
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0445.1/22

ATTY/TYPIST: AI:lcl

BRIEF DESCRIPTION: Making supplemental transportation appropriations
for the 2021-2023 fiscal biennium.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.68.060, 70A.65.100, and 46.68.280; amending 2021 c
3 333 ss 101, 103, 105, 107, 109-111, 201-223, 301-303, 305-311,
4 401-406, and 502-523 (uncodified); adding new sections to 2021 c 333
5 (uncodified); making appropriations and authorizing expenditures for
6 capital improvements; and declaring an emergency.

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

8 **2021-2023 FISCAL BIENNIUM**

9 **GENERAL GOVERNMENT AGENCIES—OPERATING**

10 **Sec. 101.** 2021 c 333 s 101 (uncodified) is amended to read as
11 follows:

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

13 Motor Vehicle Account—State Appropriation (~~(\$546,000)~~)
14 \$554,000

15 **Sec. 102.** 2021 c 333 s 103 (uncodified) is amended to read as
16 follows:

17 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

18 Motor Vehicle Account—State Appropriation (~~(\$1,441,000)~~)

1		<u>\$1,515,000</u>
2	Puget Sound Ferry Operations Account—State Appropriation . .	\$126,000
3	Multimodal Transportation Account—State Appropriation. . . .	\$250,000
4	TOTAL APPROPRIATION.	((\$1,817,000))
5		<u>\$1,891,000</u>

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

8 \$250,000 of the multimodal transportation account—state
9 appropriation is provided solely for the office of financial
10 management, in collaboration with the Washington department of
11 transportation and the office of the chief information officer, to
12 conduct an evaluation of short term and long term facility and
13 information technology needs. In conducting the evaluation, the
14 office of financial management may contract with an entity with
15 direct expertise in this area. The office of financial management
16 must submit a final report of their evaluation by October 1, 2022.
17 The evaluation must be coordinated with any legislatively directed
18 study regarding leased space. The evaluation must include, but is not
19 limited to:

20 (1) Development of a status quo scenario based on current policy
21 and projections and two alternative scenarios of the number of people
22 and percentage of staff in telework status on a permanent basis with
23 one alternative being the minimum feasible level of teleworking and
24 one alternative being the maximum feasible level of teleworking;

25 (2) Current and projected facility needs by location and function
26 for the scenarios in subsection (1) of this section;

27 (3) The specific number of employees and percentage of the
28 workforce expected to be teleworking by location and function and the
29 anticipated impact on facility space needs for the scenarios in
30 subsection (1) of this section;

31 (4) Analysis of opportunities to colocate with other state,
32 local, and other public agencies to reduce costs and improve cost-
33 efficiency;

34 (5) Detailed information on any increased costs, such as end-user
35 devices, software, technology infrastructure, and other types of
36 assistance needed to meet the teleworking levels in each of the
37 scenarios in subsection (1) of this section;

38 (6) Detailed information on any reduced costs, such as leases,
39 facility maintenance, and utilities, resulting from the projected

1 teleworking levels for the scenarios in subsection (1) of this
2 section; and

3 (7) Cost-benefit analysis detailing the net impact of teleworking
4 on facility and total costs for the scenarios in subsection (1) of
5 this section.

6 **Sec. 103.** 2021 c 333 s 105 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF AGRICULTURE**

9 Motor Vehicle Account—State Appropriation (~~(\$1,346,000)~~)
10 \$1,403,000

11 **Sec. 104.** 2021 c 333 s 107 (uncodified) is amended to read as
12 follows:

13 **FOR THE EVERGREEN STATE COLLEGE**

14 Motor Vehicle Account—State Appropriation \$150,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The total appropriation in this section
17 is provided solely for the Washington state institute for public
18 policy to conduct a cost-benefit analysis for an exclusive or partial
19 American steel requirement for future transportation contracts and
20 subcontracts authorized in the transportation budget. This cost-
21 benefit analysis must, to the extent feasible: (1) Compare existing
22 types and uses of steel to made in America steel alternatives
23 including evaluation of quality; (2) examine benefits to Washington
24 workers and the Washington economy; (3) examine lifecycle and
25 embodied carbon greenhouse gas emissions; (4) identify requirements
26 for purchasing American steel that minimize costs and maximize
27 benefits; and (5) evaluate American steel requirements or preferences
28 in other states. The Washington state institute for public policy may
29 solicit input for the analysis from representatives of interested
30 parties to include, but not be limited to, the construction and
31 manufacturing sectors, organized labor in the construction and
32 manufacturing sectors, cities, counties, American steel manufacturing
33 companies, environmental advocacy organizations, and appropriate
34 state agencies. A final report is due to the legislature by December
35 1, (~~(2021)~~) 2022.

1 NEW SECTION. **Sec. 105.** A new section is added to 2021 c 333
2 (uncodified) to read as follows:

3 **FOR WESTERN WASHINGTON UNIVERSITY**

4 Multimodal Transportation Account—State Appropriation. . . . \$400,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: The appropriation in this section is
7 provided solely to conduct a study to determine how many nondrivers
8 are in Washington state and the demographics of this population.
9 Western Washington University is directed to conduct a survey,
10 conduct research, develop a dataset and conduct analysis on the
11 nondriving population of Washington state. The analysis must include,
12 but is not limited to: (1) Reasons for not driving; (2) demographics
13 of who is not driving to include age, disability status, rural or
14 urban residence, and other available demographic information; and (3)
15 availability of transportation options for nondrivers and the impact
16 those options have on their access to services, economic opportunity,
17 recreation, education, and other aspects of community life. Western
18 Washington University shall provide a report to the transportation
19 committees of the legislature by February 1, 2023.

20 **Sec. 106.** 2021 c 333 s 109 (uncodified) is amended to read as
21 follows:

22 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

23 Pilotage Account—State Appropriation (~~(\$5,777,000)~~)
24 \$6,395,000

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

27 (1) \$2,926,000 of the pilotage account—state appropriation is
28 provided solely for self-insurance liability premium expenditures;
29 however, this appropriation is contingent upon the board:

30 (a) Annually depositing the first \$150,000 collected through
31 Puget Sound pilotage district pilotage tariffs into the pilotage
32 account; and

33 (b) Assessing a self-insurance premium surcharge of \$16 per
34 pilotage assignment on vessels requiring pilotage in the Puget Sound
35 pilotage district.

36 (2) The board of pilotage commissioners shall file the annual
37 report to the governor and chairs of the transportation committees
38 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually

1 thereafter. The report must include the continuation of policies and
2 procedures necessary to increase the diversity of pilots, trainees,
3 and applicants, including a diversity action plan. The diversity
4 action plan must articulate a comprehensive vision of the board's
5 diversity goals and the steps it will take to reach those goals.

6 **Sec. 107.** 2021 c 333 s 110 (uncodified) is amended to read as
7 follows:

8 **FOR THE HOUSE OF REPRESENTATIVES**

9 Motor Vehicle Account—State Appropriation (~~(\$3,210,000)~~)
10 \$3,215,000

11 **Sec. 108.** 2021 c 333 s 111 (uncodified) is amended to read as
12 follows:

13 **FOR THE SENATE**

14 Motor Vehicle Account—State Appropriation (~~(\$3,085,000)~~)
15 \$3,088,000

16 **TRANSPORTATION AGENCIES—OPERATING**

17 **Sec. 201.** 2021 c 333 s 201 (uncodified) is amended to read as
18 follows:

19 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

20 Highway Safety Account—State Appropriation (~~(\$4,625,000)~~)
21 \$4,673,000

22 Highway Safety Account—Federal Appropriation (~~(\$27,202,000)~~)
23 \$27,275,000

24 Highway Safety Account—Private/Local Appropriation \$60,000

25 Cooper Jones Active Transportation Safety Account—State
26 Appropriation. \$400,000

27 School Zone Safety Account—State Appropriation \$850,000

28 TOTAL APPROPRIATION. (~~(\$32,737,000)~~)
29 \$33,258,000

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

- 32 (1) The Washington traffic safety commission may oversee a
33 demonstration project in one county, coordinating with a public
34 transportation benefit area (PTBA) and the department of
35 transportation, to test the feasibility and accuracy of the use of

1 automated enforcement technology for high occupancy vehicle (HOV)
2 lane passenger compliance. All costs associated with the
3 demonstration project must be borne by the participating public
4 transportation benefit area. Any photograph, microphotograph, or
5 electronic images of a driver or passengers are for the exclusive use
6 of the PTBA in the determination of whether an HOV passenger
7 violation has occurred to test the feasibility and accuracy of
8 automated enforcement under this subsection and are not open to the
9 public and may not be used in a court in a pending action or
10 proceeding. All photographs, microphotographs, and electronic images
11 must be destroyed after determining a passenger count and no later
12 than the completion of the demonstration project. No warnings or
13 notices of infraction may be issued under the demonstration project.

14 For purposes of the demonstration project, an automated
15 enforcement technology device may record an image of a driver and
16 passenger of a motor vehicle. The county and PTBA must erect signs
17 marking the locations where the automated enforcement for HOV
18 passenger requirements is occurring.

19 The PTBA, in consultation with the Washington traffic safety
20 commission, must provide a report to the transportation committees of
21 the legislature with the number of violations detected during the
22 demonstration project, whether the technology used was accurate and
23 any recommendations for future use of automated enforcement
24 technology for HOV lane enforcement by June 30, 2022.

25 (2) The Washington traffic safety commission may oversee a pilot
26 program in up to three cities implementing the use of automated
27 vehicle noise enforcement cameras in zones that have been designated
28 by ordinance as "Stay Out of Areas of Racing."

29 (a) Any programs authorized by the commission must be authorized
30 by December 31, 2022.

31 (b) If a city has established an authorized automated vehicle
32 noise enforcement camera pilot program under this section, the
33 compensation paid to the manufacturer or vendor of the equipment used
34 must be based upon the value of the equipment and services provided
35 or rendered in support of the system.

36 (c) Any city administering a pilot program overseen by the
37 traffic safety commission shall use the following guidelines to
38 administer the program:

39 (i) Automated vehicle noise enforcement camera may record
40 photographs or audio of the vehicle and vehicle license plate only

1 while a violation is occurring. The picture must not reveal the face
2 of the driver or of passengers in the vehicle;

3 (ii) The law enforcement agency of the city or county government
4 shall install two signs facing opposite directions within 200 feet,
5 or otherwise consistent with the uniform manual on traffic control
6 devices, where the automated vehicle noise enforcement camera is used
7 that state "Street Racing Noise Pilot Program in Progress";

8 (iii) Cities testing the use of automated vehicle noise
9 enforcement cameras must post information on the city website and
10 notify local media outlets indicating the zones in which the
11 automated vehicle noise enforcement cameras will be used;

12 (iv) A city may only issue a warning notice with no penalty for a
13 violation detected by automated vehicle noise enforcement cameras in
14 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
15 the registered owner of a vehicle within fourteen days of the
16 detected violation;

17 (v) A violation detected through the use of automated vehicle
18 noise enforcement cameras is not part of the registered owner's
19 driving record under RCW 46.52.101 and 46.52.120;

20 (vi) Notwithstanding any other provision of law, all photographs,
21 videos, microphotographs, audio recordings, or electronic images
22 prepared under this section are for the exclusive use of law
23 enforcement in the discharge of duties under this section and are not
24 open to the public and may not be used in a court in a pending action
25 or proceeding. No photograph, microphotograph, audio recording, or
26 electronic image may be used for any purpose other than the issuance
27 of warnings for violations under this section or retained longer than
28 necessary to issue a warning notice as required under this subsection
29 (2); and

30 (vii) By June 30, 2023, the participating cities shall provide a
31 report to the commission and appropriate committees of the
32 legislature regarding the use, public acceptance, outcomes, warnings
33 issued, data retention and use, and other relevant issues regarding
34 automated vehicle noise enforcement cameras demonstrated by the pilot
35 projects.

36 (3) The Washington traffic safety commission shall coordinate
37 with each city that implements a pilot program as authorized in RCW
38 46.63.170, chapter 224, Laws of 2020 to provide the transportation
39 committees of the legislature with the following information by June
40 30, 2023:

1 (a) The number of warnings and infractions issued to first-time
2 violators under the pilot program;

3 (b) The number of warnings and infractions issued to the
4 registered owners of vehicles that are not registered with an address
5 located in the city conducting the pilot program; and

6 (c) The frequency with which warnings and infractions are issued
7 on weekdays versus weekend days.

8 **Sec. 202.** 2021 c 333 s 202 (uncodified) is amended to read as
9 follows:

10 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation	((\$1,134,000))
	<u>\$1,155,000</u>
Motor Vehicle Account—State Appropriation	((\$4,760,000))
	<u>\$4,846,000</u>
County Arterial Preservation Account—State Appropriation	((\$1,669,000))
	<u>\$1,693,000</u>
TOTAL APPROPRIATION.	((\$7,563,000))
	<u>\$7,694,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: \$2,000,000 of the motor vehicle account—
22 state appropriation is provided solely for deposit into the county
23 road administration board emergency loan account—state account.

24 **Sec. 203.** 2021 c 333 s 203 (uncodified) is amended to read as
25 follows:

26 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State Appropriation	((\$4,510,000))
	<u>\$4,591,000</u>

30 **Sec. 204.** 2021 c 333 s 204 (uncodified) is amended to read as
31 follows:

32 **FOR THE JOINT TRANSPORTATION COMMITTEE**

Motor Vehicle Account—State Appropriation	((\$2,679,000))
	<u>\$2,685,000</u>
Multimodal Transportation Account—State Appropriation.	\$420,000
TOTAL APPROPRIATION.	((\$3,099,000))

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

(1) (a) \$250,000 of the motor vehicle account—state appropriation is for the joint transportation committee to convene a vehicle registration payment work group to study and recommend new options for payment of vehicle fees or taxes due at the time of application for vehicle registration.

(b) The work group must consist of, but is not limited to, the following members: A representative of the department of licensing, a representative of county auditors, a representative of subagents, a representative of local taxing authorities imposing a fee or tax due at the time of application for vehicle registration, a representative of a city offering or considering a rebate program for vehicle fees or taxes due at the time of application for vehicle registration, a representative of vehicle owners subject to a motor vehicle excise tax, a representative of vehicle owners subject to an electric car or transportation electrification fee, and an advocate for multimodal transportation options. Work group members are eligible for reimbursement or allowance for expenses pursuant to RCW 43.03.220.

(c) The work group must engage with members of the public who are interested in new options for payment of fees or taxes due at the time of application for vehicle registration, including persons from communities of color, low-income households, vulnerable populations, and displaced communities. Input from members of the public must inform the work group's recommendations. The work group must notify members of the public of opportunities to engage through a variety of communication channels including, but not limited to, the following: Outreach through community organizations, print and broadcast media, and social media.

(d) The work group's recommendations must include, but are not limited to, the following:

(i) Options to provide or encourage rebates to vehicle owners who pay taxes and fees due at the time of application for vehicle registration;

(ii) An agreed upon service fee structure for vehicle registration payment plans;

(iii) An agreed upon service fee revenue allocation method;

1 (iv) A process to allow agents and subagents to determine if a
2 vehicle owner has paid all taxes and fees due prior to renewal of a
3 vehicle registration;

4 (v) Options for reducing revenue loss due to missed payments,
5 transfer of the certificate of title, or registration of a vehicle
6 out of state; and

7 (vi) Options to reduce impacts to communities of color, low-
8 income households, vulnerable populations, and displaced communities.

9 (e) A report of the work group's findings and recommendations is
10 due to the transportation committees of the legislature by September
11 30, 2022.

12 (2) \$50,000 of the motor vehicle account—state appropriation is
13 for the joint transportation committee to contract for a legal
14 consultant to analyze and recommend options for the formation of a
15 bistate bridge authority for the purpose of constructing, financing,
16 operating and maintaining a new replacement bridge over the Columbia
17 River near Hood River connecting Klickitat county in Washington to
18 Hood River county in Oregon. The consultant may confer with the Hood
19 River Bistate Working Group to understand the work and analysis that
20 has been completed.

21 The Washington interlocal cooperation act, chapter 39.34 RCW,
22 authorizes public agencies to contract with other public agencies via
23 interlocal agreements that enable cooperation among the agencies to
24 perform governmental activities and deliver public services,
25 including agreements with public entities in other states. Such
26 interstate agreements are deemed interstate compacts. The legal
27 analysis must identify and recommend alternative and/or additional
28 statutory authority that would be necessary to allow for the
29 formation of a local government bistate bridge authority or
30 governance structure for the Hood River Bridge replacement that at a
31 minimum may:

32 (a) Issue bonds for bridge construction;

33 (b) Collect tolls; and

34 (c) Secure and administer state or federal grants and loans.

35 The legal analysis must be presented to the transportation
36 committees of the legislature by September 30, 2021.

37 (3) \$220,000 of the multimodal transportation account—state
38 appropriation is for overseeing a consultant study to provide
39 recommendations related to the Washington state department of
40 transportation's role in broadband service expansion efforts as

1 directed in chapter 258, Laws of 2021 (broadband along state
2 highways). (~~If chapter . . . (Engrossed Substitute House Bill No.
3 1457), Laws of 2021 (broadband along state highways) is not enacted
4 by June 30, 2021, the amount provided in this subsection lapses.~~)

5 (4) \$215,000 of the motor vehicle account—state appropriation is
6 provided solely for the joint transportation committee, from amounts
7 set aside out of statewide fuel taxes distributed to cities according
8 to RCW 46.68.110(2), to convene a study on the impacts of current and
9 historical city transportation investments on designated populations,
10 including communities of color, low-income households, vulnerable
11 populations, and displaced communities. The study must identify and
12 measure the true costs of underinvestment of accessible
13 transportation for designated populations, including the secondary
14 impacts to public health, economic opportunity, educational access,
15 and environmental risk factors. The assessment must include specific
16 approaches to addressing existing inequities within cities, as well
17 as recommendations to develop best practices to improve, diversify,
18 and expand city transportation investments. A report must be provided
19 to the office of financial management and the transportation
20 committees of the legislature by December 20, 2022.

21 (5) \$400,000 of the motor vehicle account—state appropriation is
22 for the development of a workforce plan for the Washington state
23 ferries which addresses recruitment, retention, diversity, training
24 needs, leadership development, succession planning and other elements
25 needed to ensure sufficient and cost-effective crewing and staffing
26 of the ferry system. In developing the scope of work for the plan and
27 throughout plan development, the joint transportation committee must
28 solicit input from representatives of the Washington state ferries
29 division and the human resources division of the Washington state
30 department of transportation. Represented employee groups must also
31 be consulted as part of plan development. The plan must include a
32 roadmap for Washington state ferries to comprehensively address
33 persistent staffing challenges and strategically position itself for
34 its future workforce needs. The joint transportation committee must
35 issue an interim report identifying short-term strategies to reduce
36 reliance on overtime for staffing day-to-day ferry service. The
37 interim report is due to the transportation committees of the
38 legislature by January 1, 2022. The final report is due to the
39 transportation committees of the legislature by December 20, 2022.

1 (6) \$200,000 of the multimodal transportation account—state
2 appropriation is for the joint transportation committee to update the
3 Washington State Short Line Rail Inventory and Needs Assessment,
4 prepared in 2015, and to facilitate a stakeholder process to assess
5 the effectiveness of state support for short line rail infrastructure
6 based on current and future short line rail infrastructure needs.
7 This assessment must include consideration of current state grant and
8 loan programs, including state investment in nonstate owned short
9 lines, the state's role and investments in the Palouse River and
10 Coulee City (PCC) rail system, and any other ongoing state activities
11 related to short line rail infrastructure. The joint transportation
12 committee must solicit input from all regions of the state from
13 representatives of: Short line rail infrastructure owners, short line
14 rail operators, short line rail customers from representative
15 industries, ports served by short line rail infrastructure, the
16 Washington state department of transportation, the utilities and
17 transportation commission, and other relevant stakeholders as
18 identified by the joint transportation committee. A report with
19 recommendations to enhance the state's support for short line rail
20 infrastructure is due to the transportation committees of the
21 legislature by January 1, 2022.

22 (7) (a) \$200,000 of the motor vehicle account—state appropriation
23 is for the joint transportation committee to develop a truck parking
24 action plan with recommendations for immediate next steps for near-
25 term and lasting change in the availability of truck parking for
26 short-haul and long-distance commercial vehicle drivers who require
27 reasonable accommodations for parking commercial motor vehicles,
28 obtaining adequate services, and complying with federal rest
29 requirements. For each opportunity identified, the action plan must:

- 30 (i) Assess the magnitude of potential impact;
31 (ii) Assess the potential difficulty level of implementation; and
32 (iii) Explain barriers to success and specific steps required to
33 overcome them.

34 (b) The action plan must focus on approaches that would be most
35 impactful and feasible and may include, but not be limited to:

- 36 (i) Specific cooperative private sector and government actions;
37 (ii) Legal and regulatory frameworks at the state level to drive
38 private and/or public-sector action;
39 (iii) Incentive-based government programs to spur private sector
40 innovation and investment; and

1 (iv) Direct government action at the state, regional, and/or
2 local level.

3 (c) The action plan must identify specific, promising projects
4 and approaches, and provide a clear roadmap to what is needed to
5 drive real, substantial improvements in truck parking.

6 (d) Outreach for action plan input, including on the feasibility
7 of each opportunity evaluated, must include outreach to
8 representatives of: The trucking industry; truck labor organizations;
9 the shipping industry; truck stop owners; commercial freight delivery
10 recipients, including warehouse and retail recipients; the
11 association of Washington cities; the Washington state association of
12 counties; the Washington state department of transportation; the
13 Washington state patrol; and an academic or research institution that
14 can provide input on technical components of the plan.

15 (e) A concise action plan with specific recommended next steps is
16 due to the transportation committees of the legislature by January 1,
17 2022.

18 **Sec. 205.** 2021 c 333 s 205 (uncodified) is amended to read as
19 follows:

20 **FOR THE TRANSPORTATION COMMISSION**

21	Motor Vehicle Account—State Appropriation	((\$2,438,000))
22		<u>\$2,753,000</u>
23	Interstate 405 and State Route Number 167 Express Toll Lanes	
24	Account—State Appropriation.	\$127,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation.	\$276,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation.	\$180,000
29	Alaskan Way Viaduct Replacement Project	
30	Account—State Appropriation.	\$172,000
31	TOTAL APPROPRIATION.	((\$3,193,000))
32		<u>\$3,508,000</u>

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

35 (1) The commission shall reconvene the road usage charge steering
36 committee, with the same membership described in chapter 297, Laws of
37 2018, and shall periodically report to the steering committee with
38 updates on activities undertaken in accordance with the federal grant

1 awarded July 2020 ("Forward Drive"). A year-end update on the status
2 of any federally-funded project for which federal funding is secured
3 must be provided to the governor's office and the transportation
4 committees of the legislature by January 1, 2022, and by January 1,
5 2023. Any legislative vacancies on the steering committee must be
6 appointed by the speaker of the house of representatives for a house
7 of representatives member vacancy, and by the president of the senate
8 for a senate member vacancy.

9 ((+3)) (2) \$127,000 of the Interstate 405 and state route number
10 167 express toll lanes account—state appropriation, \$276,000 of the
11 state route number 520 corridor account—state appropriation, \$180,000
12 of the Tacoma Narrows toll bridge account—state appropriation, and
13 \$172,000 of the Alaskan Way viaduct replacement project account—state
14 appropriation are provided solely for the transportation commission's
15 proportional share of time spent supporting tolling operations for
16 the respective tolling facilities.

17 **Sec. 206.** 2021 c 333 s 206 (uncodified) is amended to read as
18 follows:

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

20 Freight Mobility Investment Account—State
21 Appropriation ((~~\$831,000~~))
22 \$845,000

23 **Sec. 207.** 2021 c 333 s 207 (uncodified) is amended to read as
24 follows:

25 **FOR THE WASHINGTON STATE PATROL**

26 State Patrol Highway Account—State Appropriation ((~~\$517,391,000~~))
27 \$550,965,000
28 State Patrol Highway Account—Federal Appropriation ((~~\$15,838,000~~))
29 \$16,431,000
30 State Patrol Highway Account—Private/Local
31 Appropriation ((~~\$4,267,000~~))
32 \$4,316,000
33 Highway Safety Account—State Appropriation ((~~\$1,214,000~~))
34 \$1,292,000
35 Ignition Interlock Device Revolving Account—State
36 Appropriation ((~~\$5,053,000~~))
37 \$2,243,000

1	Multimodal Transportation Account—State Appropriation .	((\$288,000))
2		<u>\$293,000</u>
3	State Route Number 520 Corridor Account—State	
4	Appropriation.	\$433,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation.	\$77,000
7	I-405 and SR 167 Express Toll Lanes Account—State	
8	Appropriation.	\$1,348,000
9	TOTAL APPROPRIATION.	((\$545,909,000))
10		<u>\$577,398,000</u>

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

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

22 (2) \$580,000 of the state patrol highway account—state
23 appropriation is provided solely for the operation of and
24 administrative support to the license investigation unit to enforce
25 vehicle registration laws in southwestern Washington. The Washington
26 state patrol, in consultation with the department of revenue, shall
27 maintain a running estimate of the additional vehicle registration
28 fees, sales and use taxes, and local vehicle fees remitted to the
29 state pursuant to activity conducted by the license investigation
30 unit. Beginning October 1, 2021, and quarterly thereafter, the
31 Washington state patrol shall submit a report detailing the
32 additional revenue amounts generated since January 1, 2021, to the
33 director of the office of financial management and the transportation
34 committees of the legislature. At the end of the calendar quarter in
35 which it is estimated that more than \$625,000 in state sales and use
36 taxes have been remitted to the state since January 1, 2021, the
37 Washington state patrol shall notify the state treasurer and the
38 state treasurer shall transfer funds pursuant to section 406 (~~of~~
39 ~~this act~~), chapter 333, Laws of 2021.

1 (3) \$4,000,000 of the state patrol highway account—state
2 appropriation is provided solely for a third arming and a third
3 trooper basic training class. The cadet class is expected to graduate
4 in June 2023.

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

9 (a) A summary of recruitment and retention strategies;

10 (b) The number of transportation funded staff vacancies by major
11 category;

12 (c) The number of applicants for each of the positions by these
13 categories;

14 (d) The composition of workforce;

15 (e) Other relevant outcome measures with comparative information
16 with recent comparable months in prior years; and

17 (f) Activities related to the implementation of the agency's
18 workforce diversity plan, including short-term and long-term,
19 specific comprehensive outreach and recruitment strategies to
20 increase populations underrepresented within both commissioned and
21 noncommissioned employee groups.

22 (5) \$493,000 of the state patrol highway account—state
23 appropriation is provided solely for aerial criminal investigation
24 tools, including software licensing and maintenance, and annual
25 certification, and is subject to the conditions, limitations, and
26 review requirements of section 701 (~~(of this act)~~), chapter 333, Laws
27 of 2021.

28 (6) \$7,962,000 of the state patrol highway account—state
29 appropriation is provided solely for the land mobile radio system
30 replacement, upgrade, and other related activities. Beginning January
31 1, 2022, the Washington state patrol must report semiannually to the
32 office of the state chief information officer on the progress related
33 to the projects and activities associated with the land mobile radio
34 system, including the governance structure, outcomes achieved in the
35 prior six month time period, and how the activities are being managed
36 holistically as recommended by the office of the chief information
37 officer. At the time of submittal to the office of the state chief
38 information officer, this report shall be transmitted to the office

1 of financial management and the house and senate transportation
2 committees.

3 (7) \$510,000 of the ignition interlock device revolving account—
4 state appropriation is provided solely for the ignition interlock
5 program at the Washington state patrol to provide funding for two
6 staff to work and provide support for the program in working with
7 manufacturers, service centers, technicians, and participants in the
8 program.

9 (8) \$1,348,000 of the Interstate 405 and state route number 167
10 express toll lanes account—state appropriation, \$433,000 of the state
11 route number 520 corridor account—state appropriation, and \$77,000 of
12 the Tacoma Narrows toll bridge account—state appropriation are
13 provided solely for the Washington state patrol's proportional share
14 of time spent supporting tolling operations and enforcement for the
15 respective tolling facilities.

16 (9) \$289,000 of the state patrol highway account—state
17 appropriation is provided solely for the replacement of 911
18 workstations.

19 (10) \$35,000 of the state patrol highway account—state
20 appropriation is provided solely for the replacement of bomb response
21 equipment.

22 (11) \$713,000 of the state patrol highway account—state
23 appropriation is provided solely for information technology
24 infrastructure maintenance.

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

29 (13) \$945,000 of the state patrol highway account—state
30 appropriation is provided solely for implementation of chapter 329,
31 Laws of 2021 (custodial interrogations). ~~((If chapter~~
32 ~~(Substitute House Bill No. 1223), Laws of 2021 (custodial~~
33 ~~interrogations) is not enacted by June 30, 2021, the amount provided~~
34 ~~in this subsection lapses.))~~

35 (14) \$46,000 of the state patrol highway account—state
36 appropriation is provided solely for implementation of chapter 320,
37 Laws of 2021 (peace officer tactics). ~~((If chapter (Engrossed~~
38 ~~Substitute House Bill No. 1054), Laws of 2021 (peace officer tactics)~~

1 ~~is not enacted by June 30, 2021, the amount provided in this~~
2 ~~subsection lapses.))~~

3 (15) \$46,000 of the state patrol highway account—state
4 appropriation is provided solely for implementation of chapter 324,
5 Laws of 2021 (use of force by officers). ~~((If chapter . . .~~
6 ~~(Engrossed Second Substitute House Bill No. 1310), Laws of 2021 (use~~
7 ~~of force by officers) is not enacted by June 30, 2021, the amount~~
8 ~~provided in this subsection lapses.))~~

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

20 (b) \$2,220,000 of the transfer from the waste tire removal
21 account to the motor vehicle fund, as required under RCW 70A.205.425,
22 reimburses the motor vehicle fund for the portion of the water
23 project costs assigned by the agreement to properties, other than the
24 Washington state patrol academy, that make use of the water
25 connection while the agreement remains in effect. This reimbursement
26 to the motor vehicle fund is intended to address any possibility that
27 the termination of this agreement could be determined to result in
28 the unconstitutional use of 18th amendment designated funds for
29 nonhighway purposes under the constitution of the state of
30 Washington; however, this transfer is not intended to indicate that
31 the incidental use of this infrastructure by these properties
32 necessarily requires such reimbursement under the state Constitution.
33 Immediately following the transfer of funds, Washington state patrol
34 and the city of Shelton shall meet to formally update the terms of
35 their "Agreement for Utility Connection and Reimbursement of Water
36 Extension Expenses" executed on June 12, 2017, to reflect the intent
37 of the proviso.

38 (17) The appropriations in this section provide sufficient
39 funding for state patrol staffing assuming vacancy savings which may
40 change over time. Funding for staffing will be monitored and adjusted

1 in the 2022 supplemental budget to restore funding as authorized
2 staffing levels are achieved.

3 (18) \$250,000 of the state patrol highway account—state
4 appropriation is for a third-party consultant, in collaboration with
5 the Washington state patrol and department of licensing, to conduct a
6 study of the vehicle identification number inspection program. The
7 study shall:

8 (a) Review current underlying statutes and compare with best
9 practices of other states;

10 (b) Recommend changes to the existing program to increase
11 financial sustainability and customer satisfaction of the program;
12 and

13 (c) Identify staffing and technology needs to optimize service
14 delivery.

15 A report of the study findings and recommendations are due to the
16 governor and the transportation committees of the legislature by
17 November 1, 2022.

18 (19)(a) \$1,110,000 of the state patrol highway account—state
19 appropriation is provided solely for diversity, equity and inclusion
20 (DEI) efforts within the Washington state patrol.

21 (b) The amount appropriated is for the state patrol to achieve
22 the following objectives:

23 (i) Staffing positions within the state patrol's DEI program.

24 (ii) Conduct a study to analyze existing state barriers to hiring
25 commissioned officers. The study shall make recommendations to amend
26 current state patrol hiring practices and underlying statutes that
27 may need revision. Recommendations are due to the governor and
28 appropriate committees of the legislature by November 1, 2022.

29 (iii) Contract with a social media and marketing consultant to
30 standardize messaging and recruitment efforts to diverse audiences
31 across media platforms.

32 (iv) Contract with an external psychologist to perform exams.

33 **Sec. 208.** 2021 c 333 s 208 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF LICENSING**

36 Marine Fuel Tax Refund Account—State Appropriation \$34,000

37 Motorcycle Safety Education Account—State
38 Appropriation ((~~\$4,894,000~~))

1		<u>\$5,035,000</u>
2	Limited Fish and Wildlife Account—State	
3	Appropriation	((\$917,000))
4		<u>\$925,000</u>
5	Highway Safety Account—State Appropriation	((\$241,868,000))
6		<u>\$257,718,000</u>
7	Highway Safety Account—Federal Appropriation	\$1,294,000
8	Motor Vehicle Account—State Appropriation	((\$73,327,000))
9		<u>\$83,432,000</u>
10	Motor Vehicle Account—Federal Appropriation.	((\$150,000))
11		<u>\$400,000</u>
12	Motor Vehicle Account—Private/Local Appropriation	((\$6,600,000))
13		<u>\$1,336,000</u>
14	Ignition Interlock Device Revolving Account—State	
15	Appropriation	((\$6,071,000))
16		<u>\$6,130,000</u>
17	Department of Licensing Services Account—State	
18	Appropriation	((\$8,157,000))
19		<u>\$8,280,000</u>
20	License Plate Technology Account—State	
21	Appropriation	\$4,250,000
22	Abandoned Recreational Vehicle Account—State	
23	Appropriation.	((\$3,066,000))
24		<u>\$3,078,000</u>
25	Limousine Carriers Account—State Appropriation.	\$110,000
26	Electric Vehicle Account—State Appropriation.	((\$405,000))
27		<u>\$425,000</u>
28	DOL Technology Improvement & Data Management	
29	Account—State Appropriation.	((\$748,000))
30		<u>\$874,000</u>
31	Agency Financial Transaction Account—State	
32	Appropriation.	\$21,257,000
33	(Driver Licensing Technology Support	
34	Account—State Appropriation.	\$1,373,000)
35	TOTAL APPROPRIATION.	((\$374,521,000))
36		<u>\$394,578,000</u>

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

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

9 (2) The appropriations in this section assume implementation by
10 the department of cost recovery mechanisms to recoup at least
11 \$21,257,000 during the 2021-2023 biennium in credit card and other
12 financial transaction costs as part of charges imposed for driver and
13 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
14 department must report any amounts recovered to the office of
15 financial management and appropriate committees of the legislature on
16 a quarterly basis.

17 (3) (a) For the 2021-2023 biennium, the department shall charge
18 (~~(\$6,600,000)~~) \$1,336,000 for the administration and collection of a
19 motor vehicle excise tax on behalf of a regional transit authority,
20 as authorized under RCW 82.44.135. The amount in this subsection must
21 be deducted before distributing any revenues to a regional transit
22 authority.

23 (b) \$100,000 of the motor vehicle account—state appropriation is
24 provided solely for the department to work with the regional transit
25 authority imposing a motor vehicle excise tax pursuant to RCW
26 81.104.160 and transportation benefit districts imposing vehicle fees
27 pursuant to RCW 82.80.140, and other relevant parties, to determine
28 cost recovery options for the administration and collection of the
29 taxes and fees. The options must include:

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

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

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

37 (4) \$12,000 of the motorcycle safety education account—state
38 appropriation, \$2,000 of the limited fish and wildlife account—state
39 appropriation, \$728,000 of the highway safety account—state

1 appropriation, \$238,000 of the motor vehicle account—state
2 appropriation, \$10,000 of the ignition interlock device revolving
3 account—state appropriation, and \$10,000 of the department of
4 licensing services account—state appropriation are provided solely
5 for the department to redesign and improve its online services and
6 website, and are subject to the conditions, limitations, and review
7 requirements of section 701 (~~of this act~~), chapter 333, Laws of
8 2021.

9 (5) \$28,636,000 of the highway safety account—state appropriation
10 is provided solely for costs necessary to accommodate increased
11 demand for enhanced drivers' licenses and enhanced identicards. The
12 department shall report on a quarterly basis on the use of these
13 funds, associated workload, and information with comparative
14 information with recent comparable months in prior years. The report
15 must include detailed statewide and by licensing service office
16 information on staffing levels, average monthly wait times, the
17 number of enhanced drivers' licenses and enhanced identicards issued/
18 renewed, and the number of primary drivers' licenses and identicards
19 issued/renewed. Within the amounts provided in this subsection, the
20 department shall implement efficiency measures to reduce the time for
21 licensing transactions and wait times including, but not limited to,
22 the installation of additional cameras at licensing service offices
23 that reduce bottlenecks and align with the "keep your customer"
24 initiative.

25 (6) \$500,000 of the highway safety account—state appropriation is
26 provided solely for communication and outreach activities necessary
27 to inform the public of federally acceptable identification options
28 including, but not limited to, enhanced drivers' licenses and
29 enhanced identicards. The department shall continue the outreach plan
30 that includes informational material that can be effectively
31 communicated to all communities and populations in Washington. To
32 accomplish this work, the department shall contract with an external
33 vendor with demonstrated experience and expertise in outreach and
34 marketing to underrepresented communities in a culturally responsive
35 fashion.

36 (7) \$523,000 of the highway safety account—state appropriation is
37 provided solely for the implementation of chapter 158, Laws of 2021
38 (DOL issued documents). (~~If chapter . . . (Substitute House Bill No.~~

1 ~~1207), Laws of 2021 is not enacted by June 30, 2021, the amount~~
2 ~~provided in this subsection lapses.))~~

3 (8) (~~(\$1,373,000)~~) \$929,000 of the (~~(driver licensing technology~~
4 ~~support)) highway safety account—state appropriation is provided
5 solely for the implementation of chapter 240, Laws of 2021
6 (suspension of licenses for traffic infractions). (~~(If chapter . . .~~
7 ~~(Engrossed Substitute Senate Bill No. 5226), Laws of 2021 is not~~
8 ~~enacted by June 30, 2021, the amount provided in this subsection~~
9 ~~lapses.))~~~~

10 (9) \$434,000 of the highway safety account—state appropriation is
11 for the implementation of the Thurston county superior court order in
12 Pierce et al v. Department of Licensing.

13 (10) \$23,000 of the highway safety account—state appropriation is
14 provided solely for the implementation of chapter 10 (~~(Engrossed~~
15 ~~Substitute House Bill No. 1078))~~), Laws of 2021 (restoring voter
16 eligibility after felony conviction).

17 (~~(10)~~) (11) \$3,074,000 of the abandoned recreational vehicle
18 disposal account—state appropriation is provided solely for providing
19 reimbursements in accordance with the department's abandoned
20 recreational vehicle disposal reimbursement program. It is the intent
21 of the legislature that the department prioritize this funding for
22 allowable and approved reimbursements and not to build a reserve of
23 funds within the account. During the 2021-2023 fiscal biennium, the
24 department must report any amounts recovered to the office of
25 financial management and appropriate committees of the legislature on
26 a quarterly basis.

27 (~~(11)~~) (12)(a) \$54,000 of the motor vehicle account—state
28 appropriation is provided solely for the issuance of nonemergency
29 medical transportation vehicle decals to implement the high occupancy
30 vehicle lane access pilot program established in section 216 (~~(of~~
31 ~~this act)~~), chapter 333, Laws of 2021. A for hire nonemergency
32 medical transportation vehicle is a vehicle that is a "for hire
33 vehicle" under RCW 46.04.190 that provides nonemergency medical
34 transportation, including for life-sustaining transportation
35 purposes, to meet the medical transportation needs of individuals
36 traveling to medical practices and clinics, cancer centers, dialysis
37 facilities, hospitals, and other care providers.

38 (b) As part of this pilot program, the owner of a for hire
39 nonemergency medical transportation vehicle may apply to the

1 department, county auditor or other agent, or subagent appointed by
2 the director, for a high occupancy vehicle exempt decal for a for
3 hire nonemergency medical transportation vehicle. The high occupancy
4 vehicle exempt decal allows the for hire nonemergency medical
5 transportation vehicle to use a high occupancy vehicle lane as
6 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
7 biennium.

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

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

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

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

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

19 (i) The name and address of the person who is the owner of the
20 vehicle;

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

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

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

33 (v) Other information as required by the department upon
34 application.

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

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

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

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

10 (13) \$100,000 of the highway safety account—state appropriation
11 is provided solely for the department to lead a study on the
12 potential impacts that current licensing requirements, including
13 required training hours, and testing requirements may have on the
14 shortage of commercial drivers, and whether adjustments to these
15 requirements may be warranted to help alleviate the shortage. In
16 completing the study, the department must consult with the workforce
17 training board, state board for community and technical colleges,
18 organizations representing commercial drivers, and organizations
19 representing businesses or government entities that rely on
20 commercial drivers.

21 (14) The department must consult with the department of
22 corrections and state board for community and technical colleges to
23 develop a pilot program that allows incarcerated individuals to
24 participate in a prerelease commercial driver training program.

25 **Sec. 209.** 2021 c 333 s 209 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
28 **—PROGRAM B**

29 State Route Number 520 Corridor Account—State	
30 Appropriation	((\$53,689,000))
31	<u>\$58,036,000</u>
32 State Route Number 520 Civil Penalties Account—State	
33 Appropriation	((\$4,122,000))
34	<u>\$4,163,000</u>
35 Tacoma Narrows Toll Bridge Account—State	
36 Appropriation	((\$29,809,000))
37	<u>\$30,952,000</u>
38 Alaskan Way Viaduct Replacement Project Account—State	

1	Appropriation.	((\$20,840,000))
2		<u>\$21,616,000</u>
3	Interstate 405 and State Route Number 167 Express	
4	Toll Lanes Account—State Appropriation.	((\$23,910,000))
5		<u>\$24,511,000</u>
6	<u>Motor Vehicle Account—State Appropriation.</u>	\$700,000
7	TOTAL APPROPRIATION.	((\$132,370,000))
8		<u>\$139,978,000</u>

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

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

22 (2) As long as the facility is tolled, the department must
23 provide annual reports to the transportation committees of the
24 legislature on the Interstate 405 express toll lane project
25 performance measures listed in RCW 47.56.880(4). These reports must
26 include:

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

37 (b) A month-to-month comparison of travel times and travel time
38 reliability for the entire corridor and commonly made trips in the
39 corridor as specified in (a) of this subsection since implementation

1 of the express toll lanes and, to the extent available, a comparison
2 to the travel times and travel time reliability prior to
3 implementation of the express toll lanes;

4 (c) Total express toll lane and total general purpose lane
5 traffic volumes, as well as per lane traffic volumes for each type of
6 lane (i) compared to total express toll lane and total general
7 purpose lane traffic volumes, as well as per lane traffic volumes for
8 each type of lane, on this segment of Interstate 405 prior to
9 implementation of the express toll lanes and (ii) compared to total
10 express toll lane and total general purpose lane traffic volumes, as
11 well as per lane traffic volumes for each type of lane, from month to
12 month since implementation of the express toll lanes; and

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

16 (3) (a) (~~(\$708,000)~~) \$481,000 of the Interstate 405 and state
17 route number 167 express toll lanes account—state appropriation,
18 (~~(\$1,651,000)~~) \$1,132,000 of the state route number 520 corridor
19 account—state appropriation, (~~(\$709,000)~~) \$509,000 of the Tacoma
20 Narrows toll bridge account—state appropriation, and (~~(\$932,000)~~)
21 \$636,000 of the Alaskan Way viaduct replacement project account—state
22 appropriation are provided solely for the reappropriation of unspent
23 funds on the new tolling back office system from the 2019-2021
24 biennium, and are subject to the conditions, limitations, and review
25 provided in section 701 (~~(of this act)~~), chapter 333, Laws of 2021.

26 (b) The department shall continue to work with the office of
27 financial management, office of the chief information officer, and
28 the transportation committees of the legislature on the project
29 management plan that includes a provision for independent
30 verification and validation of contract deliverables from the
31 successful bidder and a provision for quality assurance that includes
32 reporting independently to the office of the chief information
33 officer on an ongoing basis during system implementation.

34 (c) The office of financial management shall place the amounts
35 provided in this subsection in unallotted status until the department
36 submits a detailed progress report on the progress of the new tolling
37 back office system. The director of the office of financial
38 management or their designee shall consult with the chairs and

1 ranking members of the transportation committees of the legislature
2 prior to making a decision to allot these funds.

3 (4) (~~Out of funding appropriated in this section,~~) \$700,000 of
4 the motor vehicle account—state appropriation is for the department
5 (~~shall~~) to contract with the state auditor's office for a
6 performance audit of the department's project to replace its
7 electronic toll collection system. The audit should include an
8 evaluation of the department's project planning, vendor procurement,
9 contract management and project oversight. The final report is to be
10 issued by December 31, 2022. The state auditor will transmit copies
11 of the report to the jurisdictional committees of the legislature and
12 the department.

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

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

20 (b) The nonvendor costs of administering toll operations,
21 including the costs of staffing the division, consultants, and other
22 personal service contracts required for technical oversight and
23 management assistance, insurance, payments related to credit card
24 processing, transponder purchases and inventory management, facility
25 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

37 (iv) Workload costs related to hearings;

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

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

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

4 (6) During the 2021-2023 fiscal biennium, the department plans to
5 issue a request for proposals as the first stage of a competitive
6 procurement process that will replace the toll equipment and select a
7 new tolling operator for the Tacoma Narrows Bridge. The request for
8 proposals and subsequent competitive procurement must incorporate
9 elements that prioritize the overall goal of lowering costs per
10 transaction for the facility, such as incentives for innovative
11 approaches which result in lower transactional costs, requests for
12 efficiencies on the part of the bidder that lower operational costs,
13 and incorporation of technologies such as self-serve credit card
14 machines or other point-of-payment technologies that lower costs or
15 improve operational efficiencies.

16 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
17 account—state appropriation is provided solely for the new state
18 route number 99 tunnel toll facility's expected share of collecting
19 toll revenues, operating customer services, and maintaining toll
20 collection systems. The legislature expects to see appropriate
21 reductions to the other toll facility accounts once tolling on the
22 new state route number 99 tunnel toll facility stabilizes and any
23 previously incurred costs for start-up of the new facility are
24 charged back to the Alaskan Way viaduct replacement project account.
25 The office of financial management shall closely monitor the
26 application of the cost allocation model and ensure that the new
27 state route number 99 tunnel toll facility is adequately sharing
28 costs and the other toll facility accounts are not being overspent or
29 subsidizing the new state route number 99 tunnel toll facility.

30 (8) The department shall submit a plan to the legislature for the
31 Interstate 405 and state route number 167 express toll lanes account
32 detailing how bond proceeds can cover the proposed construction plan
33 on the Interstate 405 and state route number 167 express toll lane
34 corridor outlined on LEAP Transportation Document 2021-1 as developed
35 April 23, 2021, by January 1, 2022.

36 (9) (~~(\$1,516,000)~~) \$3,038,000 of the state route number 520
37 corridor account—state appropriation (~~(is)~~) and \$580,000 of the
38 Tacoma Narrows toll bridge account—state appropriation are provided
39 solely for the increased costs of insurance for the state route

1 number 520 floating bridge. The department shall conduct an
 2 evaluation of the short and long-term costs and benefits including
 3 risk mitigation of self-insurance as compared to the commercial
 4 insurance option for the state route number 520 floating bridge, as
 5 allowed under the terms of the state route number 520 master bond
 6 resolution. By December 15, 2021, the department shall report to the
 7 legislature on the results of this evaluation.

8 (10) As part of the department's 2023-2025 biennial budget
 9 request, the department shall update the cost allocation
 10 recommendations that assign appropriate costs to each of the toll
 11 funds for services provided by relevant Washington state department
 12 of transportation programs, the Washington state patrol, and the
 13 transportation commission. The recommendations shall be based on
 14 updated traffic and toll transaction patterns and other relevant
 15 factors.

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

21 **Sec. 210.** 2021 c 333 s 210 (uncodified) is amended to read as
 22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
 24 **C**

25	Transportation Partnership Account—State Appropriation	((\$1,377,000))
26		<u>\$1,461,000</u>
27	Motor Vehicle Account—State Appropriation	((\$97,026,000))
28		<u>\$109,085,000</u>
29	Puget Sound Ferry Operations Account—State	
30	Appropriation	((\$263,000))
31		<u>\$401,000</u>
32	Multimodal Transportation Account—State	
33	Appropriation	((\$6,986,000))
34		<u>\$7,268,000</u>
35	Transportation 2003 Account (Nickel Account)—State	
36	Appropriation	((\$1,393,000))
37		<u>\$1,461,000</u>
38	TOTAL APPROPRIATION.	((\$107,045,000))

1 \$119,676,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$4,273,000 of the multimodal
4 transportation account—state appropriation and \$4,273,000 of the
5 motor vehicle account—state appropriation are provided solely for the
6 department's cost related to the one Washington project, and is
7 subject to the conditions, limitations, and review requirements of
8 section 701 (~~of this act~~), chapter 333, Laws of 2021.

9 **Sec. 211.** 2021 c 333 s 211 (uncodified) is amended to read as
10 follows:

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

13	Motor Vehicle Account—State Appropriation	((\$35,574,000))
14		<u>\$38,756,000</u>
15	State Route Number 520 Corridor Account—State	
16	Appropriation	\$34,000
17	TOTAL APPROPRIATION.	((\$35,608,000))
18		<u>\$38,790,000</u>

19 NEW SECTION. **Sec. 212.** A new section is added to 2021 c 333
20 (uncodified) to read as follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
22 **PROGRAM E**

23	Motor Vehicle Account—State Appropriation.	\$12,396,000
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24 The appropriation in this section is subject to the following
25 condition and limitation: \$12,396,000 of the motor vehicle account—
26 state appropriation is provided solely for the department's cost
27 related to replacing obsolete transportation equipment.

28 **Sec. 213.** 2021 c 333 s 212 (uncodified) is amended to read as
29 follows:

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

31	Aeronautics Account—State Appropriation	((\$8,055,000))
32		<u>\$8,125,000</u>
33	Aeronautics Account—Federal Appropriation	((\$3,916,000))
34		<u>\$3,916,000</u>
35	Aeronautics Account—Private/Local Appropriation	\$60,000

1 TOTAL APPROPRIATION. ((\$12,031,000))
2 \$12,101,000

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

5 (1) \$2,888,000 of the aeronautics account—state appropriation is
6 provided solely for the airport aid grant program, which provides
7 competitive grants to public use airports for pavement, safety,
8 maintenance, planning, and security.

9 (2) \$257,000 of the aeronautics account—state appropriation is
10 provided solely for supporting the commercial aviation coordinating
11 commission, pursuant to section 718 (~~of this act~~), chapter 333,
12 Laws of 2021.

13 (3) \$280,000 of the aeronautics account—state appropriation is
14 provided solely for the implementation of chapter 131, Laws of 2021
15 (unpiloted aircraft system state coordinator). (~~If chapter~~
16 ~~(Substitute House Bill No. 1379), Laws of 2021 is not enacted by June~~
17 ~~30, 2021, the amount provided in this subsection lapses.))~~

18 **Sec. 214.** 2021 c 333 s 213 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
21 **SUPPORT—PROGRAM H**

22 Motor Vehicle Account—State Appropriation ((\$59,138,000))
23 \$61,864,000
24 Motor Vehicle Account—Federal Appropriation \$500,000
25 Multimodal Transportation Account—State Appropriation . . . \$758,000
26 TOTAL APPROPRIATION. ((\$60,396,000))
27 \$63,122,000

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

30 (1) The legislature recognizes that the trail known as the Rocky
31 Reach Trail, and its extensions, serve to separate motor vehicle
32 traffic from pedestrians and bicyclists, increasing motor vehicle
33 safety on state route number 2 and the coincident section of state
34 route number 97. Consistent with chapter 47.30 RCW and pursuant to
35 RCW 47.12.080, the legislature declares that transferring portions of
36 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
37 associated buffer areas to the Washington state parks and recreation
38 commission is consistent with the public interest. The legislature

1 directs the department to transfer the property to the Washington
2 state parks and recreation commission.

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

6 (b) Prior to completing the transfer in this subsection (1), the
7 department must ensure that provisions are made to accommodate
8 private and public utilities and any facilities that predate the
9 department's acquisition of the property, at no cost to those
10 entities. Prior to completing the transfer, the department shall also
11 ensure that provisions, by fair market assessment, are made to
12 accommodate other private and public utilities and any facilities
13 that have been legally allowed by permit or other instrument.

14 (c) The department may sell any adjoining property that is not
15 necessary to support the Rocky Reach Trail and adjacent buffer areas
16 only after the transfer of trail-related property to the Washington
17 state parks and recreation commission is complete. Adjoining property
18 owners must be given the first opportunity to acquire such property
19 that abuts their property, and applicable boundary line or other
20 adjustments must be made to the legal descriptions for recording
21 purposes.

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

30 (3) \$1,600,000 of the motor vehicle account—state appropriation
31 is provided solely for real estate services activities. Consistent
32 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when
33 initiating, extending, or renewing any rent or lease agreements with
34 a regional transit authority, consideration of value must be
35 equivalent to one hundred percent of economic or market rent.

36 (4) The department shall report to the transportation committees
37 of the legislature by December 1, 2021, on the status of its efforts
38 to consolidate franchises for broadband facilities across the state,
39 including plans for increasing the number of consolidated franchises
40 in the future.

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

11 (6) (~~(\$300,000)~~) \$535,000 of the motor vehicle account—state
 12 appropriation is provided solely for the implementation of chapter
 13 217, Laws of 2021 (noxious weeds). (~~If chapter . . . (Substitute~~
 14 ~~House Bill No. 1355), Laws of 2021 (noxious weeds) is not enacted by~~
 15 ~~June 30, 2021, the amount provided in this subsection lapses.))~~

16 (7) (~~(\$500,000)~~) \$1,026,000 of the multimodal transportation
 17 account—state appropriation is provided solely for the implementation
 18 of chapter 314, Laws of 2021 (environmental justice task force). (~~If~~
 19 ~~chapter . . . (Engrossed Second Substitute Senate Bill No. 5141),~~
 20 ~~Laws of 2021 (environmental justice task force) is not enacted by~~
 21 ~~June 30, 2021, the amount provided in this subsection lapses.))~~

22 **Sec. 215.** 2021 c 333 s 214 (uncodified) is amended to read as
 23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
 25 **PROGRAM K**

26	Motor Vehicle Account—State Appropriation	(\$675,000)
27		<u>\$685,000</u>
28	Electric Vehicle Account—State Appropriation.	\$9,900,000
29	Multimodal Transportation Account—State Appropriation. ((\$3,290,000))	
30		<u>\$7,090,000</u>
31	<u>Multimodal Transportation Account—Federal Appropriation.</u>	\$14,100,000
32	<u>Carbon Emissions Reduction Account—State Appropriation.</u>	\$5,000,000
33	TOTAL APPROPRIATION.	(\$13,865,000)
34		<u>\$36,775,000</u>

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

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

4 (2) \$8,900,000 of the electric vehicle account—state
5 appropriation (~~(is)~~) and \$5,000,000 of the carbon emissions reduction
6 account—state appropriation are provided solely for the clean
7 alternative fuel vehicle charging and refueling infrastructure
8 program in chapter 287, Laws of 2019 (advancing green transportation
9 adoption). The carbon emissions reduction account appropriation in
10 this subsection is provided to support nonprofit organizations, local
11 government agencies, tribes, and transit agencies who partner with
12 the private sector to install publicly accessible zero emissions
13 vehicle infrastructure. No more than 10 percent of the funds may be
14 used by the department to administer the program. Expenditure of the
15 amount provided in the carbon emissions reduction account
16 appropriation is contingent upon: (a) The availability of revenue
17 deposited in the account for expenditure; and (b) enactment of
18 request legislation brought forth by the department of ecology, as
19 required by RCW 70A.65.230. If such legislation is not enacted by
20 April 1, 2023, the amount provided in this subsection shall lapse. At
21 least 50 percent of the funds provided must be used in overburdened
22 communities as defined by RCW 70A.02.010.

23 (3) \$2,400,000 of the multimodal transportation account—state
24 appropriation is provided solely for the pilot program established
25 under chapter 287, Laws of 2019 (advancing green transportation
26 adoption) to provide clean alternative fuel vehicle use opportunities
27 to underserved communities and low to moderate income members of the
28 workforce not readily served by transit or located in transportation
29 corridors with emissions that exceed federal or state emissions
30 standards. Consistent with the geographical diversity element
31 described in RCW 47.04.355(4), the legislature strongly encourages
32 the department to consider implementing the pilot in both urban and
33 rural communities if possible, to obtain valuable information on the
34 needs of underserved communities located in different geographical
35 locations in Washington.

36 (4) \$1,000,000 of the electric vehicle account—state
37 appropriation and \$500,000 of the multimodal transportation account—
38 state appropriation are provided solely for a colocated DC fast
39 charging and hydrogen fueling station near the Wenatchee or East

1 Wenatchee area near a state route or near or on a publicly owned
2 facility to service passenger, light-duty and heavy-duty vehicles.
3 The hydrogen fueling station must include a DC fast charging station
4 colocated at the hydrogen fueling station site. Funds may be used for
5 one or more fuel cell electric vehicles that would utilize the
6 fueling stations. The department must contract with a public utility
7 district that produces hydrogen in the area to own and/or manage and
8 provide technical assistance for the design, planning, permitting,
9 construction, maintenance and operation of the hydrogen fueling
10 station. The department and public utility district are encouraged to
11 collaborate with and seek contributions from additional public and
12 private partners for the fueling station.

13 (5) \$140,000 of the multimodal transportation account—state
14 appropriation is provided solely for the purpose of conducting an
15 assessment of options for the development, including potential
16 features and costs, for a publicly available mapping and forecasting
17 tool that provides locations and essential information of charging
18 and refueling infrastructure to support forecasted levels of electric
19 vehicle adoption, travel, and usage across Washington state as
20 described in chapter 300, Laws of 2021 (preparedness for a zero
21 emissions transportation future).

22 (6) \$250,000 of the multimodal transportation account—state
23 appropriation is provided solely to fund the design of an electric
24 charging mega-site project at Mount Vernon library commons.

25 (7) \$1,000,000 of the multimodal transportation account—state
26 appropriation is provided solely for an electric vehicle education
27 and promotion program that encourages electric vehicle purchases and
28 raises awareness about electric vehicle incentives including, but not
29 limited to, the state electric vehicle rebate program.

30 In conducting education and outreach activities, the department
31 shall provide customized outreach to overburdened communities as
32 defined by RCW 70A.02.010 to increase consumer awareness about
33 electric vehicles and available incentives.

34 (8)(a) \$14,100,000 of multimodal transportation account—federal
35 appropriation and \$2,800,000 of the multimodal transportation account
36 —state appropriation is provided to implement the national electric
37 vehicle program established in the infrastructure investment and jobs
38 act. As directed in the infrastructure investment and jobs act, the
39 department shall develop and submit a plan to the secretary of the

1 United States department of transportation and in developing the
2 plan, the department must consider providing publicly accessible
3 electric vehicle supply equipment across the state highway network
4 including eliminating electric vehicle charging deserts, providing
5 charging infrastructure to rural areas as well as low-income
6 communities, and providing redundancy in high travel corridors.

7 (b) In developing the plan the department must:

8 (i) Include opportunities to provide highway electric vehicle
9 infrastructure for light, medium and heavy-duty vehicles;

10 (ii) Identify opportunities to support local electric vehicle
11 infrastructure when doing so meets the criteria of the national
12 electric vehicle program; and

13 (iii) Support publicly available electric vehicle charging
14 infrastructure on federally designated alternative fuel corridors as
15 set forth in the national electric vehicle program plan.

16 (c) Funds provided in this subsection are also provided for
17 the department to develop and update the required mapping and
18 forecasting tool set forth in RCW 47.01.520 that provides locations
19 and essential information of charging and refueling infrastructure to
20 support forecasted levels of electric vehicle adoption, travel, and
21 use. The department may use up to 10 percent of the multimodal
22 transportation account state funds to administer this program.

23 **Sec. 216.** 2021 c 333 s 215 (uncodified) is amended to read as
24 follows:

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

26 Motor Vehicle Account—State Appropriation ((~~\$496,925,000~~))
27 \$521,655,000

28 Motor Vehicle Account—Federal Appropriation \$7,000,000

29 State Route Number 520 Corridor Account—State
30 Appropriation ((~~\$4,082,000~~))
31 \$4,986,000

32 Tacoma Narrows Toll Bridge Account—State
33 Appropriation ((~~\$1,479,000~~))
34 \$1,560,000

35 Alaskan Way Viaduct Replacement Project
36 Account—State Appropriation ((~~\$8,157,000~~))
37 \$8,611,000

38 Interstate 405 and State Route Number 167 Express

1	Toll Lanes Account—State Appropriation.	((\$2,545,000))
2		<u>\$2,599,000</u>
3	TOTAL APPROPRIATION.	((\$520,188,000))
4		<u>\$546,411,000</u>

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

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

15 (2) \$5,000,000 of the motor vehicle account—state appropriation
16 is provided solely for a contingency pool for snow and ice removal.
17 The department must notify the office of financial management and the
18 transportation committees of the legislature when they have spent the
19 base budget for snow and ice removal and will begin using the
20 contingency pool funding.

21 (3) \$1,025,000 of the motor vehicle account—state appropriation
22 is provided solely for the department to implement safety
23 improvements and debris clean up on department-owned rights-of-way in
24 the city of Seattle at levels above that being implemented as of
25 January 1, 2019, to be administered in conjunction with subsection
26 (9) of this section. The department must maintain a crew dedicated
27 solely to collecting and disposing of garbage, clearing debris or
28 hazardous material, and implementing safety improvements where
29 hazards exist to the traveling public, department employees, or
30 people encamped upon department-owned rights-of-way. The department
31 may request assistance from the Washington state patrol as necessary
32 in order for both agencies to provide enhanced safety-related
33 activities regarding the emergency hazards along state highway
34 rights-of-way in the Seattle area.

35 (4) \$1,015,000 of the motor vehicle account—state appropriation
36 is provided solely for a partnership program between the department
37 and the city of Tacoma, to be administered in conjunction with
38 subsection (9) of this section. The program shall address the safety
39 and public health problems created by homeless encampments on the

1 department's property along state highways within the city limits.
2 \$570,000 is for dedicated department maintenance staff and associated
3 clean-up costs. The department and the city of Tacoma shall enter
4 into a reimbursable agreement to cover up to \$445,000 of the city's
5 expenses for clean-up crews and landfill costs.

6 (5) The department must continue a pilot program for the
7 2021-2023 fiscal biennium at the four highest demand safety rest
8 areas to create and maintain an online calendar for volunteer groups
9 to check availability of weekends for the free coffee program. The
10 calendar must be updated at least weekly and show dates and times
11 that are, or are not, available to participate in the free coffee
12 program. The department must submit a report to the legislature on
13 the ongoing pilot by December 1, 2022, outlining the costs and
14 benefits of the online calendar pilot, and including surveys from the
15 volunteer groups and agency staff to determine its effectiveness.

16 (6) \$686,000 of the motor vehicle account—state appropriation is
17 provided solely for reimbursing the Oregon department of
18 transportation (ODOT) for the department's share of increased
19 maintenance costs of six highway bridges over the Columbia River that
20 are maintained by ODOT.

21 (7) \$8,290,000 of the motor vehicle account—state appropriation
22 is provided solely for increased costs of highway maintenance
23 materials.

24 (8) \$5,816,000 of the motor vehicle account—state appropriation
25 is provided solely for a contingency pool for repairing damages to
26 highways caused by known and unknown third parties. The department
27 must notify the office of financial management and the transportation
28 committees of the legislature when they have spent the base budget
29 for third-party damage repair and will begin using the contingency
30 pool funding.

31 (9) (a) (~~(\$3,000,000)~~) \$8,000,000 of the motor vehicle account—
32 state appropriation is provided solely for the department to address
33 the risks to safety and public health associated with homeless
34 encampments on department owned rights-of-way. The department must
35 coordinate and work with local government officials and social
36 service organizations who provide services and direct people to
37 housing alternatives that are not in highway rights-of-way to help
38 prevent future encampments from forming on highway rights-of-way, and
39 may reimburse the organizations doing this outreach assistance who

1 transition people into treatment or housing that is not on the
2 rights-of-way or for debris clean up on highway rights-of-way. The
3 department may hire crews specializing in collecting and disposing of
4 garbage, clearing debris or hazardous material, and implementing
5 safety improvements where hazards exist to the traveling public and
6 department employees. The department may use these funds to
7 (~~either~~) reimburse local law enforcement costs or the Washington
8 state patrol if they are (~~participating as part of a state or local~~
9 ~~government agreement to provide~~) providing enhanced safety (~~related~~
10 ~~activities along state~~) to department staff during debris cleanup or
11 during efforts to prevent future encampments from forming on highway
12 rights-of-way.

13 (b) Beginning October 1, 2021, and semiannually thereafter, the
14 Washington state patrol and the department of transportation must
15 jointly submit a report to the governor and the house and senate
16 transportation committees of the legislature on the status of these
17 efforts, including(~~:~~

18 ~~(i) A detailed breakout of the size, location, risk level~~
19 ~~categorization, and number of encampments on or near department-owned~~
20 ~~rights-of-way, compared to the levels during the quarter being~~
21 ~~reported;~~

22 ~~(ii) A) a~~ a summary of the activities in that quarter related to
23 addressing these encampments, including information on arrangements
24 with local governments or other entities related to these
25 activities(~~:~~

26 ~~(iii) A description of the planned activities in the ensuing~~
27 ~~quarter to further address the emergency hazards and risks along~~
28 ~~state highway rights-of-way; and~~

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

32 **Sec. 217.** 2021 c 333 s 216 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
35 **OPERATING**

36 Motor Vehicle Account—State Appropriation	((\$74,406,000))
37	<u>\$77,759,000</u>
38 Motor Vehicle Account—Federal Appropriation	\$2,050,000

1	Motor Vehicle Account—Private/Local Appropriation . . .	((\$250,000))
2		<u>\$295,000</u>
3	State Route Number 520 Corridor Account—State	
4	Appropriation.	\$225,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation	\$40,000
7	Alaskan Way Viaduct Replacement Project Account—	
8	State Appropriation.	\$1,112,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation	\$20,000
11	TOTAL APPROPRIATION.	((\$78,103,000))
12		<u>\$81,501,000</u>

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

15 (1) \$6,000,000 of the motor vehicle account—state appropriation
16 is provided solely for low-cost enhancements. The department shall
17 give priority to low-cost enhancement projects that improve safety or
18 provide congestion relief. By December 15th of each odd-numbered
19 year, the department shall provide a report to the legislature
20 listing all low-cost enhancement projects completed in the prior
21 fiscal biennium.

22 (2)(a) During the 2021-2023 fiscal biennium, the department shall
23 continue a pilot program that expands private transportation
24 providers' access to high occupancy vehicle lanes. Under the pilot
25 program, when the department reserves a portion of a highway based on
26 the number of passengers in a vehicle, the following vehicles must be
27 authorized to use the reserved portion of the highway if the vehicle
28 has the capacity to carry eight or more passengers, regardless of the
29 number of passengers in the vehicle: (i) Auto transportation company
30 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
31 carrier vehicles regulated under chapter 81.70 RCW, except marked or
32 unmarked stretch limousines and stretch sport utility vehicles as
33 defined under department of licensing rules; (iii) private nonprofit
34 transportation provider vehicles regulated under chapter 81.66 RCW;
35 and (iv) private employer transportation service vehicles. For
36 purposes of this subsection, "private employer transportation
37 service" means regularly scheduled, fixed-route transportation
38 service that is offered by an employer for the benefit of its
39 employees. Nothing in this subsection is intended to authorize the

1 conversion of public infrastructure to private, for-profit purposes
2 or to otherwise create an entitlement or other claim by private users
3 to public infrastructure.

4 (b) The department shall expand the high occupancy vehicle lane
5 access pilot program to vehicles that deliver or collect blood,
6 tissue, or blood components for a blood-collecting or distributing
7 establishment regulated under chapter 70.335 RCW. Under the pilot
8 program, when the department reserves a portion of a highway based on
9 the number of passengers in a vehicle, blood-collecting or
10 distributing establishment vehicles that are clearly and identifiably
11 marked as such on all sides of the vehicle are considered emergency
12 vehicles and must be authorized to use the reserved portion of the
13 highway.

14 (c) The department shall expand the high occupancy vehicle lane
15 access pilot program to organ transport vehicles transporting a time
16 urgent organ for an organ procurement organization as defined in RCW
17 68.64.010. Under the pilot program, when the department reserves a
18 portion of a highway based on the number of passengers in a vehicle,
19 organ transport vehicles that are clearly and identifiably marked as
20 such on all sides of the vehicle are considered emergency vehicles
21 and must be authorized to use the reserved portion of the highway.

22 (d) The department shall expand the high occupancy vehicle lane
23 access pilot program to private, for hire vehicles regulated under
24 chapter 81.72 RCW that have been specially manufactured, designed, or
25 modified for the transportation of a person who has a mobility
26 disability and uses a wheelchair or other assistive device. Under the
27 pilot program, when the department reserves a portion of a highway
28 based on the number of passengers in a vehicle, wheelchair-accessible
29 taxicabs that are clearly and identifiably marked as such on all
30 sides of the vehicle are considered public transportation vehicles
31 and must be authorized to use the reserved portion of the highway.

32 (e) The department shall expand the high occupancy vehicle lane
33 access pilot program to for hire nonemergency medical transportation
34 vehicles, when in use for medical purposes, as described in section
35 208 (~~of this act~~), chapter 333, Laws of 2021. Under the pilot
36 program, when the department reserves a portion of a highway based on
37 the number of passengers in a vehicle, nonemergency medical
38 transportation vehicles that meet the requirements identified in
39 section 208 (~~of this act~~), chapter 333, Laws of 2021 must be
40 authorized to use the reserved portion of the highway.

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

4 **Sec. 218.** 2021 c 333 s 217 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
7 **SUPPORT—PROGRAM S**

8	Motor Vehicle Account—State Appropriation	((\$37,361,000))
9		<u>\$39,938,000</u>
10	Motor Vehicle Account—Federal Appropriation	\$780,000
11	Motor Vehicle Account—Private/Local Appropriation	\$500,000
12	<u>Puget Sound Ferry Operations Account—State Appropriation. . .</u>	<u>\$266,000</u>
13	Multimodal Transportation Account—State	
14	Appropriation	((\$5,129,000))
15		<u>\$6,629,000</u>
16	State Route Number 520 Corridor Account—State	
17	Appropriation.	\$186,000
18	Tacoma Narrows Toll Bridge Account—State	
19	Appropriation.	\$150,000
20	Alaskan Way Viaduct Replacement Project Account—	
21	State Appropriation.	\$121,000
22	Interstate 405 and State Route Number 167 Express	
23	Toll Lanes Account—State Appropriation.	\$77,000
24	TOTAL APPROPRIATION.	((\$44,304,000))
25		<u>\$48,647,000</u>

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

28 ((~~\$4,000,000~~)) (1) \$5,500,000 of the multimodal transportation
29 account—state appropriation is provided solely for efforts to
30 increase diversity in the transportation construction and maritime
31 workforce ((~~through: (1)~~)).

32 (a) \$4,000,000 of the total appropriation in this subsection is
33 provided solely for: (i) The preapprenticeship support services
34 (PASS) program, which aims to increase diversity in the highway
35 construction workforce and prepare individuals interested in entering
36 the highway construction workforce. In addition to the services
37 allowed by RCW 47.01.435, the PASS program may provide housing
38 assistance for youth aging out of the foster care and juvenile

1 rehabilitation systems in order to support the participation of these
2 youth in a transportation-related preapprenticeship program; ~~((2))~~
3 and (ii) assisting minority and women-owned businesses to perform
4 work in the highway construction industry. This assistance shall
5 include technical assistance, business training, counseling,
6 guidance, prime to subcontractor relationship building, and a
7 capacity building mentorship program. At a minimum, \$1,000,000 of the
8 total appropriation in this subsection shall be directed toward the
9 efforts outlined in (a)(ii) of this subsection ~~((2) of this~~
10 ~~section)).~~

11 (b) \$1,500,000 of the total appropriation in this subsection is
12 provided solely for expansion of the PASS program to support
13 apprenticeships and workforce development in the maritime industry
14 through preapprenticeship training for inland waterways trades and
15 support services to obtain necessary coast guard certification.

16 (c) The provider(s) chosen to complete the work in this
17 subsection shall be selected through a competitive bidding process.
18 The program shall be administered by the Washington state department
19 of transportation's office of equal opportunity.

20 (2) \$1,164,000 of the motor vehicle account—state appropriation
21 and \$266,000 of the Puget Sound ferry operations account—state
22 appropriation is for the department to hire a workforce development
23 consultant to develop, track, and monitor the progress of community
24 workforce agreements, and to hire staff to assist with the
25 development and implementation of internal diversity, equity and
26 inclusion efforts and serve as subject matter experts on federal and
27 state civil rights provisions. The department shall provide a
28 progress report on the implementation of efforts under this
29 subsection to the transportation committees of the legislature and
30 the governor by December 1, 2022.

31 **Sec. 219.** 2021 c 333 s 218 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
34 **AND RESEARCH—PROGRAM T**

35	Motor Vehicle Account—State Appropriation	(\$27,057,000)
36		\$28,586,000
37	Motor Vehicle Account—Federal Appropriation	\$34,865,000
38	Motor Vehicle Account—Private/Local Appropriation.	\$400,000

1	Multimodal Transportation Account—State Appropriation	((\$919,000))
2		<u>\$1,212,000</u>
3	Multimodal Transportation Account—Federal	
4	Appropriation	\$2,809,000
5	Multimodal Transportation Account—Private/Local	
6	Appropriation	\$100,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation.	((\$406,000))
9		<u>\$451,000</u>
10	Interstate 405 and State Route Number 167 Express Toll Lanes	
11	Account—State Appropriation.	\$2,879,000
12	TOTAL APPROPRIATION.	((\$69,435,000))
13		<u>\$71,302,000</u>

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

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

27 (2) \$2,879,000 of the Interstate 405 and state route number 167
28 express toll lanes account—state appropriation is provided solely for
29 completion of updating the state route number 167 master plan.

30 (3) ((~~\$250,000~~)) \$500,000 of the multimodal transportation
31 account—state appropriation is provided solely for the department to
32 partner with the department of commerce in developing vehicle miles
33 traveled targets ((~~for the counties in Washington state with (a) a~~
34 ~~population density of at least 100 people per square mile and a~~
35 ~~population of at least 200,000; or (b) a population density of at~~
36 ~~least 75 people per square mile and an annual growth rate of at least~~
37 ~~1.75 percent as determined by the office of financial management)).
38 Given land use patterns are key factors in travel demand and should
39 be taken into consideration when developing the targets, the~~

1 department and the department of commerce shall partner with local
2 jurisdictions, regional transportation planning organizations and
3 other stakeholders to inventory existing laws and rules that promote
4 transportation and land use, identify gaps and make recommendations
5 for changes in laws, rules and agency guidance, and establish a
6 framework for considering underserved and rural communities in the
7 evaluation. The department and the department of commerce shall
8 provide an initial technical report by December 31, 2021, an interim
9 report by June 22, 2022, and a final report to the governor and
10 appropriate committees of the legislature by June 30, 2023, that
11 includes a process for establishing vehicle miles traveled reduction
12 targets, a recommended suite of options for local jurisdictions to
13 achieve the targets, and funding requirements for state and local
14 jurisdictions.

15 (4) (~~(\$406,000)~~) \$451,000 of the state route number 520 corridor
16 account—state appropriation is provided solely for the department to
17 contract with the University of Washington department of mechanical
18 engineering, to study measures to reduce noise impacts from the state
19 route number 520 bridge expansion joints. The field testing shall be
20 scheduled during existing construction, maintenance, or other
21 scheduled closures to minimize impacts. The testing must also ensure
22 safety of the traveling public. The study shall examine testing
23 methodologies and project timelines and costs. A (~~(final)~~) draft
24 report must be submitted to the transportation committees of the
25 legislature and the governor by March 1, 2022. A final report must be
26 submitted to the transportation committees of the legislature and the
27 governor by June 30, 2022.

28 (5) \$5,900,000 of the motor vehicle account—federal appropriation
29 and \$400,000 of the motor vehicle account—private/local appropriation
30 are provided solely for delivery of the department's state planning
31 and research work program and pooled fund research projects, provided
32 that the department may not expend any amounts provided in this
33 section on a long-range plan or corridor scenario analysis for I-5
34 from Tumwater to Marysville. This is not intended to reference or
35 impact: The existing I-5 corridor from Mounts road to Tumwater design
36 and operations alternatives analysis; design studies related to HOV
37 lanes or operations; or where it is necessary to continue design and
38 operations analysis related to projects already under development.

1 (6) \$800,000 of the motor vehicle account—state appropriation is
2 provided solely for WSDOT to do a corridor study of SR 302 (Victor
3 Area) to recommend safety and infrastructure improvements to address
4 current damage and prevent future roadway collapse and landslides
5 that have caused road closures.

6 (7) \$1,000,000 of the motor vehicle account—state appropriation
7 is provided solely for a study on the need for additional
8 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
9 South Pierce County.

10 **Sec. 220.** 2021 c 333 s 219 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
13 **PROGRAM U**

14	Aeronautics Account—State Appropriation.	\$1,000
15	Transportation Partnership Account—State Appropriation.	\$23,000
16	Motor Vehicle Account—State Appropriation	(\$99,515,000)
17		<u>\$110,359,000</u>
18	Puget Sound Ferry Operations Account—State Appropriation.	\$220,000
19	State Route Number 520 Corridor Account—State Appropriation.	\$26,000
20	Connecting Washington Account—State Appropriation.	\$184,000
21	Multimodal Transportation Account—State	
22	Appropriation	(\$4,795,000)
23		<u>\$5,734,000</u>
24	Tacoma Narrows Toll Bridge Account—State Appropriation.	\$19,000
25	Alaskan Way Viaduct Replacement Project Account—State	
26	Appropriation.	\$14,000
27	Interstate 405 and State Route Number 167 Express	
28	Toll Lanes Account—State Appropriation.	\$15,000
29	TOTAL APPROPRIATION.	(\$104,812,000)
30		<u>\$116,595,000</u>

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

33 (1) Consistent with existing protocol and practices, for any
34 negotiated settlement of a claim against the state for the department
35 that exceeds five million dollars, the department, in conjunction
36 with the attorney general and the department of enterprise services,
37 shall notify the director of the office of financial management and
38 the transportation committees of the legislature.

1 (2) Beginning October 1, 2021, and semiannually thereafter, the
2 department, in conjunction with the attorney general and the
3 department of enterprise services, shall provide a report with
4 judgments and settlements dealing with the Washington state ferry
5 system to the director of the office of financial management and the
6 transportation committees of the legislature. The report must include
7 information on: (a) The number of claims and settlements by type; (b)
8 the average claim and settlement by type; (c) defense costs
9 associated with those claims and settlements; and (d) information on
10 the impacts of moving legal costs associated with the Washington
11 state ferry system into the statewide self-insurance pool.

12 (3) Beginning October 1, 2021, and semiannually thereafter, the
13 department, in conjunction with the attorney general and the
14 department of enterprise services, shall provide a report with
15 judgments and settlements dealing with the nonferry operations of the
16 department to the director of the office of financial management and
17 the transportation committees of the legislature. The report must
18 include information on: (a) The number of claims and settlements by
19 type; (b) the average claim and settlement by type; and (c) defense
20 costs associated with those claims and settlements.

21 (4) When the department identifies significant legal issues that
22 have potential transportation budget implications, the department
23 must initiate a briefing for appropriate legislative members or staff
24 through the office of the attorney general and its legislative
25 briefing protocol.

26 **Sec. 221.** 2021 c 333 s 220 (uncodified) is amended to read as
27 follows:

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

29 State Vehicle Parking Account—State Appropriation	\$784,000
30 Regional Mobility Grant Program Account—State	
31 Appropriation	(((\$104,478,000))
32	<u>\$115,488,000</u>
33 Rural Mobility Grant Program Account—State	
34 Appropriation	(((\$33,168,000))
35	<u>\$33,283,000</u>
36 Multimodal Transportation Account—State	
37 Appropriation	(((\$131,150,000))
38	<u>\$134,005,000</u>

1 brought forth by the department of ecology, as required by RCW
2 70A.65.230. If such legislation is not enacted by April 1, 2023, the
3 amount provided in this subsection shall lapse. At least 50 percent
4 of the funds provided must be used in overburdened communities as
5 defined by RCW 70A.02.010.

6 (4) \$3,000,000 of the carbon emissions reduction account—state
7 appropriation is for development of a program to assist rural and
8 small transit agencies with conversion planning to zero emissions
9 fleets. Expenditure of the amount provided in this subsection is
10 contingent upon: (a) The availability of revenue deposited in the
11 account for expenditure; and (b) enactment of request legislation
12 brought forth by the department of ecology, as required by RCW
13 70A.65.230. If such legislation is not enacted by April 1, 2023, the
14 amount provided in this subsection shall lapse. At least 50 percent
15 of the funds provided must be used in overburdened communities as
16 defined by RCW 70A.02.010.

17 (5) \$2,000,000 of the multimodal transportation account—state
18 appropriation is provided solely for a vanpool grant program for: (a)
19 Public transit agencies to add vanpools or replace (~~(vans)~~) vehicles;
20 and (b) incentives (~~(for employers)~~) to increase (~~(employee vanpool)~~)
21 rideshare use. The grant program for public transit agencies may
22 cover capital costs only; operating costs for public transit agencies
23 are not eligible for funding under this grant program. Additional
24 employees may not be hired from the funds provided in this section
25 for the vanpool grant program, and supplanting of transit funds
26 currently funding vanpools is not allowed. The department shall
27 encourage grant applicants and recipients to leverage funds other
28 than state funds.

29 ~~((4) \$26,800,000))~~ (6) \$37,809,000 of the regional mobility
30 grant program account—state appropriation is reappropriated and
31 provided solely for the regional mobility grant projects identified
32 in LEAP Transportation Document 2021-2 ALL PROJECTS as developed
33 April 23, 2021, Program - Public Transportation Program (V).

34 ~~((5))~~ (7)(a) \$77,679,000 of the regional mobility grant program
35 account—state appropriation is provided solely for the regional
36 mobility grant projects identified in LEAP Transportation Document
37 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Public
38 Transportation Program (V). The department shall review all projects
39 receiving grant awards under this program at least semiannually to

1 determine whether the projects are making satisfactory progress. Any
2 project that has been awarded funds, but does not report activity on
3 the project within one year of the grant award, must be reviewed by
4 the department to determine whether the grant should be terminated.
5 The department shall promptly close out grants when projects have
6 been completed, and any remaining funds must be used only to fund
7 projects identified in the LEAP transportation document referenced in
8 this subsection. The department shall provide annual status reports
9 on December 15, 2021, and December 15, 2022, to the office of
10 financial management and the transportation committees of the
11 legislature regarding the projects receiving the grants. It is the
12 intent of the legislature to appropriate funds through the regional
13 mobility grant program only for projects that will be completed on
14 schedule. A grantee may not receive more than twenty-five percent of
15 the amount appropriated in this subsection. Additionally, when
16 allocating funding for the 2023-2025 biennium, no more than thirty
17 percent of the total grant program may directly benefit or support
18 one grantee. The department shall not approve any increases or
19 changes to the scope of a project for the purpose of a grantee
20 expending remaining funds on an awarded grant.

21 (b) In order to be eligible to receive a grant under (a) of this
22 subsection during the 2021-2023 fiscal biennium, a transit agency
23 must establish a process for private transportation providers to
24 apply for the use of park and ride facilities. For purposes of this
25 subsection, (i) "private transportation provider" means: An auto
26 transportation company regulated under chapter 81.68 RCW; a passenger
27 charter carrier regulated under chapter 81.70 RCW, except marked or
28 unmarked stretch limousines and stretch sport utility vehicles as
29 defined under department of licensing rules; a private nonprofit
30 transportation provider regulated under chapter 81.66 RCW; or a
31 private employer transportation service provider; and (ii) "private
32 employer transportation service" means regularly scheduled, fixed-
33 route transportation service that is offered by an employer for the
34 benefit of its employees.

35 ~~((+6))~~ (8) Funds provided for the commute trip reduction (CTR)
36 program may also be used for the growth and transportation efficiency
37 center program.

38 ~~((+7))~~ (9) \$6,500,000 of the multimodal transportation account—
39 state appropriation and \$784,000 of the state vehicle parking account

1 —state appropriation are provided solely for CTR grants and
2 activities. Of this amount:

3 (a) \$30,000 of the state vehicle parking account—state
4 appropriation is provided solely for the STAR pass program for state
5 employees residing in Mason and Grays Harbor Counties. Use of the
6 pass is for public transportation between Mason County and Thurston
7 County, and Grays Harbor and Thurston County. The pass may also be
8 used within Grays Harbor County. The STAR pass commute trip reduction
9 program is open to any state employee who expresses intent to commute
10 to his or her assigned state worksite using a public transit system
11 currently participating in the STAR pass program.

12 (b) \$800,000 of the multimodal transportation account—state
13 appropriation is provided solely for continuation of the first mile/
14 last mile connections grant program. Eligible grant recipients
15 include cities, businesses, nonprofits, and transportation network
16 companies with first mile/last mile solution proposals. Transit
17 agencies are not eligible. The commute trip reduction board shall
18 develop grant parameters, evaluation criteria, and evaluate grant
19 proposals. The commute trip reduction board shall provide the
20 transportation committees of the legislature a report on the
21 effectiveness of this grant program and best practices for continuing
22 the program.

23 ~~((+8))~~ (10) Except as provided otherwise in this subsection,
24 ~~((+\$28,263,000))~~ \$28,680,000 of the multimodal transportation account—
25 state appropriation is provided solely for connecting Washington
26 transit projects identified in LEAP Transportation Document 2021-2
27 ALL PROJECTS as developed April 23, 2021. It is the intent of the
28 legislature that entities identified to receive funding in the LEAP
29 document referenced in this subsection receive the amounts specified
30 in the time frame specified in that LEAP document. If an entity has
31 already completed a project in the LEAP document referenced in this
32 subsection before the time frame identified, the entity may
33 substitute another transit project or projects that cost a similar or
34 lesser amount.

35 ~~((+9))~~ (11) The department shall not require more than a ten
36 percent match from nonprofit transportation providers for state
37 grants.

38 ~~((+10) — \$21,858,000))~~ (12) \$23,349,000 of the multimodal
39 transportation account—state appropriation is provided solely for the

1 green transportation capital grant program established in chapter
2 287, Laws of 2019 (advancing green transportation adoption).

3 (13) \$30,000,000 of the carbon emissions reduction account- state
4 appropriation is for expansion of the green transportation capital
5 grant program. Expenditure of the amount provided in this subsection
6 is contingent upon: (a) The availability of revenue deposited in the
7 account for expenditure; and (b) enactment of request legislation
8 brought forth by the department of ecology, as required by RCW
9 70A.65.230. If such legislation is not enacted by April 1, 2023, the
10 amount provided in this subsection shall lapse. At least 50 percent
11 of the funds provided must be used in overburdened communities as
12 defined by RCW 70A.02.010.

13 ~~((11))~~ (14) \$555,000 of the multimodal transportation account—
14 state appropriation is provided solely for an interagency transfer to
15 the Washington State University extension energy program to establish
16 and administer a technical assistance and education program for
17 public agencies on the use of alternative fuel vehicles. The
18 Washington State University extension energy program shall prepare a
19 report regarding the utilization of the program and provide this
20 report to the transportation committees of the legislature by
21 November 15, 2021.

22 ~~((12))~~ (15) The department must provide telework assistance to
23 employers as part of its CTR activities. The objectives of telework
24 assistance include improving transportation system performance,
25 supporting economic vitality, and increasing equity and access to
26 opportunity.

27 ~~((13))~~ (16) \$150,000 of the multimodal transportation account—
28 state appropriation is provided solely for Intercity Transit for the
29 Dash shuttle program.

30 (17) \$10,000,000 of the carbon emissions reduction account—state
31 appropriation is for adding public transportation access during non-
32 traditional working hours and weekends.

33 (a) Funding can be used for: (i) Establishment or expansion of
34 operating service hours during the evening and/or weekend hours; or
35 (ii) purchase of vehicles required to provide the service. Grants
36 should prioritize inclusion and target historically disadvantaged
37 populations.

38 (b) Expenditure of the amount provided in this subsection is
39 contingent upon: (i) The availability of revenue deposited in the

1 account for expenditure; and (ii) enactment of request legislation
 2 brought forth by the department of ecology, as required by RCW
 3 70A.65.230. If such legislation is not enacted by April 1, 2023, the
 4 amount provided in this subsection shall lapse. At least 50 percent
 5 of the funds provided must be used in overburdened communities as
 6 defined by RCW 70A.02.010. The department is encouraged to form an
 7 advisory committee and conduct the necessary planning and outreach to
 8 ensure grant funding supports inclusion and access for people with
 9 special needs and the general public.

10 **Sec. 222.** 2021 c 333 s 221 (uncodified) is amended to read as
 11 follows:

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

13	Puget Sound Ferry Operations Account—State	
14	Appropriation	(((\$416,614,000))
15		<u>\$463,893,000</u>
16	Puget Sound Ferry Operations Account—Federal	
17	Appropriation	\$124,000,000
18	Puget Sound Ferry Operations Account—Private/Local	
19	Appropriation	\$121,000
20	TOTAL APPROPRIATION.	(((\$540,735,000))
21		<u>\$588,014,000</u>

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

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

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

1 (3) \$17,000,000 of the Puget Sound ferry operations account—
2 federal appropriation and (~~(\$53,794,000)~~) \$58,461,000 of the Puget
3 Sound ferry operations account—state appropriation are provided
4 solely for auto ferry vessel operating fuel in the 2021-2023 fiscal
5 biennium, which reflect cost savings from a reduced biodiesel fuel
6 requirement and, therefore, is contingent upon the enactment of
7 section 703 (~~(of this act)~~), chapter 333, Laws of 2021. The amount
8 provided in this subsection represents the fuel budget for the
9 purposes of calculating any ferry fare fuel surcharge. The department
10 shall review future use of alternative fuels and dual fuel
11 configurations, including hydrogen.

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

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

21 (6) (~~(\$688,000)~~) \$1,385,000 of the Puget Sound ferry operations
22 account—state appropriation is provided solely for new employee
23 training. The department must work to increase its outreach and
24 recruitment of populations underrepresented in maritime careers and
25 continue working to expand apprenticeship and internship programs,
26 with an emphasis on programs that are shown to improve recruitment
27 for positions with the state ferry system.

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

31 (8) \$1,978,000 of the Puget Sound ferry operations account—state
32 appropriation is provided solely for restoration of service to
33 reflect increased ridership, availability of crewing and available
34 revenues. Expenditures may be made to resume service to Sidney,
35 British Columbia, including any service to the San Juans; to provide
36 Saturday service on the Fauntleroy-Vashon-Southworth route; and to
37 resume late night service on other routes in the system.

38 (9) (~~(Within amounts provided in this section,)~~) 484,000 of the
39 Puget Sound ferry operations account—state is provided for the

1 department (~~shall~~) to contract with uniformed officers for
2 additional traffic control assistance at the Kingston ferry terminal
3 during peak ferry travel times, with a particular focus on Sundays
4 and holiday weekends. Traffic control methods should include, but not
5 be limited to, holding traffic on the shoulder at Lindvog Road until
6 space opens for cars at the tollbooths and dock, and management of
7 traffic on Highway 104 in order to ensure Kingston residents and
8 business owners have access to businesses, roads, and driveways.

9 (10) \$336,000 of the Puget Sound ferry operations account—state
10 appropriation is provided solely for evacuation slide training.

11 (11) \$336,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for fall restraint labor and
13 industries inspections.

14 (12) \$735,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely for familiarization for new
16 assignments of engine crew and terminal staff.

17 (13) \$160,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for electronic navigation training.

19 (14) \$8,766,000 of the Puget Sound ferry operations account—state
20 appropriation is for Washington state ferries to:

21 (a) Continuously recruit and hire deck, engine, and terminal
22 staff;

23 (b) Contract with an external recruitment firm to increase
24 recruitment efforts both locally and nationally with an emphasis on
25 attracting maritime workers from communities underrepresented in the
26 ferry system;

27 (c) Enhance employee retention by standardizing on-call worker
28 schedules;

29 (d) Increase training and development opportunities for
30 employees; and

31 (e) Make improvements to hiring processes by establishing
32 additional positions to support timely hiring of employees.

33 **Sec. 223.** 2021 c 333 s 222 (uncodified) is amended to read as
34 follows:

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

36 Multimodal Transportation Account—State

37 Appropriation ((\$80,704,000))

38 \$118,579,000

1	Multimodal Transportation Account—Private/Local	
2	Appropriation	\$46,000
3	Multimodal Transportation Account—Federal	
4	Appropriation	\$500,000
5	TOTAL APPROPRIATION.	(\$81,250,000)
6		<u>\$119,125,000</u>

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

9 (1) The department is directed to continue to pursue efforts to
10 reduce costs, increase ridership, and review Amtrak Cascades fares
11 and fare schedules. Within thirty days of each annual cost/revenue
12 reconciliation under the Amtrak service contract, the department
13 shall report annual credits to the office of financial management and
14 the legislative transportation committees. Annual credits from Amtrak
15 to the department including, but not limited to, credits due to
16 higher ridership, reduced level of service, and fare or fare schedule
17 adjustments, must be used to offset corresponding amounts of the
18 multimodal transportation account—state appropriation, which must be
19 placed in reserve.

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

36 (3) \$150,000 of the multimodal transportation account—state
37 appropriation is for evaluating options to pursue rail banking of
38 inactive state-owned rail corridors for use as trails. The department
39 must develop a report and submit it to the governor and

1 transportation committees of the legislature by June 30, 2023. The
2 report must include:

3 (a) An inventory of portions of the state-owned Palouse River and
4 Coulee City railroad that may be eligible for rail banking, including
5 the current status of those portions;

6 (b) The current costs and liabilities of the portions inventoried
7 in (a) of this subsection if they are not railbanked;

8 (c) The costs and benefits of removing rails identified in (a) of
9 this subsection for use in other parts of state-owned railway;

10 (d) The estimated department costs and liabilities associated
11 with rail banking;

12 (e) A preliminary cost estimate for trail development;

13 (f) Identification of interested trail sponsors, including the
14 known underlying ownership interests;

15 (g) Identification of access rights of landowners to cross the
16 right-of-way; and

17 (h) The surface transportation board process for abandonment and
18 rail banking.

19 (4) \$4,000,000 of the multimodal transportation account—state
20 appropriation is for the continued coordination, engagement, and
21 planning for a new ultra high-speed ground transportation corridor
22 with participation from Washington, Oregon, and British Columbia.
23 "Ultra high-speed" means a maximum testing speed of at least 250
24 miles per hour. These efforts are to support and advance activities
25 and must abide by the memorandum of understanding signed by the
26 governors of Washington and Oregon, and the premier of the province
27 of British Columbia in November 2021. The department shall establish
28 a policy committee with participation from Washington, Oregon, and
29 British Columbia and coordinate the activities of the policy
30 committee to include:

31 (a) Develop an organizational framework that facilitates input in
32 decision making from all parties;

33 (b) Develop a public engagement approach with a focus on equity,
34 inclusion, and meaningful engagement with communities, businesses,
35 federal, state, provincial, and local governments including
36 indigenous communities;

37 (c) Develop and lead a collaborative approach to prepare and
38 apply for potential future federal, state, and provincial funding
39 opportunities, including development of strategies for incorporating
40 private sector participation;

1 (d) Begin work on scenario analysis addressing advanced
2 transportation technologies, land use and growth assumptions; and an
3 agreed to and defined corridor vision statement; and

4 (e) Develop a recommendation on the structure and membership of a
5 formal coordinating entity that will be responsible for advancing the
6 project through the project initiation stage to project development
7 and pursue establishment of the coordinating entity.

8 By June 30, 2023, the department shall provide to the governor
9 and the transportation committees of the legislature an update on the
10 work conducted by the policy committee and progress on establishing a
11 coordinating entity. The report must also include current activities
12 and results relating to stakeholder engagement, planning, and any
13 federal funding application. As applicable, the assessment should
14 also be sent to the executive and legislative branches of government
15 in Oregon state and appropriate government bodies in the province of
16 British Columbia.

17 (5) \$50,000,000 of the multimodal transportation account—state
18 appropriation is provided solely for state match contributions to
19 support the department's application for pending federal grant
20 opportunities. These funds are to remain in unallotted status and are
21 available only upon receipt of federal funds.

22 **Sec. 224.** 2021 c 333 s 223 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
25 **OPERATING**

26 Motor Vehicle Account—State Appropriation	((\$11,954,000))
	\$12,651,000
27	
28 Motor Vehicle Account—Federal Appropriation	\$2,567,000
29 <u>Multimodal Transportation Account—State Appropriation.</u>	<u>\$250,000</u>
30 Multiuse Roadway Safety Account—State Appropriation	\$900,000
31 TOTAL APPROPRIATION.	((\$15,421,000))
32	\$16,368,000

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

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

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

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

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

10 (2) \$1,023,000 of the motor vehicle account—state appropriation
11 is provided solely for the department, from amounts set aside out of
12 statewide fuel taxes distributed to counties according to RCW
13 46.68.120(3), to contract with the Washington state association of
14 counties to:

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

18 (b) Streamline and update the county road administration board's
19 data dashboard, county reporting systems, and program management
20 software to provide a more detailed, more transparent, and user-
21 friendly platform for data management, reporting, and research by the
22 public and other interested parties; and

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

26 (3) (a) ~~((By October 1, 2021, the department must report))~~
27 \$200,000 of the motor vehicle account—state appropriation is provided
28 for the department to complete and submit a report to the office of
29 financial management and the transportation committees by October 31,
30 2022, with recommendations regarding:

31 (i) Modifications to the agreement with Wahkiakum county
32 regarding future state reimbursement for the Wahkiakum ferry
33 operating and maintenance deficit; and

34 (ii) Cost-sharing models for operating and maintenance costs,
35 which recognize the benefit of the ferry route to both Washington and
36 Oregon.

37 (b) The reimbursement recommendations must reflect a mutual
38 agreement with Wahkiakum county, which considers future county ferry
39 operating loss projections. The report may address the importance of
40 the ferry route to the state highway system and whether there is a

1 need for an increased role for the state department of transportation
2 in the finance or operation of the ferry route.

3 **TRANSPORTATION AGENCIES—CAPITAL**

4 **Sec. 301.** 2021 c 333 s 301 (uncodified) is amended to read as
5 follows:

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

7	Freight Mobility Investment Account—State	
8	Appropriation	(((\$16,577,000))
9		<u>\$17,769,000</u>
10	Freight Mobility Multimodal Account—State	
11	Appropriation.	(((\$15,195,000))
12		<u>\$16,140,000</u>
13	TOTAL APPROPRIATION.	(((\$31,772,000))
14		<u>\$33,909,000</u>

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

17 (1) Except as otherwise provided in this section, the entire
18 appropriations in this section are provided solely for the projects
19 by amount, as listed in the ((~~LEAP Transportation Document 2021-2 ALL~~
20 ~~PROJECTS as developed April 23,~~) OFM Transportation Document 2022-2
21 as developed December 16, 2021, Freight Mobility Strategic Investment
22 Board (FMSIB).

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

25 (3) It is the intent of the legislature to continue to make
26 strategic investments in a statewide freight mobility transportation
27 system with the help of the freight mobility strategic investment
28 board, including projects that mitigate the impact of freight
29 movement on local communities. To that end, and in coordination with
30 WSDOT as it updates its federally-compliant freight plan, the board
31 is directed to identify the highest priority freight investments for
32 the state, across freight modes, state and local jurisdictions, and
33 regions of the state. By December 1, 2021, the board must submit a
34 preliminary report providing a status update on the process and
35 methodology for identifying and prioritizing investments. By December
36 1, 2022, the board must submit a prioritized list of freight
37 investments that are geographically balanced across the state and can

1 proceed to construction in a timely manner. The prioritized freight
2 project list for the state portion of national highway freight
3 program funds must first address shortfalls in funding for connecting
4 Washington act projects.

5 (4) (a) For the 2021-2023 project appropriations, unless otherwise
6 provided in this act, the director of the office of financial
7 management may authorize a transfer of appropriation authority
8 between projects managed by the freight mobility strategic investment
9 board in order for the board to manage project spending and support
10 the efficient and timely delivery of all projects in the program. The
11 office of financial management may authorize a transfer of
12 appropriation authority between projects under the following
13 conditions and limitations:

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

17 (ii) Each transfer between projects may only occur if the
18 director of the office of financial management finds that any
19 resulting change will not hinder the completion of the projects on
20 the (~~LEAP Transportation Document 2021-2 ALL PROJECT list~~) OFM
21 Transportation Document 2022-1;

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

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

31 (b) At the time the board submits a request to transfer funds
32 under this section, a copy of the request must be submitted to the
33 chairs and ranking members of the transportation committees of the
34 legislature.

35 (c) Before approval, the office of financial management shall
36 work with legislative staff of the house of representatives and
37 senate transportation committees to review the requested transfers in
38 a timely manner and consider any concerns raised by the chairs and
39 ranking members of the transportation committees.

1 (d) No fewer than 10 days after the receipt of a project transfer
2 request, the director of the office of financial management must
3 provide written notification to the board of any decision regarding
4 project transfers, with copies submitted to the transportation
5 committees of the legislature.

6 **Sec. 302.** 2021 c 333 s 302 (uncodified) is amended to read as
7 follows:

8 **FOR THE WASHINGTON STATE PATROL**

9 State Patrol Highway Account—State Appropriation . . . (~~(\$4,196,000)~~)
10 \$4,803,000

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

13 (1) \$695,000 of the state patrol highway account—state
14 appropriation is provided solely for roof replacement.

15 (2) (~~(\$3,501,000)~~) \$4,108,000 of the state patrol highway account
16 —state appropriation is provided solely for the following projects:

- 17 (a) \$250,000 for emergency repairs;
- 18 (b) \$350,000 for fuel tank decommissioning;
- 19 (c) \$750,000 for generator and electrical replacement;
- 20 (d) \$195,000 for the exterior envelope of the Yakima office;
- 21 (e) \$466,000 for equipment shelters;
- 22 (f) \$650,000 for the weatherization projects;
- 23 (g) \$200,000 for roof replacements reappropriation; and
- 24 (h) \$640,000 for water and fire suppression systems
25 reappropriation and \$607,000 for additional water and fire
26 suppression systems.

27 (3) The Washington state patrol may transfer funds between
28 projects specified in this subsection to address cash flow
29 requirements. If a project specified in this subsection is completed
30 for less than the amount provided, the remainder may be transferred
31 to another project specified in this subsection not to exceed the
32 total appropriation provided in this subsection.

33 **Sec. 303.** 2021 c 333 s 303 (uncodified) is amended to read as
34 follows:

35 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

36 Rural Arterial Trust Account—State Appropriation \$55,028,000
37 Motor Vehicle Account—State Appropriation \$1,456,000

1 County Arterial Preservation Account—State
 2 Appropriation ((~~\$37,379,000~~))
 3 \$44,653,000
 4 TOTAL APPROPRIATION. ((~~\$93,863,000~~))
 5 \$101,137,000

6 **Sec. 304.** 2021 c 333 s 305 (uncodified) is amended to read as
 7 follows:

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

10 Motor Vehicle Account—State Appropriation ((~~\$10,852,000~~))
 11 \$17,526,000
 12 Connecting Washington Account—State Appropriation ((~~\$3,289,000~~))
 13 \$3,667,000
 14 TOTAL APPROPRIATION. ((~~\$14,141,000~~))
 15 \$21,193,000

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

18 (1) ((~~\$3,289,000~~)) \$3,667,000 of the connecting Washington
 19 account—state appropriation is provided solely for a new Olympic
 20 region maintenance and administration facility to be located on the
 21 department-owned site at the intersection of Marvin Road and 32nd
 22 Avenue in Lacey, Washington.

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

27 (b) Payments from the department of ecology pursuant to the
 28 agreement with the department to pay a share of the financing
 29 contract in (a) of this subsection must be deposited into the motor
 30 vehicle account.

31 **Sec. 305.** 2021 c 333 s 306 (uncodified) is amended to read as
 32 follows:

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

34 Transportation 2003 Account (Nickel Account)—State
 35 Appropriation ((~~\$149,000~~))
 36 \$482,000

37 Transportation Partnership Account—State

1	Appropriation	((\$119,053,000))
2		<u>\$232,568,000</u>
3	Motor Vehicle Account—State Appropriation	((\$89,717,000))
4		<u>\$110,394,000</u>
5	Motor Vehicle Account—Federal Appropriation	((\$388,903,000))
6		<u>\$395,906,000</u>
7	Coronavirus State Fiscal Recovery Fund—Federal	
8	Appropriation.	\$400,000,000
9	Motor Vehicle Account—Private/Local Appropriation	((\$48,628,000))
10		<u>\$65,921,000</u>
11	Connecting Washington Account—State	
12	Appropriation	((\$2,881,033,000))
13		<u>\$2,033,377,000</u>
14	Special Category C Account—State Appropriation	((\$105,363,000))
15		<u>\$80,176,000</u>
16	Multimodal Transportation Account—State	
17	Appropriation	((\$10,784,000))
18		<u>\$10,792,000</u>
19	<u>Multimodal Transportation Account—Federal</u>	
20	<u>Appropriation.</u>	<u>\$7,200,000</u>
21	State Route Number 520 Corridor	
22	Account—State Appropriation.	((\$15,940,000))
23		<u>\$215,940,000</u>
24	Interstate 405 and State Route Number 167 Express	
25	Toll Lanes Account—State Appropriation.	((\$30,308,000))
26		<u>\$217,282,000</u>
27	<u>Puget Sound Gateway Facility—State Appropriation.</u>	<u>\$8,400,000</u>
28	TOTAL APPROPRIATION.	((\$4,089,878,000))
29		<u>\$3,778,438,000</u>

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

32 (1) Except as provided otherwise in this section, the entire
33 connecting Washington account—state appropriation and the entire
34 transportation partnership account—state appropriation are provided
35 solely for the projects and activities as listed by fund, project,
36 and amount in ((~~LEAP Transportation Document 2021-1 as developed~~
37 ~~April 23,~~) OFM Transportation Document 2022-1 as developed December
38 16, 2021, Program - Highway Improvements Program (I). However,
39 limited transfers of specific line-item project appropriations may

1 occur between projects for those amounts listed subject to the
2 conditions and limitations in section 601 (~~(of this act)~~), chapter
3 333, Laws of 2021.

4 (2) Except as provided otherwise in this section, the entire
5 motor vehicle account—state appropriation and motor vehicle account—
6 federal appropriation are provided solely for the projects and
7 activities listed in (~~(LEAP Transportation Document 2021-2 ALL~~
8 ~~PROJECTS as developed April 23,)~~) OFM Transportation Document 2022-1
9 as developed December 16, 2021, Program - Highway Improvements
10 Program (I). Any federal funds gained through efficiencies,
11 adjustments to the federal funds forecast, or the federal funds
12 redistribution process must then be applied to highway and bridge
13 preservation activities or fish passage barrier corrections
14 (0BI4001).

15 (3) Within the motor vehicle account—state appropriation,
16 connecting Washington account—state appropriation and motor vehicle
17 account—federal appropriation, the department may transfer funds
18 between programs I and P, except for funds that are otherwise
19 restricted in this act. Ten days prior to any transfer, the
20 department must submit its request to the office of financial
21 management and the transportation committees of the legislature and
22 consider any concerns raised. The department shall submit a report on
23 fiscal year funds transferred in the prior fiscal year using this
24 subsection as part of the department's annual budget submittal. This
25 transfer authority allows the department to most efficiently manage
26 the appropriation capacity between the I and P programs consistent
27 with the 601 process.

28 (4) The connecting Washington account—state appropriation
29 includes up to (~~(\$2,230,636,000)~~) \$1,067,781,000 in proceeds from the
30 sale of bonds authorized in RCW 47.10.889.

31 (5) The special category C account—state appropriation includes
32 up to (~~(\$82,475,000)~~) \$53,843,000 in proceeds from the sale of bonds
33 authorized in RCW 47.10.812.

34 (6) The transportation partnership account—state appropriation
35 includes up to (~~(\$28,411,000)~~) \$174,151,000 in proceeds from the sale
36 of bonds authorized in RCW 47.10.873.

37 (7) (~~(\$60,450,000)~~) \$161,792,000 of the transportation
38 partnership account—state appropriation, (~~(\$2,258,000)~~) \$3,882,000 of
39 the motor vehicle account—private/local appropriation, \$9,000,000 of

1 the motor vehicle account—state appropriation, \$1,000 of the
2 transportation 2003 account (nickel account)—state appropriation, and
3 ((~~\$984,000~~)) \$985,000 of the multimodal transportation account—state
4 appropriation((~~7~~)) are provided solely for the SR 99/Alaskan Way
5 Viaduct Replacement project (809936Z). It is the intent of the
6 legislature that any legal damages paid to the state as a result of a
7 lawsuit related to contractual provisions for construction and
8 delivery of the Alaskan Way viaduct replacement project be used to
9 repay project cost increases paid from the transportation partnership
10 account—state funds and motor vehicle account—state funds.

11 (8) ((~~\$193,699,000~~)) \$204,457,000 of the connecting Washington
12 account—state appropriation and \$488,000 of the motor vehicle account
13 —private/local appropriation is provided solely for the US 395 North
14 Spokane Corridor project (M00800R).

15 (9) (a) ((~~\$14,827,000~~)) \$32,369,000 of the Interstate 405 and
16 state route number 167 express toll lanes account—state appropriation
17 is provided solely for the I-405/SR 522 to I-5 Capacity Improvements
18 project (L2000234) for activities related to adding capacity on
19 Interstate 405 between state route number 522 and Interstate 5, with
20 the goals of increasing vehicle throughput and aligning project
21 completion with the implementation of bus rapid transit in the
22 vicinity of the project.

23 (b) The department may advance the I-405/SR 522 to I-5 Capacity
24 Improvements project (L2000234) and construct the project earlier
25 than is scheduled in the ((LEAP)) OFM transportation document
26 referenced in subsection (2) of this section if additional funding is
27 identified and submitted through the existing unanticipated receipts
28 process by September 1, 2021. The department and the state treasurer
29 shall pursue alternatives to toll revenue funding including but not
30 limited to federal loan and grant programs. The department shall
31 explore phasing and modifying the project to attempt to align project
32 completion with the anticipated deployment of bus rapid transit on
33 the corridor in the 2023-2025 biennium. The department shall report
34 back to the transportation committees of the legislature on this work
35 by September 15, 2021.

36 (c) If Z-0416/22 (sales tax deferral) is not enacted by June 30,
37 2022, the amounts provided in this subsection shall lapse.

38 (10) (a) ((~~\$492,349,000~~)) \$200,467,000 of the connecting
39 Washington account—state appropriation ((~~and \$355,000~~)), \$1,021,000

1 of the motor vehicle account—private/local appropriation, and
2 \$200,000,000 of the state route number 520 corridor account—state
3 appropriation are provided solely for the SR 520 Seattle Corridor
4 Improvements - West End project (M00400R).

5 (b) Upon completion of the Montlake Phase of the West End project
6 (current anticipated contract completion of 2023), the department
7 shall sell that portion of the property not used for permanent
8 transportation improvements and initiate a process to convey that
9 surplus property to a subsequent owner.

10 (11) (~~(\$382,880,000)~~) \$381,296,000 of the connecting Washington
11 account—state appropriation, \$4,800,000 of the multimodal
12 transportation account—state appropriation, (~~(\$17,869,000)~~)
13 \$23,389,000 of the motor vehicle account—private/local appropriation,
14 and (~~(\$82,165,000)~~) \$84,536,000 of the motor vehicle account—federal
15 appropriation and \$8,400,000 of the Puget Sound gateway facility
16 account—state appropriation are provided solely for the SR 167/SR 509
17 Puget Sound Gateway project (M00600R).

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

20 (b) In making budget allocations to the Puget Sound Gateway
21 project, the department shall implement the project's construction as
22 a single corridor investment. The department shall continue to
23 collaborate with the affected stakeholders as it implements the
24 corridor construction and implementation plan for state route number
25 167 and state route number 509. Specific funding allocations must be
26 based on where and when specific project segments are ready for
27 construction to move forward and investments can be best optimized
28 for timely project completion. Emphasis must be placed on avoiding
29 gaps in fund expenditures for either project.

30 (c) It is the legislature's intent that the department shall
31 construct a full (~~(single-point urban)~~) interchange at the junction
32 of state route number 161 (Meridian avenue) and state route number
33 167 and a full directional interchange at the junction of state route
34 number 509 and 188th Street. (~~(If the department receives additional~~
35 ~~funds from an outside source for this project after the base project~~
36 ~~is fully funded, the funds must first be applied toward the~~
37 ~~completion of these two interchanges.)~~)

38 (d) Of the amounts provided in this subsection, \$2,300,000 of the
39 multimodal transportation account—state appropriation is provided

1 solely for the design phase of the Puyallup to Tacoma multiuse trail
2 along the SR 167 right-of-way acquired for the project to connect a
3 network of new and existing trails from Mount Rainier to Point
4 Defiance Park.

5 (e) Of the amounts provided in this subsection, \$2,500,000 of the
6 multimodal transportation account—state appropriation is provided
7 solely for segment 2 of the state route number 167 completion project
8 shared-use path to provide connections to the interchange of state
9 route number 167 at 54th to the intersection of state route number
10 509 and Taylor Way in Tacoma.

11 (12) (a) (~~(\$26,928,000)~~) \$25,378,000 of the motor vehicle account—
12 state appropriation and (~~(\$1,671,000)~~) \$413,000 of the motor vehicle
13 account—private/local appropriation are provided solely to support a
14 project office and the continued work toward the I-5 Interstate
15 Bridge Replacement project (L2000370).

16 (b) The project office must also study the possible different
17 governance structures for a bridge authority that would provide for
18 the joint administration of the bridges over the Columbia river
19 between Oregon and Washington. As part of this study, the project
20 office must examine the feasibility and necessity of an interstate
21 compact in conjunction with the national center for interstate
22 compacts.

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

25 (i) Conduct all work necessary to prepare and publish a draft
26 SEIS;

27 (ii) Coordinate with regulatory agencies to begin the process of
28 obtaining environmental approvals and permits;

29 (iii) Identify a locally preferred alternative; and

30 (iv) Begin preparing a final SEIS.

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

34 (13) (a) \$400,000,000 of the coronavirus state fiscal recovery
35 fund—federal appropriation, (~~(\$529,577,000)~~) \$25,327,000 of the
36 connecting Washington account—state appropriation, (~~(\$194,959,000)~~)
37 \$178,186,000 of the motor vehicle account—federal appropriation,
38 \$9,016,000 of the transportation partnership account—state
39 appropriation, and (~~(\$1,849,000)~~) \$6,853,000 of the motor vehicle

1 account—state appropriation and \$5,618,000 of the motor vehicle
2 account—private/local appropriation are provided solely for the Fish
3 Passage Barrier Removal project (0BI4001) with the intent of fully
4 complying with the federal *U.S. v. Washington* court injunction by
5 2030. (~~(Of the amounts provided in this subsection, \$400,000,000 of~~
6 ~~the connecting Washington account state appropriation must be~~
7 ~~initially placed in unallotted status during the 2021-2023 fiscal~~
8 ~~biennium, and may only be released by the office of financial~~
9 ~~management for allotment by the department if it is determined that~~
10 ~~the Fish Passage Barrier Removal project (0BI4001) is not an eligible~~
11 ~~use of amounts received by the state pursuant to the federal American~~
12 ~~rescue plan act of 2021.))~~

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

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

29 (d) Of the amount provided in this subsection, \$142,923,000 of
30 the motor vehicle account—federal appropriation reflects the
31 department's portion of the unrestricted funds from the coronavirus
32 response and relief supplemental appropriations act of 2021. If the
33 final amount from this act changes while the legislature is not in
34 session, the department shall follow the existing unanticipated
35 receipt process and adjust the list referenced in subsection (1) of
36 this section accordingly, supplanting state funds with federal funds
37 if possible as directed in section 601 (~~(of this act)~~), chapter 333,
38 Laws of 2021.

1 (14) (~~(\$14,669,000)~~) \$14,367,000 of the connecting Washington
2 account—state appropriation (~~(and \$3,037,000)~~), \$3,149,000 of the
3 motor vehicle account—private/local appropriation, and \$311,000 of
4 the motor vehicle account—state appropriation are provided solely for
5 the I-90/Barker to Harvard - Improve Interchanges & Local Roads
6 project (L2000122). The connecting Washington account appropriation
7 for the improvements that fall within the city of Liberty Lake may
8 only be expended if the city of Liberty Lake agrees to cover any
9 project costs within the city of Liberty Lake above the \$20,900,000
10 of state appropriation provided for the total project on the list
11 referenced in subsection (1) of this section.

12 (15) (~~(\$15,189,000)~~) \$16,711,000 of the motor vehicle account—
13 federal appropriation, (~~(\$259,000)~~) \$269,000 of the motor vehicle
14 account—state appropriation, and (~~(\$15,481,000)~~) \$17,922,000 of the
15 Interstate 405 and state route number 167 express toll lanes account—
16 state appropriation are provided solely for the SR 167/SR 410 to SR
17 18 - Congestion Management project (316706C).

18 (16) (~~(\$18,914,000)~~) \$18,915,000 of the Special Category C
19 account—state appropriation is provided solely for the SR 18 Widening
20 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
21 and widening state route number 18 to four lanes from Issaquah-Hobart
22 Road to Raging River.

23 (17) \$1,000,000 of the connecting Washington account—state
24 appropriation is provided solely for the North Lewis County
25 transportation study. The study shall examine new, alternate routes
26 for vehicular and truck traffic at the Harrison interchange (Exit 82)
27 in North Centralia and shall allow for a site and configuration to be
28 selected and feasibility to be conducted for final design,
29 permitting, and construction of the I-5/North Lewis county
30 Interchange project (L2000204).

31 (18) (~~(\$1,090,000)~~) \$1,237,000 of the motor vehicle account—state
32 appropriation is provided solely for the US 101/East Sequim Corridor
33 Improvements project (L2000343).

34 (19) (~~(\$12,139,000)~~) \$12,252,000 of the motor vehicle account—
35 state appropriation and \$9,104,000 of the connecting Washington
36 account—state appropriation are provided solely for the SR 522/
37 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
38 project (NPARADI).

1 (20) (~~(\$1,378,000)~~) \$1,455,000 of the motor vehicle account—
2 federal appropriation is provided solely for the US 101/Morse Creek
3 Safety Barrier project (L1000247).

4 (21) (~~(\$915,000)~~) \$1,000,000 of the motor vehicle account—state
5 appropriation is provided solely for the SR 162/410 Interchange
6 Design and Right of Way project (L1000276).

7 (22) (~~(\$6,581,000)~~) \$7,185,000 of the connecting Washington
8 account—state appropriation is provided solely for the US Hwy 2
9 Safety project (N00200R).

10 (23) \$7,200,000 of the multimodal transportation account—federal
11 appropriation is provided to fund state bikeways and trail networks
12 that complete and connect regional trails through population centers
13 on or adjacent to state department of transportation rights of way.
14 For the purpose of this subsection, a regional trail is defined as a
15 trail or shared use path that crosses at least one jurisdictional
16 boundary. The terms trail or path also include a widened shoulder of
17 a highway, street, or road when the extra shoulder width is
18 constructed to accommodate bicyclists consistent with a comprehensive
19 plan or master plan for bicycle trails or paths adopted by a state or
20 local governmental authority. The department shall prioritize trails
21 and shared use paths that serve as regional corridors, serve
22 historically marginalized populations, improve safety of bikeway and
23 trail users, or improve access to public transportation and other
24 modes. The department shall consider equitable distribution of funds
25 across the state so as to support bikeway and trail infrastructure in
26 urban, rural, and suburban communities. For projects that include
27 cross-jurisdictional rights of way, the department may use funds to
28 support connectivity across jurisdictional boundaries. The department
29 shall provide the transportation committees of the legislature an
30 annual report on distribution of funds.

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

37 (~~(+24)~~) (25) Any advisory group that the department convenes
38 during the 2021-2023 fiscal biennium must consider the interests of
39 the entire state of Washington.

1 (~~(25)~~) (26) The legislature continues to prioritize the
2 replacement of the state's aging infrastructure and recognizes the
3 importance of reusing and recycling construction aggregate and
4 recycled concrete materials in our transportation system. To
5 accomplish Washington state's sustainability goals in transportation
6 and in accordance with RCW 70.95.805, the legislature reaffirms its
7 determination that recycled concrete aggregate and other
8 transportation building materials are natural resource construction
9 materials that are too valuable to be wasted and landfilled, and are
10 a commodity as defined in WAC 173-350-100.

11 Further, the legislature determines construction aggregate and
12 recycled concrete materials substantially meet widely recognized
13 international, national, and local standards and specifications
14 referenced in American society for testing and materials, American
15 concrete institute, Washington state department of transportation,
16 Seattle department of transportation, American public works
17 association, federal aviation administration, and federal highway
18 administration specifications, and are described as necessary and
19 desirable products for recycling and reuse by state and federal
20 agencies.

21 As these recyclable materials have well established markets, are
22 substantially a primary or secondary product of necessary
23 construction processes and production, and are managed as an item of
24 commercial value, construction aggregate and recycled concrete
25 materials are exempt from chapter 173-350 WAC.

26 **Sec. 306.** 2021 c 333 s 307 (uncodified) is amended to read as
27 follows:

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

29 Recreational Vehicle Account—State Appropriation	\$1,520,000
30 Transportation 2003 Account (Nickel Account)—State	
31 Appropriation	(\$49,105,000)
32	<u>\$53,911,000</u>
33 Transportation Partnership Account—State	
34 Appropriation	(\$15,183,000)
35	<u>\$21,441,000</u>
36 Motor Vehicle Account—State Appropriation	(\$85,444,000)
37	<u>\$104,282,000</u>
38 Motor Vehicle Account—Federal Appropriation	(\$489,602,000)

1		<u>\$626,313,000</u>
2	Motor Vehicle Account—Private/Local	
3	Appropriation	((\$10,792,000))
4		<u>\$13,735,000</u>
5	Connecting Washington Account—State Appropriation	((\$159,043,000))
6		<u>\$222,551,000</u>
7	State Route Number 520 Corridor Account—State	
8	Appropriation	((\$1,891,000))
9		<u>\$2,143,000</u>
10	Tacoma Narrows Toll Bridge Account—State	
11	Appropriation	((\$9,730,000))
12		<u>\$10,340,000</u>
13	Alaskan Way Viaduct Replacement Project Account—State	
14	Appropriation.	((\$314,000))
15		<u>\$391,000</u>
16	Interstate 405 and State Route Number 167 Express	
17	Toll Lanes Account—State Appropriation.	((\$26,039,000))
18		<u>\$12,830,000</u>
19	TOTAL APPROPRIATION.	((\$848,663,000))
20		<u>\$1,069,457,000</u>

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

23 (1) Except as provided otherwise in this section, the entire
24 connecting Washington account—state appropriation and the entire
25 transportation partnership account—state appropriation are provided
26 solely for the projects and activities as listed by fund, project,
27 and amount in ((~~LEAP Transportation Document 2021-1 as developed~~
28 ~~April 23,~~) OFM Transportation Document 2022-1 as developed December
29 16, 2021, Program - Highway Preservation Program (P). However,
30 limited transfers of specific line-item project appropriations may
31 occur between projects for those amounts listed subject to the
32 conditions and limitations in section 601 ((~~of this act~~)), chapter
33 333, Laws of 2021.

34 (2) Except as provided otherwise in this section, the entire
35 motor vehicle account—state appropriation and motor vehicle account—
36 federal appropriation are provided solely for the projects and
37 activities listed in ((~~LEAP Transportation Document 2021-2 ALL~~
38 ~~PROJECTS as developed April 23,~~) OFM Transportation Document 2022-1
39 as developed December 16, 2021, Program - Highway Preservation

1 Program (P). Any federal funds gained through efficiencies,
2 adjustments to the federal funds forecast, or the federal funds
3 redistribution process must then be applied to highway and bridge
4 preservation activities or fish passage barrier corrections
5 (0BI4001).

6 (3) Within the motor vehicle account—state appropriation,
7 connecting Washington account—state appropriation, and motor vehicle
8 account—federal appropriation, the department may transfer funds
9 between programs I and P, except for funds that are otherwise
10 restricted in this act. Ten days prior to any transfer, the
11 department must submit its request to the office of financial
12 management and the transportation committees of the legislature and
13 consider any concerns raised. The department shall submit a report on
14 fiscal year funds transferred in the prior fiscal year using this
15 subsection as part of the department's annual budget submittal. This
16 transfer authority allows the department to most efficiently manage
17 the appropriation capacity between the I and P programs consistent
18 with the 601 process.

19 (4) (~~(\$5,166,000)~~) \$8,531,000 of the connecting Washington
20 account—state appropriation is provided solely for the land mobile
21 radio upgrade (G2000055) and is subject to the conditions,
22 limitations, and review provided in section 701 (~~(of this act)~~),
23 chapter 333, Laws of 2021. The land mobile radio project is subject
24 to technical oversight by the office of the chief information
25 officer. The department, in collaboration with the office of the
26 chief information officer, shall identify where existing or proposed
27 mobile radio technology investments should be consolidated, identify
28 when existing or proposed mobile radio technology investments can be
29 reused or leveraged to meet multiagency needs, increase mobile radio
30 interoperability between agencies, and identify how redundant
31 investments can be reduced over time. The department shall also
32 provide quarterly reports to the technology services board on project
33 progress.

34 (5) \$5,000,000 of the motor vehicle account—state appropriation
35 is provided solely for extraordinary costs incurred from litigation
36 awards, settlements, or dispute mitigation activities not eligible
37 for funding from the self-insurance fund (L2000290). The amount
38 provided in this subsection must be held in unallotted status until
39 the department submits a request to the office of financial

1 management that includes documentation detailing litigation-related
2 expenses. The office of financial management may release the funds
3 only when it determines that all other funds designated for
4 litigation awards, settlements, and dispute mitigation activities
5 have been exhausted. No funds provided in this subsection may be
6 expended on any legal fees related to the SR 99/Alaskan Way viaduct
7 replacement project (809936Z).

8 (6) (~~(\$11,679,000)~~) \$31,688,000 of the motor vehicle account—
9 federal appropriation and \$185,227,000 of the connecting Washington
10 account—state appropriation is provided solely for preservation
11 projects within project L1100071 that ensure the reliable movement of
12 freight on the national highway freight system. The department shall
13 give priority to those projects that can be advertised by September
14 30, 2021.

15 (7) The appropriation in this section includes funding for
16 starting planning, engineering, and construction of the Elwha River
17 bridge replacement. To the greatest extent practicable, the
18 department shall maintain public access on the existing route.

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

26 (9) \$1,000,000 of the motor vehicle account—state appropriation
27 is provided solely for the SR 109/88 Corner Roadway project
28 (G2000106).

29 **Sec. 307.** 2021 c 333 s 308 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
32 **CAPITAL**

33 Motor Vehicle Account—State Appropriation	((\$8,273,000))
34	<u>\$9,618,000</u>
35 Motor Vehicle Account—Federal Appropriation	((\$5,289,000))
36	<u>\$11,215,000</u>
37 Motor Vehicle Account—Private/Local Appropriation	\$500,000
38 Interstate 405 and State Route Number 167 Express	

1	Toll Lanes Account—State Appropriation.	\$900,000
2	TOTAL APPROPRIATION.	((\$14,962,000))
3		<u>\$22,233,000</u>

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

6 (1) \$579,000 of the motor vehicle account—state appropriation is
7 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

8 (2) ((~~\$1,000,000~~)) \$1,001,000 of the motor vehicle account—state
9 appropriation ((~~is~~)) and \$2,060,000 of the motor vehicle account—
10 federal appropriation are provided solely for the Challenge Seattle
11 project (000009Q). The department shall provide a progress report on
12 this project to the transportation committees of the legislature by
13 January 15, 2022.

14 **Sec. 308.** 2021 c 333 s 309 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**
17 **CONSTRUCTION—PROGRAM W**

18	Puget Sound Capital Construction Account—State	
19	Appropriation	((\$128,759,000))
20		<u>\$263,901,000</u>
21	Puget Sound Capital Construction Account—Federal	
22	Appropriation	((\$139,188,000))
23		<u>\$174,571,000</u>
24	Puget Sound Capital Construction Account—Private/Local	
25	Appropriation	((\$312,000))
26		<u>\$2,181,000</u>
27	Transportation Partnership Account—State	
28	Appropriation	((\$8,410,000))
29		<u>\$9,432,000</u>
30	Connecting Washington Account—State Appropriation	((\$75,640,000))
31		<u>\$99,143,000</u>
32	Capital Vessel Replacement Account—State	
33	Appropriation.	((\$152,453,000))
34		<u>\$177,793,000</u>
35	<u>Transportation 2003 Account (Nickel Account)—State</u>	
36	<u>Appropriation.</u>	<u>\$987,000</u>
37	TOTAL APPROPRIATION.	((\$504,762,000))
38		<u>\$728,008,000</u>

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

3 (1) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects
5 and activities as listed in (~~LEAP Transportation Document 2021-2 ALL~~
6 ~~PROJECTS as developed April 23,~~) OFM Transportation Document 2022-1
7 as developed December 16, 2021, Program - Washington State Ferries
8 Capital Program (W).

9 (2) For the 2021-2023 biennium, the marine division shall provide
10 to the office of financial management and the legislative
11 transportation committees the following reports on ferry capital
12 projects:

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

- 16 (i) Anticipated cost increases and cost savings;
- 17 (ii) Anticipated cash flow and schedule changes; and
- 18 (iii) Explanations for the changes.

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

- 22 (i) What work has been done;
- 23 (ii) How have schedules shifted; and
- 24 (iii) Associated changes in funding among projects, accompanied
25 by explanations for the changes.

26 (c) On an annual basis the report must include an update on the
27 implementation of the maintenance management system with
28 recommendations for using the system to improve the efficiency of
29 project reporting under this subsection.

30 (3) (~~(\$5,000,000)~~) \$12,785,000 of the Puget Sound capital
31 construction account—state appropriation is provided solely for
32 emergency capital repair costs (999910K). Funds may only be spent
33 after approval by the office of financial management.

34 (4) (~~(\$1,277,000)~~) \$2,385,000 of the Puget Sound capital
35 construction account—state appropriation is provided solely for the
36 ORCA card next generation project (L2000300). The ferry system shall
37 work with Washington technology solutions and the tolling division on
38 the development of a new, interoperable ticketing system.

1 (5) (~~(\$24,750,000)~~) \$66,634,000 of the Puget Sound capital
2 construction account—state appropriation is provided solely for the
3 conversion of up to two Jumbo Mark II vessels to electric hybrid
4 propulsion (G2000084). The department shall seek additional funds for
5 the purposes of this subsection. (~~(The department may spend from the~~
6 ~~Puget Sound capital construction account—state appropriation in this~~
7 ~~section only as much as the department receives in Volkswagen~~
8 ~~settlement funds for the purposes of this subsection.)~~)

9 (6) (~~(\$152,453,000)~~) \$177,793,000 of the capital vessel
10 replacement account—state appropriation (~~(is)~~) and \$26,200,000 of the
11 Puget Sound capital construction account—state appropriation are
12 provided solely for the acquisition of a 144-car hybrid-electric
13 vessel (L2000329). In 2019 the legislature amended RCW 47.60.810 to
14 direct the department to modify an existing vessel construction
15 contract to provide for an additional five ferries. As such, it is
16 the intent of the legislature that the department award the contract
17 for the hybrid electric Olympic class vessel #5(L2000329) in a timely
18 manner. In addition, the legislature intends to minimize costs and
19 maximize construction efficiency by providing sufficient funding for
20 construction of all five vessels, including funding for long lead
21 time materials procured at the lowest possible prices. The
22 commencement of construction of new vessels for the ferry system is
23 important not only for safety reasons, but also to keep skilled
24 marine construction jobs in the Puget Sound region and to sustain the
25 capacity of the region to meet the ongoing construction and
26 preservation needs of the ferry system fleet of vessels. The
27 legislature has determined that the current vessel procurement
28 process must move forward with all due speed, balancing the interests
29 of both the taxpayers and shipyards. To accomplish construction of
30 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
31 for vessels initially funded after July 1, 2020, is encouraged to
32 follow the historical practice of subcontracting the construction of
33 ferry superstructures to a separate nonaffiliated contractor located
34 within the Puget Sound region, that is qualified in accordance with
35 RCW 47.60.690.

36 (7) The capital vessel replacement account—state appropriation
37 includes up to \$152,453,000 in proceeds from the sale of bonds
38 authorized in RCW 47.10.873.

1 (8) \$4,200,000 of the connecting Washington account—state
 2 appropriation and \$2,200,000 of the Puget Sound (~~operating~~) capital
 3 construction account (~~[Puget Sound capital construction account]~~)—
 4 federal appropriation are provided solely for ferry vessel and
 5 terminal preservation (L2000110). The funds provided in this
 6 subsection must be used for unplanned preservation needs before
 7 shifting funding from other preservation projects.

8 (9) \$3,500,000 of the Puget Sound capital construction account—
 9 state appropriation is provided for the department to initiate a
 10 vessel design-build process to replace the next class of hybrid
 11 electric propulsion vessels. Predesign studies may include
 12 electrification studies of the associated route and terminals at
 13 Southworth, Vashon, and Fauntleroy (G2000104).

14 (10) \$7,600,000 of the Puget Sound capital construction account—
 15 state appropriation is for the acquisition, engineering, and
 16 installation of electric charging equipment to support state hybrid
 17 electric ferries at Seattle, Bainbridge, and Clinton terminals
 18 (G2000096).

19 (11) \$19,000,000 of the Puget Sound capital construction account—
 20 state appropriation is for the acquisition of a second 144-car
 21 hybrid-electric vessel (G2000098).

22 **Sec. 309.** 2021 c 333 s 310 (uncodified) is amended to read as
 23 follows:

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

25	Essential Rail Assistance Account—State Appropriation	(\$550,000)
26		<u>\$1,126,000</u>
27	Transportation Infrastructure Account—State	
28	Appropriation	(\$5,456,000)
29		<u>\$6,218,000</u>
30	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$1,810,000</u>
31	Multimodal Transportation Account—State	
32	Appropriation	(\$82,493,000)
33		<u>\$126,537,000</u>
34	Multimodal Transportation Account—Federal	
35	Appropriation	(\$41,219,000)
36		<u>\$44,067,000</u>
37	<u>Multimodal Transportation Account—Local Appropriation.</u>	<u>\$13,000</u>
38	TOTAL APPROPRIATION.	(\$129,718,000)

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 Transportation Document 2021-2 ALL PROJECTS as developed April 23,~~) OFM Transportation Document 2022-1 as developed December 16, 2021, Program - Rail Program (Y).

(2) (~~(\$5,089,000)~~) \$5,851,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued. FRIB program loans may be recommended by the department for 2022 supplemental transportation appropriations up to the amount provided in this appropriation that has not been provided for the projects listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of this section. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2021.

(3) (~~(\$6,817,000)~~) \$8,360,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the (~~LEAP~~) OFM transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on

1 transportation costs; jobs saved in rail-dependent industries; and/or
2 reduced future costs to repair wear and tear on state and local
3 highways due to fewer annual truck trips (reduced vehicle miles
4 traveled). The amounts provided in this subsection are not a
5 commitment for future legislatures, but it is the legislature's
6 intent that future legislatures will work to approve biennial
7 appropriations until the full \$7,337,000 cost of this project is
8 reimbursed.

9 (5) (a) (~~(\$550,000)~~) \$1,126,000 of the essential rail assistance
10 account—state appropriation is provided solely for the purpose of the
11 rehabilitation and maintenance of the Palouse river and Coulee City
12 railroad line (F01111B).

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

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

18 (ii) Revenues from trackage rights agreement fees paid by
19 shippers; and

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

24 (6) The department shall issue a call for projects for the
25 freight rail assistance program, and shall evaluate the applications
26 in a manner consistent with past practices as specified in section
27 309, chapter 367, Laws of 2011. By November 15, 2022, the department
28 shall submit a prioritized list of recommended projects to the office
29 of financial management and the transportation committees of the
30 legislature.

31 (7) (~~(\$33,964,000)~~) \$37,996,000 of the multimodal transportation
32 account—state appropriation and \$37,500,000 of the multimodal
33 transportation account—federal appropriation are provided solely for
34 Passenger Rail Equipment Replacement (project 700010C.) The
35 appropriations in this subsection include insurance proceeds received
36 by the state. The department must use these funds only to purchase
37 replacement equipment that has been competitively procured and for
38 service recovery needs and corrective actions related to the December
39 2017 derailment.

(8) \$223,000 of the multimodal transportation account—state appropriation is provided solely for contingency funding for emergent freight rail assistance projects funded in subsection (3) of this section. Project sponsors may apply to the department for contingency funds needed due to unforeseeable cost increases. The department shall submit a report of any contingency funds provided under this subsection as part of the department's annual budget submittal.

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

Sec. 310. 2021 c 333 s 311 (uncodified) is amended to read as follows:

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

Highway Infrastructure Account—State Appropriation	(\$793,000)	
		<u>\$1,744,000</u>
Highway Infrastructure Account—Federal Appropriation	(\$1,600,000)	
		<u>\$2,935,000</u>
Transportation Partnership Account—State Appropriation	(\$750,000)	
		<u>\$1,000,000</u>
Motor Vehicle Account—State Appropriation	(\$11,064,000)	
		<u>\$22,288,000</u>
Motor Vehicle Account—Federal Appropriation	(\$55,751,000)	
		<u>\$79,306,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$6,600,000	
Connecting Washington Account—State Appropriation	(\$123,292,000)	
		<u>\$171,755,000</u>
Multimodal Transportation Account—State Appropriation	(\$71,615,000)	
		<u>\$95,825,000</u>
Carbon Emissions Reduction Account—State Appropriation	\$45,000,000	
TOTAL APPROPRIATION	(\$271,465,000)	

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 Transportation Document 2021-2 ALL PROJECTS as developed April 23~~) OFM Transportation Document 2022-1 as developed December 16, 2021, Program - Local Programs Program (Z).

(2) Transfer of funds between projects on the project list are allowed but must be submitted to the office of financial management and the transportation committees of the legislature for review and comment and must include an explanation of variances from prior approved lists. Any project list revisions must be reviewed by the office of financial management and transportation committees of the legislature within 10 business days of submission and revised project funds may not be expended until approved by the office of financial management.

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

(a) (~~(\$32,613,000)~~) \$46,163,000 of the multimodal transportation account—state appropriation is provided solely for pedestrian and bicycle safety program projects (L2000188).

(b) (~~(\$19,344,000)~~) \$26,086,000 of the motor vehicle account—federal appropriation and (~~(\$17,397,000)~~) \$21,656,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(c) \$30,000,000 of carbon emissions reduction account—state appropriation is provided for the expansion of pedestrian and bicycle safety grant program. Expenditure of the amount provided in this subsection is contingent upon: (i) The availability of revenue

1 deposited in the account for expenditure; and (ii) enactment of
2 request legislation brought forth by the department of ecology, as
3 required by RCW 70A.65.230. If such legislation is not enacted by
4 April 1, 2023, the amount provided in this subsection shall lapse. At
5 least 50 percent of the funds provided must be used in overburdened
6 communities as defined by RCW 70A.02.010.

7 (d) \$15,000,000 of carbon emissions reduction account—state
8 appropriation is provided for the expansion of the safe routes to
9 school grant program. Expenditure of the amount provided in this
10 subsection is contingent upon: (i) The availability of revenue
11 deposited in the account for expenditure; and (ii) enactment of
12 request legislation brought forth by the department of ecology, as
13 required by RCW 70A.65.230. If such legislation is not enacted by
14 April 1, 2023, the amount provided in this subsection shall lapse. At
15 least 50 percent of the funds provided must be used in overburdened
16 communities as defined by RCW 70A.02.010.

17 ~~((3))~~ (4) The department shall submit a report to the
18 transportation committees of the legislature by December 1, 2021, and
19 December 1, 2022, on the status of projects funded as part of the
20 pedestrian safety/safe routes to school grant program. The report
21 must include, but is not limited to, a list of projects selected and
22 a brief description of each project's status. In its December 1,
23 2021, report the department must also include recommended changes to
24 the pedestrian safety/safe routes to school grant program application
25 and selection processes to increase utilization by a greater
26 diversity of jurisdictions.

27 ~~((4) — \$6,561,000)~~ (5) \$11,987,000 of the multimodal
28 transportation account—state appropriation is provided solely for
29 bicycle and pedestrian projects listed in the ~~((LEAP))~~ OFM
30 transportation document referenced in subsection (1) of this section.

31 ~~((5))~~ (6) It is the expectation of the legislature that the
32 department will be administering a local railroad crossing safety
33 grant program for \$7,000,000 in federal funds during the 2021-2023
34 fiscal biennium.

35 ~~((6) — \$12,500,000)~~ (7) \$17,438,000 of the motor vehicle account—
36 federal appropriation is provided solely for national highway freight
37 network projects identified on the project list submitted in
38 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
39 October 31, 2016 (L1000169).

1 ~~((7))~~ (8) When the department updates its federally-compliant
2 freight plan, it shall consult the freight mobility strategic
3 investment board on the freight plan update and on the investment
4 plan component that describes how the estimated funding allocation
5 for the national highway freight program for federal fiscal years
6 2022-2025 will be invested and matched. The investment plan component
7 for the state portion of national highway freight program funds must
8 first address shortfalls in funding for connecting Washington act
9 projects. The department shall complete the freight plan update in
10 compliance with federal requirements and deadlines and shall provide
11 an update on the development of the freight plan, including the
12 investment plan component, when submitting its 2022 supplemental
13 appropriations request.

14 ~~((8) \$11,679,000)~~ (9) \$35,411,000 of the motor vehicle account—
15 federal appropriation is provided solely for acceleration of local
16 preservation projects that ensure the reliable movement of freight on
17 the national highway freight system (G2000100). The department will
18 identify projects through its current national highway system asset
19 management call for projects with applications due in February 2021.
20 The department shall give priority to those projects that can be
21 obligated by September 30, 2021.

22 NEW SECTION. **Sec. 311.** A new section is added to 2021 c 333
23 (uncodified) to read as follows:

24 **FUNDS MANAGEMENT**

25 (1) As part of the department's 2023-2025 biennial budget
26 request, the department shall provide an overview of capital funds
27 management challenges and recommendations for funds management
28 strategies that would improve the likelihood of increasing
29 performance associated with the following outcomes:

- 30 (a) Streamline delivery of the department's capital program;
31 (b) Increase the likelihood that federal funds are committed and
32 used prior to debt backed capital resources;
33 (c) Reduce administrative efforts in time and cost;
34 (d) Ensure the federal government is contributing its share
35 toward overhead costs;
36 (e) Increase disadvantaged business enterprise program
37 participation and/or funding;

- 1 (f) Maximize the amount of federal redistributed and grant
 2 funding received by the state, including how to position the state
 3 for providing state matching funds for federal grant opportunities;
 4 (g) Increase clarity on how federal funds are administered;
 5 (h) Identify opportunities to leverage current and future toll
 6 credits secured by the state; and
 7 (i) Minimize the risk of audit findings related to federal funds.
 8 (2) This information is intended to be used to inform subsequent
 9 funding conversations and help identify opportunities to achieve
 10 outcomes associated with transportation capital investments.
 11 (3) The department shall provide recommendations on the
 12 transportation appropriations act structure and project list
 13 amendments to most efficiently utilize state and federal capital
 14 funds.

15 **TRANSFERS AND DISTRIBUTIONS**

16 **Sec. 401.** 2021 c 333 s 401 (uncodified) is amended to read as
 17 follows:

18 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 19 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
 20 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
 21 **REVENUE**

22	Transportation Partnership Account—State Appropriation.	((\$904,000))
23		<u>\$1,421,000</u>
24	Connecting Washington Account—State Appropriation.	((\$11,153,000))
25		<u>\$5,339,000</u>
26	Special Category C Account—State Appropriation.	((\$412,000))
27		<u>\$269,000</u>
28	Highway Bond Retirement Account—State	
29	Appropriation.	((\$1,483,793,000))
30		<u>\$1,431,792,000</u>
31	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
32	Transportation Improvement Board Bond Retirement	
33	Account—State Appropriation.	((\$11,770,000))
34		<u>\$11,701,000</u>
35	Nondebt-Limit Reimbursable Bond Retirement	
36	Account—State Appropriation.	((\$29,323,000))
37		<u>\$29,278,000</u>

1 Toll Facility Bond Retirement Account—State
 2 Appropriation. \$76,376,000
 3 TOTAL APPROPRIATION. (~~(\$1,630,881,000)~~)
 4 \$1,573,326,000

5 **Sec. 402.** 2021 c 333 s 402 (uncodified) is amended to read as
 6 follows:

7 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
 9 **FISCAL AGENT CHARGES**

10 Transportation Partnership Account—State
 11 Appropriation. (~~(\$181,000)~~)
 12 \$305,000
 13 Connecting Washington Account—State Appropriation. . . (~~(\$2,231,000)~~)
 14 \$1,068,000
 15 Special Category C Account—State Appropriation. (~~(\$82,000)~~)
 16 \$54,000
 17 TOTAL APPROPRIATION. (~~(\$2,494,000)~~)
 18 \$1,427,000

19 **Sec. 403.** 2021 c 333 s 403 (uncodified) is amended to read as
 20 follows:

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

22 Motor Vehicle Account—State Appropriation: For motor
 23 vehicle fuel tax statutory distributions to
 24 cities and counties. (~~(\$467,390,000)~~)
 25 \$474,977,000
 26 Multimodal Transportation Account—State
 27 Appropriation: For distribution to cities and
 28 counties. \$26,786,000
 29 Motor Vehicle Account—State Appropriation: For
 30 distribution to cities and counties. \$23,438,000

31 **Sec. 404.** 2021 c 333 s 404 (uncodified) is amended to read as
 32 follows:

33 **FOR THE STATE TREASURER—TRANSFERS**

34 Motor Vehicle Account—State Appropriation: For motor
 35 vehicle fuel tax refunds and statutory
 36 transfers. (~~(\$1,974,599,000)~~)

Sec. 405. 2021 c 333 s 405 (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. ((\$235,675,000))
\$263,972,000

Sec. 406. 2021 c 333 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State. \$47,000,000

(2) (a) Transportation Partnership Account—State Appropriation: For transfer to the Capital Vessel Replacement Account—State. \$152,453,000

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

(3) (a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State. \$30,293,000

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

(4) (a) Motor Vehicle Account—State Appropriation: For transfer to Alaskan Way Viaduct Account—State. \$6,000,000

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

(5) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State. \$7,666,000

1 (6) Motor Vehicle Account—State Appropriation:
2 For transfer to the Freight Mobility Investment
3 Account—State. \$5,511,000
4 (7) Motor Vehicle Account—State Appropriation:
5 For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000
6 (8) Motor Vehicle Account—State Appropriation:
7 For transfer to the Transportation Improvement
8 Account—State. \$9,688,000
9 (9) Rural Mobility Grant Program Account—State
10 Appropriation: For transfer to the Multimodal
11 Transportation Account—State. \$3,000,000
12 (10) (a) State Route Number 520 Civil Penalties
13 Account—State Appropriation: For transfer to the
14 Motor Vehicle Account—State
15 \$2,000,000
16 (b) The transfer in this subsection is to repay moneys loaned to
17 the state route number 520 civil penalties account in the 2019-2021
18 fiscal biennium.
19 (11) State Route Number 520 Civil Penalties
20 Account—State Appropriation: For transfer to the
21 State Route Number 520 Corridor Account—State. \$1,532,000
22 (12) Capital Vessel Replacement Account—State
23 Appropriation: For transfer to the Connecting
24 Washington Account—State. \$35,000,000
25 (13) (a) Capital Vessel Replacement Account—State
26 Appropriation: For transfer to the Transportation
27 Partnership Account—State. \$10,305,000
28 (b) The amount transferred in this subsection represents
29 repayment of debt service incurred for the construction of the Hybrid
30 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
31 (14) Multimodal Transportation Account—State
32 Appropriation: For transfer to the Complete Streets
33 Grant Program Account—State. \$14,670,000
34 (15) Multimodal Transportation Account—State
35 Appropriation: For transfer to the Connecting
36 Washington Account—State. \$200,000,000
37 (16) Multimodal Transportation Account—State
38 Appropriation: For transfer to the Freight Mobility
39 Multimodal Account—State. \$4,011,000

1 (17) Multimodal Transportation Account—State
 2 Appropriation: For transfer to the Ignition Interlock
 3 Device Revolving Account—State. \$600,000
 4 (18) Multimodal Transportation Account—State
 5 Appropriation: For transfer to the Pilotage
 6 Account—State. (~~(\$1,500,000)~~)
 7 \$2,500,000
 8 (19) Multimodal Transportation Account—State
 9 Appropriation: For transfer to the Puget Sound
 10 Capital Construction Account—State. \$60,000,000
 11 (20) Multimodal Transportation Account—State
 12 Appropriation: For transfer to the Regional Mobility
 13 Grant Program Account—State. \$27,679,000
 14 (21) Multimodal Transportation Account—State
 15 Appropriation: For transfer to the Rural Mobility
 16 Grant Program Account—State. \$15,223,000
 17 (22) (a) Alaskan Way Viaduct Replacement Project
 18 Account—State Appropriation: For transfer to the
 19 Transportation Partnership Account—State. \$22,884,000
 20 (b) The amount transferred in this subsection represents
 21 repayment of debt service incurred for the construction of the SR 99/
 22 Alaskan Way Viaduct Replacement project (809936Z).
 23 (23) Tacoma Narrows Toll Bridge Account—State
 24 Appropriation: For transfer to the Motor Vehicle
 25 Account—State. \$950,000
 26 (24) Puget Sound Ferry Operations Account—State
 27 Appropriation: For transfer to the Puget Sound
 28 Capital Construction Account—State. \$60,000,000
 29 (25) (a) General Fund Account—State
 30 Appropriation: For transfer to the State Patrol
 31 Highway Account—State. \$625,000
 32 (b) The state treasurer shall transfer the funds only after
 33 receiving notification from the Washington state patrol under section
 34 207(2) (~~(of this act)~~), chapter 333, Laws of 2021.
 35 (26) Highway Safety Account—State
 36 Appropriation: For transfer to the Freight Mobility
 37 Investment Account—State. \$1,300,000
 38 (27) Motor Vehicle Account—State
 39 Appropriation: For transfer to the I-405/SR 167

1 Sections 503 through 520 (~~of this act~~), chapter 333, Laws of
2 2021 represent the results of the 2021-2023 collective bargaining
3 process required under chapters 41.80, 47.64, and 41.56 RCW. In
4 addition, the improved economic and revenue forecast provides the
5 ability to address compensation needs and recognize the hard work and
6 commitment that state employees have shown through the pandemic.
7 Sections 502 through 519 of this act represent the results of the
8 collective bargaining process from reopening the 2021-2023 contracts
9 for the limited purpose of bargaining over compensation, and are
10 described in general terms. Provisions of the collective bargaining
11 agreements contained in sections 503 through 520 (~~of this act~~),
12 chapter 333, Laws of 2021 are described in general terms. Only major
13 economic terms are included in the descriptions. These descriptions
14 do not contain the complete contents of the agreements. The
15 collective bargaining agreements contained in sections 503 through
16 520 (~~of this act~~), chapter 333, Laws of 2021 may also be funded by
17 expenditures from nonappropriated accounts. If positions are funded
18 with lidded grants or dedicated fund sources with insufficient
19 revenue, additional funding from other sources is not provided.

20 **Sec. 502.** 2021 c 333 s 503 (uncodified) is amended to read as
21 follows:

22 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
23 **AGREEMENTS—OPEIU**

24 (1) An agreement has been reached between the governor and the
25 office and professional employees international union local eight
26 (OPEIU) pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
27 biennium. Funding is provided to fund the agreement, which does not
28 include wage increases but does include furloughs. The agreement
29 provides that positions designated by the employer as not requiring
30 backfill take 24 furlough days during the biennium. In addition, the
31 following positions are not subject to the furlough requirement: Bid
32 administrator, dispatch, dispatch coordinator, and relief positions.

33 (2) An agreement has been reached between the governor and the
34 office and professional employees international union local eight
35 (OPEIU) pursuant to chapter 47.64 RCW for fiscal year 2023. The
36 agreement includes and funding is provided for a general wage
37 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
38 for employees hired before July 1, 2022.

1 **Sec. 503.** 2021 c 333 s 504 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—FASPAA**

5 (1) An agreement has been reached between the governor and the
6 ferry agents, supervisors, and project administrators association
7 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
8 Funding is provided to fund the agreement, which does not include
9 wage increases but does include furloughs. The agreement provides
10 that positions designated by the employer as not requiring backfill
11 take 24 furlough days during the biennium.

12 (2) An agreement has been reached between the governor and the
13 ferry agents, supervisors, and project administrators association
14 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
15 includes and funding is provided for a general wage increase of 3.25
16 percent for fiscal year 2023 and a lump sum payment for employees
17 hired before July 1, 2022.

18 **Sec. 504.** 2021 c 333 s 505 (uncodified) is amended to read as
19 follows:

20 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
21 **AGREEMENTS—SEIU LOCAL 6**

22 (1) An agreement has been reached between the governor and the
23 service employees international union local 6 pursuant to chapter
24 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
25 fund the agreement, which does not include wage increases but does
26 include furloughs. The agreement provides that positions designated
27 by the employer as not requiring backfill take 24 furlough days
28 during the biennium.

29 (2) An agreement has been reached between the governor and the
30 service employees international union local 6 pursuant to chapter
31 47.64 RCW for fiscal year 2023. The agreement includes and funding is
32 provided for a general wage increase of 3.25 percent for fiscal year
33 2023 and a lump sum payment for employees hired before July 1, 2022.

34 **Sec. 505.** 2021 c 333 s 506 (uncodified) is amended to read as
35 follows:

36 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
37 **AGREEMENTS—CARPENTERS**

1 (1) An agreement has been reached between the governor and the
2 Pacific Northwest regional council of carpenters pursuant to chapter
3 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
4 fund the agreement, which does not include wage increases but does
5 include furloughs. The agreement provides that positions designated
6 by the employer as not requiring backfill take 24 furlough days
7 during the biennium.

8 (2) An agreement has been reached between the governor and the
9 Pacific Northwest regional council of carpenters pursuant to chapter
10 47.64 RCW for fiscal year 2023. The agreement includes and funding is
11 provided for a general wage increase of 3.25 percent for fiscal year
12 2023 and a lump sum payment for employees hired before July 1, 2022.

13 **Sec. 506.** 2021 c 333 s 507 (uncodified) is amended to read as
14 follows:

15 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
16 **AGREEMENTS—METAL TRADES**

17 (1) An agreement has been reached between the governor and the
18 Puget Sound metal trades council through an interest arbitration
19 award pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
20 biennium. The arbitration award imposed and funding is provided to
21 implement a 1.9((%)) percent general wage decrease from July 1, 2021,
22 through June 30, 2022, and exempted these employees from the furlough
23 requirement.

24 (2) An agreement has been reached between the governor and the
25 Puget Sound metal trades council pursuant to chapter 47.64 RCW for
26 fiscal year 2023. The agreement includes and funding is provided for
27 a general wage increase of 3.25 percent for fiscal year 2023 and a
28 lump sum payment for employees hired before July 1, 2022.

29 **Sec. 507.** 2021 c 333 s 508 (uncodified) is amended to read as
30 follows:

31 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
32 **AGREEMENTS—MEBA-UL**

33 (1) An agreement has been reached between the governor and the
34 marine engineers' beneficial association unlicensed engine room
35 employees pursuant to chapter 47.64 RCW for the 2021-2023 fiscal
36 biennium. Funding is provided to fund the agreement, which does not
37 include either wage increases or the furlough requirement.

1 (2) An agreement has been reached between the governor and the
2 marine engineers' beneficial association unlicensed engine room
3 employees pursuant to chapter 47.64 RCW for fiscal year 2023. The
4 agreement includes and funding is provided for a general wage
5 increase of 3.25 percent for fiscal year 2023 and a lump sum payment
6 for employees hired before July 1, 2022.

7 **Sec. 508.** 2021 c 333 s 509 (uncodified) is amended to read as
8 follows:

9 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
10 **AGREEMENTS—MEBA-L**

11 (1) An agreement has been reached between the governor and the
12 marine engineers' beneficial association licensed engineer officers
13 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
14 Funding is provided to fund the agreement, which does not include
15 either wage increases or the furlough requirement.

16 (2) An agreement has been reached between the governor and the
17 marine engineers' beneficial association licensed engineer officers
18 pursuant to chapter 47.64 RCW for fiscal year 2023. The agreement
19 includes and funding is provided for a general wage increase of 3.25
20 percent for fiscal year 2023 and a lump sum payment for employees
21 hired before July 1, 2022.

22 **Sec. 509.** 2021 c 333 s 510 (uncodified) is amended to read as
23 follows:

24 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
25 **AGREEMENTS—MEBA—PORT ENGINEERS**

26 (1) An agreement has been reached between the governor and the
27 marine engineers' beneficial association port engineers pursuant to
28 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
29 provided to fund the agreement, which does not include wage increases
30 but does include furloughs. The agreement provides that positions
31 designated by the employer as not requiring backfill take 24 furlough
32 days during the biennium.

33 (2) An agreement has been reached between the governor and the
34 marine engineers' beneficial association port engineers pursuant to
35 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
36 funding is provided for a general wage increase of 3.25 percent for
37 fiscal year 2023 and a lump sum payment for employees hired before
38 July 1, 2022.

1 **Sec. 510.** 2021 c 333 s 511 (uncodified) is amended to read as
2 follows:

3 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
4 **AGREEMENTS—MM&P MATES**

5 (1) An agreement has been reached between the governor and the
6 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
7 the 2021-2023 fiscal biennium. Funding is provided to fund the
8 agreement, which includes a two percent wage increase for second
9 mates, and does not include the furlough requirement.

10 (2) An agreement has been reached between the governor and the
11 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
12 fiscal year 2023. The agreement includes and funding is provided for
13 a general wage increase of 3.25 percent for fiscal year 2023 and a
14 lump sum payment for employees hired before July 1, 2022.

15 **Sec. 511.** 2021 c 333 s 512 (uncodified) is amended to read as
16 follows:

17 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
18 **AGREEMENTS—MM&P MASTERS**

19 (1) An agreement has been reached between the governor and the
20 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
21 for the 2021-2023 fiscal biennium. Funding is provided to fund the
22 agreement, which does not include either wage increases or the
23 furlough requirement.

24 (2) An agreement has been reached between the governor and the
25 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
26 for fiscal year 2023. The agreement includes and funding is provided
27 for a general wage increase of 3.25 percent for fiscal year 2023 and
28 a lump sum payment for employees hired before July 1, 2022.

29 **Sec. 512.** 2021 c 333 s 513 (uncodified) is amended to read as
30 follows:

31 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
32 **AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

33 (1) An agreement has been reached between the governor and the
34 masters, mates, and pilots - watch center supervisors pursuant to
35 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
36 provided to fund the agreement, which does not include wage increases

1 but does include furloughs only for the following positions: Fleet
2 facility security officers and workforce development leads.

3 (2) An agreement has been reached between the governor and the
4 masters, mates, and pilots - watch center supervisors pursuant to
5 chapter 47.64 RCW for fiscal year 2023. The agreement includes and
6 funding is provided for a general wage increase of 3.25 percent for
7 fiscal year 2023 and a lump sum payment for employees hired before
8 July 1, 2022.

9 **Sec. 513.** 2021 c 333 s 514 (uncodified) is amended to read as
10 follows:

11 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
12 **AGREEMENTS—IBU**

13 (1) An agreement has been reached between the governor and the
14 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
15 through an interest arbitration award for the 2021-2023 fiscal
16 biennium. Funding is provided to fund the agreement, which does not
17 include wage increases, but does include furlough days for employees
18 in positions that do not require the position to be backfilled.

19 (2) An agreement has been reached between the governor and the
20 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
21 for fiscal year 2023. The agreement includes and funding is provided
22 for a general wage increase of 3.25 percent for fiscal year 2023 and
23 a lump sum payment for employees hired before July 1, 2022.

24 **Sec. 514.** 2021 c 333 s 515 (uncodified) is amended to read as
25 follows:

26 **COLLECTIVE BARGAINING AGREEMENT—WFSE**

27 (1) An agreement has been reached between the governor and the
28 Washington federation of state employees under the provisions of
29 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
30 provided to fund the agreement, which does not include wage
31 increases, but does include 24 furlough days for employees in
32 position that do not require the position to be backfilled.

33 (2) An agreement has been reached between the governor and the
34 Washington federation of state employees under the provisions of
35 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
36 funding is provided for a general wage increase of 3.25 percent for
37 fiscal year 2023 and a lump sum payment for employees who were

1 employed continuously starting on or before July 1, 2021, through
2 June 30, 2022.

3 **Sec. 515.** 2021 c 333 s 516 (uncodified) is amended to read as
4 follows:

5 **COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

6 (1) An agreement has been reached between the governor and the
7 professional and technical employees local 17 under the provisions of
8 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
9 provided to fund the agreement, which does not include wage
10 increases, but does include 24 furlough days for employees in
11 position that do not require the position to be backfilled.

12 (2) An agreement has been reached between the governor and the
13 professional and technical employees local 17 under the provisions of
14 chapter 41.80 RCW for fiscal year 2023. The agreement includes and
15 funding is provided for a general wage increase of 3.25 percent for
16 fiscal year 2023 and a lump sum payment for employees who were
17 employed continuously starting on or before July 1, 2021, through
18 June 30, 2022.

19 **Sec. 516.** 2021 c 333 s 517 (uncodified) is amended to read as
20 follows:

21 **COLLECTIVE BARGAINING AGREEMENT—WPEA**

22 (1) An agreement has been reached between the governor and the
23 Washington public employees association under the provisions of
24 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
25 provided to fund the agreement, which does not include wage
26 increases, but does include 24 furlough days for employees in
27 positions that do not require the position to be backfilled.

28 (2) An agreement has been reached between the governor and the
29 Washington public employees association general government under the
30 provisions of chapter 41.80 RCW for fiscal year 2023. The agreement
31 includes and funding is provided for a general wage increase of 3.25
32 percent for fiscal year 2023 and a lump sum payment for employees
33 hired before July 1, 2022.

34 **Sec. 517.** 2021 c 333 s 518 (uncodified) is amended to read as
35 follows:

36 **COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

1 (1) An agreement has been reached for the 2019-2021 biennium
2 between the governor and the coalition of unions under the provisions
3 of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
4 provided to fund the agreement, which includes 24 furlough days for
5 employees in position that do not require the position to be
6 backfilled. The agreement includes and funding is provided for a 2.5
7 percent wage increase for fiscal year 2022 and a 2.5 percent wage
8 increase for fiscal year 2023 for the department of corrections
9 marine vessel operators.

10 (2) An agreement has been reached between the governor and the
11 coalition of unions under the provisions of chapter 41.80 RCW for
12 fiscal year 2023. The agreement includes and funding is provided for
13 a general wage increase of 3.25 percent for fiscal year 2023 and a
14 lump sum payment for employees hired before July 1, 2022.

15 **Sec. 518.** 2021 c 333 s 519 (uncodified) is amended to read as
16 follows:

17 **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

18 (1) An agreement has been reached between the governor and the
19 Washington state patrol troopers association under the provisions of
20 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
21 provided to fund the agreement, which does not include general wages
22 increases but does provide the ability to request to reopen the
23 compensation article for the purpose of bargaining base rate of pay
24 for fiscal year 2023.

25 (2) An agreement has been reached between the governor and the
26 Washington state patrol troopers association under the provisions of
27 chapter 41.56 RCW for fiscal year 2023. The agreement includes and
28 funding is provided for a general wage increase of 10 percent for
29 fiscal year 2023.

30 **Sec. 519.** 2021 c 333 s 520 (uncodified) is amended to read as
31 follows:

32 **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS**
33 **ASSOCIATION**

34 (1) An agreement has been reached between the governor and the
35 Washington state patrol lieutenants and captains association under
36 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
37 biennium. Funding is provided to fund the agreement, which does not
38 include general wages increases but does provide the ability to

1 request to reopen the compensation article for the purpose of
2 bargaining base rate of pay for fiscal year 2023.

3 (2) An agreement has been reached between the governor and the
4 Washington state patrol lieutenants and captains association under
5 the provisions of chapter 41.56 RCW for fiscal year 2023. The
6 agreement includes and funding is provided for a general wage
7 increase of 10 percent for fiscal year 2023.

8 **Sec. 520.** 2021 c 333 s 521 (uncodified) is amended to read as
9 follows:

10 **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE**
11 **BENEFITS**

12 An agreement was reached for the 2021-2023 biennium between the
13 governor and the health care coalition under the provisions of
14 chapter 41.80 RCW. Appropriations in this act for state agencies,
15 including institutions of higher education, are sufficient to
16 implement the provisions of the 2021-2023 collective bargaining
17 agreement, which maintains the provisions of the 2019-2021 agreement,
18 and are subject to the following conditions and limitations:

19 The monthly employer funding rate for insurance benefit premiums,
20 public employees' benefits board administration, and the uniform
21 medical plan, shall not exceed \$936 per eligible employee for fiscal
22 year 2022. For fiscal year 2023, the monthly employer funding rate
23 shall not exceed (~~(\$1091)~~) \$1,130 per eligible employee.

24 The board shall collect a \$25 per month surcharge payment from
25 members who use tobacco products and a surcharge payment of not less
26 than \$50 per month from members who cover a spouse or domestic
27 partner where the spouse or domestic partner has chosen not to enroll
28 in another employer-based group health insurance that has benefits
29 and premiums with an actuarial value of not less than 95 percent of
30 the actuarial value of the public employees' benefits board plan with
31 the largest enrollment. The surcharge payments shall be collected in
32 addition to the member premium payment if directed by the
33 legislature.

34 **Sec. 521.** 2021 c 333 s 522 (uncodified) is amended to read as
35 follows:

36 **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—**
37 **INSURANCE BENEFITS**

1 Appropriations for state agencies in this act are sufficient for
2 represented employees outside the coalition for health benefits, and
3 are subject to the following conditions and limitations: The monthly
4 employer funding rate for insurance benefit premiums, public
5 employees' benefits board administration, and the uniform medical
6 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
7 For fiscal year 2023, the monthly employer funding rate may not
8 exceed (~~(\$1091)~~) \$1,130 per eligible employee.

9 **Sec. 522.** 2021 c 333 s 523 (uncodified) is amended to read as
10 follows:

11 **COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

12 Appropriations for state agencies in this act are sufficient for
13 nonrepresented state employee health benefits for state agencies,
14 including institutions of higher education, and are subject to the
15 following conditions and limitations: The employer monthly funding
16 rate for insurance benefit premiums, public employees' benefits board
17 administration, and the uniform medical plan, shall not exceed \$936
18 per eligible employee for fiscal year 2022. For fiscal year 2023, the
19 monthly employer funding rate shall not exceed (~~(\$1091)~~) \$1,130 per
20 eligible employee.

21 NEW SECTION. **Sec. 523.** A new section is added to 2021 c 333
22 (uncodified) to read as follows:

23 **GENERAL WAGE INCREASES**

24 (1) Appropriations for state agency employee compensation in this
25 act are sufficient to provide general wage increases to state agency
26 employees who are not represented or who bargain under statutory
27 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or
28 RCW 41.56.475.

29 (2) Funding is provided for a 3.25 percent salary increase
30 effective July 1, 2022, for all classified employees as specified in
31 subsection (1) of this section, employees in the Washington
32 management service, and exempt employees under the jurisdiction of
33 the office of financial management. The appropriations are also
34 sufficient to fund a 3.25 percent salary increase effective July 1,
35 2022 for executive, legislative, and judicial branch employees exempt
36 from merit system rules whose maximum salaries are not set by the
37 commission on salaries of elected officials.

1 NEW SECTION. **Sec. 524.** A new section is added to 2021 c 333
2 (uncodified) to read as follows:

3 **TARGETED JOB CLASSIFICATION INCREASES**

4 Appropriations in section 525 of this act provide funding for
5 targeted job classification base range increases ranging between 2.5
6 percent to 17.5 percent in fiscal year 2023 to state agency employees
7 who are not represented or who bargain under statutory authority
8 other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

9 NEW SECTION. **Sec. 525.** A new section is added to 2021 c 333
10 (uncodified) to read as follows:

11 **TARGETED JOB CLASSIFICATION INCREASES**

12	Motor Vehicle Account—State Appropriation.	\$90,000
13	State Patrol Highway Account—State Appropriation.	\$49,000
14	Highway Safety Account—State Appropriation.	\$8,000
15	Highway Safety Account—Federal Appropriation.	\$5,000
16	Other Appropriated Funds.	\$5,000
17	TOTAL APPROPRIATION.	\$157,000

18 (1) Funding is provided solely for providing base wage increases
19 to state agency employees who are not represented or who bargain
20 under statutory authority other than chapter 41.80 or 47.64 RCW or
21 RCW 41.56.473 or 41.56.475. Appropriations for state agencies are
22 increased by the amounts specified in OFM transportation document
23 2022-5, dated December 16, 2021, to fund the provisions of this
24 section.

25 (2) Washington general service job classifications to receive
26 base pay increases within this section are:

27 (a) Administrative Assistant 3, one base range (approximately 2.5
28 percent);

29 (b) AGO Investigator/Analyst Supervisor, two base ranges
30 (approximately 5 percent);

31 (c) AGO Investigator/Analyst, two base ranges (approximately 5
32 percent);

33 (d) AGO Senior Investigator/Analyst, two base ranges
34 (approximately 5 percent);

35 (e) Classification Counselor 2, seven base ranges (approximately
36 17.5 percent);

37 (f) Cook, AC, six base ranges (approximately 15 percent);

- 1 (g) Corrections and Custody Officer 2, three base ranges
2 (approximately 7.5 percent);
- 3 (h) Corrections and Custody Officer 3, three base ranges
4 (approximately 7.5 percent);
- 5 (i) Custodian 4, one base range (approximately 2.5 percent);
- 6 (j) Custodian 5, two base ranges (approximately 5 percent);
- 7 (k) Developmental Disability Case/Resource Manager, two base
8 ranges (approximately 5 percent);
- 9 (l) Developmental Disability Administrator, one base range
10 (approximately 2.5 percent);
- 11 (m) Equipment Operator 2, two base ranges (approximately 5
12 percent);
- 13 (n) Equipment Operator Lead, one base range (approximately 2.5
14 percent);
- 15 (o) Equipment Technician Lead, two base ranges (approximately 5
16 percent);
- 17 (p) Fiscal Analyst 1, four base ranges (approximately 10
18 percent);
- 19 (q) Fiscal Analyst 2, four base ranges (approximately 10
20 percent);
- 21 (r) Fiscal Analyst 3, four base ranges (approximately 10
22 percent);
- 23 (s) Fiscal Analyst 4, four base ranges (approximately 10
24 percent);
- 25 (t) Fiscal Analyst 5, two base ranges (approximately 5 percent);
- 26 (u) Fiscal Technician 2, two base ranges (approximately 5
27 percent);
- 28 (v) Fiscal Technician 3, two base ranges (approximately 5
29 percent);
- 30 (w) Fiscal Technician Lead, three base ranges (approximately 7.5
31 percent);
- 32 (x) Food Service Manager 1, six base ranges (approximately 15
33 percent);
- 34 (y) Food Service Manager 2, five base ranges (approximately 12.5
35 percent);
- 36 (z) Food Service Manager 3, five base ranges (approximately 12.5
37 percent);
- 38 (aa) Food Service Manager 4, three base ranges (approximately 7.5
39 percent);

- 1 (bb) Food Service Manager 5, one base range (approximately 2.5
2 percent);
- 3 (cc) Food Service Supervisor 2, six base ranges (approximately 15
4 percent)
- 5 (dd) Health Care Investigator 4, one base range (approximately
6 2.5 percent);
- 7 (ee) Investigator 2, three base ranges (approximately 7.5
8 percent);
- 9 (ff) Investigator 3, three base ranges (approximately 7.5
10 percent);
- 11 (gg) Investigator 4, three base ranges (approximately 7.5
12 percent);
- 13 (hh) Library and Archival Professional 1, two base ranges
14 (approximately 5 percent);
- 15 (ii) Library and Archival Professional 2, two base ranges
16 (approximately 5 percent);
- 17 (jj) Library and Archives Paraprofessional 2, two base ranges
18 (approximately 5 percent);
- 19 (kk) Library and Archives Paraprofessional 3, one base range
20 (approximately 2.5 percent);
- 21 (ll) Licensed Practical Nurse 4, two base ranges (approximately 5
22 percent);
- 23 (mm) Maintenance Custodian, two base ranges (approximately 5
24 percent);
- 25 (nn) Maintenance Mechanic 1, two base ranges (approximately 5
26 percent);
- 27 (oo) Maintenance Mechanic 2, two base ranges (approximately 5
28 percent);
- 29 (pp) Maintenance Mechanic 4, two base ranges (approximately 5
30 percent);
- 31 (qq) Maintenance Specialist 4, two base ranges (approximately 5
32 percent);
- 33 (rr) Maintenance Specialist 5, two base ranges (approximately 5
34 percent);
- 35 (ss) Medical Assistant, six base ranges (approximately 15
36 percent);
- 37 (tt) Mental Health Technician 1, two base ranges (approximately 5
38 percent);
- 39 (uu) Mental Health Technician 2, two base ranges (approximately 5
40 percent);

1 (vv) Mental Health Technician 3, two base ranges (approximately 5
2 percent);
3 (ww) Office Assistant 2, two base ranges (approximately 5
4 percent);
5 (xx) Office Assistant 3, two base ranges (approximately 5
6 percent);
7 (yy) Office Assistant Lead, two base ranges (approximately 5
8 percent);
9 (zz) Office Manager, four base ranges (approximately 10 percent);
10 (aaa) Office Support Supervisor 1, two base ranges (approximately
11 5 percent);
12 (bbb) Office Support Supervisor 2, five base ranges
13 (approximately 12.5 percent);
14 (ccc) Office Support Supervisor 3, four base ranges
15 (approximately 10 percent);
16 (ddd) Patient Services Coordinator, six base ranges
17 (approximately 15 percent);
18 (eee) Patient Services Lead, six base ranges (approximately 15
19 percent);
20 (fff) Patient Services Representative, six base ranges
21 (approximately 15 percent);
22 (ggg) Procurement and Supply Specialist 1, four base ranges
23 (approximately 10 percent);
24 (hhh) Procurement and Supply Specialist 2, four base ranges
25 (approximately 10 percent);
26 (iii) Procurement and Supply Specialist 3, four base ranges
27 (approximately 10 percent);
28 (jjj) Procurement and Supply Specialist 4, four base ranges
29 (approximately 10 percent);
30 (kkk) Psychiatric Security Attendant, two base ranges
31 (approximately 5 percent);
32 (lll) Registered Nurse 1, two base ranges (approximately 5
33 percent);
34 (mmm) Registered Nurse 2, two base ranges (approximately 5
35 percent);
36 (nnn) Registered Nurse 3, two base ranges (approximately 5
37 percent);
38 (ooo) Registered Nurse 4, two base ranges (approximately 5
39 percent);

1 (ppp) Secretary Lead, three base ranges (approximately 7.5
2 percent);
3 (qqq) Secretary Senior, two base ranges (approximately 5
4 percent);
5 (rrr) Secretary Supervisor, four base ranges (approximately 10
6 percent);
7 (sss) Social Service Specialist 3, two base ranges (approximately
8 5 percent);
9 (ttt) Social Service Specialist 5, two base ranges (approximately
10 5 percent);
11 (uuu) Social Service Training Specialist, two base ranges
12 (approximately 5 percent);
13 (vvv) Tort Claims Investigator 2, one base range (approximately
14 2.5 percent);
15 (www) Warehouse Operator 2, two base ranges (approximately 5
16 percent);
17 (xxx) Warehouse Operator 3, two base ranges (approximately 5
18 percent); and
19 (yyy) Warehouse Operator 4, two base ranges (approximately 5
20 percent).

21 NEW SECTION. **Sec. 526.** A new section is added to 2021 c 333
22 (uncodified) to read as follows:

23 **COLLECTIVE BARGAINING AGREEMENTS—SUPPLEMENTAL**

24 Appropriations in part V of this act provide funding for targeted
25 job classification base range increases ranging between 2.5 percent
26 to 17.5 percent in the following collective bargaining agreements for
27 2023 fiscal year:

- 28 (1) Washington federation of state employees-general government;
29 (2) Washington public employees association-general government;
30 and
31 (3) The coalition of unions.

32 NEW SECTION. **Sec. 527.** A new section is added to 2021 c 333
33 (uncodified) to read as follows:

34 **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON FEDERATION OF STATE**
35 **EMPLOYEES—GENERAL GOVERNMENT**

36 Motor Vehicle Account—State Appropriation. \$1,458,000
37 State Patrol Highway Account—State Appropriation. \$398,000

- 1 (k) Corrections and Custody Officer 2, three salary ranges
2 (approximately 7.5 percent);
- 3 (l) Corrections and Custody Officer 3, three salary ranges
4 (approximately 7.5 percent);
- 5 (m) Correctional Industries Supervisor 2, two salary ranges
6 (approximately 5 percent);
- 7 (n) Custodian 4, one salary range (approximately 2.5 percent);
- 8 (o) Custodian 5, two salary ranges (approximately 5 percent);
- 9 (p) Developmental Disability Administrator, one salary range
10 (approximately 2.5 percent);
- 11 (q) Developmental Disability Case/Resource Manager, two salary
12 ranges (approximately 5 percent);
- 13 (r) Developmental Disability Outstation Manager, two salary
14 ranges (approximately 5 percent);
- 15 (s) Equipment Operator 2, two salary ranges (approximately 5
16 percent);
- 17 (t) Equipment Operator Lead, one salary range (approximately 2.5
18 percent);
- 19 (u) Equipment Technician Lead, two salary ranges (approximately 5
20 percent);
- 21 (v) Fiscal Analyst 1, four salary ranges (approximately 10
22 percent);
- 23 (w) Fiscal Analyst 2, four salary ranges (approximately 10
24 percent);
- 25 (x) Fiscal Analyst 3, four salary ranges (approximately 10
26 percent);
- 27 (y) Fiscal Analyst 4, four salary ranges (approximately 10
28 percent);
- 29 (z) Fiscal Analyst 5, two salary ranges (approximately 5
30 percent);
- 31 (aa) Fiscal Technician 2, two salary ranges (approximately 5
32 percent);
- 33 (bb) Fiscal Technician 3, two salary ranges (approximately 5
34 percent);
- 35 (cc) Fiscal Technician Lead, three salary ranges (approximately
36 7.5 percent);
- 37 (dd) Food Service Manager 1, six salary ranges (approximately 15
38 percent);
- 39 (ee) Food Service Manager 2, five salary ranges (approximately
40 12.5 percent);

1 (ff) Food Service Supervisor 2, six salary ranges (approximately
2 15 percent);
3 (gg) Health Care Investigator 3, two salary ranges (approximately
4 5 percent);
5 (hh) Health Care Investigator 4, one salary range (approximately
6 2.5 percent);
7 (ii) Institution Counselor 2, two salary ranges (approximately 5
8 percent);
9 (jj) Institution Counselor 3, two salary ranges (approximately 5
10 percent);
11 (kk) Investigator 1, three salary ranges (approximately 7.5
12 percent);
13 (ll) Investigator 2, three salary ranges (approximately 7.5
14 percent);
15 (mm) Investigator 3, three salary ranges (approximately 7.5
16 percent);
17 (nn) Investigator 4, three salary ranges (approximately 7.5
18 percent);
19 (oo) Juvenile Rehabilitation Community Counselor, four salary
20 ranges (approximately 10 percent);
21 (pp) Juvenile Rehabilitation Counselor Assistant, four salary
22 ranges (approximately 10 percent);
23 (qq) Juvenile Rehabilitation Resident Counselor, four salary
24 ranges (approximately 10 percent);
25 (rr) Juvenile Rehabilitation Supervisor, four salary ranges
26 (approximately 10 percent);
27 (ss) Library and Archival Professional 1, two salary ranges
28 (approximately 5 percent);
29 (tt) Library and Archival Professional 2, two salary ranges
30 (approximately 5 percent);
31 (uu) Library and Archives Paraprofessional 2, two salary ranges
32 (approximately 5 percent);
33 (vv) Library and Archives Paraprofessional 3, one salary range
34 (approximately 2.5 percent);
35 (ww) Licensed Practical Nurse 2, two salary ranges (approximately
36 5 percent);
37 (xx) Licensed Practical Nurse 4, two salary ranges (approximately
38 5 percent);
39 (yy) Maintenance Mechanic 1, two salary ranges (approximately 5
40 percent);

1 (zz) Maintenance Mechanic 2, two salary ranges (approximately 5
2 percent);
3 (aaa) Maintenance Mechanic 3, two salary ranges (approximately 5
4 percent);
5 (bbb) Maintenance Mechanic 4, two salary ranges (approximately 5
6 percent);
7 (ccc) Maintenance Specialist 4, two salary ranges (approximately
8 5 percent);
9 (ddd) Maintenance Specialist 5, two salary ranges (approximately
10 5 percent);
11 (eee) Medical Assistant, six salary ranges (approximately 15
12 percent);
13 (fff) Mental Health Technician 1, two salary ranges
14 (approximately 5 percent);
15 (ggg) Mental Health Technician 2, two salary ranges
16 (approximately 5 percent);
17 (hhh) Mental Health Technician 3, two salary ranges
18 (approximately 5 percent);
19 (iii) Nursing Assistant Lead, six salary ranges (approximately 15
20 percent);
21 (jjj) Nursing Assistant, six salary ranges (approximately 15
22 percent);
23 (kkk) Office Assistant 2, two salary ranges (approximately 5
24 percent);
25 (lll) Office Assistant 3, two salary ranges (approximately 5
26 percent);
27 (mmm) Office Assistant Lead, two salary ranges (approximately 5
28 percent);
29 (nnn) Office Manager, four salary ranges (approximately 10
30 percent);
31 (ooo) Office Support Supervisor 1, two salary ranges
32 (approximately 5 percent);
33 (ppp) Office Support Supervisor 2, five salary ranges
34 (approximately 12.5 percent);
35 (qqq) Painter Supervisor, two salary ranges (approximately 5
36 percent);
37 (rrr) Plumber/Pipefitter/Steamfitter Supervisor, two salary
38 ranges (approximately 5 percent);
39 (sss) Procurement and Supply Specialist 1, four salary ranges
40 (approximately 10 percent);

1 (ttt) Procurement and Supply Specialist 2, four salary ranges
2 (approximately 10 percent);
3 (uuu) Procurement and Supply Specialist 3, four salary ranges
4 (approximately 10 percent);
5 (vvv) Procurement and Supply Specialist 4, four salary ranges
6 (approximately 10 percent);
7 (www) Psychiatric Child Care Counselor 1, two salary ranges
8 (approximately 5 percent);
9 (xxx) Psychiatric Child Care Counselor 2, two salary ranges
10 (approximately 5 percent);
11 (yyy) Psychiatric Child Care Counselor 3, two salary ranges
12 (approximately 5 percent);
13 (zzz) Psychiatric Security Attendant, two salary ranges
14 (approximately 5 percent);
15 (aaaa) Registered Nurse 1, two salary ranges (approximately 5
16 percent);
17 (bbbb) Registered Nurse 2, two salary ranges (approximately 5
18 percent);
19 (cccc) Registered Nurse 3, two salary ranges (approximately 5
20 percent);
21 (dddd) Residential Rehabilitation Counselor 2, two salary ranges
22 (approximately 5 percent);
23 (eeee) Residential Rehabilitation Counselor 3, two salary ranges
24 (approximately 5 percent);
25 (ffff) Residential Rehabilitation Counselor 4, two salary ranges
26 (approximately 5 percent);
27 (gggg) Secretary Lead, three salary ranges (approximately 7.5
28 percent);
29 (hhhh) Secretary Senior, two salary ranges (approximately 5
30 percent);
31 (iiii) Secretary Supervisor, four salary ranges (approximately 10
32 percent);
33 (jjjj) Social Service Specialist 1, two salary ranges
34 (approximately 5 percent);
35 (kkkk) Social Service Specialist 2, two salary ranges
36 (approximately 5 percent);
37 (llll) Social Service Specialist 3, two salary ranges
38 (approximately 5 percent);
39 (mmmm) Social Service Specialist 4, two salary ranges
40 (approximately 5 percent);

1 (nnnn) Social Service Specialist 5, two salary ranges
 2 (approximately 5 percent);
 3 (oooo) Social Service Training Specialist, two salary ranges
 4 (approximately 5 percent);
 5 (pppp) Tort Claims Investigator 1, three salary ranges
 6 (approximately 7.5 percent);
 7 (qqqq) Warehouse Operator 2, two salary ranges (approximately 5
 8 percent);
 9 (rrrr) Warehouse Operator 3, two salary ranges (approximately 5
 10 percent); and
 11 (ssss) Warehouse Operator 4, two salary ranges (approximately 5
 12 percent).

13 NEW SECTION. **Sec. 528.** A new section is added to 2021 c 333
 14 (uncodified) to read as follows:

15 **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON PUBLIC EMPLOYEES**
 16 **ASSOCIATION—GENERAL GOVERNMENT**

17 Motor Vehicle Account—State Appropriation.	\$73,000
18 State Patrol Highway Account—State Appropriation.	\$23,000
19 TOTAL APPROPRIATION.	\$96,000

20 (1) The appropriations in this section are subject to the
 21 following conditions and limitations: Funding is provided solely for
 22 providing base range pay increases in the event an agreement is
 23 reached with the Washington public employees association-general
 24 government and included in section 526 of this act. Expenditure of
 25 the amounts provided for this purpose is contingent upon execution of
 26 an appropriate memorandum of understanding between the governor or
 27 the governor's designee and the exclusive bargaining representative,
 28 consistent with the terms of this section. Appropriations for state
 29 agencies are increased by the amounts specified in OFM transportation
 30 document 2022-5, dated December 16, 2021, to fund the provisions of
 31 this section upon execution of the memorandum of understanding.

32 (2) Washington general service job classifications to receive
 33 base pay increases within this section are:

- 34 (a) Administrative Assistant 3, one salary range (approximately
 35 2.5 percent);
- 36 (b) Equipment Operator 2, two salary ranges (approximately 5
 37 percent);

- 1 (c) Fiscal Analyst 1, four salary ranges (approximately 10
2 percent);
- 3 (d) Fiscal Analyst 2, four salary ranges (approximately 10
4 percent);
- 5 (e) Fiscal Analyst 3, four salary ranges (approximately 10
6 percent);
- 7 (f) Fiscal Analyst 4, four salary ranges (approximately 10
8 percent);
- 9 (g) Fiscal Analyst 5, two salary ranges (approximately 5
10 percent);
- 11 (h) Fiscal Technician 2, two salary ranges (approximately 5
12 percent);
- 13 (i) Fiscal Technician 3, two salary ranges (approximately 5
14 percent);
- 15 (j) Fiscal Technician Lead, three salary ranges (approximately
16 7.5 percent);
- 17 (k) Fiscal Technician Supervisor, two salary ranges
18 (approximately 5 percent);
- 19 (l) Food Service Manager 2, five salary ranges (approximately
20 12.5 percent);
- 21 (m) Investigator 2, three salary ranges (approximately 7.5
22 percent);
- 23 (n) Investigator 3, three salary ranges (approximately 7.5
24 percent);
- 25 (o) Maintenance Mechanic 1, two salary ranges (approximately 5
26 percent);
- 27 (p) Maintenance Mechanic 2, two salary ranges (approximately 5
28 percent);
- 29 (q) Maintenance Mechanic 3, two salary ranges (approximately 5
30 percent);
- 31 (r) Maintenance Mechanic 4, two salary ranges (approximately 5
32 percent);
- 33 (s) Natural Resource Investigator, three salary ranges
34 (approximately 7.5 percent);
- 35 (t) Office Assistant 2, two salary ranges (approximately 5
36 percent);
- 37 (u) Office Assistant 3, two salary ranges (approximately 5
38 percent);
- 39 (v) Office Assistant Lead, two salary ranges (approximately 5
40 percent);

- 1 (w) Office Support Supervisor 1, two salary ranges (approximately
- 2 5 percent);
- 3 (x) Office Support Supervisor 2, five salary ranges
- 4 (approximately 12.5 percent);
- 5 (y) Procurement and Supply Specialist 3, four salary ranges
- 6 (approximately 10 percent);
- 7 (z) Procurement and Supply Specialist 4, four salary ranges
- 8 (approximately 10 percent);
- 9 (aa) Secretary Senior, two salary ranges (approximately 5
- 10 percent);
- 11 (bb) Secretary Supervisor, four salary ranges (approximately 10
- 12 percent); and
- 13 (cc) Warehouse Operator 3, two salary ranges (approximately 5
- 14 percent).

15 NEW SECTION. **Sec. 529.** A new section is added to 2021 c 333
16 (uncodified) to read as follows:

17 **FOR THE OFFICE OF FINANCIAL MANAGEMENT—COALITION OF UNIONS**
18 State Patrol Highway Account—State Appropriation. \$42,000

19 (1) The appropriations in this section are subject to the
20 following conditions and limitations: Funding is provided solely for
21 providing base range pay increases and recruitment and retention lump
22 sum payment in the event an agreement is reached with the coalition
23 of unions and included in section 526 of this act. Expenditure of the
24 amounts provided for this purpose is contingent upon execution of an
25 appropriate memorandum of understanding between the governor or the
26 governor's designee and the exclusive bargaining representative,
27 consistent with the terms of this section. Appropriations for state
28 agencies are increased by the amounts specified in OFM document
29 2022-5, dated December 16, 2021, to fund the provisions of this
30 section upon execution of the memorandum of understanding.

31 (2) Washington general service job classifications to receive
32 base pay increases within this section are:

- 33 (a) Maintenance Mechanic 1, two salary ranges (approximately 5
- 34 percent);
- 35 (b) Maintenance Mechanic 2, two salary ranges (approximately 5
- 36 percent);
- 37 (c) Maintenance Mechanic 3, two salary ranges (approximately 5
- 38 percent);

- 1 (d) Maintenance Mechanic 4, two salary ranges (approximately 5
- 2 percent);
- 3 (e) Office Assistant 3, two salary ranges (approximately 5
- 4 percent);
- 5 (f) Registered Nurse 2, two salary ranges (approximately 5
- 6 percent); and
- 7 (g) Registered Nurse 3, two salary ranges (approximately 5
- 8 percent).

9 (3) Washington general service job classifications at the
10 department of labor and industries to receive a recruitment and
11 retention lump sum payment within this section are:

- 12 (a) Electrical construction inspector;
- 13 (b) Electrical construction inspector lead;
- 14 (c) Electrical inspection field supervisor/technical specialist;
- 15 and
- 16 (d) Electrical plans examiner.

17 (4) A temporary increase to base salary to the following
18 Washington general service job classifications at the department of
19 labor and industries who are responsible for the inspection, plan
20 review and approval of factory assembled structures. The increase
21 does not apply to other positions allocated to these classifications
22 that are not performing this work. Washington general service job
23 classifications to receive temporary base pay increases within this
24 section are:

- 25 (a) Construction Compliance Inspector 2 (2.5 percent);
- 26 (b) Factory and Mobile Home Plan Examiner (5 percent); and
- 27 (c) Compliance Specialist Supervisor (10 percent).

28 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

29 **Sec. 601.** RCW 46.68.060 and 2021 c 333 s 706 are each amended to
30 read as follows:

31 There is hereby created in the state treasury a fund to be known
32 as the highway safety fund to the credit of which must be deposited
33 all moneys directed by law to be deposited therein. This fund must be
34 used for carrying out the provisions of law relating to driver
35 licensing, driver improvement, financial responsibility, cost of
36 furnishing abstracts of driving records and maintaining such case
37 records, and to carry out the purposes set forth in RCW 43.59.010,
38 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017

1 fiscal biennia, the legislature may transfer from the highway safety
2 fund to the Puget Sound ferry operations account, the motor vehicle
3 fund, and the multimodal transportation account such amounts as
4 reflect the excess fund balance of the highway safety fund. During
5 the ~~((2017-2019, 2019-2021, and))~~ 2021-2023 fiscal ~~((biennia))~~
6 biennium, the legislature may direct the state treasurer to make
7 transfers of moneys in the highway safety fund to the multimodal
8 transportation account, the freight mobility investment account, and
9 the state patrol highway account.

10 **Sec. 602.** RCW 70A.65.100 and 2021 c 316 s 12 are each amended to
11 read as follows:

12 (1) Except as provided in RCW 70A.65.110, 70A.65.120, and
13 70A.65.130, the department shall distribute allowances through
14 auctions as provided in this section and in rules adopted by the
15 department to implement these sections. An allowance is not a
16 property right.

17 (2)(a) The department shall hold a maximum of four auctions
18 annually, plus any necessary reserve auctions. An auction may include
19 allowances from the annual allowance budget of the current year and
20 allowances from the annual allowance budgets from prior years that
21 remain to be distributed. The department must transmit to the
22 environmental justice council an auction notice at least 60 days
23 prior to each auction, as well as a summary results report and a
24 postauction public proceeds report within 60 days after each auction.
25 The department must communicate the results of the previous calendar
26 year's auctions to the environmental justice council on an annual
27 basis beginning in 2024.

28 (b) The department must make future vintage allowances available
29 through parallel auctions at least twice annually in addition to the
30 auctions through which current vintage allowances are exclusively
31 offered under (a) of this subsection.

32 (3) The department shall engage a qualified, independent
33 contractor to run the auctions. The department shall also engage a
34 qualified financial services administrator to hold the bid
35 guarantees, evaluate bid guarantees, and inform the department of the
36 value of bid guarantees once the bids are accepted.

37 (4) Auctions are open to covered entities, opt-in entities, and
38 general market participants that are registered entities in good

1 standing. The department shall adopt by rule the requirements for a
2 registered entity to register and participate in a given auction.

3 (a) Registered entities intending to participate in an auction
4 must submit an application to participate at least 30 days prior to
5 the auction. The application must include the documentation required
6 for review and approval by the department. A registered entity is
7 eligible to participate only after receiving a notice of approval by
8 the department.

9 (b) Each registered entity that elects to participate in the
10 auction must have a different representative. Only a representative
11 with an approved auction account is authorized to access the auction
12 platform to submit an application or confirm the intent to bid for
13 the registered entity, submit bids on behalf of the registered entity
14 during the bidding window, or to download reports specific to the
15 auction.

16 (5) The department may require a bid guarantee, payable to the
17 financial services administrator, in an amount greater than or equal
18 to the sum of the maximum value of the bids to be submitted by the
19 registered entity.

20 (6) To protect the integrity of the auctions, a registered entity
21 or group of registered entities with a direct corporate association
22 are subject to auction purchase and holding limits. The department
23 may impose additional limits if it deems necessary to protect the
24 integrity and functioning of the auctions:

25 (a) A covered entity or an opt-in entity may not buy more than 10
26 percent of the allowances offered during a single auction;

27 (b) A general market participant may not buy more than four
28 percent of the allowances offered during a single auction and may not
29 in aggregate own more than 10 percent of total allowances to be
30 issued in a calendar year;

31 (c) No registered entity may buy more than the entity's bid
32 guarantee; and

33 (d) No registered entity may buy allowances that would exceed the
34 entity's holding limit at the time of the auction.

35 (7)(a) For fiscal year 2023, upon completion and verification of
36 the auction results, the financial services administrator shall
37 notify winning bidders and transfer the auction proceeds to the state
38 treasurer for deposit as follows: (i) \$127,341,000 must first be
39 deposited into the carbon emissions reduction account created in RCW
40 70A.65.240, except that during the 2021-2023 biennium, the deposit as

1 provided in this subsection (7)(a)(i) may be prorated equally across
2 each of the auctions occurring in fiscal year 2023; and (ii) the
3 remaining auction proceeds to the climate investment account created
4 in RCW 70A.65.250 and the air quality and health disparities
5 improvement account created in RCW 70A.65.280.

6 (b) For fiscal year 2024, upon completion and verification of the
7 auction results, the financial services administrator shall notify
8 winning bidders and transfer the auction proceeds to the state
9 treasurer for deposit as follows: (i) \$356,697,000 must first be
10 deposited into the carbon emissions reduction account created in RCW
11 70A.65.240; and (ii) the remaining auction proceeds to the climate
12 investment account created in RCW 70A.65.250 and the air quality and
13 health disparities improvement account created in RCW 70A.65.280.

14 (c) For fiscal year 2025, upon completion and verification of the
15 auction results, the financial services administrator shall notify
16 winning bidders and transfer the auction proceeds to the state
17 treasurer for deposit as follows: (i) \$366,558,000 must first be
18 deposited into the carbon emissions reduction account created in RCW
19 70A.65.240; and (ii) the remaining auction proceeds to the climate
20 investment account created in RCW 70A.65.250 and the air quality and
21 health disparities improvement account created in RCW 70A.65.280.

22 (d) For fiscal years 2026 through 2037, upon completion and
23 verification of the auction results, the financial services
24 administrator shall notify winning bidders and transfer the auction
25 proceeds to the state treasurer for deposit as follows: (i)
26 \$359,117,000 per year must first be deposited into the carbon
27 emissions reduction account created in RCW 70A.65.240; and (ii) the
28 remaining auction proceeds to the climate investment account created
29 in RCW 70A.65.250 and the air quality and health disparities
30 improvement account created in RCW 70A.65.280.

31 (e) The deposits into the carbon emissions reduction account
32 pursuant to (a) through (d) of this subsection must not exceed
33 \$5,200,000,000 over the first 16 years and any remaining auction
34 proceeds must be deposited into the climate investment account
35 created in RCW 70A.65.250 and the air quality and health disparities
36 improvement account created in RCW 70A.65.280.

37 (f) For fiscal year 2038 and each year thereafter, upon
38 completion and verification of the auction results, the financial
39 services administrator shall notify winning bidders and transfer the
40 auction proceeds to the state treasurer for deposit as follows: (i)

1 50 percent of the auction proceeds to the carbon emissions reduction
2 account created in RCW 70A.65.240; and (ii) the remaining auction
3 proceeds to the climate investment account created in RCW 70A.65.250
4 and the air quality and health disparities improvement account
5 created in RCW 70A.65.280.

6 (8) The department shall adopt by rule provisions to guard
7 against bidder collusion and minimize the potential for market
8 manipulation. A registered entity may not release or disclose any
9 bidding information including: Intent to participate or refrain from
10 participation; auction approval status; intent to bid; bidding
11 strategy; bid price or bid quantity; or information on the bid
12 guarantee provided to the financial services administrator. The
13 department may cancel or restrict a previously approved auction
14 participation application or reject a new application if the
15 department determines that a registered entity has:

16 (a) Provided false or misleading facts;

17 (b) Withheld material information that could influence a decision
18 by the department;

19 (c) Violated any part of the auction rules;

20 (d) Violated registration requirements; or

21 (e) Violated any of the rules regarding the conduct of the
22 auction.

23 (9) Any cancellation or restriction approved by the department
24 under subsection (8) of this section may be permanent or for a
25 specified number of auctions and the cancellation or restriction
26 imposed is not exclusive and is in addition to the remedies that may
27 be available pursuant to chapter 19.86 RCW or other state or federal
28 laws, if applicable.

29 (10) The department shall design allowance auctions so as to
30 allow, to the maximum extent practicable, linking with external
31 greenhouse gas emissions trading programs in other jurisdictions and
32 to facilitate the transfer of allowances when the state's program has
33 entered into a linkage agreement with other external greenhouse gas
34 emissions trading programs. The department may conduct auctions
35 jointly with linked jurisdictions.

36 (11) In setting the number of allowances offered at each auction,
37 the department shall consider the allowances in the marketplace due
38 to the marketing of allowances issued as required under RCW
39 70A.65.110, 70A.65.120, and 70A.65.130 in the department's
40 determination of the number of allowances to be offered at auction.

1 The department shall offer only such number of allowances at each
2 auction as will enhance the likelihood of achieving the goals of RCW
3 70A.45.020.

4 **Sec. 603.** RCW 46.68.280 and 2019 c 416 s 706 are each amended to
5 read as follows:

6 (1) The transportation 2003 account (nickel account) is hereby
7 created in the motor vehicle fund. Money in the account may be spent
8 only after appropriation. Expenditures from the account must be used
9 only for projects or improvements identified as transportation 2003
10 projects or improvements in the omnibus transportation budget and to
11 pay the principal and interest on the bonds authorized for
12 transportation 2003 projects or improvements. Upon completion of the
13 projects or improvements identified as transportation 2003 projects
14 or improvements, moneys deposited in this account must only be used
15 to pay the principal and interest on the bonds authorized for
16 transportation 2003 projects or improvements, and any funds in the
17 account in excess of the amount necessary to make the principal and
18 interest payments may be used for maintenance on the completed
19 projects or improvements.

20 ~~(2) ((During the 2015-2017 fiscal biennium, the legislature may~~
21 ~~transfer from the transportation 2003 account (nickel account) to the~~
22 ~~connecting Washington account such amounts as reflect the excess fund~~
23 ~~balance of the transportation 2003 account (nickel account)).~~

24 ~~(3))~~ During the ~~((2017-2019 and the 2019-2021))~~ 2021-2023 fiscal
25 ~~((biennia))~~ biennium, the legislature may direct the state treasurer
26 to make transfers of moneys in the transportation 2003 account
27 (nickel account) to the ~~((connecting Washington account, the Puget~~
28 ~~Sound capital construction account, and the Tacoma Narrows toll~~
29 ~~bridge))~~ state route number 520 corridor account.

30 ~~((4))~~ (3) The "nickel account" means the transportation 2003
31 account.

32 MISCELLANEOUS

33 NEW SECTION. **Sec. 701.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the
35 remainder of the act or the application of the provision to other
36 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 702.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect immediately.

(End of Bill)

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--- **END** ---