
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-1001.2/10 2nd draft

ATTY/TYPIST: SCG:ean

BRIEF DESCRIPTION: Consolidating several transportation-related boards and commissions.

1 AN ACT Relating to consolidating transportation-related boards and
2 commissions; amending RCW 36.33A.040, 36.77.065, 36.78.010, 36.78.020,
3 36.78.030, 36.78.050, 36.78.060, 36.78.070, 36.78.080, 36.78.090,
4 36.78.100, 36.78.110, 36.78.121, 36.79.010, 36.79.020, 36.79.040,
5 36.79.050, 36.79.060, 36.79.070, 36.79.090, 36.79.100, 36.79.110,
6 36.79.120, 36.79.130, 36.79.150, 36.79.160, 36.79.170, 36.80.060,
7 36.81.121, 36.82.160, 46.68.090, 47.56.725, 35.58.2795, 47.01.240,
8 47.26.044, 47.26.080, 47.26.084, 47.26.086, 47.26.090, 47.26.115,
9 47.26.121, 47.26.140, 47.26.150, 47.26.160, 47.26.164, 47.26.170,
10 47.26.185, 47.26.190, 47.26.260, 47.26.270, 47.26.282, 47.26.305,
11 47.26.320, 47.26.330, 47.26.340, 47.26.420, 47.26.450, 47.26.460,
12 47.26.500, 77.95.170, 82.80.070, 47.06A.010, 47.06A.020, 47.06A.030,
13 47.06A.040, 47.06A.050, 47.06A.060, 47.06A.070, 43.59.010, 43.59.070,
14 and 47.01.250; reenacting and amending RCW 36.79.140 and 82.44.180;
15 adding a new section to chapter 43.59 RCW; adding new chapters to Title
16 47 RCW; creating new sections; recodifying RCW 36.78.010, 36.78.020,
17 36.78.030, 36.78.040, 36.78.050, 36.78.060, 36.78.070, 36.78.080,
18 36.78.090, 36.78.100, 36.78.110, 36.78.120, 36.79.010, 36.79.020,
19 36.79.030, 36.79.040, 36.79.050, 36.79.060, 36.79.070, 36.79.080,
20 36.79.090, 36.79.100, 36.79.110, 36.79.120, 36.79.130, 36.79.140,
21 36.79.150, 36.79.160, 36.79.170, 36.79.900, and 36.79.901; repealing

1 RCW 47.26.440, 43.59.060, and 43.59.080; and providing an effective
2 date.

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

4 **PART I**

5 **COUNTY ROAD ADMINISTRATION BOARD**

6 **Sec. 101.** RCW 36.33A.040 and 2007 c 195 s 1 are each amended to
7 read as follows:

8 Rates for the rental of equipment owned by the fund shall be set to
9 cover all costs of maintenance and repair, material and supplies
10 consumed in operating or maintaining the equipment, and the future
11 replacement thereof. The rates shall be determined by the county
12 engineer or other appointee of the county legislative body and shall be
13 subject to annual review by the legislative body. This section does
14 not restrict the ability of the (~~county road administration board~~)
15 department of transportation to directly inquire into the process of
16 setting rental rates while performing its statutory oversight
17 responsibility.

18 **Sec. 102.** RCW 36.77.065 and 2009 c 29 s 1 are each amended to read
19 as follows:

20 The board may cause any county road to be constructed or improved
21 by use of county forces as provided in this section.

22 (1) As used in this section:

23 (a) "County forces" means regular employees of a county; and

24 (b) "Road construction project costs" means the aggregate total of
25 those costs as defined by the budgeting, accounting, and reporting
26 system for counties and cities and other local governments authorized
27 under RCW 43.09.200 and 43.09.230 as prescribed in the state auditor's
28 budget, accounting, and reporting manual's (BARS) road and street
29 construction accounts: PROVIDED, That such costs shall not include
30 those costs assigned to the right-of-way account, ancillary operations
31 account, preliminary engineering account, and construction engineering
32 account in the budget, accounting, and reporting manual.

33 (2) For counties with a population that equals or exceeds four

1 hundred thousand people, the total amount of road construction project
2 costs one county may perform annually with county forces shall be no
3 more than the total of the following amounts:

4 (a) Three million two hundred fifty thousand dollars; and

5 (b) The previous year's county motor vehicle fuel tax distribution
6 factor, as provided for in RCW 46.68.124(5), multiplied by the amount
7 listed in (a) of this subsection.

8 (3) For counties with a population that equals or exceeds one
9 hundred fifty thousand, but is less than four hundred thousand people,
10 the total amount of road construction project costs one county may
11 perform annually with county forces shall be no more than the total of
12 the following amounts:

13 (a) One million seven hundred fifty thousand dollars; and

14 (b) The previous year's county motor vehicle fuel tax distribution
15 factor, as provided for in RCW 46.68.124(5), multiplied by the amount
16 listed in (a) of this subsection.

17 (4) For counties with a population that equals or exceeds thirty
18 thousand, but is less than one hundred fifty thousand people, the total
19 amount of road construction project costs one county may perform
20 annually with county forces shall be no more than the total of the
21 following amounts:

22 (a) One million one hundred fifty thousand dollars; this amount
23 shall increase to one million two hundred fifty thousand dollars
24 effective January 1, 2012; and

25 (b) The previous year's county motor vehicle fuel tax distribution
26 factor, as provided for in RCW 46.68.124(5), multiplied by the amount
27 listed in (a) of this subsection.

28 (5) For counties with a population that is less than thirty
29 thousand people, the total amount of road construction project costs
30 one county may perform annually with county forces shall be no more
31 than the total of the following amounts:

32 (a) Seven hundred thousand dollars; this amount shall increase to
33 eight hundred thousand dollars effective January 1, 2012; and

34 (b) The previous year's county motor vehicle fuel tax distribution
35 factor, as provided for in RCW 46.68.124(5), multiplied by the amount
36 listed in (a) of this subsection.

37 (6) Any county whose expenditure for county forces for road
38 construction projects exceeds the limits specified in this section, is

1 in violation of the (~~county road administration board's~~) department
2 of transportation's standards of good practice under RCW 36.78.020 (as
3 recodified by this act) and is in violation of this section.

4 (7) Notwithstanding any other provision in this section, whenever
5 the construction work or improvement is the installation of electrical
6 traffic control devices, highway illumination equipment, electrical
7 equipment, wires, or equipment to convey electrical current, in an
8 amount exceeding ten thousand dollars for any one project including
9 labor, equipment, and materials, such work shall be performed by
10 contract as in this chapter provided. This section means a complete
11 project and does not permit the construction of any project by county
12 forces by division of the project into units of work or classes of
13 work.

14 **Sec. 103.** RCW 36.78.010 and 1965 ex.s. c 120 s 1 are each amended
15 to read as follows:

16 The definitions in this section apply throughout this chapter
17 unless the context clearly requires otherwise.

18 (1) "Board" (~~(shall)~~) means the county road administration board
19 created by this chapter, which shall be a program within the
20 department.

21 (2) "Department" means the department of transportation.

22 (3) "Secretary" means the secretary of the department.

23 **Sec. 104.** RCW 36.78.020 and 1993 c 65 s 1 are each amended to read
24 as follows:

25 "Standards of good practice" shall mean general and uniform
26 practices formulated and adopted by the department, in consultation
27 with the board, relating to the administration of county roads and the
28 safe and efficient movement of people and goods over county roads,
29 which shall apply to engineering, design procedures, maintenance,
30 traffic control, safety, planning, programming, road classification,
31 road inventories, budgeting and accounting procedures, management
32 practices, equipment policies, personnel policies, and effective use of
33 transportation-related information technology.

34 **Sec. 105.** RCW 36.78.030 and 1971 ex.s. c 85 s 5 are each amended
35 to read as follows:

1 There is created hereby a county road administration board
2 consisting of nine members who shall be appointed by the secretary, in
3 consultation with the executive committee of the Washington state
4 association of counties. (~~Prior to July 1, 1965 the executive~~
5 ~~committee of the Washington state association of counties shall appoint~~
6 ~~the first members of the county road administration board: Three~~
7 ~~members to serve one year; three members to serve two years; and three~~
8 ~~members to serve three years from July 1, 1965. Upon expiration of the~~
9 ~~original terms subsequent)) Appointments shall be made by the ((same
10 appointing authority)) department, in consultation with the executive
11 committee of the Washington state association of counties, for three
12 year terms except in the case of a vacancy, in which event the
13 appointment shall be only for the remainder of the unexpired term in
14 which the vacancy has occurred.~~

15 **Sec. 106.** RCW 36.78.050 and 1993 c 65 s 2 are each amended to read
16 as follows:

17 The board shall meet at least once quarterly (~~and~~). The
18 department, in consultation with the board, shall from time to time
19 adopt rules (~~and regulations~~) for its own government and as may be
20 necessary for it to discharge its duties and exercise its powers under
21 this chapter. The board shall elect a chair from its own membership
22 who shall hold office for one year. Election as chair does not affect
23 the member's right to vote on all matters before the board.

24 **Sec. 107.** RCW 36.78.060 and 1990 c 266 s 1 are each amended to
25 read as follows:

26 The (~~county road administration~~) secretary, in consultation with
27 the board chair, shall appoint (~~an executive director who shall be~~
28 ~~the~~) a chief administrative officer of the board ((and)) who shall be
29 responsible for carrying out the policies adopted by the board. The
30 (~~executive director~~) chief administrative officer is exempt from the
31 provisions of state civil service law, chapter 41.06 RCW, and shall
32 serve at the pleasure of the (~~county road administration board~~)
33 secretary. The (~~executive director's~~) chief administrative officer's
34 salary shall be set by the (~~board~~) secretary.

1 **Sec. 108.** RCW 36.78.070 and 2005 c 319 s 102 are each amended to
2 read as follows:

3 The (~~county road administration~~) department, in consultation with
4 the board, shall:

5 (1) Establish by rule, standards of good practice for the
6 administration of county roads and the efficient movement of people and
7 goods over county roads;

8 (2) Establish reporting requirements for counties with respect to
9 the standards of good practice adopted by the board;

10 (3) Receive and review reports from counties and reports from (~~its~~
11 ~~executive director~~) the board's chief administrative officer to
12 determine compliance with legislative directives and the standards of
13 good practice adopted by the (~~board~~) department;

14 (4) Advise counties on issues relating to county roads and the safe
15 and efficient movement of people and goods over county roads and assist
16 counties in developing uniform and efficient transportation-related
17 information technology resources;

18 (5) Report annually before the fifteenth day of January, and
19 throughout the year as appropriate, to (~~the state department of~~
20 ~~transportation and to~~) the chairs of the house and senate
21 transportation committees, and to other entities as appropriate on the
22 status of county road administration in each county, including one copy
23 to the staff of each of the committees. The annual report shall
24 contain recommendations for improving administration of the county road
25 programs;

26 (6) Administer the rural arterial program established by chapter
27 36.79 RCW (as recodified by this act) and the program funded by the
28 county arterial preservation account established by RCW 46.68.090, as
29 well as any other programs provided for in law.

30 **Sec. 109.** RCW 36.78.080 and 1975-'76 2nd ex.s. c 34 s 80 are each
31 amended to read as follows:

32 Members of the (~~county road administration~~) board shall receive
33 no compensation for their service on the board, but shall be reimbursed
34 for travel expenses incurred while attending meetings of the board or
35 while engaged on other business of the board when authorized by the
36 (~~board~~) secretary in accordance with RCW 43.03.050 and 43.03.060 as
37 now existing or hereafter amended.

1 **Sec. 110.** RCW 36.78.090 and 2009 c 549 s 4127 are each amended to
2 read as follows:

3 (1) Before May 1st of each year the (~~board~~) department shall
4 transmit to the state treasurer certificates of good practice on behalf
5 of the counties which during the preceding calendar year:

6 (a) Have submitted to the state department (~~of transportation or~~
7 ~~to the board~~) all reports required by law or (~~regulation of the~~
8 ~~board~~) rule; and

9 (b) Have reasonably complied with provisions of law relating to
10 county road administration and with the standards of good practice as
11 (~~formulated and~~) adopted by the (~~board~~) department.

12 (2) The (~~board~~) department shall not transmit to the state
13 treasurer a certificate of good practice on behalf of any county
14 failing to meet the requirements of subsection (1) of this section, but
15 the (~~board~~) department shall in such case and before May 1st, notify
16 the county and the state treasurer of its reasons for withholding the
17 certificate.

18 (3) The state treasurer, upon receiving a notice that a certificate
19 of good practice will not be issued on behalf of a county, or that a
20 previously issued certificate of good practice has been revoked, shall,
21 effective the first day of the month after that in which notice is
22 received, withhold from such county its share of motor vehicle fuel
23 taxes distributable pursuant to RCW 46.68.120 until the (~~board~~)
24 department thereafter issues on behalf of such county a certificate of
25 good practice or a conditional certificate. After withholding or
26 revoking a certificate of good practice with respect to any county, the
27 (~~board~~) department may thereafter at any time issue such a
28 certificate or a conditional certificate when the (~~board~~) department
29 is satisfied that the county has complied or is diligently attempting
30 to comply with the requirements of subsection (1) of this section.

31 (4) The board may, upon notice and a hearing, revoke a previously
32 issued certificate of good practice or substitute a conditional
33 certificate therefor when, after issuance of a certificate of good
34 practice, any county fails to meet the requirements of subsection (1)
35 (a) and (b) of this section, but the board shall in such case notify
36 the county and the state treasurer of its reasons for the revocation or
37 substitution.

1 (5) Motor vehicle fuel taxes withheld from any county pursuant to
2 this section shall not be distributed to any other county, but shall be
3 retained in the motor vehicle fund to the credit of the county
4 originally entitled thereto. Whenever the state treasurer receives
5 from the ((board)) department a certificate of good practice issued on
6 behalf of such county he or she shall distribute to such county all of
7 the funds theretofore retained in the motor vehicle fund to the credit
8 of such county.

9 **Sec. 111.** RCW 36.78.100 and 1977 ex.s. c 257 s 2 are each amended
10 to read as follows:

11 Whenever the board finds that a county has failed to submit the
12 reports required by RCW 36.78.090 (as recodified by this act), or has
13 failed to comply with provisions of law relating to county road
14 administration or has failed to meet the standards of good practice as
15 formulated and adopted by the board, the ((board)) department may in
16 lieu of withholding or revoking a certificate of good practice issue
17 and transmit to the state treasurer on behalf of such county a
18 conditional certificate which will authorize the continued distribution
19 to such county all or a designated portion of its share of motor
20 vehicle fuel taxes. The issuance of such a conditional certificate
21 shall be upon terms and conditions as shall be deemed by the board to
22 be appropriate. In the event a county on whose behalf a conditional
23 certificate is issued fails to comply with the terms and conditions of
24 such certificate, the ((board)) department may forthwith cancel or
25 modify such certificate notifying the state treasurer thereof. In such
26 case the state treasurer shall thereafter withhold from such county all
27 or the designated portion of its share of the motor vehicle fuel taxes
28 as provided in RCW 36.78.090 (as recodified by this act).

29 **Sec. 112.** RCW 36.78.110 and 2009 c 549 s 4128 are each amended to
30 read as follows:

31 ~~((All expenses incurred by the board including salaries of
32 employees shall be paid upon voucher forms provided by the office of
33 financial management or pursuant to a regular payroll signed by the
34 chair and the executive director of the board.))~~ All expenses of the
35 board shall be paid out of that portion of the motor vehicle fund

1 allocated to the counties and withheld for use by the department (~~of~~
2 ~~transportation and the county road administration board~~) under the
3 provisions of RCW 46.68.120(1), as now or hereafter amended.

4 **Sec. 113.** RCW 36.78.121 and 2006 c 334 s 10 are each amended to
5 read as follows:

6 The (~~county road administration~~) board, or its successor entity,
7 shall establish a standard of good practice for maintenance of
8 transportation system assets. This standard must be implemented by all
9 counties no later than December 31, 2007. The board shall develop a
10 model maintenance management system for use by counties. The
11 department, in consultation with the board, shall develop rules to
12 assist the counties in the implementation of this system. Counties
13 shall annually submit their maintenance plans to the board. The board
14 shall compile the county data regarding maintenance management and
15 annually submit it to the office of financial management.

16 **Sec. 114.** RCW 36.79.010 and 1997 c 81 s 1 are each amended to read
17 as follows:

18 The definitions set forth in this section apply throughout this
19 chapter unless the context clearly requires otherwise.

20 (1) "Rural arterial program" means improvement projects on those
21 county roads in rural areas classified as rural arterials and
22 collectors in accordance with the federal functional classification
23 system and the construction of replacement bridges funded by the
24 federal bridge replacement program on access roads in rural areas.

25 (2) "Rural area" means every area of the state outside of areas
26 designated as urban areas by the state transportation commission with
27 the approval of the secretary of the United States department of
28 transportation in accordance with federal law.

29 (3) "Board" means the county road administration board created by
30 RCW 36.78.030 (as recodified by this act), which shall be a program
31 within the department.

32 (4) "Department" means the department of transportation.

33 (5) "Secretary" means the secretary of the department.

34 **Sec. 115.** RCW 36.79.020 and 1997 c 81 s 2 are each amended to read
35 as follows:

1 There is created in the motor vehicle fund the rural arterial trust
2 account. All moneys deposited in the motor vehicle fund to be credited
3 to the rural arterial trust account shall be expended for (1) the
4 construction and improvement of county rural arterials and collectors,
5 (2) the construction of replacement bridges funded by the federal
6 bridge replacement program on access roads in rural areas, and (3)
7 those expenses of the ((board)) department associated with the
8 administration of the rural arterial program.

9 **Sec. 116.** RCW 36.79.040 and 1997 c 81 s 3 are each amended to read
10 as follows:

11 Funds available for expenditure by the ((board)) department
12 pursuant to RCW 36.79.020 (as recodified by this act) shall be
13 apportioned to the five regions for expenditure upon county arterials
14 in rural areas in the following manner:

15 (1) One-third in the ratio which the land area of the rural areas
16 of each region bears to the total land area of all rural areas of the
17 state;

18 (2) Two-thirds in the ratio which the mileage of county arterials
19 and collectors in rural areas of each region bears to the total mileage
20 of county arterials and collectors in all rural areas of the state.

21 The department, in consultation with the board, shall adjust the
22 schedule for apportionment of such funds to the five regions in the
23 manner provided in this section before the commencement of each fiscal
24 biennium.

25 **Sec. 117.** RCW 36.79.050 and 1997 c 81 s 4 are each amended to read
26 as follows:

27 At the beginning of each fiscal biennium, the department, in
28 consultation with the board, shall establish apportionment percentages
29 for the five regions defined in RCW 36.79.030 (as recodified by this
30 act) in the manner prescribed in RCW 36.79.040 (as recodified by this
31 act) for that biennium. The apportionment percentages shall be used
32 once each calendar quarter by the ((board)) department to apportion
33 funds credited to the rural arterial trust account that are available
34 for expenditure for rural arterial and collector projects and for
35 construction of replacement bridges funded by the federal bridge
36 replacement program on access roads in rural areas. The funds so

1 apportioned shall remain apportioned until expended on construction
2 projects in accordance with rules of the ((board)) department. Within
3 each region, funds shall be allocated by the ((board)) department to
4 counties for the construction of specific rural arterial and collector
5 projects and construction of replacement bridges funded by the federal
6 bridge replacement program on access roads in rural areas in accordance
7 with the procedures set forth in this chapter.

8 **Sec. 118.** RCW 36.79.060 and 1998 c 245 s 31 are each amended to
9 read as follows:

10 The department, in consultation with the board, shall:

11 (1) Adopt rules necessary to implement the provisions of this
12 chapter relating to the allocation of funds in the rural arterial trust
13 account to counties;

14 (2) Adopt reasonably uniform design standards for county rural
15 arterials and collectors that meet the requirements for trucks
16 transporting commodities.

17 **Sec. 119.** RCW 36.79.070 and 1983 1st ex.s. c 49 s 7 are each
18 amended to read as follows:

19 ~~((The board may contract with the department of transportation to
20 furnish any necessary staff services and facilities required in the
21 administration of the rural arterial program.))~~ The cost of ((such))
22 services provided by the department that are attributable to the rural
23 arterial program, together with travel expenses in accordance with RCW
24 43.03.050 and 43.03.060 of the members and all other lawful expenses of
25 the board that are attributable to the rural arterial program, shall be
26 paid from the rural arterial trust account in the motor vehicle fund.

27 **Sec. 120.** RCW 36.79.090 and 1988 c 26 s 5 are each amended to read
28 as follows:

29 Upon receipt of a county's revised six-year program, the board as
30 soon as practicable shall review, and may ((revise)) make
31 recommendations to the department on the revision of, the construction
32 program as it relates to rural arterials and the construction of
33 replacement bridges funded by the federal bridge replacement program on
34 access roads in rural areas for which rural arterial trust account
35 moneys are requested as necessary to conform to (1) the priority rating

1 of the proposed project, based upon the factors in RCW 36.79.080 (as
2 recodified by this act), in relation to proposed projects in all other
3 rural arterial construction programs submitted by the counties and
4 within each region; and (2) the amount of rural arterial trust account
5 funds that the board estimates will be apportioned to the region.

6 **Sec. 121.** RCW 36.79.100 and 1983 1st ex.s. c 49 s 9 are each
7 amended to read as follows:

8 Whenever a rural arterial enters a city or town, the proper city or
9 town and county officials shall jointly plan the improvement of the
10 arterial in their respective long-range plans. Whenever a rural
11 arterial connects with and will be substantially affected by a
12 programmed construction project on a state highway, the proper county
13 officials shall jointly plan the development of such arterial with the
14 department of transportation district administrator. The department,
15 in consultation with the board, shall adopt rules encouraging the
16 system development of county-city arterials in rural areas and rural
17 arterials with state highways.

18 **Sec. 122.** RCW 36.79.110 and 1988 c 167 s 7 are each amended to
19 read as follows:

20 The (~~county road administration~~) department, in consultation with
21 the board and the transportation improvement board, shall (~~jointly~~)
22 adopt rules to assure coordination of (~~their respective~~) programs
23 (~~especially with respect to~~) regarding projects proposed by the group
24 of incorporated cities outside the boundaries of federally approved
25 urban areas, and to encourage the system development of county-city
26 arterials in rural areas.

27 **Sec. 123.** RCW 36.79.120 and 2006 c 334 s 11 are each amended to
28 read as follows:

29 Counties receiving funds from the rural arterial trust account for
30 construction of arterials and the construction of replacement bridges
31 funded by the federal bridge replacement program on access roads in
32 rural areas shall provide such matching funds as established by rules
33 recommended by the department, in consultation with the board, subject
34 to review, revision, and final approval by the office of financial

1 management. Matching requirements shall be established after
2 appropriate studies by the board, taking into account financial
3 resources available to counties to meet arterial needs.

4 **Sec. 124.** RCW 36.79.130 and 2006 c 334 s 12 are each amended to
5 read as follows:

6 Not later than November 1st of each even-numbered year the board
7 shall prepare and present to the (~~office of financial management~~)
8 department a recommended budget for expenditures from the rural
9 arterial trust account during the ensuing biennium. The budget shall
10 contain an estimate of the revenues to be credited to the rural
11 arterial trust account.

12 The department shall present the budget to the office of financial
13 management, which shall review the budget as recommended, revise the
14 budget as it deems proper, and include the budget as revised as a
15 separate section of the transportation budget which it shall submit to
16 the governor pursuant to chapter 43.88 RCW.

17 **Sec. 125.** RCW 36.79.140 and 2001 c 221 s 2 and 2001 c 212 s 26 are
18 each reenacted and amended to read as follows:

19 At the time the board reviews the six-year program of each county
20 each even-numbered year, it shall consider, and the department shall
21 approve for inclusion in its recommended budget, as required by RCW
22 36.79.130 (as recodified by this act), the portion of the rural
23 arterial construction program scheduled to be performed during the
24 biennial period beginning the following July 1st. Subject to the
25 appropriations actually approved by the legislature, the (~~board~~)
26 department shall as soon as feasible approve rural arterial trust
27 account funds to be spent during the ensuing biennium for preliminary
28 proposals in priority sequence as established pursuant to RCW 36.79.090
29 (as recodified by this act). Only those counties that during the
30 preceding twelve months have spent all revenues collected for road
31 purposes only for such purposes, including removal of barriers to fish
32 passage and accompanying streambed and stream bank repair as specified
33 in RCW 36.82.070, and including traffic law enforcement, as are allowed
34 to the state by Article II, section 40 of the state Constitution are
35 eligible to receive funds from the rural arterial trust account, except
36 that: (1) Counties with a population of less than eight thousand are

1 exempt from this eligibility restriction; (2) counties expending
2 revenues collected for road purposes only on other governmental
3 services after authorization from the voters of that county under RCW
4 84.55.050 are also exempt from this eligibility restriction; and (3)
5 this restriction shall not apply to any moneys diverted from the road
6 district levy under chapter 39.89 RCW. The ((board)) department shall
7 authorize rural arterial trust account funds for the construction
8 project portion of a project previously authorized for a preliminary
9 proposal in the sequence in which the preliminary proposal has been
10 completed and the construction project is to be placed under contract.
11 At such time the ((board)) department may reserve rural arterial trust
12 account funds for expenditure in future years as may be necessary for
13 completion of preliminary proposals and construction projects to be
14 commenced in the ensuing biennium.

15 The ((board)) department may, within the constraints of available
16 rural arterial trust funds, consider additional projects for
17 authorization upon a clear and conclusive showing by the submitting
18 county that the proposed project is of an emergent nature and that its
19 need was unable to be anticipated at the time the six-year program of
20 the county was developed. The proposed projects shall be evaluated on
21 the basis of the priority rating factors specified in RCW 36.79.080 (as
22 recodified by this act).

23 **Sec. 126.** RCW 36.79.150 and 1991 sp.s. c 32 s 31 are each amended
24 to read as follows:

25 (1) Whenever the ((board)) department approves a rural arterial
26 project ((it)), the board shall ((determine)) recommend to the
27 department the amount of rural arterial trust account funds to be
28 allocated for such project. The allocation shall be based upon
29 information contained in the six-year plan submitted by the county
30 seeking approval of the project and upon such further investigation as
31 the board deems necessary. The department, in consultation with the
32 board, shall adopt reasonable rules pursuant to which rural arterial
33 trust account funds allocated to a project may be increased upon a
34 subsequent application of the county constructing the project. The
35 rules adopted by the ((board)) department shall take into account, but
36 shall not be limited to, the following factors: (a) The financial
37 effect of increasing the original allocation for the project upon other

1 rural arterial projects either approved or requested; (b) whether the
2 project for which an additional allocation is requested can be reduced
3 in scope while retaining a usable segment; (c) whether the original
4 cost of the project shown in the applicant's six-year program was based
5 upon reasonable engineering estimates; and (d) whether the requested
6 additional allocation is to pay for an expansion in the scope of work
7 originally approved.

8 (2) The (~~board~~) department shall not allocate funds, nor make
9 payments under RCW 36.79.160 (as recodified by this act), to any county
10 or city identified by the governor under RCW 36.70A.340.

11 **Sec. 127.** RCW 36.79.160 and 2009 c 549 s 4129 are each amended to
12 read as follows:

13 (1) Upon completion of a preliminary proposal, the county
14 submitting the proposal shall submit to the (~~board~~) department its
15 voucher for payment of the trust account share of the cost. Upon the
16 completion of an approved rural arterial construction project, the
17 county constructing the project shall submit to the (~~board~~)
18 department its voucher for the payment of the trust account share of
19 the cost. The (~~chair of the board or his or her designated agent~~)
20 department shall approve such voucher when proper to do so, for payment
21 from the rural arterial trust account to the county submitting the
22 voucher.

23 (2) The department, in consultation with the board, may adopt rules
24 providing for the approval of payments of funds in the rural arterial
25 trust account to a county for costs of preliminary proposal, and costs
26 of construction of an approved project from time to time as work
27 progresses. These payments shall at no time exceed the rural arterial
28 trust account share of the costs of construction incurred to the date
29 of the voucher covering the payment.

30 **Sec. 128.** RCW 36.79.170 and 2009 c 549 s 4130 are each amended to
31 read as follows:

32 The legislative body of any county feeling aggrieved by any initial
33 action or initial decision of the (~~board~~) department with respect to
34 this chapter may appeal to the secretary (~~of transportation~~) by
35 filing a notice of appeal within ninety days after the action or
36 decision of the board. The notice shall specify the action or decision

1 of which complaint is made. The secretary shall fix a time for a
2 hearing on the appeal at the earliest convenient time and shall notify
3 the county auditor (~~and the chair of the board~~) by certified mail at
4 least twenty days before the date of the hearing. At the hearing the
5 secretary shall receive evidence from the county filing the appeal
6 (~~and from the board~~). After the hearing, the secretary shall make
7 such order as in the secretary's judgment is just and proper, which
8 shall be subject to appeal under the administrative procedure act,
9 chapter 34.05 RCW.

10 **Sec. 129.** RCW 36.80.060 and 2009 c 549 s 4135 are each amended to
11 read as follows:

12 The county road engineer shall maintain in his or her office
13 complete and accurate records of all expenditures for (1)
14 administration, (2) bond and warrant retirement, (3) maintenance, (4)
15 construction, (5) purchase and operation of road equipment, and (6)
16 purchase or manufacture of materials and supplies, and shall maintain
17 a true and complete inventory of all road equipment. The state
18 auditor, with the advice and assistance of the (~~county road~~
19 ~~administration board~~) department of transportation, shall prescribe
20 forms and types of records to be maintained by the county road
21 engineers.

22 **Sec. 130.** RCW 36.81.121 and 2005 c 360 s 3 are each amended to
23 read as follows:

24 (1) At any time before adoption of the budget, the legislative
25 authority of each county, after one or more public hearings thereon,
26 shall prepare and adopt a comprehensive transportation program for the
27 ensuing six calendar years. If the county has adopted a comprehensive
28 plan pursuant to chapter 35.63 or 36.70 RCW, the inherent authority of
29 a charter county derived from its charter, or chapter 36.70A RCW, the
30 program shall be consistent with this comprehensive plan.

31 The program shall include proposed road and bridge construction
32 work and other transportation facilities and programs deemed
33 appropriate, and for those counties operating ferries shall also
34 include a separate section showing proposed capital expenditures for
35 ferries, docks, and related facilities. The program shall include any
36 new or enhanced bicycle or pedestrian facilities identified pursuant to

1 RCW 36.70A.070(6) or other applicable changes that promote nonmotorized
2 transit. Copies of the program shall be filed with the (~~county road~~
3 ~~administration board~~) department of transportation and with the state
4 secretary of transportation not more than thirty days after its
5 adoption by the legislative authority. The purpose of this section is
6 to assure that each county shall perpetually have available advanced
7 plans looking to the future for not less than six years as a guide in
8 carrying out a coordinated transportation program. The program may at
9 any time be revised by a majority of the legislative authority but only
10 after a public hearing thereon.

11 (2) Each six-year transportation program forwarded to the secretary
12 in compliance with subsection (1) of this section shall contain
13 information as to how a county will expend its moneys, including funds
14 made available pursuant to chapter 47.30 RCW, for nonmotorized
15 transportation purposes.

16 (3) Each six-year transportation program forwarded to the secretary
17 in compliance with subsection (1) of this section shall contain
18 information as to how a county shall act to preserve railroad right-of-
19 way in the event the railroad ceases to operate in the county's
20 jurisdiction.

21 (4) The six-year plan for each county shall specifically set forth
22 those projects and programs of regional significance for inclusion in
23 the transportation improvement program within that region.

24 **Sec. 131.** RCW 36.82.160 and 1991 c 363 s 88 are each amended to
25 read as follows:

26 Each county legislative authority, with the assistance of the
27 county road engineer, shall prepare and file with the county auditor on
28 or before the second Monday in August in each year, detailed and
29 itemized estimates of all expenditures required in the county for the
30 ensuing fiscal year. In the preparation and adoption of the county
31 road budget the legislative authority shall determine and budget sums
32 to become available for the following county road purposes: (1)
33 Administration; (2) bond and warrant retirement; (3) maintenance; (4)
34 construction; (5) operation of equipment rental and revolving fund; and
35 (6) such other items relating to the county road budget as may be
36 required by the (~~county road administration board~~) department of

1 transportation; and the respective amounts as adopted for these several
2 items in the final budget for the ensuing calendar year shall not be
3 altered or exceeded except as by law provided.

4 **Sec. 132.** RCW 46.68.090 and 2005 c 314 s 103 are each amended to
5 read as follows:

6 (1) All moneys that have accrued or may accrue to the motor vehicle
7 fund from the motor vehicle fuel tax and special fuel tax shall be
8 first expended for purposes enumerated in (a) and (b) of this
9 subsection. The remaining net tax amount shall be distributed monthly
10 by the state treasurer in accordance with subsections (2) through (7)
11 of this section.

12 (a) For payment of refunds of motor vehicle fuel tax and special
13 fuel tax that has been paid and is refundable as provided by law;

14 (b) For payment of amounts to be expended pursuant to
15 appropriations for the administrative expenses of the offices of state
16 treasurer, state auditor, and the department of licensing of the state
17 of Washington in the administration of the motor vehicle fuel tax and
18 the special fuel tax, which sums shall be distributed monthly.

19 (2) All of the remaining net tax amount collected under RCW
20 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a)
21 through (j) of this section.

22 (a) For distribution to the motor vehicle fund an amount equal to
23 44.387 percent to be expended for highway purposes of the state as
24 defined in RCW 46.68.130;

25 (b) For distribution to the special category C account, hereby
26 created in the motor vehicle fund, an amount equal to 3.2609 percent to
27 be expended for special category C projects. Special category C
28 projects are category C projects that, due to high cost only, will
29 require bond financing to complete construction.

30 The following criteria, listed in order of priority, shall be used
31 in determining which special category C projects have the highest
32 priority:

33 (i) Accident experience;

34 (ii) Fatal accident experience;

35 (iii) Capacity to move people and goods safely and at reasonable
36 speeds without undue congestion; and

1 (iv) Continuity of development of the highway transportation
2 network.

3 Moneys deposited in the special category C account in the motor
4 vehicle fund may be used for payment of debt service on bonds the
5 proceeds of which are used to finance special category C projects under
6 this subsection (2)(b);

7 (c) For distribution to the Puget Sound ferry operations account in
8 the motor vehicle fund an amount equal to 2.3283 percent;

9 (d) For distribution to the Puget Sound capital construction
10 account in the motor vehicle fund an amount equal to 2.3726 percent;

11 (e) For distribution to the urban arterial trust account in the
12 motor vehicle fund an amount equal to 7.5597 percent;

13 (f) For distribution to the transportation improvement account in
14 the motor vehicle fund an amount equal to 5.6739 percent and expended
15 in accordance with RCW 47.26.086;

16 (g) For distribution to the cities and towns from the motor vehicle
17 fund an amount equal to 10.6961 percent in accordance with RCW
18 46.68.110;

19 (h) For distribution to the counties from the motor vehicle fund an
20 amount equal to 19.2287 percent: (i) Out of which there shall be
21 distributed from time to time, as directed by the department of
22 transportation, those sums as may be necessary to carry out the
23 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
24 the county road administration board to implement the provisions of RCW
25 47.56.725(4), with the balance of such county share to be distributed
26 monthly as the same accrues for distribution in accordance with RCW
27 46.68.120;

28 (i) For distribution to the county arterial preservation account,
29 hereby created in the motor vehicle fund an amount equal to 1.9565
30 percent. These funds shall be distributed by the county road
31 administration board to counties in proportions corresponding to the
32 number of paved arterial lane miles in the unincorporated area of each
33 county and shall be used for improvements to sustain the structural,
34 safety, and operational integrity of county arterials. The department
35 of transportation, in consultation with the county road administration
36 board, shall adopt reasonable rules and develop policies to implement
37 this program and to assure that a pavement management system is used;

1 (j) For distribution to the rural arterial trust account in the
2 motor vehicle fund an amount equal to 2.5363 percent and expended in
3 accordance with RCW 36.79.020 (as recodified by this act).

4 (3) The remaining net tax amount collected under RCW 82.36.025(2)
5 and 82.38.030(2) shall be distributed to the transportation 2003
6 account (nickel account).

7 (4) The remaining net tax amount collected under RCW 82.36.025(3)
8 and 82.38.030(3) shall be distributed as follows:

9 (a) 8.3333 percent shall be distributed to the incorporated cities
10 and towns of the state in accordance with RCW 46.68.110;

11 (b) 8.3333 percent shall be distributed to counties of the state in
12 accordance with RCW 46.68.120; and

13 (c) The remainder shall be distributed to the transportation
14 partnership account created in RCW 46.68.290.

15 (5) The remaining net tax amount collected under RCW 82.36.025(4)
16 and 82.38.030(4) shall be distributed as follows:

17 (a) 8.3333 percent shall be distributed to the incorporated cities
18 and towns of the state in accordance with RCW 46.68.110;

19 (b) 8.3333 percent shall be distributed to counties of the state in
20 accordance with RCW 46.68.120; and

21 (c) The remainder shall be distributed to the transportation
22 partnership account created in RCW 46.68.290.

23 (6) The remaining net tax amount collected under RCW 82.36.025 (5)
24 and (6) and 82.38.030 (5) and (6) shall be distributed to the
25 transportation partnership account created in RCW 46.68.290.

26 (7) Nothing in this section or in RCW 46.68.130 may be construed so
27 as to violate any terms or conditions contained in any highway
28 construction bond issues now or hereafter authorized by statute and
29 whose payment is by such statute pledged to be paid from any excise
30 taxes on motor vehicle fuel and special fuels.

31 **Sec. 133.** RCW 47.56.725 and 1999 c 269 s 12 are each amended to
32 read as follows:

33 (1) The department is hereby authorized to enter into a continuing
34 agreement with Pierce, Skagit, and Whatcom counties pursuant to which
35 the department shall, from time to time, direct the distribution to
36 each of the counties the amounts authorized in subsection (2) of this
37 section in accordance with RCW 46.68.090.

1 (2) The department is authorized to include in each agreement a
2 provision for the distribution of funds to each county to reimburse the
3 county for fifty percent of the deficit incurred during each previous
4 fiscal year in the operation and maintenance of the ferry system owned
5 and operated by the county. The total amount to be reimbursed to
6 Pierce, Skagit, and Whatcom counties collectively shall not exceed one
7 million dollars in any biennium. Each county agreement shall contain
8 a requirement that the county shall maintain tolls on its ferries at
9 least equal to tolls in place on January 1, 1990.

10 (3) The annual fiscal year operating and maintenance deficit, if
11 any, shall be determined by Pierce, Skagit, and Whatcom counties
12 subject to review and approval of the department. The annual fiscal
13 year operating and maintenance deficit is defined as the total of
14 operations and maintenance expenditures less the sum of ferry toll
15 revenues and that portion of fuel tax revenue distributions which are
16 attributable to the county ferry as determined by the department.
17 Distribution of the amounts authorized by subsection (2) of this
18 section by the state treasurer shall be directed by the department upon
19 the receipt of properly executed vouchers from each county.

20 (4) The department, with the recommendation of the county road
21 administration board, may evaluate requests by Pierce, Skagit,
22 Wahkiakum, and Whatcom counties for county ferry capital improvement
23 funds. The board shall evaluate the requests and, if approved by a
24 majority of the board, submit the requests to the legislature for
25 funding out of the amounts available under RCW 46.68.090(~~((i))~~)
26 (2)(h). Any county making a request under this subsection shall first
27 seek funding through the public works trust fund, or any other
28 available revenue source, where appropriate.

29 NEW SECTION. Sec. 134. (1) The county road administration board
30 is transferred to the department of transportation.

31 (2)(a) All reports, documents, surveys, books, records, files,
32 papers, or written material in the possession of the county road
33 administration board shall be delivered to the custody of the
34 department of transportation. All cabinets, furniture, office
35 equipment, motor vehicles, and other tangible property employed by the
36 county road administration board shall be made available to the

1 department of transportation. All funds, credits, or other assets held
2 by the county road administration board shall be assigned to the
3 department of transportation.

4 (b) Any appropriations made to the county road administration board
5 shall, on the effective date of this section, be transferred and
6 credited to the department of transportation.

7 (c) If any question arises as to the transfer of any personnel,
8 funds, books, documents, records, papers, files, equipment, or other
9 tangible property used or held in the exercise of the powers and the
10 performance of the duties and functions transferred, the director of
11 financial management shall make a determination as to the proper
12 allocation and certify the same to the state agencies concerned.

13 (3) All employees of the county road administration board are
14 transferred to the jurisdiction of the department of transportation.
15 All employees classified under chapter 41.06 RCW, the state civil
16 service law, are assigned to the department of transportation to
17 perform their usual duties upon the same terms as formerly, without any
18 loss of rights, subject to any action that may be appropriate
19 thereafter in accordance with the laws and rules governing state civil
20 service.

21 (4) All rules and all pending business before the county road
22 administration board shall be continued and acted upon by the
23 department of transportation. All existing contracts and obligations
24 shall remain in full force and shall be performed by the department of
25 transportation.

26 (5) The transfer of the powers, duties, functions, and personnel of
27 the county road administration board shall not affect the validity of
28 any act performed before the effective date of this section.

29 (6) If apportionments of budgeted funds are required because of the
30 transfers directed by this section, the director of financial
31 management shall certify the apportionments to the agencies affected,
32 the state auditor, and the state treasurer. Each of these shall make
33 the appropriate transfer and adjustments in funds and appropriation
34 accounts and equipment records in accordance with the certification.

35 (7) All classified employees of the county road administration
36 board assigned to the department of transportation under this act whose
37 positions are within an existing bargaining unit description at the
38 department of transportation shall become a part of the existing

1 bargaining unit and shall be considered an appropriate addition or
2 modification of the existing bargaining unit under the provisions of
3 chapter 41.80 RCW.

4 NEW SECTION. **Sec. 135.** The following sections are recodified as
5 a new chapter in Title 47 RCW:

- 6 RCW 36.78.010
- 7 RCW 36.78.020
- 8 RCW 36.78.030
- 9 RCW 36.78.040
- 10 RCW 36.78.050
- 11 RCW 36.78.060
- 12 RCW 36.78.070
- 13 RCW 36.78.080
- 14 RCW 36.78.090
- 15 RCW 36.78.100
- 16 RCW 36.78.110
- 17 RCW 36.78.120

18 NEW SECTION. **Sec. 136.** The following sections are recodified as
19 a new chapter in Title 47 RCW:

- 20 RCW 36.79.010
- 21 RCW 36.79.020
- 22 RCW 36.79.030
- 23 RCW 36.79.040
- 24 RCW 36.79.050
- 25 RCW 36.79.060
- 26 RCW 36.79.070
- 27 RCW 36.79.080
- 28 RCW 36.79.090
- 29 RCW 36.79.100
- 30 RCW 36.79.110
- 31 RCW 36.79.120
- 32 RCW 36.79.130
- 33 RCW 36.79.140
- 34 RCW 36.79.150
- 35 RCW 36.79.160
- 36 RCW 36.79.170

1 RCW 36.79.900
2 RCW 36.79.901

3 **PART II**
4 **TRANSPORTATION IMPROVEMENT BOARD**

5 **Sec. 201.** RCW 35.58.2795 and 1994 c 158 s 6 are each amended to
6 read as follows:

7 By April 1st of each year, the legislative authority of each
8 municipality, as defined in RCW 35.58.272, and each regional transit
9 authority shall prepare a six-year transit development plan for that
10 calendar year and the ensuing five years. The program shall be
11 consistent with the comprehensive plans adopted by counties, cities,
12 and towns, pursuant to chapter 35.63, 35A.63, or 36.70 RCW, the
13 inherent authority of a first-class city or charter county derived from
14 its charter, or chapter 36.70A RCW. The program shall contain
15 information as to how the municipality intends to meet state and local
16 long-range priorities for public transportation, capital improvements,
17 significant operating changes planned for the system, and how the
18 municipality intends to fund program needs. The six-year plan for each
19 municipality and regional transit authority shall specifically set
20 forth those projects of regional significance for inclusion in the
21 transportation improvement program within that region. Each
22 municipality and regional transit authority shall file the six-year
23 program with the state department of transportation(~~(, —the~~
24 ~~transportation improvement board,~~) and cities, counties, and regional
25 planning councils within which the municipality is located.

26 In developing its program, the municipality and the regional
27 transit authority shall consider those policy recommendations affecting
28 public transportation contained in the state transportation policy plan
29 approved by the state transportation commission and, where appropriate,
30 adopted by the legislature. The municipality shall conduct one or more
31 public hearings while developing its program and for each annual
32 update.

33 **Sec. 202.** RCW 47.01.240 and 1988 c 167 s 12 are each amended to
34 read as follows:

35 The department (~~(and the transportation improvement board)~~) shall

1 coordinate (~~their~~) its activities relative to long-range needs
2 studies, in accordance with the provisions of chapter 47.05 RCW and RCW
3 47.26.170, respectively, in order that long-range needs data may be
4 developed and maintained on an integrated and comparable basis. Needs
5 data for county roads and city streets in nonurban areas shall be
6 provided by the counties and cities to the department in such form and
7 extent as requested by the department, after consultation with the
8 (~~county road administration board and the~~) association of Washington
9 cities, in order that needs data may be obtained on a comparable basis
10 for all highways, roads, and streets in Washington.

11 **Sec. 203.** RCW 47.26.044 and 1994 c 179 s 6 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (~~The term~~) (1) "Board" (~~as used in this chapter~~) means the
16 transportation improvement board, which is a program within the
17 department.

18 (2) "Department" means the department of transportation.

19 **Sec. 204.** RCW 47.26.080 and 2007 c 148 s 2 are each amended to
20 read as follows:

21 There is hereby created in the motor vehicle fund the urban
22 arterial trust account. The intent of the urban arterial trust account
23 program is to improve the arterial street system of the state by
24 improving mobility and safety while supporting an environment essential
25 to the quality of life of the citizens of the state of Washington. The
26 small city program, as provided for in RCW 47.26.115, is implemented
27 within the urban arterial trust account.

28 The (~~board~~) department shall not allocate funds, nor make
29 payments of the funds under RCW 47.26.260, to any county, city, or town
30 identified by the governor under RCW 36.70A.340.

31 **Sec. 205.** RCW 47.26.084 and 1999 c 94 s 17 are each amended to
32 read as follows:

33 The transportation improvement account is hereby created in the
34 motor vehicle fund. The intent of the program is to improve mobility

1 of people and goods in Washington state by supporting economic
2 development and environmentally responsive solutions to our statewide
3 transportation system needs.

4 Within one year after ((board)) approval of an application for
5 funding by the department with the recommendation of the board, a
6 county, city, or transportation benefit district shall provide written
7 certification to the ((board)) department of the pledged local and/or
8 private funding. Funds allocated to an applicant that does not certify
9 its funding within one year after approval may be reallocated by the
10 ((board)) department.

11 **Sec. 206.** RCW 47.26.086 and 1994 c 179 s 11 are each amended to
12 read as follows:

13 Transportation improvement account projects selected for funding
14 programs after fiscal year 1995 are governed by the requirements of
15 this section.

16 The board shall allocate funds from the account by June 30th of
17 each year for the ensuing fiscal year to urban counties, cities with a
18 population of five thousand and over, and to transportation benefit
19 districts. Projects may include, but are not limited to, multi-agency
20 projects and arterial improvement projects in fast-growing areas. The
21 department, with the recommendation of the board, shall endeavor to
22 provide geographical diversity in selecting improvement projects to be
23 funded from the account.

24 The intent of the program is to improve mobility of people and
25 goods in Washington state by supporting economic development and
26 environmentally responsive solutions to our statewide transportation
27 system needs.

28 To be eligible to receive these funds, a project must be consistent
29 with the growth management act, the clean air act including conformity,
30 and the commute trip reduction law and consideration must have been
31 given to the project's relationship, both actual and potential, with
32 the statewide rail passenger program and rapid mass transit. Projects
33 must be consistent with any adopted high capacity transportation plan,
34 must consider existing or reasonably foreseeable congestion levels
35 attributable to economic development or growth and all modes of
36 transportation and safety, and must be partially funded by local

1 government or private contributions, or a combination of such
2 contributions. Priority consideration shall be given to those projects
3 with the greatest percentage of local or private contribution, or both.

4 Within one year after (~~board~~) department approval of an
5 application for funding, the lead agency shall provide written
6 certification to the board of the pledged local and private funding for
7 the phase of the project approved. Funds allocated to an applicant
8 that does not certify its funding within one year after approval may be
9 reallocated by the department, with the recommendation of the board.

10 **Sec. 207.** RCW 47.26.090 and 1994 c 179 s 12 are each amended to
11 read as follows:

12 The term "arterial" as used in this chapter means any state
13 highway, county road, or city street, in an urban area, that is
14 functionally classified as a principal arterial, minor arterial, or
15 collector street by the department in cooperation with the board,
16 regional transportation planning organizations, cities, and counties.
17 The department, in consultation with the board, shall develop criteria
18 and procedures for designating arterials in the incorporated cities and
19 towns lying outside urban areas.

20 **Sec. 208.** RCW 47.26.115 and 1999 c 94 s 18 are each amended to
21 read as follows:

22 The intent of the small city program is to preserve and improve the
23 roadway system consistent with local needs of incorporated cities and
24 towns with a population of less than five thousand. The department, in
25 consultation with the board, shall adopt rules and procedures to govern
26 the allocation of funds distributed to the small city program.

27 **Sec. 209.** RCW 47.26.121 and 1996 c 49 s 1 are each amended to read
28 as follows:

29 (1) There is hereby created a transportation improvement board,
30 which shall be a program within the department. The board shall
31 consist of twenty-one members, six of whom shall be county members and
32 six of whom shall be city members. The remaining members shall be:
33 (a) One representative appointed by the governor who shall be a state
34 employee with responsibility for transportation policy, planning, or
35 funding; (b) two representatives from within the department (~~of~~

1 transportation)); (c) two representatives of public transit systems;
2 (d) a private sector representative; (e) a member representing the
3 ports; (f) a member representing nonmotorized transportation; and (g)
4 a member representing special needs transportation.

5 (2) Of the county members of the board, one shall be a county
6 engineer or public works director; one shall be the (~~executive~~
7 ~~director~~) chief administrative officer of the county road
8 administration board; one shall be a county planning director or
9 planning manager; one shall be a county executive, councilmember, or
10 commissioner from a county with a population of one hundred twenty-five
11 thousand or more; one shall be a county executive, councilmember, or
12 commissioner of a county who serves on the board of a public transit
13 system; and one shall be a county executive, councilmember, or
14 commissioner from a county with a population of less than one hundred
15 twenty-five thousand. All county members of the board, except the
16 (~~executive director~~) chief administrative officer of the county road
17 administration board, shall be appointed. Not more than one county
18 member of the board shall be from any one county. No more than two of
19 the three county-elected officials may represent counties located in
20 either the eastern or western part of the state as divided north and
21 south by the summit of the Cascade mountains.

22 (3) Of the city members of the board one shall be a chief city
23 engineer, public works director, or other city employee with
24 responsibility for public works activities, of a city with a population
25 of twenty thousand or more; one shall be a chief city engineer, public
26 works director, or other city employee with responsibility for public
27 works activities, of a city of less than twenty thousand population;
28 one shall be a city planning director or planning manager; one shall be
29 a mayor, commissioner, or city councilmember of a city with a
30 population of twenty thousand or more; one shall be a mayor,
31 commissioner, or city councilmember of a city who serves on the board
32 of a public transit system; and one shall be a mayor, commissioner, or
33 councilmember of a city of less than twenty thousand population. All
34 of the city members shall be appointed. Not more than one city member
35 of the board shall be from any one city. No more than two of the three
36 city-elected officials may represent cities located in either the
37 eastern or western part of the state as divided north and south by the
38 summit of the Cascade mountains.

1 (4) Of the transit members, at least one shall be a general
2 manager, executive director, or transit director of a public transit
3 system in an urban area with a population over two hundred thousand and
4 at least one representative from a rural or small urban transit system
5 in an area with a population less than two hundred thousand.

6 (5) The private sector member shall be a citizen with business,
7 management, and transportation related experience and shall be active
8 in a business community-based transportation organization.

9 (6) The port member shall be a commissioner or senior staff person
10 of a public port.

11 (7) The nonmotorized transportation member shall be a citizen with
12 a demonstrated interest and involvement with a nonmotorized
13 transportation group.

14 (8) The specialized transportation member shall be a citizen with
15 a demonstrated interest and involvement with a statewide specialized
16 needs transportation group.

17 (9) Appointments of county, city, (~~Washington~~) department (~~of~~
18 ~~transportation~~), transit, port, nonmotorized transportation, special
19 needs transportation, and private sector representatives shall be made
20 by the secretary (~~of the department of transportation~~). Appointees
21 shall be chosen from a list of two persons for each position nominated
22 by the Washington state association of counties for county members, the
23 association of Washington cities for city members, the Washington state
24 transit association for the transit members, and the Washington public
25 ports association for the port member. The private sector,
26 nonmotorized transportation, and special needs members shall be sought
27 through classified advertisements in selected newspapers collectively
28 serving all urban areas of the state, and other appropriate means.
29 Persons applying for the private sector, nonmotorized transportation,
30 or special needs transportation member position must provide a letter
31 of interest and a resume to the secretary of the department of
32 transportation. In the case of a vacancy, the appointment shall be
33 only for the remainder of the unexpired term in which the vacancy has
34 occurred. A vacancy shall be deemed to have occurred on the board when
35 any member elected to public office completes that term of office or is
36 removed therefrom for any reason or when any member employed by a
37 political subdivision terminates such employment for whatsoever reason

1 or when a private sector, nonmotorized transportation, or special needs
2 transportation member resigns or is unable or unwilling to serve.

3 (10) Appointments shall be for terms of four years. Terms of all
4 appointed members shall expire on June 30th of even-numbered years.
5 The initial term of appointed members may be for less than four years.
6 No appointed member may serve more than two consecutive four-year
7 terms.

8 (11) The board shall elect a chair from among its members for a
9 two-year term.

10 (12) Expenses of the board shall be paid in accordance with RCW
11 47.26.140.

12 (13) For purposes of this section, "public transit system" means a
13 city-owned transit system, county transportation authority,
14 metropolitan municipal corporation, public transportation benefit area,
15 or regional transit authority.

16 **Sec. 210.** RCW 47.26.140 and 1999 c 94 s 19 are each amended to
17 read as follows:

18 The ~~((transportation improvement))~~ secretary, in consultation with
19 the board, shall appoint ~~((an executive director,))~~ a chief
20 administrative officer of the board who shall serve at ~~((its))~~ the
21 secretary's pleasure and whose salary shall be set by the ~~((board))~~
22 secretary, and may employ additional staff as it deems appropriate.
23 All costs associated with staff, together with travel expenses in
24 accordance with RCW 43.03.050 and 43.03.060, shall be paid from the
25 urban arterial trust account, public transportation systems account,
26 and the transportation improvement account in the motor vehicle fund as
27 determined by the biennial appropriation.

28 **Sec. 211.** RCW 47.26.150 and 1988 c 167 s 17 are each amended to
29 read as follows:

30 The ~~((transportation improvement))~~ board shall meet ~~((at least once~~
31 ~~quarterly))~~ as necessary and upon the call of its ~~((chairman and))~~
32 chair. The department, in consultation with the board, shall from time
33 to time adopt rules ~~((and regulations))~~ for ~~((its own))~~ the board's
34 government and as may be necessary for ~~((it))~~ the board to discharge
35 its duties and exercise its powers under this chapter.

1 **Sec. 212.** RCW 47.26.160 and 1995 c 269 s 2607 are each amended to
2 read as follows:

3 The (~~transportation improvement~~) department, in consultation
4 with the board, shall:

5 (1) Adopt rules necessary to implement the provisions of chapter
6 47.66 RCW and this chapter relating to the allocation of funds;

7 (2) Adopt reasonably uniform design standards for city and county
8 arterials.

9 **Sec. 213.** RCW 47.26.164 and 2007 c 148 s 3 are each amended to
10 read as follows:

11 The department, in consultation with the board, shall adopt
12 reasonable rules necessary to implement the city hardship assistance
13 program as recommended by the road jurisdiction study.

14 The following criteria shall be used to implement the program:

15 (1) Cities with a population of twenty thousand or less and a net
16 gain in cost responsibility due to jurisdictional transfers in chapter
17 342, Laws of 1991, and thereafter under RCW (~~47.26.167~~) 47.01.425,
18 are eligible to receive money from the small city pavement and sidewalk
19 account created in RCW 47.26.340;

20 (2) The board shall develop criteria and procedures under which
21 eligible cities may receive funding for rehabilitation projects on
22 transferred city streets; and

23 (3) The amount spent for the city hardship assistance program shall
24 not exceed the amount deposited under RCW 46.68.110(3).

25 **Sec. 214.** RCW 47.26.170 and 2005 c 319 s 131 are each amended to
26 read as follows:

27 Each county having within its boundaries an urban area and cities
28 and towns shall prepare and submit to the (~~transportation improvement~~
29 ~~board~~) department arterial inventory data required to determine the
30 long-range arterial construction needs. The counties, cities, and
31 towns shall revise the arterial inventory data every four years to show
32 the current arterial construction needs through the advanced planning
33 period, and as revised shall submit them to the (~~transportation~~
34 ~~improvement board~~) department during the first week of January every
35 four years beginning in 1996. The inventory data shall be prepared

1 pursuant to guidelines established by the (~~transportation~~
2 ~~improvement~~) department, in consultation with the board. As
3 information is updated, it shall be made available to the commission.

4 **Sec. 215.** RCW 47.26.185 and 1994 c 179 s 17 are each amended to
5 read as follows:

6 The (~~transportation improvement~~) department, in consultation with
7 the board, may adopt rules establishing qualifications for cities and
8 counties administering and supervising the design and construction of
9 projects financed in part from funds administered by the (~~board~~)
10 department. The rules establishing qualification shall take into
11 account the resources and population of the city or county, its
12 permanent engineering staff, its design and construction supervision
13 experience, and other factors the (~~board~~) department deems
14 appropriate. Any city or county failing to meet the qualifications
15 established by the (~~board~~) department for administering and
16 supervising a project shall contract with a qualified city or county or
17 the department for the administration and supervision of the design and
18 construction of any approved project as a condition for receiving funds
19 for the project.

20 **Sec. 216.** RCW 47.26.190 and 1994 c 179 s 18 are each amended to
21 read as follows:

22 The department, in consultation with the board, shall adopt rules
23 that provide geographical diversity in selecting improvement projects
24 to be funded from the urban arterial trust account and small city
25 (~~account~~) program funds.

26 **Sec. 217.** RCW 47.26.260 and 1994 c 179 s 19 are each amended to
27 read as follows:

28 The (~~transportation improvement~~) department, in consultation with
29 the board, shall adopt rules providing for the approval of payments of
30 funds in the accounts to a county, city, town, or transportation
31 benefit district for costs of predesign, design, engineering, and costs
32 of construction of an approved project from time to time as work
33 progresses. These payments shall at no time exceed the account share
34 of the costs incurred to the date of the voucher covering such payment.

1 **Sec. 218.** RCW 47.26.270 and 1994 c 179 s 20 are each amended to
2 read as follows:

3 Counties, cities, towns, and transportation benefit districts
4 receiving funds from the ((board)) department shall provide such
5 matching funds as established by rules adopted by the ((~~transportation~~
6 ~~improvement~~)) department, in consultation with the board. When
7 determining matching requirements, the department, in consultation with
8 the board, shall consider (1) financial resources available to counties
9 and cities to meet arterial needs, (2) the amounts and percentages of
10 funds available for road or street construction traditionally expended
11 by counties and cities on arterials, (3) in the case of counties, the
12 relative needs of arterials lying outside urban areas, and (4) the
13 requirements necessary to avoid diversion of funds traditionally
14 expended for arterial construction to other street or road purposes or
15 to nonhighway purposes.

16 **Sec. 219.** RCW 47.26.282 and 2002 c 189 s 5 are each amended to
17 read as follows:

18 In any project funded by the ((~~transportation—improvement~~))
19 department with the recommendation of the board, except for projects in
20 cities having a population of less than five thousand persons, and in
21 addition to any other items required to be considered by statute, the
22 department, in consultation with the board, also shall consider the
23 land use implications of the project, such as whether the programs and
24 projects:

25 (1) Support development in and revitalization of existing
26 downtowns;

27 (2) Implement local comprehensive plans for rural and urban
28 residential and nonresidential densities;

29 (3) Have land use planning and regulations encouraging compact
30 development for rural and urban residential and nonresidential
31 densities; and

32 (4) Promote the use of multimodal transportation.

33 **Sec. 220.** RCW 47.26.305 and 1994 c 179 s 21 are each amended to
34 read as follows:

35 Bicycle routes shall, when established in accordance with RCW
36 47.06.100 be eligible for establishment, improvement, and upgrading

1 with (~~board~~) funds administered by the department with the
2 recommendation of the board. The department, in consultation with the
3 board, shall adopt rules and procedures that will encourage the
4 development of a system of bicycle routes within counties, cities, and
5 towns.

6 **Sec. 221.** RCW 47.26.320 and 2001 c 201 s 1 are each amended to
7 read as follows:

8 The term "advance right-of-way acquisition" as used in this chapter
9 means the acquisition of property and property rights, together with
10 the engineering costs necessary for the advance right-of-way
11 acquisition. Property or property rights purchased must be for
12 projects approved by the (~~transportation improvement board or the~~
13 ~~county road administration board~~) department as part of a city or
14 county six-year plan or program.

15 **Sec. 222.** RCW 47.26.330 and 2001 c 201 s 3 are each amended to
16 read as follows:

17 (1) After any properties or property rights are acquired through
18 funds in the city and county advance right-of-way revolving fund, the
19 acquiring city or county is responsible for the management of the
20 properties in accordance with sound business practices and shall
21 provide annual status reports to the board. Funds received by the city
22 or county from the interim management of the properties must be
23 deposited into the city and county advance right-of-way revolving fund.

24 (2) When the city or county proceeds with the construction of an
25 arterial project that will require the use of any of the property so
26 acquired, the city or county shall reimburse the city and county
27 advance right-of-way revolving fund. Reimbursement must reflect the
28 original cost of the acquired property or property rights required for
29 the project plus an interest rate as determined annually by the
30 department, in consultation with the board. The (~~board~~) department
31 shall report annually on the interest rate set to the transportation
32 committees (~~through its annual report~~)).

33 (3) When the city or county determines that any properties or
34 property rights acquired from funds in the city and county advance
35 right-of-way revolving fund will not be required for an arterial
36 construction project or the property has been held by the city or

1 county for more than six years, the city or county shall either sell
2 the property at fair market value or reimburse the fund at fair market
3 value. All proceeds of the sale must be deposited in the city and
4 county advance right-of-way revolving fund. At the (~~board's~~)
5 department's discretion, a portion of savings on transportation
6 improvement board projects realized through the use of the city and
7 county advance (~~right-of-way~~) right-of-way revolving fund may be
8 deposited back into the city and county advance right-of-way revolving
9 fund.

10 (4) Deposits in the fund may be reexpended without further or
11 additional appropriations.

12 **Sec. 223.** RCW 47.26.340 and 2007 c 148 s 4 are each amended to
13 read as follows:

14 The small city pavement and sidewalk account is created in the
15 state treasury. All state money allocated to the small city pavement
16 and sidewalk account for the ongoing support of cities and towns must
17 be deposited into the account. Money in the account may be spent only
18 after appropriation. Expenditures from the account must be used for
19 small city pavement and sidewalk projects or improvements selected by
20 the department, with the recommendation of the board, in accordance
21 with RCW 47.26.164 or 47.26.345, to pay principal and interest on bonds
22 authorized for these projects or improvements, to make grants or loans
23 in accordance with this chapter, or to pay for engineering feasibility
24 studies selected by the (~~board~~) department.

25 **Sec. 224.** RCW 47.26.420 and 2007 c 519 s 6 are each amended to
26 read as follows:

27 In order to provide funds necessary to meet the urgent construction
28 needs on county and city arterials within urban areas, there are hereby
29 authorized for issuance general obligation bonds of the state of
30 Washington, the first authorization of which shall be in the sum of two
31 hundred fifty million dollars, and the second authorization of which,
32 to be known as series II bonds, shall be in the sum of sixty million
33 dollars, and the third authorization of which, to be known as series
34 III bonds, shall be in the sum of one hundred million dollars, which
35 shall be issued and sold in such amounts and at such times as
36 determined to be necessary by the (~~transportation improvement board~~)

1 department. The amount of such bonds issued and sold under the
2 provisions of RCW 47.26.420 through 47.26.427 in any biennium shall not
3 exceed the amount of a specific appropriation therefor, from the
4 proceeds of such bonds, for the construction of county and city
5 arterials in urban areas. The issuance, sale, and retirement of said
6 bonds shall be under the supervision and control of the state finance
7 committee which, upon request being made by the (~~transportation~~
8 ~~improvement board~~) department, shall provide for the issuance, sale,
9 and retirement of coupon or registered bonds to be dated, issued, and
10 sold from time to time in such amounts as shall be requested by the
11 (~~transportation improvement board~~) department.

12 **Sec. 225.** RCW 47.26.450 and 1994 c 179 s 26 are each amended to
13 read as follows:

14 The department, in consultation with the board, shall adopt rules
15 and procedures to govern the allocation of funds subject to the
16 appropriations actually approved by the legislature.

17 The department, in consultation with the board, shall develop rules
18 and procedures to require value engineering studies performed by an
19 interagency team for certain board funded projects. When determining
20 the process, the board shall consider the project cost, length, and
21 complexity.

22 **Sec. 226.** RCW 47.26.460 and 1994 c 179 s 27 are each amended to
23 read as follows:

24 The department, in consultation with the board, shall adopt
25 reasonable rules pursuant to which funds allocated to a project may be
26 increased upon a subsequent application of the county, city, town, or
27 transportation benefit district constructing the project. The rules
28 adopted by the (~~board~~) department shall consider the following
29 factors: (1) The financial effect of increasing the original
30 allocation for the project upon other urban arterial projects either
31 approved or requested; (2) whether the project for which an additional
32 authorization is requested can be reduced in scope while retaining a
33 usable segment; (3) whether the cost of the project shown in the
34 original application was based upon reasonable engineering estimates;
35 and (4) whether the requested additional authorization is to pay for an
36 expansion in the scope of work originally approved.

1 **Sec. 227.** RCW 47.26.500 and 2000 2nd sp.s. c 6 s 1 are each
2 amended to read as follows:

3 In order to provide funds necessary to meet the urgent construction
4 needs on state, county, and city transportation projects, there are
5 hereby authorized for issuance general obligation bonds of the state of
6 Washington in the sum of one hundred million dollars, which shall be
7 issued and sold in such amounts and at such times as determined to be
8 necessary by the ((~~state transportation improvement board~~)) department.
9 The amount of such bonds issued and sold under the provisions of RCW
10 47.26.500 through 47.26.507 in any biennium shall not exceed the amount
11 of a specific appropriation therefor, from the proceeds of such bonds,
12 for the construction of state, county, and city transportation
13 projects. The issuance, sale, and retirement of the bonds shall be
14 under the supervision and control of the state finance committee which,
15 upon request being made by the ((~~board~~)) department, shall provide for
16 the issuance, sale, and retirement of coupon or registered bonds to be
17 dated, issued, and sold from time to time in such amounts as shall be
18 requested by the ((~~board~~)) department.

19 **Sec. 228.** RCW 77.95.170 and 1999 c 242 s 4 are each amended to
20 read as follows:

21 (1) The department of transportation and the department of fish and
22 wildlife may administer and coordinate all state grant programs
23 specifically designed to assist state agencies, local governments,
24 private landowners, tribes, organizations, and volunteer groups in
25 identifying and removing impediments to salmonid fish passage. The
26 department, in consultation with the transportation improvement board,
27 may administer all grant programs specifically designed to assist
28 cities, counties, and local governments with fish passage barrier
29 corrections associated with transportation projects. All grant
30 programs must be administered and be consistent with the following:

- 31 (a) Salmonid-related corrective projects, inventory, assessment,
32 and prioritization efforts;
- 33 (b) Salmonid projects subject to a competitive application process;
34 and
- 35 (c) A minimum dollar match rate that is consistent with the funding
36 authority's criteria. If no funding match is specified, a match amount

1 of at least twenty-five percent per project is required. For local,
2 private, and volunteer projects, in-kind contributions may be counted
3 toward the match requirement.

4 (2) Priority shall be given to projects that immediately increase
5 access to available and improved spawning and rearing habitat for
6 depressed, threatened, and endangered stocks. Priority shall also be
7 given to project applications that are coordinated with other efforts
8 within a watershed.

9 (3) Except for projects administered by the transportation
10 improvement board, all projects shall be reviewed and approved by the
11 fish passage barrier removal task force or an alternative oversight
12 committee designated by the state legislature.

13 (4) Other agencies that administer natural resource-based grant
14 programs that may include fish passage barrier removal projects shall
15 use fish passage selection criteria that are consistent with this
16 section.

17 (5) The departments of transportation and fish and wildlife shall
18 establish a centralized database directory of all fish passage barrier
19 information. The database directory must include, but is not limited
20 to, existing fish passage inventories, fish passage projects, grant
21 program applications, and other databases. These data must be used to
22 coordinate and assist in habitat recovery and project mitigation
23 projects.

24 **Sec. 229.** RCW 82.44.180 and 1999 c 402 s 5 and 1999 c 94 s 31 are
25 each reenacted and amended to read as follows:

26 (1) The transportation fund is created in the state treasury.
27 Revenues under RCW ((~~82.44.110~~ and)) 82.50.510 shall be deposited into
28 the fund as provided in those sections.

29 Moneys in the fund may be spent only after appropriation.
30 Expenditures from the fund may be used only for transportation purposes
31 and activities and operations of the Washington state patrol not
32 directly related to the policing of public highways and that are not
33 authorized under Article II, section 40 of the state Constitution.

34 (2) There is hereby created the public transportation systems
35 account within the transportation fund. Moneys deposited into the
36 account under RCW 82.44.150(2) (b) and (c) shall be appropriated to the
37 transportation improvement board and allocated by the transportation

1 improvement board to public transportation projects submitted by the
2 public transportation systems as defined by chapters 36.56, 36.57, and
3 36.57A RCW and RCW 35.84.060 and 81.112.030, and the Washington state
4 ferry system, solely for:

5 (a) Planning;

6 (b) Development of capital projects;

7 (c) Development of high capacity transportation systems as defined
8 in RCW 81.104.015;

9 (d) Development of high occupancy vehicle lanes and related
10 facilities as defined in RCW 81.100.020;

11 (e) Other public transportation system-related roadway projects on
12 state highways, county roads, or city streets;

13 (f) Public transportation system contributions required to fund
14 projects under federal programs and those approved by the
15 transportation improvement board from other fund sources; and

16 (g) Reimbursement to the general fund of tax credits authorized
17 under RCW 82.04.4453 and 82.16.048, subject to appropriation.

18 **Sec. 230.** RCW 82.80.070 and 2005 c 319 s 139 are each amended to
19 read as follows:

20 (1) The proceeds collected pursuant to the exercise of the local
21 option authority of RCW 82.80.010, 82.80.030, and 82.80.050 (hereafter
22 called "local option transportation revenues") shall be used for
23 transportation purposes only, including but not limited to the
24 following: The operation and preservation of roads, streets, and other
25 transportation improvements; new construction, reconstruction, and
26 expansion of city streets, county roads, and state highways and other
27 transportation improvements; development and implementation of public
28 transportation and high capacity transit improvements and programs; and
29 planning, design, and acquisition of right-of-way and sites for such
30 transportation purposes. The proceeds collected from excise taxes on
31 the sale, distribution, or use of motor vehicle fuel and special fuel
32 under RCW 82.80.010 shall be used exclusively for "highway purposes" as
33 that term is construed in Article II, section 40 of the state
34 Constitution.

35 (2) The local option transportation revenues shall be expended for
36 transportation uses consistent with the adopted transportation and land

1 use plans of the jurisdiction expending the funds and consistent with
2 any applicable and adopted regional transportation plan for
3 metropolitan planning areas.

4 (3) Each local government with a population greater than eight
5 thousand that levies or expends local option transportation funds, is
6 also required to develop and adopt a specific transportation program
7 that contains the following elements:

8 (a) The program shall identify the geographic boundaries of the
9 entire area or areas within which local option transportation revenues
10 will be levied and expended.

11 (b) The program shall be based on an adopted transportation plan
12 for the geographic areas covered and shall identify the proposed
13 operation and construction of transportation improvements and services
14 in the designated plan area intended to be funded in whole or in part
15 by local option transportation revenues and shall identify the annual
16 costs applicable to the program.

17 (c) The program shall indicate how the local transportation plan is
18 coordinated with applicable transportation plans for the region and for
19 adjacent jurisdictions.

20 (d) The program shall include at least a six-year funding plan,
21 updated annually, identifying the specific public and private sources
22 and amounts of revenue necessary to fund the program. The program
23 shall include a proposed schedule for construction of projects and
24 expenditure of revenues. The funding plan shall consider the
25 additional local tax revenue estimated to be generated by new
26 development within the plan area if all or a portion of the additional
27 revenue is proposed to be earmarked as future appropriations for
28 transportation improvements in the program.

29 (4) Local governments with a population greater than eight thousand
30 exercising the authority for local option transportation funds shall
31 periodically review and update their transportation program to ensure
32 that it is consistent with applicable local and regional transportation
33 and land use plans and within the means of estimated public and private
34 revenue available.

35 (5) In the case of expenditure for new or expanded transportation
36 facilities, improvements, and services, priorities in the use of local
37 option transportation revenues shall be identified in the

1 transportation program and expenditures shall be made based upon the
2 following criteria, which are stated in descending order of weight to
3 be attributed:

4 (a) First, the project serves a multijurisdictional function;

5 (b) Second, it is necessitated by existing or reasonably
6 foreseeable congestion;

7 (c) Third, it has the greatest person-carrying capacity;

8 (d) Fourth, it is partially funded by other government funds, such
9 as from the department of transportation with the recommendation of the
10 state transportation improvement board, or by private sector
11 contributions, such as those from the local transportation act, chapter
12 39.92 RCW; and

13 (e) Fifth, it meets such other criteria as the local government
14 determines is appropriate.

15 (6) It is the intent of the legislature that as a condition of
16 levying, receiving, and expending local option transportation revenues,
17 no local government agency use the revenues to replace, divert, or loan
18 any revenues currently being used for transportation purposes to
19 nontransportation purposes.

20 (7) Local governments are encouraged to enter into interlocal
21 agreements to jointly develop and adopt with other local governments
22 the transportation programs required by this section for the purpose of
23 accomplishing regional transportation planning and development.

24 (8) Local governments may use all or a part of the local option
25 transportation revenues for the amortization of local government
26 general obligation and revenue bonds issued for transportation purposes
27 consistent with the requirements of this section.

28 (9) Subsections (1) through (8) of this section do not apply to a
29 regional transportation investment district imposing a tax or fee under
30 the local option authority of this chapter. Proceeds collected under
31 the exercise of local option authority under this chapter by a district
32 must be used in accordance with chapter 36.120 RCW.

33 NEW SECTION. **Sec. 231.** RCW 47.26.440 (Budget for expenditures
34 from funds administered by board--Estimate of revenues) and 1994 c 179
35 s 25, 1988 c 167 s 32, 1984 c 7 s 163, & 1967 ex.s. c 83 s 54 are each
36 repealed.

1 NEW SECTION. **Sec. 232.** (1) The transportation improvement board
2 is transferred to the department of transportation.

3 (2)(a) All reports, documents, surveys, books, records, files,
4 papers, or written material in the possession of the transportation
5 improvement board shall be delivered to the custody of the department
6 of transportation. All cabinets, furniture, office equipment, motor
7 vehicles, and other tangible property employed by the transportation
8 improvement board shall be made available to the department of
9 transportation. All funds, credits, or other assets held by the
10 transportation improvement board shall be assigned to the department of
11 transportation.

12 (b) Any appropriations made to the transportation improvement board
13 shall, on the effective date of this section, be transferred and
14 credited to the department of transportation.

15 (c) If any question arises as to the transfer of any personnel,
16 funds, books, documents, records, papers, files, equipment, or other
17 tangible property used or held in the exercise of the powers and the
18 performance of the duties and functions transferred, the director of
19 financial management shall make a determination as to the proper
20 allocation and certify the same to the state agencies concerned.

21 (3) All employees of the transportation improvement board are
22 transferred to the jurisdiction of the department of transportation.
23 All employees classified under chapter 41.06 RCW, the state civil
24 service law, are assigned to the department of transportation to
25 perform their usual duties upon the same terms as formerly, without any
26 loss of rights, subject to any action that may be appropriate
27 thereafter in accordance with the laws and rules governing state civil
28 service.

29 (4) All rules and all pending business before the transportation
30 improvement board shall be continued and acted upon by the department
31 of transportation. All existing contracts and obligations shall remain
32 in full force and shall be performed by the department of
33 transportation.

34 (5) The transfer of the powers, duties, functions, and personnel of
35 the transportation improvement board shall not affect the validity of
36 any act performed before the effective date of this section.

37 (6) If apportionments of budgeted funds are required because of the
38 transfers directed by this section, the director of financial

1 management shall certify the apportionments to the agencies affected,
2 the state auditor, and the state treasurer. Each of these shall make
3 the appropriate transfer and adjustments in funds and appropriation
4 accounts and equipment records in accordance with the certification.

5 (7) All classified employees of the transportation improvement
6 board assigned to the department of transportation under this act whose
7 positions are within an existing bargaining unit description at the
8 department of transportation shall become a part of the existing
9 bargaining unit and shall be considered an appropriate addition or
10 modification of the existing bargaining unit under the provisions of
11 chapter 41.80 RCW.

12 PART III

13 FREIGHT MOBILITY PROGRAM

14 **Sec. 301.** RCW 47.06A.010 and 1998 c 175 s 2 are each amended to
15 read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Board" means the freight mobility strategic investment board
19 created in RCW 47.06A.030.

20 (2) "Department" means the department of transportation.

21 (3) "Freight mobility" means the safe, reliable, and efficient
22 movement of goods within and through the state to ensure the state's
23 economic vitality.

24 (4) "Local governments" means cities, towns, counties, special
25 purpose districts, port districts, and any other municipal corporations
26 or quasi-municipal corporations in the state excluding school
27 districts.

28 (5) "Public entity" means a state agency, city, town, county, port
29 district, or municipal or regional planning organization.

30 (6) "Secretary" means the secretary of the department.

31 (7) "Strategic freight corridor" means a transportation corridor of
32 great economic importance within an integrated freight system that:

33 (a) Serves international and domestic interstate and intrastate
34 trade;

35 (b) Enhances the state's competitive position through regional and
36 global gateways;

1 (c) Carries freight tonnages of at least:
2 (i) Four million gross tons annually on state highways, city
3 streets, and county roads;
4 (ii) Five million gross tons annually on railroads; or
5 (iii) Two and one-half million net tons on waterways; and
6 (d) Has been designated a strategic corridor by the board under RCW
7 47.06A.020(~~(+3+)~~) (4). However, new alignments to, realignments of,
8 and new links to strategic corridors that enhance freight movement may
9 qualify, even though no tonnage data exists for facilities to be built
10 in the future.

11 **Sec. 302.** RCW 47.06A.020 and 2005 c 319 s 125 are each amended to
12 read as follows:

13 (1) The department, in consultation with the board, shall:
14 (a) Adopt rules and procedures necessary to implement the freight
15 mobility strategic investment program; and
16 (b) Solicit from public entities proposed projects that meet
17 eligibility criteria established in accordance with subsection (~~(+4+)~~)
18 (5) of this section(~~(+and)~~).
19 (~~(+e+)~~) (2)(a) The board shall review and evaluate project
20 applications based on criteria established under this section, and
21 prioritize and (~~select~~) recommend projects comprising a portfolio to
22 be funded in part with grants from state funds appropriated for the
23 freight mobility strategic investment program. In determining the
24 appropriate level of state funding for a project, the department, in
25 consultation with the board, shall ensure that state funds are
26 allocated to leverage the greatest amount of partnership funding
27 possible. After selecting projects comprising the portfolio, the
28 (~~board~~) department shall submit them as part of its budget request to
29 the office of financial management and the legislature. The
30 department, in consultation with the board, shall ensure that projects
31 submitted as part of the portfolio are not more appropriately funded
32 with other federal, state, or local government funding mechanisms or
33 programs. The department, in consultation with the board, shall reject
34 those projects that appear to improve overall general mobility with
35 limited enhancement for freight mobility.
36 (b) The (~~board~~) department shall provide periodic progress

1 reports on its activities to the office of financial management and the
2 senate and house transportation committees.

3 ~~((+2))~~ (3) The ~~((board))~~ department may:

4 (a) Accept from any state or federal agency, loans or grants for
5 the financing of any transportation project and enter into agreements
6 with any such agency concerning the loans or grants;

7 (b) Provide technical assistance to project applicants;

8 (c) Accept any gifts, grants, or loans of funds, property, or
9 financial, or other aid in any form from any other source on any terms
10 and conditions which are not in conflict with this chapter;

11 (d) Adopt rules under chapter 34.05 RCW as necessary to carry out
12 the purposes of this chapter, in consultation with the board; and

13 (e) Do all things necessary or convenient to carry out the powers
14 expressly granted or implied under this chapter.

15 ~~((+3))~~ (4) The ~~((board))~~ department shall designate strategic
16 freight corridors within the state. The ~~((board))~~ department shall
17 update the list of designated strategic corridors not less than every
18 two years, and shall establish a method of collecting and verifying
19 data, including information on city and county-owned roadways.

20 ~~((+4))~~ (5) The department, in consultation with the board, shall
21 utilize threshold project eligibility criteria that, at a minimum,
22 includes the following:

23 (a) The project must be on a strategic freight corridor;

24 (b) The project must meet one of the following conditions:

25 (i) It is primarily aimed at reducing identified barriers to
26 freight movement with only incidental benefits to general or personal
27 mobility; or

28 (ii) It is primarily aimed at increasing capacity for the movement
29 of freight with only incidental benefits to general or personal
30 mobility; or

31 (iii) It is primarily aimed at mitigating the impact on communities
32 of increasing freight movement, including roadway/railway conflicts;
33 and

34 (c) The project must have a total public benefit/total public cost
35 ratio of equal to or greater than one.

36 ~~((+5))~~ (6) From June 11, 1998, through the biennium ending June
37 30, 2001, the board shall use the multicriteria analysis and scoring
38 framework for evaluating and ranking eligible freight mobility and

1 freight mitigation projects developed by the freight mobility project
2 prioritization committee and contained in the January 16, 1998, report
3 entitled "Project Eligibility, Priority and Selection Process for a
4 Strategic Freight Investment Program." The prioritization process
5 shall measure the degree to which projects address important program
6 objectives and shall generate a project score that reflects a project's
7 priority compared to other projects. The board shall assign scoring
8 points to each criterion that indicate the relative importance of the
9 criterion in the overall determination of project priority. After June
10 30, 2001, the department, in consultation with the board, may
11 supplement and refine the initial project priority criteria and scoring
12 framework developed by the freight mobility project prioritization
13 committee as expertise and experience is gained in administering the
14 freight mobility program.

15 ((+6)) (7) It is the intent of the legislature that each freight
16 mobility project contained in the project portfolio submitted by the
17 ((board)) department utilize the greatest amount of nonstate funding
18 possible. The department, in consultation with the board, shall adopt
19 rules that give preference to projects that contain the greatest levels
20 of financial participation from nonprogram fund sources. The
21 department, in consultation with the board, shall consider twenty
22 percent as the minimum partnership contribution, but shall also ensure
23 that there are provisions allowing exceptions for projects that are
24 located in areas where minimal local funding capacity exists or where
25 the magnitude of the project makes the adopted partnership contribution
26 financially unfeasible.

27 ((+7)) (8) The department, in consultation with the board, shall
28 develop and recommend policies that address operational improvements
29 that primarily benefit and enhance freight movement, including, but not
30 limited to, policies that reduce congestion in truck lanes at border
31 crossings and weigh stations and provide for access to ports during
32 nonpeak hours.

33 **Sec. 303.** RCW 47.06A.030 and 1999 c 216 s 2 are each amended to
34 read as follows:

35 (1) The freight mobility strategic investment board is created.
36 The board shall convene by July 1, 1998.

1 (2) The board is composed of twelve members. The secretary shall
2 be a member of the board. The following members are appointed by the
3 ~~((governor))~~ secretary for terms of four years, except that five
4 members initially are appointed for terms of two years: (a) Two
5 members, one of whom is from a city located within or along a strategic
6 freight corridor, appointed from a list of at least four persons
7 nominated by the association of Washington cities or its successor; (b)
8 two members, one of whom is from a county having a strategic freight
9 corridor within its boundaries, appointed from a list of at least four
10 persons nominated by the Washington state association of counties or
11 its successor; (c) two members, one of whom is from a port district
12 located within or along a strategic freight corridor, appointed from a
13 list of at least four persons nominated by the Washington public ports
14 association or its successor; (d) one member representing the office of
15 financial management; (e) one member appointed as a representative of
16 the trucking industry; (f) one member appointed as a representative of
17 the railroads; (g) ~~((the secretary of the department of transportation;~~
18 ~~(h))~~) one member representing the steamship industry; and ~~((+i))~~ (h)
19 one member of the general public. In appointing the general public
20 member, the ~~((governor))~~ secretary shall endeavor to appoint a member
21 with special expertise in relevant fields such as public finance,
22 freight transportation, or public works construction. The ~~((governor))~~
23 secretary shall appoint the general public member as chair of the
24 board. In making appointments to the board, the ~~((governor))~~ secretary
25 shall ensure that each geographic region of the state is represented.

26 (3) Members of the board shall be reimbursed for reasonable and
27 customary travel expenses as provided in RCW 43.03.050 and 43.03.060.

28 (4) If a vacancy on the board occurs by death, resignation, or
29 otherwise, the ~~((governor))~~ secretary shall fill the vacant position
30 for the unexpired term. Each vacancy in a position appointed from
31 lists provided by the associations and departments under subsection (2)
32 of this section must be filled from a list of at least four persons
33 nominated by the relevant association or associations.

34 (5) The appointments made in subsection (2) of this section are not
35 subject to confirmation.

36 **Sec. 304.** RCW 47.06A.040 and 1999 c 216 s 3 are each amended to
37 read as follows:

1 The (~~board~~) secretary, at (~~its~~) his or her option, may either
2 appoint (~~an executive director~~) a chief administrative officer of the
3 board, who shall serve at (~~its~~) the secretary's pleasure and whose
4 salary shall be set by the (~~board~~) secretary or make provisions
5 ensuring the responsibilities of the (~~executive director~~) chief
6 administrative officer are carried out by an existing transportation-
7 related state agency or by private contract. Staff support to the
8 board shall be provided by the department (~~of transportation, the~~
9 ~~transportation improvement board, and the county road administration~~
10 ~~board, or their successor agencies~~)).

11 **Sec. 305.** RCW 47.06A.050 and 1998 c 175 s 6 are each amended to
12 read as follows:

13 (1) For the purpose of allocating funds for the freight mobility
14 strategic investment program, the (~~board~~) department shall allocate
15 the first fifty-five percent of funds to the highest priority projects,
16 without regard to location.

17 (2) The remaining funds shall be allocated equally among three
18 regions of the state, defined as follows:

19 (a) The Puget Sound region includes King, Pierce, and Snohomish
20 counties;

21 (b) The western Washington region includes Clallam, Jefferson,
22 Island, Kitsap, San Juan, Skagit, Whatcom, Clark, Cowlitz, Grays
23 Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum
24 counties; and

25 (c) The eastern Washington region includes Adams, Chelan, Douglas,
26 Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens,
27 Whitman, Asotin, Benton, Columbia, Franklin, Garfield, Kittitas,
28 Klickitat, Walla Walla, and Yakima counties.

29 (3) If a region does not have enough qualifying projects to utilize
30 its allocation of funds, the funds will be made available to the next
31 highest priority project, without regard to location.

32 (4) In the event that a proposal contains projects in more than one
33 region, for purposes of assuring that equitable geographic
34 distributions are made under subsection (2) of this section, the
35 department, in consultation with the board, shall evaluate the proposal
36 and proportionally assign the benefits that are attributable to each
37 region.

1 (5) If the ((~~board~~)) department identifies a project for funding,
2 but later determines that the project is not ready to proceed at the
3 time the legislature's funding decision is pending, the ((~~board~~))
4 department shall recommend removing the project from consideration and
5 the next highest priority project shall be substituted in the project
6 portfolio. Any project removed from funding consideration because it
7 is not ready to proceed shall retain its position on the priority
8 project list and is eligible to be recommended for funding in the next
9 project portfolio submitted by the ((~~board~~)) department.

10 **Sec. 306.** RCW 47.06A.060 and 1998 c 175 s 7 are each amended to
11 read as follows:

12 (1) In order to aid the financing of eligible freight mobility
13 projects, the ((~~board~~)) department may((+
14 (+)) make grants or loans from funds appropriated for the freight
15 mobility strategic investment program for the purpose of financing
16 freight mobility projects. The ((~~board~~)) department may require terms
17 and conditions as it deems necessary or convenient to carry out the
18 purposes of this chapter.

19 (2) The state shall not bear the financial burden for project costs
20 unrelated to the movement of freight. Project amenities unrelated to
21 the movement of freight may not be submitted to the ((~~board~~))
22 department as part of a project proposal under the freight mobility
23 strategic investment program.

24 (3) All freight mobility projects aided in whole or in part under
25 this chapter must have a public entity designated as the lead project
26 proponent.

27 **Sec. 307.** RCW 47.06A.070 and 1998 c 175 s 8 are each amended to
28 read as follows:

29 The ((~~board~~)) department shall keep proper records relating to the
30 freight mobility program and shall be subject to audit by the state
31 auditor.

32 NEW SECTION. **Sec. 308.** (1) The freight mobility strategic
33 investment board is transferred to the department of transportation.

34 (2)(a) All reports, documents, surveys, books, records, files,
35 papers, or written material in the possession of the freight mobility

1 strategic investment board shall be delivered to the custody of the
2 department of transportation. All cabinets, furniture, office
3 equipment, motor vehicles, and other tangible property employed by the
4 freight mobility strategic investment board shall be made available to
5 the department of transportation. All funds, credits, or other assets
6 held by the freight mobility strategic investment board shall be
7 assigned to the department of transportation.

8 (b) Any appropriations made to the freight mobility strategic
9 investment board shall, on the effective date of this section, be
10 transferred and credited to the department of transportation.

11 (c) If any question arises as to the transfer of any personnel,
12 funds, books, documents, records, papers, files, equipment, or other
13 tangible property used or held in the exercise of the powers and the
14 performance of the duties and functions transferred, the director of
15 financial management shall make a determination as to the proper
16 allocation and certify the same to the state agencies concerned.

17 (3) All employees of the freight mobility strategic investment
18 board are transferred to the jurisdiction of the department of
19 transportation. All employees classified under chapter 41.06 RCW, the
20 state civil service law, are assigned to the department of
21 transportation to perform their usual duties upon the same terms as
22 formerly, without any loss of rights, subject to any action that may be
23 appropriate thereafter in accordance with the laws and rules governing
24 state civil service.

25 (4) All rules and all pending business before the freight mobility
26 strategic investment board shall be continued and acted upon by the
27 department of transportation. All existing contracts and obligations
28 shall remain in full force and shall be performed by the department of
29 transportation.

30 (5) The transfer of the powers, duties, functions, and personnel of
31 the freight mobility strategic investment board shall not affect the
32 validity of any act performed before the effective date of this
33 section.

34 (6) If apportionments of budgeted funds are required because of the
35 transfers directed by this section, the director of financial
36 management shall certify the apportionments to the agencies affected,
37 the state auditor, and the state treasurer. Each of these shall make

1 the appropriate transfer and adjustments in funds and appropriation
2 accounts and equipment records in accordance with the certification.

3 (7) All classified employees of the freight mobility strategic
4 investment board assigned to the department of transportation under
5 this act whose positions are within an existing bargaining unit
6 description at the department of transportation shall become a part of
7 the existing bargaining unit and shall be considered an appropriate
8 addition or modification of the existing bargaining unit under the
9 provisions of chapter 41.80 RCW.

10 **PART IV**

11 **TRAFFIC SAFETY COMMISSION**

12 NEW SECTION. **Sec. 401.** A new section is added to chapter 43.59
13 RCW to read as follows:

14 The definitions in this section apply throughout this chapter
15 unless the context clearly requires otherwise.

16 (1) "Commission" means the traffic safety commission, which is a
17 program within the patrol.

18 (2) "Patrol" means the Washington state patrol.

19 **Sec. 402.** RCW 43.59.010 and 2009 c 549 s 5141 are each amended to
20 read as follows:

21 (1) The purpose of this chapter is to establish a new (~~agency~~)
22 program of state government to be known as the Washington traffic
23 safety commission. The functions and purpose of this commission shall
24 be to find solutions to the problems that have been created as a result
25 of the tremendous increase of motor vehicles on our highways and the
26 attendant traffic death and accident tolls; to plan and supervise
27 programs for the prevention of accidents on streets and highways
28 including but not limited to educational campaigns designed to reduce
29 traffic accidents in cooperation with all official and unofficial
30 organizations interested in traffic safety; to coordinate the
31 activities at the state and local level in the development of statewide
32 and local traffic safety programs; to promote a uniform enforcement of
33 traffic safety laws and establish standards for investigation and
34 reporting of traffic accidents; to promote and improve driver

1 education; and to authorize the governor to perform all functions
2 required to be performed by him or her under the federal Highway Safety
3 Act of 1966 (Public Law 89-564; 80 Stat. 731).

4 (2) The legislature finds and declares that bicycling and walking
5 are becoming increasingly popular in Washington as clean and efficient
6 modes of transportation, as recreational activities, and as organized
7 sports. Future plans for the state's transportation system will
8 require increased access and safety for bicycles and pedestrians on our
9 common roadways, and federal transportation legislation and funding
10 programs have created strong incentives to implement these changes
11 quickly. As a result, many more people are likely to take up bicycling
12 in Washington both as a leisure activity and as a convenient,
13 inexpensive form of transportation. Bicyclists are more vulnerable to
14 injury and accident than motorists, and should be as knowledgeable as
15 possible about traffic laws, be highly visible and predictable when
16 riding in traffic, and be encouraged to wear bicycle safety helmets.
17 Hundreds of bicyclists and pedestrians are seriously injured every year
18 in accidents, and millions of dollars are spent on health care costs
19 associated with these accidents. There is clear evidence that
20 organized training in the rules and techniques of safe and effective
21 cycling can significantly reduce the incidence of serious injury and
22 accidents, increase cooperation among road users, and significantly
23 increase the incidence of bicycle helmet use, particularly among
24 minors. A reduction in accidents benefits the entire community.
25 Therefore it is appropriate for businesses and community organizations
26 to provide donations to bicycle and pedestrian safety training
27 programs.

28 **Sec. 403.** RCW 43.59.070 and 1967 ex.s. c 147 s 8 are each amended
29 to read as follows:

30 The ~~((director shall be secretary))~~ chief of the patrol shall
31 appoint a chief administrative officer of the commission ~~((and))~~, who
32 shall be responsible for carrying into effect the commission's orders
33 and rules ~~((and regulations promulgated))~~ adopted by the patrol, in
34 consultation with the commission. The ~~((director))~~ chief of the patrol
35 shall also be authorized to employ such staff as is necessary pursuant
36 to the provisions of chapter 41.06 RCW. The patrol, in consultation

1 with the commission, shall adopt such rules (~~and regulations~~) as
2 shall be necessary to carry into effect the purposes of this chapter.

3 NEW SECTION. **Sec. 404.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 43.59.060 (Director of commission--Appointment--Salary) and
6 2009 c 549 s 5143 & 1967 ex.s. c 147 s 7; and

7 (2) RCW 43.59.080 (Governor's duties as chair) and 2009 c 549 s
8 5144 & 1967 ex.s. c 147 s 9.

9 NEW SECTION. **Sec. 405.** (1) The traffic safety commission is
10 transferred to the Washington state patrol.

11 (2)(a) All reports, documents, surveys, books, records, files,
12 papers, or written material in the possession of the traffic safety
13 commission shall be delivered to the custody of the Washington state
14 patrol. All cabinets, furniture, office equipment, motor vehicles, and
15 other tangible property employed by the traffic safety commission shall
16 be made available to the Washington state patrol. All funds, credits,
17 or other assets held by the traffic safety commission shall be assigned
18 to the Washington state patrol.

19 (b) Any appropriations made to the traffic safety commission shall,
20 on the effective date of this section, be transferred and credited to
21 the Washington state patrol.

22 (c) If any question arises as to the transfer of any personnel,
23 funds, books, documents, records, papers, files, equipment, or other
24 tangible property used or held in the exercise of the powers and the
25 performance of the duties and functions transferred, the director of
26 financial management shall make a determination as to the proper
27 allocation and certify the same to the state agencies concerned.

28 (3) All employees of the traffic safety commission are transferred
29 to the jurisdiction of the Washington state patrol. All employees
30 classified under chapter 41.06 RCW, the state civil service law, are
31 assigned to the Washington state patrol to perform their usual duties
32 upon the same terms as formerly, without any loss of rights, subject to
33 any action that may be appropriate thereafter in accordance with the
34 laws and rules governing state civil service.

35 (4) All rules and all pending business before the traffic safety

1 commission shall be continued and acted upon by the Washington state
2 patrol. All existing contracts and obligations shall remain in full
3 force and shall be performed by the Washington state patrol.

4 (5) The transfer of the powers, duties, functions, and personnel of
5 the traffic safety commission shall not affect the validity of any act
6 performed before the effective date of this section.

7 (6) If apportionments of budgeted funds are required because of the
8 transfers directed by this section, the director of financial
9 management shall certify the apportionments to the agencies affected,
10 the state auditor, and the state treasurer. Each of these shall make
11 the appropriate transfer and adjustments in funds and appropriation
12 accounts and equipment records in accordance with the certification.

13 (7) All classified employees of the traffic safety commission
14 assigned to the Washington state patrol under this act whose positions
15 are within an existing bargaining unit description at the Washington
16 state patrol shall become a part of the existing bargaining unit and
17 shall be considered an appropriate addition or modification of the
18 existing bargaining unit under the provisions of chapter 41.80 RCW.

19 **PART V**

20 **MISCELLANEOUS PROVISIONS**

21 **Sec. 501.** RCW 47.01.250 and 1998 c 245 s 92 are each amended to
22 read as follows:

23 The chief of the Washington state patrol(~~(, the director of the~~
24 ~~traffic safety commission, the executive director of the county road~~
25 ~~administration board,~~)) and the director of licensing are designated as
26 official consultants to the transportation commission so that the goals
27 and activities of their respective agencies which relate to
28 transportation are fully coordinated with other related
29 responsibilities of the department of transportation. In this
30 capacity, the chief of the Washington state patrol(~~(, the director of~~
31 ~~the traffic safety commission, the executive director of the county~~
32 ~~road administration board,~~)) and the director of licensing shall
33 consult with the transportation commission and the secretary of
34 transportation on the implications and impacts on the transportation_
35 related functions and duties of their respective agencies of any
36 proposed comprehensive transportation plan, program, or policy.

1 In order to develop fully integrated, balanced, and coordinated
2 transportation plans, programs, and budgets the chief of the Washington
3 state patrol(~~(, the director of the traffic safety commission, the~~
4 ~~executive director of the county road administration board,~~) and the
5 director of licensing shall consult with the secretary of
6 transportation on the matter of relative priorities during the
7 development of their respective agencies' plans, programs, and budgets
8 as they pertain to transportation activities.

9 NEW SECTION. **Sec. 502.** This act takes effect July 1, 2010.

--- END ---