimodal Transportation Account--Federal
Appropriation . . . . . ((~~$333,881,000~~))
$426,858,000

Multimodal Transportation Account--Private/Local

Appropriation $409,000

TOTAL APPROPRIATION . . . . . ((~~$376,480,000~~)) $481,721,000

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Revenues transferred from the miscellaneous program account to

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

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

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

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--CAPITAL

Highway Infrastructure Account--State Appropriation $207,000

Highway Infrastructure Account--Federal Appropriation $1,602,000

((~~Freight Mobility Investment Account--State Appropriation . . . . . $11,794,000~~))

Transportation Partnership Account--State Appropriation . . . . . ((~~$7,214,000~~)) $9,236,000

Highway Safety Account--State Appropriation . . . . . ((~~$11,255,000~~)) $8,915,000

Motor Vehicle Account--State Appropriation . . . . . ((~~$6,918,000~~)) $7,400,000

Motor Vehicle Account--Federal Appropriation . . . . . ((~~$28,413,000~~)) $34,581,000

((~~Freight Mobility Multimodal Account--State Appropriation . . . . . $9,736,000~~

~~Freight Mobility Multimodal Account--Private/Local Appropriation . . . . . $1,320,000~~))

Multimodal Transportation Account--State Appropriation . . . . . ((~~$13,913,000~~)) $18,741,000

TOTAL APPROPRIATION . . . . . ((~~$92,372,000~~)) $80,682,000

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

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

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

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

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

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

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

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

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

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

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

TRANSFERS AND DISTRIBUTIONS

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

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

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

Transportation Partnership Account--State Appropriation . . . . . ((~~$10,406,000~~)) $7,577,000

Motor Vehicle Account--State Appropriation $450,000

State Route Number 520 Corridor Account--State Appropriation . . . . . ((~~$3,866,000~~)) $562,000

Highway Bond Retirement Account--State Appropriation . . . . . ((~~$1,074,580,000~~)) $1,094,299,000

Ferry Bond Retirement Account--State Appropriation . . . . . ((~~$31,824,000~~)) $31,830,000

Transportation Improvement Board Bond Retirement Account--State Appropriation . . . . . .((~~$16,267,000~~)) $16,271,000

Nondebt-Limit Reimbursable Bond Retirement Account--State Appropriation $25,825,000

Toll Facility Bond Retirement Account--State Appropriation $52,050,000

Toll Facility Bond Retirement Account--Federal Appropriation $64,982,000

Transportation 2003 Account (Nickel Account)--State Appropriation . . . . . ((~~$1,958,000~~)) $1,730,000

((~~Special Category C Account--State Appropriation . . . . . .$2,000~~))

TOTAL APPROPRIATION . . . . . .((~~$1,282,210,000~~)) $1,295,576,000

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

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

Transportation Partnership Account--State

Appropriation . . . . . ((~~$1,156,000~~))
$1,030,000
Motor Vehicle Account--State Appropriation $50,000
State Route Number 520 Corridor Account--State
Appropriation . . . . . ((~~$531,000~~))
$322,000
Transportation 2003 Account (Nickel Account)--State
Appropriation . . . . . ((~~$218,000~~))
$219,000
TOTAL APPROPRIATION . . . . . ((~~$1,955,000~~))
$1,621,000

NEW SECTION. **Sec. 403.** A new section is added to 2013 c 306 (uncodified) to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account--Federal
Appropriation $4,931,000

Sec. 404. 2013 c 306 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account--State Appropriation: For
motor vehicle fuel tax distributions to cities
and counties . . . . . .((~~$474,610,000~~))
$476,185,000

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

FOR THE STATE TREASURER--TRANSFERS

Motor Vehicle Account--State Appropriation: For
motor vehicle fuel tax refunds and statutory
transfers . . . . . ((~~$1,235,491,000~~))
$1,237,023,000

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

FOR THE DEPARTMENT OF LICENSING--TRANSFERS

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

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

FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS

(1) ((~~Recreational Vehicle Account--State Appropriation: For transfer to the Motor Vehicle Account--State . . . . . $1,300,000~~ ~~(2)~~)) Multimodal Transportation Account--State Appropriation: For transfer to the Puget Sound Ferry Operations Account--State $13,000,000

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

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

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

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

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

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

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

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

(10) Multimodal Transportation Account--State Appropriation: For transfer to the Highway Safety Account--State $10,000,000

(11) Motor Vehicle Account--State Appropriation: For transfer to the State Patrol Highway Account--State $27,000,000

(12) Highway Safety Account--State Appropriation: For transfer to the Puget Sound Ferry Operations Account--State . . . . . ((~~$42,000,000~~)) $37,000,000

(13) Advanced Environmental Mitigation Revolving Account--State Appropriation: For transfer to the Motor Vehicle Account--State $2,000,000

(14) Advanced Right-of-Way Revolving Fund--State Appropriation: For transfer to the Motor Vehicle Account--State $6,000,000

(15) Tacoma Narrows Toll Bridge Account--State Appropriation: For transfer to the Motor Vehicle Account--State $950,000

(16) License Plate Technology Account--State Appropriation: For transfer to the Highway Safety Account--State $3,000,000

(17) Motor Vehicle Account--State Appropriation: For transfer to the Transportation Equipment Fund--State $3,915,000

(18) Multimodal Transportation Account--State Appropriation: For transfer to the Motor Vehicle Account--State $10,000,000

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

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

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

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

COMPENSATION

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

COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS

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

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

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

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

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

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

COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS

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

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

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

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

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

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

COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS

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

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

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

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

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

IMPLEMENTING PROVISIONS

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

FUND TRANSFERS

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

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

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

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

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

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

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

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

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

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

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

MISCELLANEOUS 2013-2015 FISCAL BIENNIUM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The rules adopted under this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MISCELLANEOUS

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

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

(End of Bill)

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