

statutes and rules otherwise regulating the generation of power: PROVIDED, That such an individual is hereby authorized to provide such power to the utility servicing the property on which the power is generated and the servicing utility is hereby authorized to accept such power under such terms and conditions as may be agreed to between the parties.

NEW SECTION. Sec. 12. The house and senate energy and utilities committees are authorized and directed to monitor the effectiveness of the business and occupation tax credit and property tax exemption for cogeneration facilities as an incentive for the implementation of cogeneration, and to study the cost and effectiveness of alternative state incentives for cogeneration, including, but not limited to direct grants, loans, other tax incentives, and partial funding for feasibility studies. The committees shall report their findings and recommendations to the forty-seventh legislature of the state of Washington convened in regular session.

NEW SECTION. Sec. 13. If any provision of this 1979 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. Sections 1 through 8 of this act shall constitute a new chapter in Title 82 RCW.

Passed the House May 7, 1979.

Passed the Senate May 1, 1979.

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CHAPTER 192

[Substitute House Bill No. 1031]

TRANSPORTATION STUDIES—COMPREHENSIVE PLANS—AVIATION STUDY, APPROPRIATION—HANDICAPPED PARKING PRIVILEGES

AN ACT Relating to transportation; amending section 1, chapter 201, Laws of 1973 1st ex. sess. as last amended by section 112, chapter 158, Laws of 1979 and RCW 44.40.070; amending and reenacting section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1979 1st ex. sess., by section 1, chapter 26, Laws of 1979 1st ex. sess., by section 1, chapter 27, Laws of 1979 1st ex. sess., and by section 50, chapter .. (EHB 101), Laws of 1979 1st ex. sess. and RCW 46.16.380; amending section 75, chapter 51, Laws of 1970 ex. sess. as amended by section 9, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.370; creating new sections; making an appropriation; providing effective dates; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. The legislative transportation committee, in consultation with the house and senate standing committees on transportation, is authorized to conduct the following studies and activities and such

other studies and activities as it deems appropriate, may employ consultants, and shall report findings and recommendations, as appropriate, to the legislature during or prior to the 1981 regular legislative session:

(1) Develop policies and criteria to be used by the legislature to determine relative priorities for use of state motor vehicle fund revenues by state agencies;

(2) An analysis of local public transportation plans and programs, with emphasis on the 1980–1985 period, in coordination with appropriate municipalities and the department of transportation;

(3) The procedural and fiscal feasibility of a program requiring:

(a) That the transportation commission adopt and designate a uniform state standard for emergency traffic signals;

(b) That the department of transportation install and maintain such signals on state highways;

(4) The role of rail transportation in the state's economy;

(5) The need for a program of periodic registration and inspection of carriers of hazardous cargo on the highways of the state; the study to address the appropriate agency to conduct the program, and how most effectively to integrate such a program with existing local and federal programs;

(6) A review of the effectiveness of existing statutes relating to drunk drivers and the judicial and administrative procedures implementing such statutes;

(7) The feasibility of integrating bus and rail intercity transportation, especially between small towns; the study to assess the legal and logistical possibility of attaching rail passenger cars to scheduled freight trains;

(8) A study of alternate methods of financing the state ferry system through a more equitable assessment of property benefited by ferry service; the study to include a detailed search of potential federal funds to assist in relieving the impact west of Puget Sound caused by federal installations and forest lands, as well as alternative methods of taxation of value added to property by reason of the access the ferries provide;

(9) A policy on contracting for maintenance work on highway rights of way with private firms. The committees may have meetings with contractors to assess their interest, and determine whether such work could be completed more economically through such contracts;

(10) Review, in cooperation with the department of transportation and other appropriate agencies, methods by which the public may share in the benefits created by new transportation facilities through value capture financing;

(11) The feasibility of a program to refund the use tax on gasoline or diesel fuel purchased by commercial fishermen when used beyond the state's three-mile limit;

(12) A study of the need for and feasibility of high speed passenger-only ferry service in the inner waters of Puget Sound, particularly between the high density population centers of southern Puget Sound;

(13) A study of increasing costs and diminishing supplies of asphalt in state highway construction and maintenance, and the feasibility of an alternative paving material, other than reinforced concrete, that may be used in place of asphalt paving;

(14) A study to determine the means and effects of deregulation and the alternatives to regulation of intrastate transportation activities under the utilities and transportation commission, including air, land, rail, water, and pipeline modes of transportation for compensation;

(15) A study of the feasibility and desirability of a program by which the taxicab industry would be regulated by the utilities and transportation commission;

(16) A program designed to inform the public of the benefits of ride sharing including the development of legislation that could stimulate interest in ride-sharing programs among individual citizens;

(17) A study of the effect of the possible loss of fuel tax revenues caused by apparent fuel shortages and allocation procedures;

(18) A review of appraisal practices used by the department of transportation in the exercise of eminent domain including a review of statutes relating to judicial review of disputed assessments;

(19) Review development and implementation of automobile emission reduction programs by the United States Environmental Protection Agency and in accordance with chapter ... (SHB 298), Laws of 1979 1st ex. sess. to determine whether such implementation jeopardizes federal transportation and/or highway funds or interferes with the orderly planning process for state and local surface transportation needs;

(20) A review of the effects of the Hood Canal Bridge sinking, and the department of transportation's effort to provide interim transportation services for users of that corridor. Such review shall include: (a) An examination of the need to relocate existing ferry terminals; (b) interim transportation measures required as a result of the bridge loss, including ferry service across Puget Sound and Hood Canal; and (c) the effect on local communities of changing transportation patterns, including a review of state route 101 between Shelton and Discovery Bay to determine safety impacts of increased traffic, and its effect on law enforcement efforts;

(21) Monitor the creation of new, or the improvement of existing, transit systems within the state;

(22) In concert with public transportation operating authorities, a study of methods to insure better security from unlawful conduct for transportation system patrons and operating personnel. Such study shall concern itself with not only transit bus operations, but shall include security on ferry vessels and in terminals, as well as other modes of public conveyance;

(23) A study to determine how the ferry system and local governments can better coordinate in regard to local facilities, with or without state funding or other assistance, for the mutual benefit of community residents and patrons of the ferry system. Such study shall also include an evaluation of the negative effects of ferry terminals and local programs upon each other and methods to resolve these problems (including, but not limited to, traffic congestion, accident rates due to traffic flow, and local plans);

(24) A review, in conjunction with the transportation commission, of the use of motor vehicle funds to improve access to states facilities of higher education;

(25) A study, in conjunction with the Washington utilities and transportation commission, as to the necessity of safety inspections of private carriers and the feasibility thereof;

(26) Study motor vehicle equipment and motor vehicle modifications in conjunction with state and federal standards for motor vehicles, and determine if existing equipment regulations reflect the current state-of-the-art in motor vehicle safety;

(27) An evaluation of property acquisition and disposal procedures of the department of transportation and an updating and consolidation of statutes pertaining thereto;

(28) Explore the use of improved public transportation services as a means of better serving residents of areas served by the state ferry system, as well as a means of reducing vehicle overloads on many state ferry routes;

(29) Evaluate existing statutes relating to public transportation and make recommendations for clarification and consolidation of such statutes;

(30) A review of current statutes relating to vessel pilotage, including the establishment of a training program for new ship pilots, and the establishment of a mandatory retirement program for pilots;

(31) A review of methods to improve bicycle safety and to encourage the use of bicycles for transportation and recreational purposes;

(32) A study of the effects of major developments on state highways; the study shall address the need for the department to have advance notice of such developments and the potential financial participation of the developer in constructing changes to the highway facility necessitated by the development.

NEW SECTION. Sec. 2. The legislative transportation committee and the transportation commission may jointly conduct the following studies and report their findings and recommendations to the 1981 legislative session:

(1) The feasibility of potential corridors which would include preliminary engineering, social, economic, and environmental analyses of a third bridge across the Columbia river between Clark county, Washington, and Oregon. Such study shall be based on, and be a continuation of, the January, 1979, third bridge study which developed and evaluated travel demands on potential crossings of the lower Columbia river between the vicinities of

Camas and Woodland. The transportation commission and the department of transportation shall make every effort to obtain the cooperation of the Oregon transportation commission, the Oregon department of transportation, and the Portland metropolitan service district in conducting the study;

(2) The feasibility of a new east–west highway between state route number 181 and state route number 516 in the vicinity of South 277th street between Kent and Auburn; the study to be conducted by the state department of transportation in cooperation with King county and the municipalities affected;

(3) A study of the potential need and feasibility of constructing a bridge across the Cowlitz river between Interstate 5 in the vicinity of Rocky Point and state route number 411 in the vicinity of Lexington, in Cowlitz county;

(4) The feasibility of reconstructing state route number 195 into a four–lane highway between Plaza and Rosalia and between Colfax and Pullman;

(5) The feasibility of constructing a four–lane limited access highway along the alignment of state route number 395 from Pasco to Ritzville;

(6) The feasibility of constructing a four–lane limited access highway along the alignment of state route number 17 from Othello to Moses Lake;

(7) A study of the need to construct an interchange to bypass the Woodinville community on state route number 522 near Northeast 190th and Northeast 195th in King county; such study to be completed by December 1, 1979;

(8) The feasibility and cost of improving the Black Lake interchange on state route number 101 near Olympia; the study to examine methods of securing matching money from local jurisdictions or other public or private sources;

(9) The feasibility of assisting in the financing of the construction of a street along the Brandon street right of way between Delridge Way and Southwest Sixteenth avenue in West Seattle. The city of Seattle may be required to secure whatever federal, county, urban arterial board, or other assistance may be available to participate in this project;

(10) The feasibility of extending state route number 291 from the Stevens county line northwest of Spokane along the most feasible route to a junction with state route number 231;

(11) A study by the department of transportation of the transportation plans and program needs in the Kitsap and Pierce county area from the Hood Canal bridge location southerly through the Bremerton metropolitan area to, and including, the Narrows bridge.

The study shall analyze population growth trends throughout the study area, including the impact of existing and predicted industrial and military developments on existing facilities. The study shall analyze transportation needs and assess whether existing and planned transportation facilities are compatible with development patterns of residential, industrial, and agricultural uses. The department, in assessing the availability of revenues

needed to meet the needs, shall explore all available sources, including federal programs. The study shall consider the feasibility of a regional public transportation system in the area, together with recommendations for funding such a system;

(12) A study of the long range requirements of ferry services between Southworth, Vashon Island, and Seattle. The study shall address:

(a) Facility and vessel capacity needs;

(b) Vessel scheduling needs;

(c) Public transit needs;

(d) Passenger-only service needs;

(e) Terminal access improvement needs; and

(f) The feasibility of alternate ferry routes from Southworth directly to downtown Seattle as well as from Vashon Island to downtown Seattle;

(13) A study of the feasibility of constructing state route number 528 from Marysville easterly to state route number 9;

(14) A study to determine the need for and financing of improvements to state route number 105 near Huntley road and West Harriman street in Aberdeen;

(15) An evaluation of the need for rerouting state route 101 in the vicinity of Sequim;

(16) An evaluation of the impact of state route 3 on the community of Shelton, and the need for improved traffic control devices to relieve congestion along that corridor;

(17) A study of access to state route 5 in the vicinity of Vancouver as it relates to new transportation projects in the area and the needs of the surrounding community;

(18) The feasibility and benefits of constructing the Ben Franklin dam on the Columbia river above Richland, together with locks necessary to facilitate barge traffic upriver, and the possibility of locating a toll bridge across the river at the dam site;

(19) The feasibility and desirability of realignment of a segment of state route 302 near Burley;

(20) The feasibility and desirability of widening state route 3 to four lanes between state route 304 and Kitsap Way in Bremerton;

(21) A review of department of transportation plans and proposals for changes in the intersections of state routes 16, 160, and 3, in the vicinity of Gorst;

(22) The desirability and feasibility of rerouting existing sections of state route 160 to bypass the city center of Port Orchard;

(23) A review of the transportation activities associated with the United States Navy Trident Facility, especially as they affect the city of Poulsbo and access to and from Poulsbo, including Bond Road and state route 305;

(24) A study of methods to provide improved access from state route 405 to the Evergreen Hospital, the Totem Lake shopping center, and the

park and ride facility at NE 132nd. Such study shall include consideration of the feasibility and desirability of constructing an interchange at NE 132nd;

(25) An examination of the rerouting of state route 20 between state route 5 and Sedro Woolley as a joint development of the corridor with the United States Army Corps of Engineers and/or Puget Sound Power and Light Company if and when the Corps proceeds with plans for flood control projects in the Lower Skagit Valley and/or Puget Power proceeds with development of the Skagit Nuclear project requiring additional transportation services.

Sec. 3. Section 1, chapter 201, Laws of 1973 1st ex. sess. as last amended by section 112, chapter 158, Laws of 1979 and RCW 44.40.070 are each amended to read as follows:

Prior to October 1st of each even-numbered year all state agencies whose major programs consist of transportation activities, including the department of transportation, the utilities and transportation commission, the urban arterial board, the Washington state patrol, the department of licensing, the traffic safety commission, the county road administration board, and the ((department of transportation)) board of pilotage commissioners, shall adopt or revise, after consultation with the legislative transportation committee, ((and/or senate and house transportation committees, a long range plan of not less than six years and)) a comprehensive six-year program and financial plan for all transportation activities under each agency's jurisdiction.

The ((long range)) comprehensive six-year program and financial plan shall state the general objectives and needs of each agency's major transportation programs, including workload and performance estimates.

((The comprehensive six-year program and financial plan shall be prepared in consonance with the long range plan and shall identify that portion of the long range plan to be accomplished within the succeeding six-year period:))

Sec. 4. Section 75, chapter 51, Laws of 1970 ex. sess. as amended by section 9, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.370 are each amended to read as follows:

A state highway to be known as state route number 181 is established as follows:

Beginning at a junction with state route number 18 in the vicinity west of Auburn, thence northerly to a junction with state route number ((599 south of Seattle)) 405 in the vicinity of Tukwila.

NEW SECTION. Sec. 5. There is hereby appropriated from the general fund to the legislative transportation committee the sum of one hundred eighty-five thousand dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1981, for the purpose of conducting a study

of general aviation and intrastate air carriers operating in Washington. Such study shall address, but not be limited to, airport licensing, standards, and inspection, emergency landing facilities, economic and safety regulations of commercial intrastate carriers, aircraft registration and inspection, pilot regulations, and the development of procedures for effecting state and federal cooperative programs relating to aviation safety.

Sec. 6. Section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1979 1st ex. sess., by section 1, chapter 26, Laws of 1979 1st ex. sess., by section 1, chapter 27, Laws of 1979 1st ex. sess., and by section 50, chapter ... (EHB 101), Laws of 1979 1st ex. sess. and RCW 46.16.380 are each amended and reenacted to read as follows:

Any person who submits satisfactory proof to the director that he or she has lost both of his or her lower extremities, or has lost the normal or full use thereof, or is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or has lost both hands, or who suffers from lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second, shall be entitled to receive a special card to be left in a vehicle in a conspicuous place, bearing distinguishing marks, letters, or numerals indicating that the vehicle is being used to transport such a disabled person. Such a disabled person shall also be entitled to receive for one motor vehicle only, a special decal to be affixed to the vehicle in a conspicuous place designated by the director, bearing distinguishing marks, letters, or numerals indicating that the vehicle is owned by or primarily used for such a disabled person. The disabled person is also entitled to receive, in lieu of the decal and regular motor vehicle license plates, special license plates bearing distinguishing marks, letters, or numerals indicating that the vehicle is owned by such a disabled person. Vehicles displaying the special license plate, card, or decal shall be entitled to use parking places otherwise reserved for physically disabled persons pursuant to chapter 70.92 RCW, or authority implemental thereof. Whenever the disabled person transfers or assigns his or her interest in the vehicle, the special decals or license plates shall be removed from the motor vehicle. Such person shall immediately surrender the decal to the director together with a notice of the transfer of interest in such vehicle. If another vehicle is acquired by, or for the primary use of, the disabled person, a new decal shall be issued by the director. Application for renewal, except for the permanently disabled who shall be issued a permanent card, must be made by January 10th of each renewal year together with satisfactory proof of the right to continued use of such special card and decal. If another vehicle is acquired by the disabled person and special plates are used, they shall be attached to the vehicle, and the director shall be immediately notified of the transfer of plates. If another vehicle is not acquired by the disabled person, the removed plates shall be immediately forwarded to the director to be re-issued later upon payment of the regular registration fee.

The special license plates shall be renewed in the same manner and at the time required for the renewal of regular motor vehicle license plates under this chapter. No special license plate may be issued to a person who is temporarily disabled. A person who is permanently disabled under this section shall be issued a permanent card. A person who is temporarily disabled under this section shall be issued a temporary card which shall be renewed, at such times as the director may require, by satisfactory proof of the right to continued use of the card.

No additional fees shall be charged for the issuance of the special card and decal, and, at the time the vehicle is originally licensed in this state, no additional fee may be charged for the issuance of the special license plates except the regular motor vehicle registration fee and any other fees and taxes required to be paid upon initial registration of a motor vehicle. On the effective date of this 1979 act, any disabled person who is entitled to receive a special license plate under this section and who has valid Washington state license plates for his or her motor vehicle shall be entitled to receive special license plates upon payment of the fee prescribed in RCW 46.16.270 and surrender of the existing plates.

The director shall promulgate such rules and regulations as he or she deems necessary to carry into effect this section.

Any unauthorized use of (~~such distinguishing license plate,~~) the special card (~~or~~), the decal, or the special license plate is a traffic infraction.

It is a traffic infraction for any person (~~parking~~) to park a vehicle in a parking place reserved for physically disabled persons pursuant to chapter 70.92 RCW, or authority supplemental thereof, without a special license plate, card, or decal as in this section provided(~~(, shall be guilty of a misdemeanor. PROVIDED, That)~~). A person charged with a violation hereof shall not be (~~convicted~~) determined to have committed an infraction if he produces in court or prior to the court appearance the special license plate, special card, or special decal required hereunder or demonstrates he was entitled to the same at the time of being ticketed.

NEW SECTION. Sec. 7. Section 6 of this 1979 act shall take effect July 1, 1980. Sections 1 through 5 of this 1979 act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1979.

Passed the House May 7, 1979.

Passed the Senate May 2, 1979.

Approved by the Governor May 17, 1979.

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