

required that the owner, if appropriate and in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original plate or plates, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vehicle license applications. Such application shall be filed with the director or the director's authorized agent, accompanied by the certificate of license registration of the vehicle and a fee in the amount of three dollars per plate, whereupon the director, or the director's authorized agent, shall issue new vehicle license number plates to the applicant. It shall be accompanied by a fee of two dollars for a new motorcycle license number plate. In the event the director has issued license period tabs or a windshield emblem instead of vehicle license number plates, and upon the loss, defacement, or destruction of the tabs or windshield emblem, application shall be made on a form provided by the director and in the same manner as above described, and shall be accompanied by a fee of one dollar for each pair of tabs or for each windshield emblem, whereupon the director shall issue to the applicant a duplicate pair of tabs or a windshield emblem to replace those lost, defaced, or destroyed. For those vehicles owned, rented, or leased by the state of Washington or by any county, city, town, school district, or other political subdivision of the state of Washington or United States government, or owned or leased by the governing body of an Indian tribe as defined in RCW 46.16.020, a fee shall be charged for replacement of a vehicle license number plate only to the extent required by the provisions of RCW 46.16.020, 46.16.061, 46.16.237, and 46.01.140. For those vehicles owned, rented, or leased by foreign countries or international bodies to which the United States government is a signatory by treaty, the payment of any fee for the replacement of a vehicle license number plate shall not be required.

NEW SECTION. Sec. 3. This act is 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 immediately.

Passed the House March 6, 1987.

Passed the Senate April 13, 1987.

Approved by the Governor April 23, 1987.

Filed in Office of Secretary of State April 23, 1987.

CHAPTER 179

[House Bill No. 352]

HIGHWAY PRIORITY PROGRAMMING—CATEGORY H

AN ACT Relating to priority programming for highway development; and amending RCW 47.01.101, 47.05.030, 47.05.035, 47.05.040, and 47.05.051.

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

Sec. 1. Section 10, chapter 151, Laws of 1977 ex. sess. as amended by section 30, chapter 53, Laws of 1983 1st ex. sess. and RCW 47.01.101 are each amended to read as follows:

The secretary shall have the authority and it shall be his or her duty, subject to policy guidance from the commission:

(1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;

(2) To organize the department as he or she may deem necessary to carry out the work and responsibilities of the department effectively;

(3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any powers, duties, and functions to them or any officer or employee of the department as deemed necessary to administer the department efficiently;

(4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules that are subject to the adoption procedures contained in the state administrative procedure act, except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To execute and implement the biennial operating budget for the operation of the department in accordance with chapter 43.88 RCW and with legislative appropriation and, in such manner as prescribed therein, to make and report to the commission and the legislature deviations from the planned biennial category A and H highway construction programs necessary to adjust to unexpected delays or other unanticipated circumstances.

(9) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

Sec. 2. Section 3, chapter 173, Laws of 1963 as last amended by section 2, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.030 are each amended to read as follows:

The transportation commission shall adopt and periodically revise, after consultation with the legislative transportation committee, a comprehensive six-year program and financial plan for highway improvements specifying program objectives for each of the highway categories, "A," "B," ((and)) "C," and "H," defined in this section, and within the framework of estimated funds for such period. The program and plan shall be based upon

the improvement needs for state highways as determined by the department from time to time.

With such reasonable deviations as may be required to effectively utilize the estimated funds and to adjust to unanticipated delays in programmed projects, the commission shall allocate the estimated funds among the following described categories of highway improvements, so as to carry out the commission's program objectives:

(1) Category A shall consist of those improvements necessary to sustain the structural, safety, and operational integrity of the existing state highway system (other than improvements to the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations, and improvements designated in subsections (2) through (4) of this section).

(2) Category B shall consist of improvements for the continued development of the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations.

(3) Category C shall consist of the development of major transportation improvements (other than improvements to the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations) including designated but unconstructed highways which are vital to the state-wide transportation network.

(4) Category H shall consist of those improvements necessary to sustain the structural and operational integrity of existing bridges on the highway system (other than bridges on the interstate system or bridge work included in another category because of its association with a highway project in such category).

Projects which are financed one hundred percent by federal funds or other agency funds shall, if the commission determines that such work will improve the state highway system, be managed separately from the above categories.

Sec. 3. Section 2, chapter 143, Laws of 1975 1st ex. sess. as amended by section 3, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.035 are each amended to read as follows:

(1) The transportation commission, in preparing the comprehensive six-year program and financial plan for highway improvements, shall allocate the estimated funds among categories A, B, ~~((and))~~ C, and H giving primary consideration to the following factors:

(a) The relative needs in each of the categories of improvements;
(b) The need to provide adequate funding for category A improvements to protect the state's investment in its existing highway system;
~~((and))~~

(c) The continuity of future highway development of all categories of improvements with those previously programmed; and

(d) The availability of special categories of federal funds for specific work.

(2) The commission in preparing the comprehensive six-year program and financial plan shall establish program objectives for each of the highway categories, A, B, ~~((and))~~ C, and H.

Sec. 4. Section 4, chapter 173, Laws of 1963 as last amended by section 4, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.040 are each amended to read as follows:

(1) Prior to October 1st of each even-numbered year, the transportation commission as provided in subsections (2), (3), ~~((and))~~ (4), and (5) of this section shall adopt and thereafter shall biennially revise, after consultation with the legislative transportation committee, the comprehensive six-year program and financial plan for highway improvements, including program objectives, as specified in RCW 47.05.030 as now or hereafter amended.

(2) The commission shall first allocate to category A improvements as a whole the estimated construction funds as will be necessary to accomplish the commission's program objectives for category A highway improvements throughout the state. The commission shall then apportion the allocated category A construction funds among the several transportation districts considering the improvement needs of each district in relation to such needs in all districts.

(3) The commission shall next allocate to category B improvements the estimated federal aid interstate funds and state matching funds as necessary to accomplish the commission's program objectives for category B highway improvements throughout the state.

(4) The commission shall next allocate to category H the federal bridge replacement funds and required state funds necessary to accomplish the commission's objectives for category H throughout the state.

(5) The commission shall then allocate to category C improvements the remaining estimated construction funds to accomplish the commission's program objectives for category C highway improvements throughout the state.

Sec. 5. Section 4, chapter 143, laws of 1975 1st ex. sess. as amended by section 5, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.051 are each amended to read as follows:

(1) The comprehensive six-year program and financial plan for each category of highway improvements shall be based upon a priority selection system within the program objectives established for each category. The commission using the criteria set forth in RCW 47.05.030, as now or hereafter amended, shall determine the category of each highway improvement.

(2) Selection of specific category A and H projects for the six-year program shall take into account the criteria set forth in subsection (4) of this section.

(3) Selection of specific category B projects for the six-year program shall be based on ((completion)) commission established priorities for completion and preservation of the interstate system.

(4) In selecting each category A and H project as provided in subsection (2) of this section, the following criteria (not necessarily in order of importance) shall be taken into consideration:

(a) Its structural ability to carry loads imposed upon it;

(b) Its capacity to move traffic at reasonable speeds without undue congestion;

(c) Its adequacy of alignment and related geometrics;

(d) Its accident experience; and

(e) Its fatal accident experience.

(5) The transportation commission in carrying out the provisions of this section may delegate to the department of transportation the authority to select category A ((and)), B, and H improvements to be included in the six-year program.

(6) Selection of specific category C projects for the six-year program shall be based on the priority of each highway section proposed to be improved in relation to other highway sections within the state with full regard to the structural, geometric, safety, and operational adequacy of the existing highway section taking into account the following:

(a) Continuity of development of the highway transportation network;

(b) Coordination with the development of other modes of transportation;

(c) The stated long range goals of the local area and its transportation plan;

(d) Its potential social, economic, and environmental impacts;

(e) Public views concerning proposed improvements;

(f) The conservation of energy resources and the capacity of the transportation corridor to move people and goods safely and at reasonable speeds; and

(g) Feasibility of financing the full proposed improvement.

(7) The commission in selecting any project for improvement in categories A, B, ((or)) C, or H may depart from the priority of projects so established (a) to the extent that otherwise funds cannot be utilized feasibly within the program, (b) as may be required by a court judgment, legally binding agreement, or state and federal laws and regulations, (c) as may be required to coordinate with federal, local, or other state agency construction projects, (d) to take advantage of some substantial financial benefit that may be available, (e) for continuity of route development, or (f) because of changed financial or physical conditions of an unforeseen or emergent nature. The commission shall maintain in its files information sufficient to show the extent to which the commission has departed from the established priority of projects.

(8) The comprehensive six-year program and financial plan for highway improvements shall be revised biennially pursuant to RCW 47.05.040 as now or hereafter amended. The adopted program and plan shall be extended for an additional two years, to six years in the future, effective on July 1st of each odd-numbered year.

Passed the House February 18, 1987.

Passed the Senate April 13, 1987.

Approved by the Governor April 23, 1987.

Filed in Office of Secretary of State April 23, 1987.

CHAPTER 180

[Substitute House Bill No. 329]

CONSERVATION COMMISSION MEMBERSHIP MODIFIED

AN ACT Relating to the conservation commission; and amending RCW 89.08.030.

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

Sec. 1. Section 3, chapter 304, Laws of 1955 as last amended by section 13, chapter 248, Laws of 1983 and RCW 89.08.030 are each amended to read as follows:

There is hereby established to serve as an agency of the state and to perform the functions conferred upon it by law, the state conservation commission, which shall succeed to all powers, duties and property of the state soil and water conservation committee.

The commission shall consist of ~~((eight))~~ ten members, ~~((three))~~ five of whom are ex officio. Two members shall be appointed by the governor, one of whom shall be a landowner or operator of a farm. At least two of the three elected members shall be landowners or operators of a farm and shall be elected as herein provided. The appointed members shall serve for a term of four years.

The three elected members shall be elected for three-year terms, one shall be elected each year by the district supervisors at their annual state-wide meeting. One of the members shall reside in eastern Washington, one in central Washington and one in western Washington, the specific boundaries to be determined by district supervisors. At the first such election, the term of the member from western Washington shall be one year, central Washington two years and eastern Washington three years, and successors shall be elected for three years.

Unexpired term vacancies in the office of appointed commission members shall be filled by appointment by the governor in the same manner as full-term appointments. Unexpired terms of elected commission members shall be filled by the regional vice president of the Washington association