

Report: Evaluation of State-Level Transportation Plans

January 2011

The Legislature has directed the Joint Transportation Committee (JTC) to "evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents."
ESSB 6381, §204(7) [2010].

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Executive Summary

The 2010 legislature directed the Joint Transportation Committee (JTC) to “evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents.” ESSB 6381, §204(7) (2010)

The key objectives of the study are to recommend appropriate assignment and coordination of state-level planning responsibilities and identify: 1) necessary or desirable planning elements; and 2) methods to develop state-level plans more efficiently. The scope also included a required draft bill to implement the recommendations. The draft bill is an appendix to this report.

State-level transportation planning in Washington State is complex, with federal and state requirements for plans to be developed by the Washington State Department of Transportation (WSDOT), the Washington State Transportation Commission (WSTC), eleven (11) metropolitan planning organizations (MPOs), and fourteen (14) regional transportation planning organizations (RTPOs).¹ Statutes require a statewide transportation plan referred to as the *Washington Transportation Plan (WTP)* produced as a “policy” plan for 2010, a statewide multimodal plan, eleven (11) state agency mode plans, and regional/metropolitan transportation plans. The result of this complexity is a planning process described as frustrating by planners and stakeholders, in which there is confusion even among transportation planners in the state as to what planning is required and by which agency, and with an end product of limited utility to legislators.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions, provide information that is important to decision-makers, and provide a common vision and framework for our transportation system.

This report ***focuses on what the legislature can do*** to reduce confusion and improve accountability, utility, and efficiency of state-level transportation planning. The legislature – which cannot change federal requirements and does not administer the planning process – can modify state statutes and use the budget process to enable state-level planning to meet legislative expectations, anticipate federal outcome and performance-based planning requirements, reflect lessons gleaned from other states, and provide a more efficient, streamlined, and less costly planning process.

¹ Ten (10) of the eleven (11) MPOs are also lead agencies for RTPOs.

Situation Assessment

The *Evaluation of State-Level Transportation White Paper* is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets.

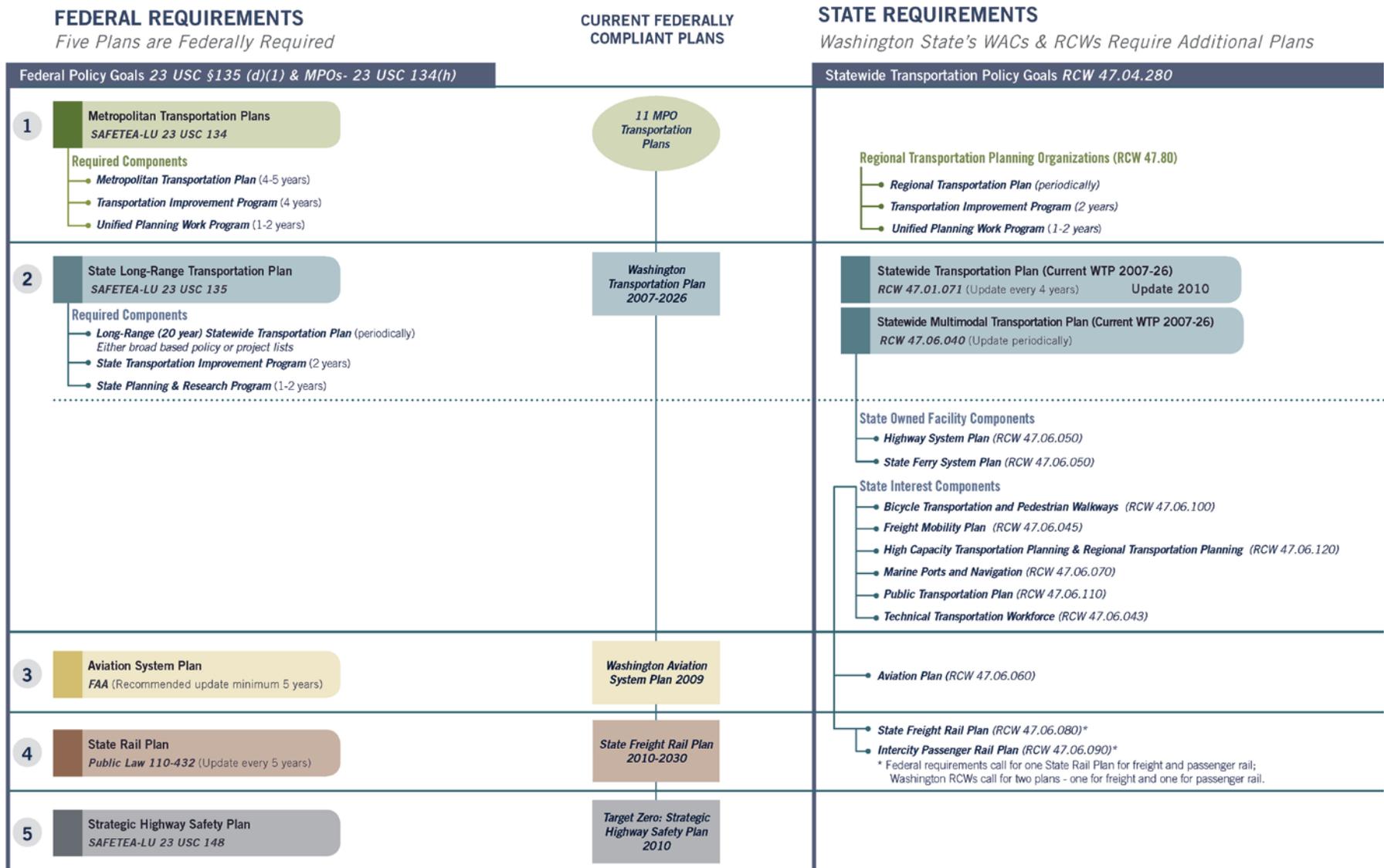
State and Federal Planning Requirements

Washington State's planning requirements are more extensive than federal planning requirements, particularly with regards to the state long-range transportation plan and state mode plans.

- **State long-range transportation plan.** Federal law requires that the state have a 20-year long-range transportation plan, which may be a broad policy plan or a project list and must be updated periodically. State law requires two plans: a statewide transportation plan – often referred to as a policy plan - to be updated every four (4) years by WSTC; and a statewide multimodal plan to be developed by WSDOT. State statutes are unclear as to which of the two (2) required plans is intended to be the federally compliant plan. Until the 2010 WSTC update of the *Washington Transportation Plan*², the *Washington Transportation Plan 2006-27* and previous iterations of the *WTP* had served as both the statewide transportation policy plan and the statewide multimodal plan, making the question of which plan was to be the federally compliant plan irrelevant.
- **State mode plans.** The state requires two state-owned facility components of the statewide multimodal plan, a highway system plan and a ferry system plan, neither one of which is required by federal law. There are also requirements for nine (9) state interest component plans, three (3) of which – the aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates. Federal law requires a strategic highway safety plan which is not reflected in state statutes.

² The WTP 2030 is not intended to be federally compliant. The WTP 2007-2027 will remain the federally compliant statewide long-range plan.

Relationship of Federal & State Planning & Program Requirements



Plan Integration

Federal law requires a continuing, cooperative and comprehensive transportation planning process, mandates cooperation and coordination between the state and the metropolitan planning organizations, and establishes over-arching policy goals that integrate planning. State statutes provide six (6) over-arching policies that help integrate planning and require the statewide multimodal plan to be developed under the WSTC's statewide transportation plan (policy plan), WSDOT to assist the WSTC in the preparation of its statewide transportation plan, and state and regional plans to be consistent with each other.

These requirements have not resulted in well integrated plans. In part this is because of the different schedules on which state-level plans are developed and in part because the state does not have a process to synchronize (or make consistent with each other) state and metropolitan/regional plans. Progress towards integration has been made with the preparation of the *Washington Transportation Plan 2030*, the development of which included a review of existing metropolitan and regional plans and state mode plans.

Plan Utilization

State-level plans that have affected legislative biennial capital investment decisions are mode plans that provide a program of investments that link policy and projects, provide clear, pragmatic, incremental choices, prioritize investments, provide a financially constrained program of capital investments, include operational as well as capital choices, and are data driven.

State-level plans have played a role when the legislature considers projects for inclusion in a major funding package, but the legislature has also relied on outside commissions and/or mandated ad-hoc processes.

Planning and Research Expenditures

State funds for state-level planning and research in the FY 2009-11 biennium budget total \$24.4 million, including \$4.4 million in grants to RTPOs, \$10.0 million for travel and collision data collection and GIS activities, \$1.4 million for research and library services, and \$8.6 million for state long-range planning, state mode planning, and regional coordination expenses.

The state budgets more of its funds on planning than the federally required minimum, which means the state could reduce its budget without jeopardizing federal funding. In the FY 2009-11 biennium the state spent more than the required 20 percent match for FHWA state planning fund³ eligible planning activities, with the state budget for eligible planning activities of \$16.3 million representing 44 percent of the total.

³ The state is required to spend 2 percent of certain FHWA funds for planning. Of the 2 percent, 0.25 percent must be spent on research. The match required under some conditions may be reduced to 13.5 percent.

Future Direction of Federal Planning Requirements

Initiatives by federal transportation agencies, stakeholders, and Congress to move from process based to outcome and performance-based transportation planning indicate that:

- Congress will in the future most likely require a performance component in state transportation planning.
- Transportation plans that are goal-oriented built upon solid performance-based systems, evaluated with accepted performance metrics, and implemented over time to reflect a combination of state and national goals are more likely to coordinate with anticipated modifications to federal planning requirements.

Planning Statutes in Other States

State-level planning statutory requirements and statewide long-range transportation plans in seven (7) states were reviewed: Arizona, California, Florida, Georgia, Mississippi, Nevada, and Texas. The selected states recently amended planning statutes, updated statewide long-range transportation plans, or, like Washington, have a separate transportation commission.

- Statutes in other states are less complex than Washington State's.
 - There are fewer statutorily required plans. Thirteen (13) state agency transportation plans are required by Washington's statutes compared to a maximum of three (3) required by the other states' statutes. The other states reviewed have, like Washington, multiple transportation plans but, unlike Washington, they are not statutorily required.
 - None of the other states reviewed require two (2) statewide long-range transportation plans.
- In five (5) of the seven (7) states reviewed, the state statutes require a statewide long-range transportation plan, with responsibility for the plan's preparation vested in the state department of transportation. States with independent transportation commissions give the commissions different roles that reflect their responsibilities and range from developing a policy statement to guide the plan to approving the plan. In some states the Governor approves the statewide long-range transportation plan and some states provide a formal opportunity for the legislature to review and comment on the draft plan before it is finalized. None of the states reviewed require legislative approval of the statewide long-range transportation plan.
- Integrating state and metropolitan/regional long-range transportation plans is difficult and has been addressed by the states in different ways including adjusting governance to more clearly define roles in transportation planning. There are also innovations such as having a framework planning process co-chaired by the MPOs and an independent transportation commission and staffed by the department of transportation and updating MPO plans in the same process as the update of the statewide long-range transportation plan. **All of the states reviewed recognize the need to integrate state, regional, and metropolitan transportation planning in order to address the most pressing transportation issues.**

Planning Requirements – Recommended Statutory Changes

What should the legislature expect from its investment in state-level transportation planning?

To develop recommendations on statutory changes, it is important to understand what the legislature should expect from its investment in the continuum of state-level planning – i.e. from the results of all state-level planning activities. The legislature should expect that state-level planning will:

- Inform the broad range of legislative transportation decisions
- Be flexible and adaptable to changing circumstances
- Be aligned and integrated at the state, regional, and local level
- Be technically competent, data driven, and federally compliant
- Result from a robust public participation process.

What plans should be required by state statute?

RECOMMENDATION 1

State planning statutes should require a statewide long-range transportation plan. No other state-level transportation plans should be statutorily required.

This recommendation should not be confused with an effort to eliminate all other plans. Federally required plans – rail, aviation, highway safety, and metropolitan – will continue to be done. State-level plans that are deemed essential and funded by the legislature will also be done - which could be a policy plan, a ferry plan, a bike and pedestrian plan, etc. This recommendation simply means that planning initiatives would have to be justified on some basis other than that the plan is a statutory requirement.

What should the statutory requirements for the statewide long-range transportation plan include?

RECOMMENDATION 2

Statutory requirements for the statewide long-range transportation plan should establish broad requirements, specify accountability for preparation and approval of the plan, and provide a link to statewide performance measurement and attainment reporting.

The broad statutory requirements for the statewide long-range transportation plan should be clear, encourage streamlining and efficiency, and specify that the plan:

- Is the federally compliant statewide long-range transportation plan.
- Is to be framed by the legislature's policy goals.
- Results from the continuum of state-level planning and is to be based on on-going metropolitan, regional, and mode planning activities.
- Allows other state-level plans, including mode, metropolitan, and/or regional plans, to be updated in the same process as the update of the statewide long-range transportation plan.
- Is to be outcome and performance based, consider mode-neutral (i.e. does not give preference to any one mode) alternatives, and integrate state, regional, and metropolitan transportation planning, performance measurement, and attainment reporting.
- Is to include public outreach that incorporates on-going outreach by state, metropolitan, and regional transportation agencies and uses best practices.
- Is to have clear financial assumptions, identify the need for any new resources, and provide a financial plan that can be linked with legislative budget decisions.

Responsibility for preparation of the statewide long-range transportation plan should be fixed by the legislature and reflect governance, the strong need to integrate planning, and lead to cost-efficiencies.

The question of whether the statewide long-range transportation plan should be done by WSDOT or WSTC is frequently raised, but the conundrum is how to reconcile the WSDOT, WSTC, and MPO/RTPO governance structure with having an accountable, streamlined planning process. Existing planning statutes – which include requirements for assistance and consistency - have not resulted in a streamlined process nor have they resulted in an integrated planning effort.

The consultants have identified two options that take advantage of the technical expertise of WSDOT and the MPOs/RTPOs, reflect WSTC's statutory (RCW 47.01.075) role in transportation policy and its mandate to conduct public forums and surveys, and make use of stakeholder and public outreach conducted by MPOs/RTPOs.

- **WSDOT Preparation/WSTC & MPO/RTPO Review.** The legislature could hold WSDOT accountable for preparing the statewide long-range transportation plan, as other states do for their federally compliant plan. The statute could direct the MPOs/RTPOs to assist WSDOT, require WSDOT to consider WSTC transportation policy recommendations and utilize information from the WSTC public forums and surveys, and require the MPO/RTPO Coordinating Committee and WSTC to review and provide comments on the draft plan to the legislature and the Governor before it is finalized.
- **Blended Responsibility.** The legislature could mandate a process in which WSDOT, the WSTC, and the MPO/RTPOs share responsibility for preparation of the statewide long-range transportation plan. For example, the legislature could require a process that is co-chaired by the Secretary of Transportation, the Chair of the WSTC, and the Chair of the MPO/RTPO Coordinating Committee, or alternatively, the legislature could name a Blue Ribbon Commission under whose auspices the three parties would work. WSDOT could be responsible for planning expertise and meeting federal procedural requirements; WSTC for coordinating policy recommendations, stakeholder and public outreach, and ensuring that its public forums and surveys are reflected in the plan; and MPOs/RTPOs for both planning and outreach.

Of the two alternatives, the consultants believe that having blended responsibility for preparation of the statewide long-range transportation plan will be the most likely to produce an integrated statewide plan.

- **Expand WSTC Surveys.** In either alternative, having WSTC expand its current surveys for Washington State Ferries customers and for tolling to a continuing statewide transportation survey would benefit the development of the statewide long-range transportation plan and the information could inform other mode, regional, and metropolitan planning.
- **Tribal Transportation Planning.** Integration of tribal transportation planning with the statewide transportation plan needs to be considered. The chair of the Tribal Transportation Planning Organization (TTPO) is a member of the MPO/RTPO Coordinating Committee, but a more specific role for the TTPO could be considered.

Approval of the statewide long-range transportation plan should rest with the Governor.

The Governor has a role with all three (3) of the parties that need to be involved in the statewide long-range transportation plan and is in the best position to ensure an integrated process. The legislature could also require the Office of Financial Management (OFM) to review and confirm the financial assumptions of the statewide long-range transportation plan.

The statewide long-range transportation plan should establish statewide objectives and performance measures that are included in the biennial attainment report.

Current state statutes require OFM to establish objectives and performance measures for state transportation agencies and to prepare a biennial attainment report. The consultants recommend that the legislature amend these requirements to have the objectives and performance measures come from the statewide long-range transportation plan and encompass performance of the statewide transportation system.

Budget Process

In addition to clarifying planning statutes the legislature can use the budget process to assure itself that state-level planning expenditures are focused on the highest priorities of the legislature and to track how budget decisions relate to the long-term performance goals of the statewide long-range transportation plan.

RECOMMENDATION 3

The legislature should require: a comparison of the proposed biennial budget with the statewide long-range transportation plan's performance goals and financial plan; greater transparency of the state-level planning budget, including the use of federal planning dollars and the corresponding state match; and periodic reporting on the status of plans that it has funded, answering the question whether the plans are "on-time, on-schedule, and within budget."

The legislature should use the budget process to relate investment decisions to the performance-based goals in the statewide long-range transportation plan. The Governor could be required to show how the proposed biennial 16-year transportation financial plan (with its operating budget and project list) relates to the statewide long-range transportation plan's performance goals and financial plan. Making this connection will help the legislature understand longer term trends as it reviews the biennial budget.

State-level planning costs are largely in the WSDOT operations budget which is subject to an incremental budget approach where the agency needs to show only the changes in the budget. This makes it difficult for the legislature to understand what planning activities are proposed in the budget and the trade-offs and options with regards to the expenditure of federal planning funds and the corresponding state match.

To improve transparency in budgeting state-level planning, the legislature could require the WSDOT biennial budget to include: a list of planning activities and plans to be completed in the biennium; state and federal funds anticipated for each activity and plan; and a comparison of the minimum state funds that are required to match federal planning expenditures and the proposed state funds. WSDOT can use information in its federally required State Planning and Research Program to develop this information for the legislature.

The legislature does not have a consistent way of knowing whether plans that are funded are being developed "on-time, on-budget, and within scope." The legislature could require periodic reports on the status of plans that it has authorized and funded. This should be reasonable for WSDOT to accommodate given its extensive performance reporting.

Making state-level planning more streamlined and efficient

The proposed clarification of the state-level planning statutes and more transparent budgeting and reporting will lead to more streamlined and cost-efficient planning by:

- **Reducing the number of plans that are done primarily to satisfy statutory requirements.**
- **Sharing technical expertise and planning processes.** The RTPOs and MPOs and WSDOT's mode managers already invest a significant amount of time and resources in their planning processes to identify priorities and quantify transportation system needs – work that should be reflected in the development of the statewide long-range transportation plan. “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership, and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination.”⁴
- **Consolidating public outreach.** Streamlining outreach and sharing the results of on-going survey work should make it easier for citizens to participate, result in better informed planning, and reduce costs.

⁴ Arizona Department of Transportation, *What Moves You Arizona*, p. 7-13.

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JOINT TRANSPORTATION COMMITTEE
Evaluation of State-Level Transportation Plans

INTRODUCTION

This report recommends a major re-structuring of Washington State's transportation planning statutes and legislative use of the budget process to improve accountability, utility, and efficiency of state-level transportation planning.

Planning, as the term is used in this report, refers to the broad range of activities undertaken to establish direction in the midst of changing circumstance. It encompasses the on-going process of data gathering, analysis, research and evaluation, and the development of published plans.

State-level transportation planning in Washington State is complex, with federal and state requirements for plans to be developed by the Washington State Department of Transportation (WSDOT), the Washington State Transportation Commission (WSTC), eleven (11) metropolitan planning organizations (MPOs), and fourteen (14) regional transportation planning organizations (RTPOs).⁵ Statutes require a statewide transportation plan referred to as the *Washington Transportation Plan (WTP)* produced as a "policy" plan for 2010, a statewide multimodal plan, eleven (11) state agency mode plans, and regional/metropolitan transportation plans.

This complexity is not in and of itself a bad thing. If it resulted in an integrated planning process that aligned state, regional, and metropolitan transportation planning, performance measurement, and reporting it would most likely satisfy legislative expectations. The result of this complexity is, instead, a planning process described as frustrating by planners and stakeholders, in which there is confusion even among transportation planners in the state as to what planning is required and by which agency, and with an end product of limited utility to legislators.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions, provide information that is important to decision-makers, and provide a common vision and framework for our transportation system.

This report ***focuses on what the legislature can do*** to reduce confusion and improve accountability, utility, and efficiency of state-level transportation planning. The legislature – which cannot change federal requirements and does not administer the planning process – can modify state statutes and use the budget process to enable state-level planning to meet legislative expectations, anticipate federal outcome and performance-based planning requirements, reflect lessons gleaned from other states, and provide a more efficient, streamlined, and less costly planning process.

⁵ Ten (10) of the eleven (11) MPOs are also lead agencies for RTPOs.

The recommendations in this report are intended to lead in that direction by:

- **Reducing the number of plans that are done primarily to satisfy statutory requirements.**
- **Sharing technical expertise and planning processes.** The RTPOs and MPOs and WSDOT's mode managers already invest a significant amount of time and resources in their planning processes to identify priorities and quantify transportation system needs – work that should be reflected in the development of the statewide long-range transportation plan. “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership, and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination.”⁶
- **Consolidating public outreach.** Streamlining outreach and sharing the results of on-going survey work should make it easier for citizens to participate, result in better informed planning, and reduce costs.

⁶ Arizona Department of Transportation, *What Moves You Arizona*, p. 7-13.

SECTION I. PURPOSE & METHODOLOGY

A. Purpose

The 2010 legislature directed the Joint Transportation Committee (JTC) to “evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents.” ESSB 6381, §204(7) (2010)

The key objectives of the study are to recommend appropriate assignment and coordination of state-level planning responsibilities and identify: 1) necessary or desirable planning elements; and 2) methods to develop state-level plans more efficiently. The scope also included a required draft bill to implement the recommendations. The draft bill is an appendix to this report.

B. Evaluation of State-Level Transportation White Paper

The *Evaluation of State-Level Transportation White Paper* is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets. The key findings of the *White Paper* are summarized in the situation assessment in Section II of this report.

C. Methodology

The analysis of potential federal performance outcome requirements in this report was completed by Wilbur Smith and included a combination of technical work, interviews, peer exchanges, meetings, and presentations, including:

- Development of technical performance metrics for the Bipartisan Policy Center’s *Performance-Driven – A New Vision for U.S. Transportation Policy*, 2009.
- American Association of State Highway and Transportation Officials (AASHTO) - Federal Highway Administration (FHWA) Executive Roundtable on Performance-based Planning and Programming, October 2009.

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- AASHTO-AMPO⁷-FHWA working group on performance and performance-based planning, August 2009 and January 2010.
- AASHTO-FHWA Asset Management and Performance Management Peer Exchange, July 2010.
- AASHTO Federal Funding Issues: Strategies for Raising Revenues, August 2010.
- AASHTO-AMPO-American Public Transportation Association (APTA)-FHWA-Federal Transit Administration (FTA) National Forum on Performance-based Planning and Programming, September 2010.

To review other state requirements the consultants reviewed:

- State planning statutes
- State plans and studies

To formulate recommendations the consultants relied on their professional judgment and interviews and discussions with stakeholders.

⁷ AMPO is a nonprofit, membership organization serving the needs and interests of "metropolitan planning organizations (MPOs)" nationwide.

SECTION II. SITUATION ASSESSMENT

This section provides a summary of the *Evaluation of State-Level Transportation White Paper*, which is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets.

A. State and Federal Planning Requirements

Washington State's planning requirements are more extensive than federal planning requirements, particularly with regards to the state long-range transportation plan and state mode plans.

- **Over-Arching Policy Goals.** Federal and state planning requirements include over-arching goals, with eight goals in the federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) (23 USC 134) and six state goals in RCW 47.04.280.
- **Metropolitan and Regional Transportation Plans.** Washington State has eleven (11) federally designated metropolitan planning organizations (MPOs) that are required by federal law to develop a 20-year long-range metropolitan transportation plan that must be updated every four (4) years if air quality issues are involved or every five (5) years if they are not. MPOs are also required to develop and submit to the state a metropolitan transportation improvement program (TIP), and to prepare every one (1) to two (2) years a unified planning work program. Washington State has, as part of the Growth Management Act, allowed for the voluntary association of local governments and imposed on these Regional Transportation Planning Organizations (RTPOs) similar requirements for a long-range regional transportation plan, a regional transportation improvement program, and a unified planning work program.
- **State Long-Range Transportation Plan.** Federal law requires that the state have a 20-year long-range transportation plan, which may be a broad policy plan or a project list and must be updated periodically. States are also required to submit a state transportation improvement program, which must incorporate without change, the metropolitan transportation improvement programs, and a state planning and research program. State law requires two plans: a statewide transportation plan – often referred to as a policy plan - to be updated every four (4) years by WSTC; and a statewide multimodal plan to be developed by WSDOT. State statutes are unclear as to which of the two (2) required plans is intended to be the federally compliant plan. Until the 2010 WSTC update of the

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*Washington Transportation Plan*⁸, the *Washington Transportation Plan 2006-27* and previous iterations of the *WTP* had served as both the statewide transportation policy plan and the statewide multimodal plan, making the question of which plan was to be the federally compliant plan irrelevant.

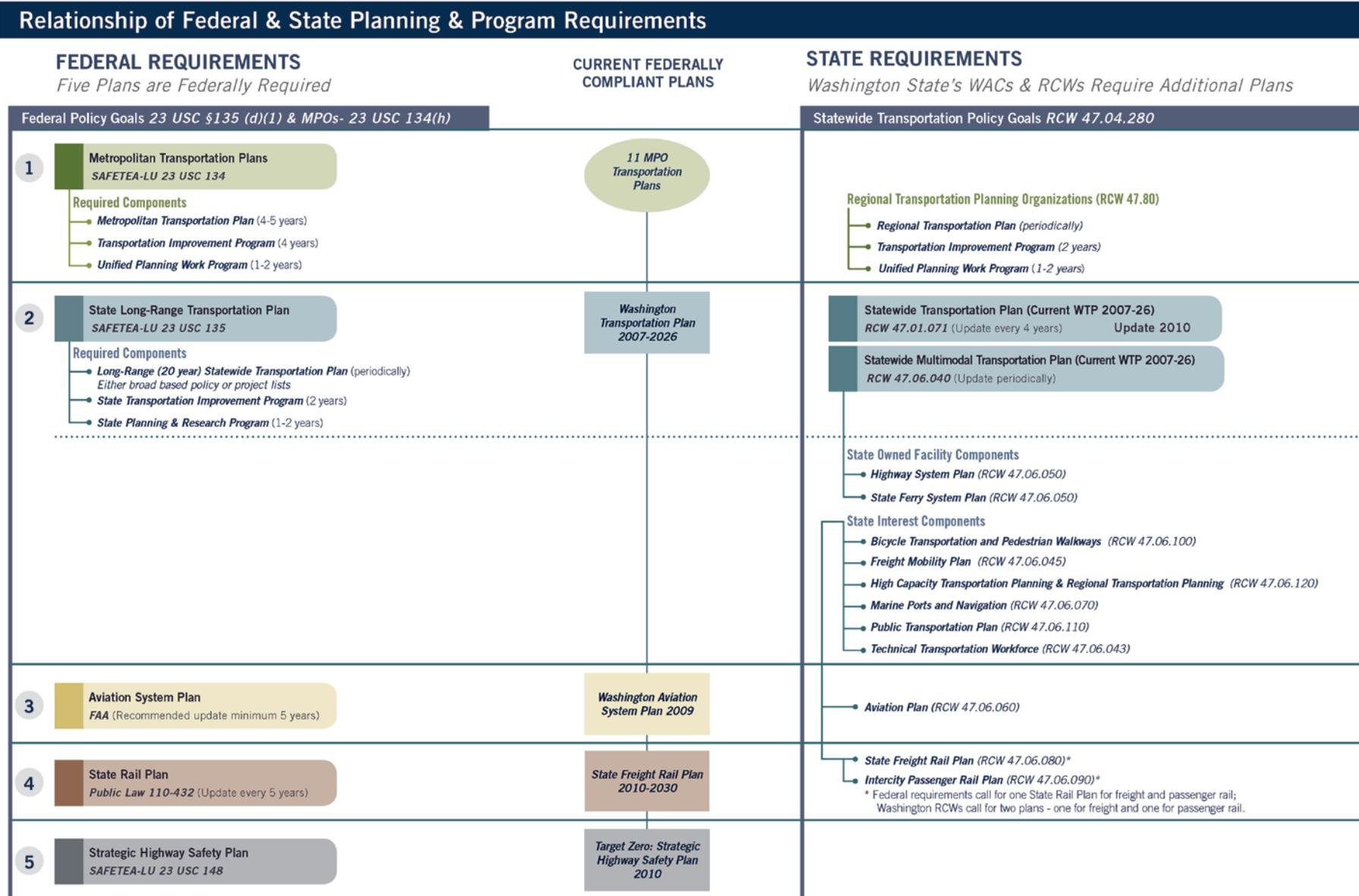
- **State Mode Plans.** The state requires two state-owned facility components of the statewide multimodal plan, a highway system plan and a ferry system plan, neither one of which is required by federal law. There are also requirements for nine (9) state interest component plans, three (3) of which – the aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates. Federal law requires a strategic highway safety plan which is not reflected in state statutes.

The exhibit below summarizes the federal and state planning and program requirements.

⁸ The WTP 2030 is not intended to be federally compliant because WSTC elected not to engage in all of the procedural steps that would be needed to become federally compliant. The WTP 2007-2027 will remain the federally compliant statewide long-range plan.

Exhibit 1.

Relationship of Federal and State Planning Requirements



B. Plan Integration

There are federal and state requirements to integrate plans.

- **Federal Requirements.** The federal government requires a continuing, cooperative and comprehensive planning process, mandates cooperation and coordination between the state and the metropolitan planning organizations, and establishes over-arching policy goals that integrate planning.
- **State Requirements.** State statutes require the statewide multimodal plan to be developed under the WSTC's statewide transportation plan (policy plan), WSDOT to assist the WSTC in the development of its plan, and that state and regional plans be consistent with each other.

These requirements have not resulted in well integrated plans. In part this is because of the different schedules on which state-level plans are developed and in part because the state does not have a process to synchronize (or make consistent with each other) state and metropolitan/regional plans.

The best opportunity for integration comes when plans are updated

- **Draft Washington Transportation Plan 2030.** In preparing the plan WSTC reviewed the metropolitan and regional plans and state mode plans.
- **Statewide Multimodal Plan.** WSDOT has not started the update of the statewide multimodal plan. As envisioned by WSDOT, the plan is to be driven by policy direction provided by many sources, including existing state and federal law, recently completed modal plans, the current 2007-26 *Washington Transportation Plan*, and the WSTC 2030 *Washington Transportation Plan*.
- **State Mode Plans.** The state mode plans are developed separately and on different schedules.

C. Plan Utilization

While it is sometimes noted that planning is a process as much as a product, this report focuses on how state-level plans have affected legislative investment decisions rather than on the utility of the planning process.

State-level plans that were utilized in making capital decisions in recent biennia are:

- **Highway System Plan.** The *Highway System Plan* serves as the basis for the Governor's transportation capital improvement and preservation program project list – the largest portion of the WSDOT capital budget.
- **Washington State Ferries Long-Range Plan.** The *Final Washington State Ferries Long-Range Plan* was issued at the conclusion of the 2009 legislative session and reflected legislative decisions.

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- **Amtrak Cascades 2008 Mid-Range Plan.** The *Mid-Range Plan* identified specific steps to achieve additional service.
- **Washington State Strategic Highway Safety Plan: Target Zero.** *Target Zero* was revised in 2010 and provides a list of steps and investments the state should undertake to improve traffic safety.

These plans were cited as useful in biennial capital decision-making because they:

- Provide clear, pragmatic, incremental choices
- Prioritize investments
- Provide a financially constrained program of capital investments
- Include operational as well as capital choices
- Are data driven.

To develop major funding packages the legislature relies partially on state-level plans, but also uses other processes.

- **2000 Blue Ribbon Commission on Transportation.** The report of this Commission was utilized by the legislature for both the 2003 Nickel and the 2005 Transportation Partnership Act capital programs.
- **2005 Recommendations on New Funding to Address Critical Transportation Needs over the Next Decade.** This WSDOT report, based in part on state-level plans, provided a list of projects for consideration in what became the 2005 Transportation Partnership Act.
- **Future Funding Package.** The legislature is preparing to consider a potential additional funding package and has directed the WSTC to review prioritized projects from the MPOs and RTPOs and provided WSDOT with funding to scope projects for potential inclusion in a funding package.

While state-level plans have had a role in legislative capital decisions, an even larger role is played by corridor and other localized plans. This is because these plans are viewed as more pragmatic and on point for the development of a capital project list.

D. Planning and Research Expenditures

There are federal requirements for state and MPO planning and research expenditures.

- **State Minimum Planning Expense.** States are required to set aside 2 percent of Federal Highway Administration funding for state planning and research activities, with not less than 25 percent of the 2 percent to be devoted to research.
- **Work Programs.** States and MPOs are required to develop planning work programs that identify federal and state resources to be used for planning and research activities.
- **Match.** The match required for these activities is 20 percent for Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Railroad Administration (FRA) funds and 5 percent for Federal Aviation Administration (FAA) funds.⁹
- **Flexibility.** The federal government allows states and MPOs wide flexibility in the use of planning funds.

The state budgeted \$24.4 million in state funds for state-level planning and research in the 2009-11 biennium and the MPOs/RTPOs \$3.4 million.

The \$24.1 million in state funds includes \$4.4 million in grants to RTPOs, \$10.0 million for travel and collision data collection and GIS activities, \$1.4 million for research and library services, and \$8.6 million for state long-range planning, state mode planning, and regional coordination expenses.

The largest source of federal planning funds is from the required 2 percent set-aside of FHWA funds. In FY 2009-11 the state spent more than the required 20 percent match for FHWA state planning fund eligible planning activities, with the state budget for eligible planning activities of \$16.3 million representing 44 percent of the total. The state also spent \$0.2 million more than the minimum required to match FHWA research funds.

Expenditures greater than required to match federal dollars may be justified, but it does mean that the state could reduce its expenditure without jeopardizing federal funds.

⁹ There are situations where a 13.5 percent match for FHWA and FTA funds is possible.

SECTION III. FEDERAL PLANNING DIRECTION

Current federal planning requirements for states and metropolitan planning organizations are process oriented. This section reviews initiatives by federal transportation agencies, stakeholders, and Congress to move from process based to performance-based transportation planning that is more directly linked to a set of clearly articulated goals, and more accountable for results.

The consultants' conclusions are:

- **Congress will most likely require a performance component in state transportation planning.** It is clear to the consultants that Congress, through the reauthorization of surface transportation legislation will include some sort of performance component, where states will likely have to implement performance-based programs – with targets – and show progress in meeting these targets as a condition of federal funding.
- **Transportation plans that are goal-oriented, built upon solid performance-based systems, evaluated with accepted performance metrics, and implemented over time to reflect a combination of state and national goals are likely to better coordinate with anticipated modifications to federal planning requirements.** Because Congress has yet to identify an additional sustainable funding stream for the nation's surface transportation program, authorization of the federal surface transportation bill (SAFETEA-LU) is on hold. While Congress and the administration continue to prepare for federal surface transportation authorization, Washington State should focus transportation planning processes on performance.

Performance-Based Planning

The nation faces extraordinary challenges regarding its transportation system. While the American Recovery and Reinvestment Act (ARRA) underscored the commitment of Congress to reinvigorate the U.S. economy through \$48 billion in transportation investment, Congress continues to struggle with the authorization of a long-term surface transportation bill primarily because a sustainable funding stream has yet to be identified. This is largely due to the fact that the financial backbone of the surface transportation program is all but broken. There is currently no support for increasing transportation user fees via the national gas tax and there are many competing goals for investment at both the national and state levels. The House Transportation and Infrastructure (T&I) Committee developed a draft \$450 billion bill in 2009 – the Surface Transportation Authorization Act (STAA) or Oberstar Bill; however, the administration and the Senate Environment and Public Works Committee have not taken action nor has the House Banking Committee, which controls the purse strings.

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With limited funds, the pressures for accountability continue to mount. The Federal Highway Administration (FHWA), the American Association of State Highway and Transportation Officials (AASHTO), and many transportation delivery partners across the country as well as think tanks, including the Bipartisan Policy Center (BPC) and others, have embraced the concept of accountability and performance.

- *AASHTO* - AASHTO's Board of Directors has endorsed the need for an increase in federal transportation investment but couples that recommendation with support for reforms which will bring about a program more focused on national interests and accountability for results.
- *FHWA* - The FHWA has been working under the assumption that performance will be reported to Congress in the next surface transportation authorization bill and has developed national goals and candidate performance metrics as well as five strategies for implementation.
- *Bipartisan Policy Center (BPC)* – In the foreword to the BPC's recent *Performance-Driven – A New Vision for U.S. Transportation Policy* report, the National Transportation Policy Project notes that "U.S. transportation policy needs to be more performance-driven, more directly linked to a set of clearly articulated goals, and more accountable for results."
- *House Transportation and Infrastructure (T&I) Committee* – In its *Blueprint for Investment and Reform*, House T&I Committee leaders noted that the Surface Transportation Authorization Act (STAA) of 2009, or "Oberstar Bill" transforms the nation's surface transportation framework and provides the necessary investment to carry out this vision. "This increased investment [will be] accompanied by greater transparency, accountability, oversight, and performance measures to ensure that taxpayer dollars are being spent effectively and in a manner that provides the maximum return on that investment."

It is clear that Congress, through the reauthorization of surface transportation legislation, will include some sort of performance component, where states will likely have to implement performance-based programs – with targets – and show progress in meeting these targets (at a minimum) as a condition of receiving federal funds. At the same time, many transportation delivery partners agree that great accomplishments with status-quo or reduced federal aid highway funding will be difficult to attain.

National Goals and Objectives

FHWA, AASHTO, and the BPC agree that any performance-based federal aid highway program should be focused on broad objectives within the national interest. These groups largely consider safety, system preservation, economic vitality, congestion reduction, and accessibility/ connectivity as core national goals; however, they differ in the ways the goals are stated, as shown in the exhibit in Appendix A. Under a performance-based federal aid highway program, these national goals and objectives would be adopted by all states as a criteria for programming federal funds.

Performance Metrics – National Goals and Objectives

The devil is, of course, in the details of not only the proposed national goal, but how it is measured, either directly or implicitly, and how it is implemented. For example:

- *AASHTO*. AASHTO provides strong support for state-driven accountability where each state should determine its own performance targets and the appropriate strategies to meet those targets.
- *FHWA*. The FHWA has undertaken an in-depth policy analysis of the proposed structure of a performance-based federal aid highway program and, as part of this effort, has noted that national performance goals should be easy to understand, achievable in a logical timeframe and linked to funding levels. The FHWA research has also led to consideration of five options for implementing national goals: national measures but no performance targets; goals/targets for FHWA only; across-the-board goals for states; tailored, state-specific goals; goals for groupings of peer states. Like AASHTO, FHWA makes no recommendations about the specific content of any individual performance target.
- *Bipartisan Policy Center*. The BPC policy report provides a structure of improving performance through reporting on alternative metrics that recognize transportation as a critical component of the nation's economic prosperity. BPC also recommends that the core transportation programs be shifted to reflect 25 percent competitive funding and 75 percent core formula funds.

The exhibit in Appendix A shows different performance metrics under consideration.

Performance Metrics – State Goals and Objectives

States continue to monitor a host of performance metrics to manage not only the transportation system but the business of the department of transportation itself.

Performance-based Planning and Programming

While transportation practitioners and professionals have been monitoring transportation and asset performance for more than 40 years, states have not had to report these data to Congress to define exactly what the public is getting for the \$40 billion per year total surface transportation investment. However, the FHWA has been working under the assumption that performance – both predicted outcomes and actual performance over time - will be reported to Congress in the next surface transportation authorization bill.

The planning process will also continue to evolve. In October, 2009, AASHTO and FHWA collaborated to convene a roundtable discussion on Performance-based Planning and Programming. Based on this forum, it was clear that there is a need to include MPOs and transit agencies in the development of new, multimodal approaches. Findings from that effort offer some background on current practices, trends, and future needs with respect to performance-based planning and programming:

- The statewide and metropolitan transportation planning process should incorporate performance goals and measures that are responsive to national transportation goals.

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- States and MPOs should have a strong role in target-setting for performance measures.
- Involvement of state and local stakeholders and state and local elected officials remains essential to effective planning and programming.
- The unique transportation needs of each state and metropolitan area will continue to be addressed in the transportation planning and programming process.
- Performance-based transportation planning and programming must incorporate an appropriate balance between data-driven and qualitative factors.
- Public input must be maintained as an important driver of planning decisions.
- The Strategic Highway Safety Plan (SHSP), which is used as the basis for prioritizing the use of Highway Safety Improvement Program funds, offers one model for performance-based planning. The SHSP is used to collaboratively set performance goals and measures, provide guidelines and targets to address safety needs, and establish an accountability framework while providing states with the flexibility to choose from a range of strategies, programs and projects.
- The American Recovery and Reinvestment Act of 2009 (ARRA) may provide some lessons for developing a process that aligns national and state priorities. ARRA illustrates an approach in which states, MPOs, and the federal government worked together to allocate funds for specific goals - job retention and creation and economic stimulus - and to track performance.

Moving Forward

AASHTO, FHWA, and BPC (among others) continue to hone messages regarding transportation performance and performance-based planning initiatives and how they relate to a performance-based federal aid highway program. This summer, FHWA and AASHTO shared up-to-date policies at an Asset Management Peer Exchange hosted by the FHWA.

Thus far, the FHWA is establishing its recommendations for a performance-based federal aid highway program to include the following key principles:

- Data that are currently available should be used and applied; initially we should not be collecting new data or creating new databases.
- Data must be presented to convey the right message to Congress and other stakeholders.
- Data and analyses should be used to predict the outcomes of our investments and should be evaluated in the transportation planning process; these models will likely get better over time.

AASHTO proposes that asset focused metrics are the key to launching performance management, but that for most goal areas, targets should be state-driven and should be developed in conjunction with transportation delivery partners. Goals and targets should be established over a two-year period and should focus more on a process that can be implemented to achieve them. AASHTO continues to work with the FHWA to develop and vet metrics for measuring system performance. In sum, AASHTO's polices are directed at:

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- Refocusing the federal program on national objectives.
- U.S. Secretary of Transportation and Congress to establish goal areas.
- Transportation plan and projects selected must include a state-driven performance management approach.
- Performance measures should be developed and adopted by states in coordination with MPOs, FHWA, American Public Transportation Association (APTA), Federal Transit Administration (FTA), and other transportation delivery partners over a two-year period.

The BPC has received much attention with its non-partisan, mode-neutral, analytical recommendations to transform the federal-aid highway program into a true multimodal, outcome-based allocation of surface transportation funds via the National Transportation Policy Project.

BPC is currently focusing its broad policy recommendations from its 2009 report to the economic realities of the day. BPC is undertaking an initiative to apply its vetted performance metrics to a status-quo federal surface transportation authorization (by dollar value), with the following assumptions:

- There will be no significant increase in the overall level of funding for surface transportation – indeed, a slow decrease in the purchasing power of these funds is certainly possible; and
- The existing federal highway and transit programs should be restructured in order to focus available resources on national interests.

SECTION IV. STATE-LEVEL PLANNING IN OTHER STATES

State-level planning statutory requirements and statewide long-range transportation plans in seven (7) states were reviewed: Arizona, California, Florida, Georgia, Mississippi, Nevada, and Texas. The selected states recently amended planning statutes, updated statewide long-range transportation plans, or, like Washington, have a transportation commission separate from the department of transportation.

Appendix B provides summaries of governance, planning statutes, and plan status for each state.

The consultants found:

- **Statutes in other states are less complex than Washington State's.**
 - There are fewer statutorily required plans. Washington State statutes require 13 plans to be developed by state transportation agencies (a WSTC statewide transportation plan, a WSDOT statewide multimodal plan, eleven (11) WSDOT mode plans). The most plans that are statutorily required of the state transportation agencies in other states is three (3). Two (2) states have no statutorily required plans.
 - None of the other state statutes require two (2) statewide long-range transportation plans.
 - The other states reviewed have, like Washington, multiple transportation plans, but, unlike Washington, they are not required by statute.
- **Five (5) of the seven (7) states reviewed have statutes that require a statewide long-range transportation plan.**
 - Statutes that require statewide long-range transportation plans are broad rather than proscriptive. State statutes refer to the plan as balanced, comprehensive, and multimodal. A specific date by which a revised statewide long-range transportation plan is to be complete and an update period is included in two (2) state statutes. Three (3) state statutes specify that the plan is to be federally compliant and three (3) that the plan be developed within goals or policies established by the legislature. Two (2) states provide a link to performance reporting and measurement.
 - Sunset requirements. Georgia's planning statutes sunset the investment criteria every four (4) years.

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- Statutes that require statewide long-range transportation plans vest responsibility for preparation of the plan in the department of transportation but vary with regards to approval and ultimate accountability for the plan. Two (2) states require that the Governor approve the statewide long-range transportation plan and one (1) state requires that it be approved by an independent transportation commission. The other three (3) state statutes are silent as to the approval of the plan. None of the statutes require approval of the statewide long-range transportation plan by the state legislature, but two (2) have a process for the legislature to review and comment on a draft plan before it is finalized.
- The role of independent transportation commissions in the development and approval of statewide long-range transportation plans varies. In Arizona the independent commission issues a policy statement¹⁰ that guides the plan and the plan is approved by the commission. In California the transportation commission reviews and comments on the plan and can provide their comments to the Governor and legislature. In Florida the annual work program and performance reporting components of the plan are submitted to the commission for use in their role in oversight of the department.
- **Integrating state and metropolitan/regional long-range transportation plans is difficult and has been addressed by the states in various ways.** Four (4) states' statutes mandate integration of statewide long-range transportation plans with regional and/or metropolitan transportation plans through state review and negotiation of changes in metropolitan and regional plans; creation of an independent organization of MPOs with responsibility for reviewing the state transportation plan; cooperative planning; or by having the state plan reconciled with or based on the metropolitan or regional plans. These strategies reflect a top-down view of planning (i.e. the metropolitan and regional plans are to be based on the state-plan) and a bottom-up view of planning (i.e. the state plan is to be based on the metropolitan and regional plans).
 - States have adjusted governance to more clearly define roles in transportation planning, including, in the case of California, by giving metropolitan and regional transportation agencies greater programming authority.
 - State long-range transportation plans recognize the pressing need to integrate plans, in order to reduce planning costs and make planning more efficient and to improve transportation system performance.

¹⁰ A web search could not find a policy statement. It appears that the bqAZ framework fulfilled the requirement for a policy statement.

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- There have been innovative ways in which planning is integrated. In Arizona a process co-chaired by the MPOs and the independent transportation commission and staffed by the department of transportation created a statewide framework under which the state long-range transportation plan is being drafted. Mississippi updated three (3) MPO plans concurrently with the update of its statewide long-range transportation plan.
- **Two (2) states require regional transportation plans.** California statutes require the development of regional transportation plans, which encompass metropolitan plans that are within the region, and that must meet state goals, particularly for reductions in greenhouse gas emissions. Florida allows regional transportation councils to adopt policy goals that are advisory to the state department of transportation and to the MPOs.
- **States reviewed are moving in the direction of performance-based planning and programming.** Georgia, for example, has developed what it calls a business case based long-range transportation plan by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented.

A. Statewide Long-Range Transportation Plan

1. Statutory Plan Requirements

KEY FINDING

Statutes in five (5) of the seven (7) states reviewed - Arizona, California, Florida, Georgia, and Texas - require a statewide long-range transportation plan. Mississippi and Nevada both have recently updated plans, but do not have statutory requirements for a statewide long-range transportation plan.

Statutes that require statewide long-range transportation plans are broad rather than proscriptive.

- **Description.** State statutes refer to the plan as balanced, comprehensive, and multimodal. Florida statutes require that the statewide long-range transportation plan be understandable to the general public.
- **Schedule.** Two (2) state statutes require that the state long-range transportation plan be completed on a specific schedule. In California, the revised California Transportation Plan must be completed by December 31, 2015, with an interim report due to the legislature and the California Transportation Commission by December 31, 2012. Georgia statutes required that the long-term statewide strategic transportation plan be completed by April 10, 2010.
- **Updates.** Two (2) states – Arizona and California – require that the plan be updated every five (5) years while the others do not specify an update period.

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- **Federal Compliance.** Three (3) states specify that the plan is to be federally compliant. Georgia statutes provide that the statewide strategic transportation plan is the official, intermodal, comprehensive, fiscally constrained transportation plan which includes projects, programs, and other activities to support implementation of the state's strategic transportation goals and policies. The Georgia statute states that this plan and the process for developing the plan shall comply with 23 C.F.R. Section 450.104. California statutes require the Governor to submit the California Transportation Plan to the Secretary of the U.S. Department of Transportation. Arizona statutes require the long-range statewide transportation plan to consider any information developed as a result of federally mandated planning processes, but that the plan shall be developed in addition to any federally mandated planning requirements.
- **Legislative Policy Goals.** Florida requires that the plan be developed within three (3) legislative guiding principles and California within seven (7) legislative policy goals. Georgia requires the statewide transportation strategic plan to consider ten (10) investment criteria that expire after four (4) years unless renewed or revised by the legislature.
 - *Climate Change.* The California legislature substantially revised the state's planning statutes to meet climate change goals. In the 2008 session the legislature imposed requirements on regional transportation planning agencies and MPOs to develop sustainable communities strategies and alternative planning strategies to reduce greenhouse gas emissions. In the 2009 session the legislature required the California Department of Transportation (Caltrans) to update the California Transportation Plan to show how the state will achieve maximum feasible emissions reductions, and identify the statewide integrated multimodal transportation system needed to obtain the mandated reductions in greenhouse gas emissions.
- **Performance Measures and Reporting.** Florida statutes require the Florida Transportation Plan to have three (3) components: long-term (20 years); short-term (annual work program); and an annual performance report. The short-term and annual performance report components are submitted by the Florida Department of Transportation (FDOT) to the independent Transportation Commission which has responsibility for oversight of FDOT. Texas requires an annual update of a component of the plan tied to performance measures.

2. Accountability for State Long-Range Transportation Plan

KEY FINDING

All five (5) states that have statutory requirements for a state long-range transportation plan vest responsibility for development of the plan in the department of transportation.

- **Department of Transportation.** Arizona requires that the plan be developed by the Arizona Department of Transportation (ADOT) under the direction of the Arizona Transportation Board, which is an independent commission. In Georgia, the 2009 legislative session left the responsibility for the development of the long-range transportation plan with the Georgia Department of Transportation (GDOT) Planning Division, but re-structured GDOT. The Director of the GDOT Planning Division is now appointed by the Governor, subject to the approval of the House and Senate Transportation Committees, and reports to the Governor not the Director of GDOT. The Director of GDOT reports to the Georgia Transportation Board which governs the department.
- **Independent Transportation Commissions.** Arizona, California, and Florida have transportation commissions that, like Washington's, are independent of the cabinet-level transportation departments. These states give the commissions different levels of accountability for the plan from approval, to comment to the department and legislature, to receipt of the short term components of the plan. Arizona requires the Transportation Board to adopt the plan developed by ADOT and to develop and adopt a statewide transportation policy statement every two (2) years. The policy statement is to include "performance expectations for the statewide transportation system over the next twenty (20) years and shall guide ADOT in developing a comprehensive and balanced statewide highway system." In establishing the statewide transportation policy statement, the board "shall consider, to the greatest extent possible, local, regional and tribal transportation goals" (ARS Title 28 Sections 301-307). California statutes require that Caltrans submit the plan to the Transportation Commission for review and comment. The Commission may present the results of its review and comment to the legislature and Governor. Florida statutes require the Florida Department of Transportation (FDOT) to submit the short-range component (annual work program) and annual performance report to the independent Florida Transportation Commission. The Commission serves as an oversight body for FDOT reviewing performance, annual work programs, budgets and long-range plans, and monitoring highway safety and financial status.
- **Governor.** Two (2) states require the Governor to approve the plan. Georgia requires the Governor to review and approve the statewide strategic transportation plan before it is submitted for approval to the Transportation Board which governs the Georgia Department of Transportation (GDOT). California requires the Governor to adopt the California Transportation Plan and submit it to the legislature and the Secretary of the United States Department of Transportation.

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- **Legislature.** Two (2) state statutes – Georgia and California – require a draft plan to be submitted to the legislature for review and comment before the final plan is adopted. Georgia requires that the draft plan be submitted to members of the General Assembly for comments and suggestions with comments then submitted by the House and Senate Transportation Committees to the Planning Division. California requires that a final draft of the plan be available to the legislature for review and comment. None of the states require the legislature to adopt the plan.

3. Integration with Regional and Metropolitan Transportation Plans

Statutory Requirements for Integrating Regional/MPO and State Long-Range Transportation Plans

KEY FINDING

Four (4) states statutes that require a statewide long-range plan also require that plan to be integrated with regional and/or metropolitan transportation plans.

- **Review and Comment on Regional and Metropolitan Plans by State.** Georgia statutes give the GDOT Planning Director, who reports to the Governor, the responsibility to review and make recommendations to the Governor concerning all proposed regional plans and transportation improvements and “negotiate with the propounder of the plans concerning changes or amendments which may be recommended by the department of the Governor, consistent with federal law and regulation” (George Revised Code § 32-2-22).
- **Review and Comment on State Plan by MPOs.** Florida statutes create a Metropolitan Planning Organization Advisory Council to “serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes” (FS 39.175 (6)).
- **Cooperative Planning.** Arizona statutes require the Transportation Board to consider to the greatest extent possible, local, regional, and tribal transportation goals when developing its policy statement. The Transportation Board is also charged with adopting uniform planning practices and performance-based planning process that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies (ARS Title 28 Section 306).
- **Reconciliation of Plans.** Florida statutes require MPOs to develop 20- year transportation plans that consider the goals and objectives of the Florida Transportation Plan and require that the Florida Transportation Plan be developed in cooperation with MPOs and “reconciled, to the maximum extent feasible, with the long-range plans developed by MPOs” (FS 339.155(3) (a)). California statutes require that the strategies element of the California Transportation Plan “shall incorporate the broad systems concepts and strategies synthesized from the adopted regional transportation plans” (SB 391, Section 3 (b)). The California legislature finds that it is in the interests of the state to have an integrated state and regional transportation planning process. “It further finds that federal law mandates the development of a state and regional long-range transportation plan as a

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prerequisite for receipt of federal transportation funds. It is the intent of the Legislature that the preparation of these plans shall be a cooperative process involving local and regional government, transit operators, congestion management agencies, and the goods movement industry and that the process be a continuation of activities performed by each entity and be performed without any additional cost (California Government Code Section 65070 (a)).

Governance

KEY FINDING

Two (2) of the statewide long-range transportation plans discuss governance changes to more fully integrate planning and California has modified governance to give more programming authority to the MPOs and its regional transportation planning agencies.

- **MPO Programming Authority.** California has provided enhanced programming authority to its 18 MPOs and 26 Regional Transportation Authorities. SB 45 passed in the 1997 legislative session allocates 75 percent of transportation funds, including federal funds, to regional improvement programs. The remaining 25 percent of funds are for interregional improvement programs which are administered by the state. Arizona's draft statewide long-range transportation plan, *What Moves You Arizona*, includes consideration of enhanced programming authority for Arizona's MPOs: "The role of the MPOs in planning and programming transportation projects has been a topic of debate and negotiation with the Arizona Department of Transportation. An expanded role for MPOs in planning and programming relative to statewide resource allocation has also been discussed in reference to the next transportation bill" (p. 128).
- **MPO Planning.** The Texas Transportation Commission recently revised its administrative code to empower its 25 MPOs to develop long-range, mid-range, and short range plans, each with specified, measurable criteria. The new rules will go into effect in 2011 and are regarded as central to the update of the Texas Transportation Plan.¹¹

¹¹ Texas Department of Transportation Department Implementation of Sunset Advisory Commission Recommendations, June 2010, p. 7.

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- **Governance.** The *Draft 2060 Florida Transportation Plan* issued in 2010 includes recommendations on 21st century governance noting that “the current fragmentation in transportation decision making responsibilities and processes is one of the most significant challenges to implementing the 2060 Florida Transportation Plan” (p. 24). There are a large number of transportation entities involved in planning and most transportation planning and funding processes are organized by transportation mode and jurisdiction. “Differences in plan update schedules, horizon years, assumptions, and prioritization processes across agencies and jurisdictions further complicate decision making” (p.24). Florida does not have a unified vision linking regional transportation visions and priorities to accomplish statewide goals. The statewide vision should be “developed under the authority of the Governor and Legislature and implemented through coordinated actions of all state and regional agencies” (p. 25).

Statewide Long-Range Transportation Plans Integration with Metropolitan/Regional Transportation Plans

KEY FINDING

The states reviewed used different approaches to integrate planning, including one (1) state which updated MPO plans in the same process as the update of the statewide long-range transportation plan.

- **MPO Led Planning.** An ambitious statewide transportation planning framework - *Building a Quality Arizona* or *bqAZ*¹² - developed in a collaborative effort between Arizona’s Councils of Governments, MPOs, and the Arizona Department of Transportation was accepted by the State Transportation Board in January 2010.¹³ The framework was developed in accordance with an Executive Order from the Governor and the effort was co-chaired by the chair of the Maricopa County Regional Council and a member of the State Transportation Board and staffed by the Arizona Department of Transportation. The framework is guiding the current update of the Arizona 20-year statewide long-range plan, which starts from the recommended statewide scenario from the *bqAZ* framework. The draft 20-year plan, *What Moves You Arizona*, notes: “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination” (p. 7-13).

¹² bqAZ refers to a series of regional, rail, and other framework studies as well as the statewide framework.

¹³ The minutes of the January 15, 2010 meeting note that the framework was done by ADOT at the “direction” of the Board. This appears to have fulfilled the requirements for a policy statement.

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- **Updating Statewide and Metropolitan Long-Range Plans Together.** Mississippi's 2007 MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)¹⁴ is the updated state long-range transportation plan and updates the metropolitan long-range transportation plan for three (3) Mississippi MPOs.¹⁵ The efforts conducted within MULTIPLAN to update the long-range transportation plans for the MPOs included: updating the goals and objectives for the MPO plans; conducting origin and destination surveys to support planning activities; and developing a travel demand model for the MPO plan updates.
- **Issues Identified for Integration.** The Georgia *Statewide Strategic Transportation Plan* adopted in 2010 states that the long-term plan and business case will be integrated with the long-range plans developed by MPOs and local counties consistent with the federal transportation planning process. It notes areas where collaboration and partnership with local governments will be even more important than in the past: measuring how transportation investments in metro areas affect critical performance measures; demand management; regional and local transit planning; local and regional considerations for planned state investments; last-mile connectivity for people; and coordination of transportation investment with development patterns.
- **State Framework.** Caltrans is preparing the *California Interregional Blueprint* which "will articulate the state's vision for an integrated, multimodal, interregional transportation system that complements regional transportation plans and land use visions."¹⁶ Once completed in 2012, the *Blueprint* will be the basis for the *California Transportation Plan 2040* which is to be completed by December 31, 2015. The *Blueprint* will include the development of a Statewide Integrated Transportation, Land Use, and Economic Model to evaluate interregional transportation improvements, model and evaluate transportation and land use scenarios, and assess the effects of transportation policies on the economy.
- **Cooperative Planning.** The *Statewide Transportation Plan – Moving Nevada through 2028* was adopted by the Transportation Board in September 2008. The plan is a policy document to guide NDOT and is a multimodal plan that "explores the issues affecting aviation, bicycles, pedestrians, transit, cars, trucks, and trains and the linkage between these modes" (p ES-1). NDOT worked closely with Nevada's four (4) MPOs, other local, state, and federal agencies, and tribal nations in developing the plan.

¹⁴ Mississippi's MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)¹⁴ received the President's Award for Planning from the American Association of State Highway and Transportation Officials (AASHTO). AASHTO recognized MDOT and Mississippi's MPO's for the outstanding planning achievement as the result of the agreement to prepare the first joint Statewide and Metropolitan Area Transportation Plan in the United States.

¹⁵ A fourth Mississippi MPO is part of the Memphis MPO.

¹⁶ Caltrans, *California Interregional Blueprint – Progress Report*, 2010, p.1

B. Other State Plans Required by Statute

KEY FINDING

Texas requires three (3) state-level plans, one of which is the statewide long-range transportation plan. This is largest number of state-level plans required by statute in the states reviewed.

- **Policy Statement.** Arizona requires the independent Transportation Board to adopt a statewide transportation policy statement every two (2) years that establishes performance expectations for the statewide transportation system and guides ADOT in developing a comprehensive and balanced statewide highway system.
- **Strategic Intermodal System Plan.** The Florida legislature designated the strategic intermodal system in 2003. In 2004 the legislature provided the framework for funding future strategic intermodal system improvements, identified the intermodal system as the highest priority for transportation capacity, identified funding sources, and made all strategic intermodal system facilities eligible for state funding, regardless of ownership. State statutes require FDOT, in cooperation with MPOs, regional planning councils, local governments, the Statewide Intermodal Transportation Advisory Council and other transportation providers, to develop a Strategic Intermodal System Plan. The plan is to be consistent with the Florida Transportation Plan and is to be updated at least once every five (5) years subsequent to the updates of the Florida Transportation Plan.
- **Highway Plan.** Mississippi statutes require a three (3) year plan for the maintenance, construction, and relocation of the state highway system.
- **International Trade Corridor Plan.** Texas statutes require the Texas Department of Transportation (TxDOT) to develop an integrated international trade corridor plan that assigns priorities based on the amount of trade measured by weight and value to the transportation systems of the state. The plan shall be updated biennially and be reported to the presiding Chair of each house of the legislature no later than December 1st of every even year.
- **Rail:** Texas statutes also require TxDOT to update annually a long-term plan for passenger rail including a description of existing and proposed systems, information regarding the status of passenger rail systems under construction, an analysis of potential interconnecting difficulties, and ridership statistics for existing systems.

C. State Statutes on Regional/Metropolitan Transportation Plans

KEY FINDING

Two states – California and Florida – have statutory requirements for MPOs and statutorily required regional plans. Florida has also created an independent MPO coordinating body.

- **Regional Plans.** Florida authorizes regional planning councils to develop, as an element of their strategic regional policy plan, transportation goals and policies that must comply with the three (3) legislative prevailing principals and are to be advisory to the MPOs and the Florida Department of Transportation. California requires local planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced transportation system. The plan is required to be action-oriented and pragmatic, considering both the short-term and long-term future, and present clear, concise policy guidance to local and state officials. Plans must be developed every four (4) years and conform to the regional transportation plan guidelines adopted by the California Transportation Commission, and be submitted to the Commission and Caltrans.
- **MPO Coordinating Body.** Florida state law authorizes the creation of Florida MPO(s) and the Florida Metropolitan Planning Organization Advisory Council. Florida statutes also require MPOs to develop 20-year transportation plans. The Council was created by the legislature to augment the role of individual MPOs in the cooperative transportation planning process and serves as the principle forum for collective policy discussion. It has its own Board and staff. The Advisory Council is authorized to employ an Executive Director and other staff.

D. Statewide Long-Range Transportation Plans and Emerging Federal Directions

KEY FINDING

The states' statewide long-range plans discuss emerging federal planning requirements and potential changes in funding priorities.

Some state plans move in the direction of performance-based reporting. For example, the change in Georgia's transportation planning statutes reflected the Governor's Tomorrow's Transportation Today (IT3) program to bring to bring a "results-oriented, strategic orientation to transportation planning and implementation. IT3 supports the work of the Georgia Department of Transportation and Metropolitan Planning Organizations throughout Georgia."¹⁷ The resulting *Statewide Strategic*

¹⁷ <http://www.it3.ga.gov/Pages/default.aspx>

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Transportation Plan 2010-2030 takes a business case approach by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented.

SECTION V. RECOMMENDATIONS

This section presents three recommendations for the legislature to consider to revise statutory planning requirements and use the budget process to link legislative budget decisions to the statewide long-range transportation plan and assure itself that state-level planning expenditures are focused on the legislature's highest priorities.

A. Legislative Expectations

The legislature should expect that its investment in the continuum of state-level planning, – i.e. from the results of all the state-level planning activities, will: 1) inform the broad range of legislative transportation decisions; 2) be flexible and adaptable to changing circumstances; 3) be aligned and integrated at the state, regional, and metropolitan level; 4) be technically competent, data driven, and federally compliant; and 5) result from a robust public participation process.

Provide a context that informs the broad range of legislative transportation decisions

Planning should be of use to the legislature as it makes policy, governance, investment, and financial decisions that affect state, regional, and local transportation interests. As expressed in current planning statutes, state-level planning should inform decisions the legislature makes about the state-owned components and the state-interest components of the transportation system.

- **Recognize legislative direction.** The legislature has adopted policy goals and provided direction on its priorities that it should expect to be reflected in state-level planning. One example is the legislative priority to complete the Nickel and Transportation Partnership Act projects.
- **Understand mode-neutral, long-range performance alternatives for the state transportation system.**¹⁸ Planning should help the legislature understand the long-range performance alternatives; the policy, investment, governance and financial choices that would support those alternatives; and the impact of the alternatives at the state, regional, and metropolitan level.

¹⁸ Bipartisan Policy Center, *Performance Driven: A New Vision for US Transportation Policy*, National Transportation Policy Project June 9, 2009, p. 33. Mode-neutral means not assuming the use of a single mode nor giving preference to a single mode. The essence of outcome and performance-based planning is to improve the performance of the transportation system by emphasizing mode-neutral planning.

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- **Link to shorter-term capital programming, policy, and financial decisions.** Planning should help the legislature understand the impact of their shorter term decisions - including capital investments referred to in planning literature as programming - on the direction of the transportation system and the achievement of state, modal, regional, and local plans. In a presentation of the most recent *Nationwide Assessment of Statewide Plans 2010*, researchers note that in determining long-range plan utility, “the expectation is that the [objectives] identified in the long-range transportation plan guide programming.”
- **Provide clear, pragmatic, incremental choices.** Plans should identify and prioritize the choices the legislature can make to achieve incremental improvements and provide answers to the question of “what can we do” and “what should we do”.

Flexibility and adaptability to changing conditions

There are always transportation policy and funding uncertainties – which path will the federal government take in requiring state and metropolitan plans, what funding opportunities might arise, how will state priorities change over time. State-level planning should help the legislature anticipate change and planning activities should focus on the most important emerging problems.

Aligned and integrated at the state, regional, and metropolitan level

The planning effort should align and integrate state, regional, and metropolitan transportation plans with common performance measures and periodic overall reporting. Alignment is difficult given the different schedules upon which plans are updated – but it is nonetheless something that the legislature should expect. The same issues identified in Georgia that make planning integration more important than ever there are important here - measuring how transportation investments in metro areas affect critical performance measures; demand management; regional and local transit planning; local and regional considerations for planned state investments; last-mile connectivity for people; and coordination of transportation investment with development patterns.

Technically competent, data driven, and federally compliant

The legislature should expect that planning is technically competent, is based on solid data, and will maintain our state’s opportunity to maximize federal funding.

Result from a robust public participation process

The legislature should expect that the planning process includes outreach to the community in ways that extend beyond just the traditional public meetings. Solid data on public perceptions is important to understanding what citizens of the state want and need from the transportation system and their likely reactions to potential changes.

B. Statutorily Required Plan(s)

RECOMMENDATION 1

State statutes should require a statewide long-range transportation plan. No other state-level plans should be statutorily required.

Washington State statutes require two (2) statewide long-range transportation plans, eleven (11) mode plans, and regional transportation plans. There are state-level plans that are done, such as the metropolitan transportation plans and *Target Zero: Strategic Highway System Plan*, which are not required by statute, but are required by the federal government. And still others that are not required by state or federal law, such as *Moving Washington*.

Assumptions

In assessing what plans should be required by statute, the consultants made the following assumptions:

- **Federal requirements do not need to be repeated in state statute.**
- **Statutory requirements should be consistent with legislative expectations.** These expectations are to have a continuum of planning that informs the broad range of legislative transportation decisions, is flexible and adaptable to changing circumstances, is aligned and integrated at the state, regional, and local level, is technically competent, data driven, and federally compliant, and results from a robust public participation process.
- **The development of state-level plans does not depend on statutory requirements.** As in our own state, the other states reviewed have transportation plans that are not required by statute. The primary difference between Washington and the other states is that in the other states most (and in two (2) states all) of the existing state-level transportation plans are not statutorily required.
- **The legislature can use the budget proviso process if it wants to mandate plans.** The legislature has used the budget proviso process to mandate planning activities. This is the process that was followed in the FY 2009-11 biennium for WSDOT Program I planning projects that the legislature mandated.

Alternatives Considered

Three (3) alternative approaches to what state-level plans should be required by statute were considered: requiring a multiplicity of plans, as are required in existing statutes; requiring no plans; and requiring a statewide long-range transportation plan.

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- **Requiring a multiplicity of plans.** Requiring multiple plans has led to confusion and to a situation where legislative inquiries about why a plan is being done are answered, in part, by the fact that the legislature required it. While the list of plans could be updated and the legislature could consider sunsetting the list by having the requirements expire within a given period of time, requiring a multiplicity of plans reduces the flexibility and adaptability of planning, makes it less clear what plans are supposed to be integrated and aligned, and generally has not made planning more efficient or accountable.
- **Require no plans.** Nevada and Mississippi have no statutorily required plans. Requiring no plans provides the maximum flexibility, but would reduce the ability of the legislature to define accountability for a planning process that meets its expectations.
- **Require a statewide long-range transportation plan.** Five (5) of the states reviewed require a statewide long-range transportation plan. The advantage of this approach is that it allows the legislature to fix accountability for a plan – and for a continuing planning process – that fulfills its expectations.

Other Plans

This recommendation should not be confused with an effort to eliminate all other plans. Federally required plans – rail, aviation, highway safety, and metropolitan – will continue to be done. State-level plans that are deemed essential and funded by the legislature will also be done - which could be a policy plan, a ferry plan, a bike and pedestrian plan, etc. This recommendation simply means that planning initiatives would have to be justified on some basis other than that the plan is a statutory requirement.

C. Statewide Long-Range Transportation Plan Statute

RECOMMENDATION 2

Statutory requirements for the statewide long-range transportation plan should establish broad requirements, specify accountability for preparation and approval of the plan, and provide a link to statewide performance measurement and attainment reporting.

Plan Requirements

The broad statutory requirements for the statewide long-range transportation plan should be clear, encourage streamlining and efficiency, and specify that the plan:

- Is the federally compliant statewide long-range transportation plan.
- Is to be framed by the legislature's policy goals.
- Results from the continuum of state-level planning and is to be based on on-going metropolitan, regional, and mode planning activities.
- Allows other state-level plans, including mode, metropolitan, and/or regional plans, to be updated in the same process as the update of the statewide long-range transportation plan.
- Is to be outcome and performance based, consider mode-neutral (i.e. does not give preference to any one mode) alternatives, and integrate state, regional, and metropolitan transportation planning, performance measurement, and attainment reporting.
- Is to include public outreach that incorporates on-going outreach by state, metropolitan, and regional transportation agencies and uses best practices.
- Is to have clear financial assumptions, identify the need for any new resources, and provide a financial plan that can be linked with legislative budget decisions.

Plan Preparation

Responsibility for preparation of the statewide long-range transportation plan should be fixed by the legislature and reflect governance, the strong need to integrate planning, and lead to cost-efficiencies. The question of whether the statewide long-range transportation plan should be done by WSDOT or WSTC is frequently raised, but the actual conundrum is how to reconcile the three-way state-level planning governance structure (WSDOT, MPOs/RTPOs, WSTC) with having an accountable, streamlined planning process.

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- **WSDOT.** All of the states reviewed hold their departments of transportation accountable for preparation of the federally compliant statewide long-range transportation plan. WSDOT, as a nationally recognized leader in performance-based management, is well positioned to prepare a plan that meets emerging federal requirements. WSDOT also collects and analyzes the data that underpins all state-level transportation planning, has experience in meeting the federal process requirements, and is the agency most accountable for linking state planning to programming.
- **MPOs/RTPOs.** The MPOs/RTPOs have local expertise, knowledge, and relationships that WSDOT does not have. A truly statewide long-range transportation plan requires more than just the involvement of the MPOs/RTPOs – it requires their active concurrence on system outcomes and performance measures and their willingness and ability to supply data and expertise.
- **WSTC.** The legislature has given WSTC responsibility for providing on-going public forums for the development of transportation policy, including coordination with RTPOs, transportation stakeholders, counties, cities, and citizens, and the legislature has expressed its desire to have that input considered in the development of the statewide long-range transportation plan. The legislature has also required WSTC to conduct a market survey of Washington State Ferries customers every two (2) years and, as the tolling authority, WSTC as conducted customer surveys in support of its tolling activities.

Existing planning statutes – which include requirements for assistance (i.e. WSDOT is required to assist the WSTC in the preparation of the WSTC statewide plan) and consistency (i.e. the mode plans are to be consistent with the WSTC statewide transportation plan and with each other) – have not resulted in a streamlined process nor have they resulted in an integrated planning effort.

Plan Preparation Alternatives

The consultants have identified two options that might result in a more streamlined, cost-efficient, and integrated planning process that takes advantage of the expertise of WSDOT, the WSTC, and the MPOs/RTPOs.

- **WSDOT Preparation/WSTC & MPO/RTPO Review.** The legislature could hold WSDOT accountable for preparing the statewide long-range transportation plan, as other states do for their federally compliant plan. The statute could direct the MPOs/RTPOs to assist WSDOT, require WSDOT to consider WSTC transportation policy recommendations and utilize information from the WSTC public forums and surveys, and require the MPO/RTPO Coordinating Committee and WSTC to review and provide comments on the draft plan to the legislature and the Governor before it is finalized.

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- **Blended Responsibility.** The legislature could mandate a process in which WSDOT, the WSTC, and the MPO/RTPOs share responsibility for preparation of the statewide long-range transportation plan. For example, the legislature could require a process that is co-chaired by the Secretary of Transportation, the Chair of the WSTC, and the Chair of the MPO/RTPO Coordinating Committee, or alternatively, the legislature could name a Blue Ribbon Commission under whose auspices the three parties would work. WSDOT could be responsible for planning expertise and meeting federal procedural requirements; WSTC for coordinating policy recommendations, stakeholder and public outreach, and ensuring that its public forums and surveys are reflected in the plan; and MPOs/RTPOs for both planning and outreach.

Of the two alternatives, the consultants believe that having blended responsibility for preparation of the statewide long-range transportation plan will be the most likely to produce an integrated statewide plan.

- **Expand WSTC Surveys.** In either alternative, having WSTC expand its current surveys for Washington State Ferries customers and for tolling to a continuing statewide transportation survey would benefit the development of the statewide long-range transportation plan and the information could inform other mode, regional, and metropolitan planning. The information garnered from WSTC's mandated Washington State Ferry customer surveys were used in the development of the *Washington State Ferries' Long-Range Plan*. The method the WSTC uses for these surveys, with established panels, makes it cost-effective to consider expanding the survey to a survey that would support state mode, regional, and metropolitan planning. Some of the MPOs also conduct surveys as part of their planning and the results could inform the state and regional planning processes
- **Tribal Transportation Planning.** In either alternative, integration of tribal transportation planning with the statewide transportation plan needs to be considered. The chair of the Tribal Transportation Planning Organization (TTPO) is a member of the MPO/RTPO Coordinating Committee, but a more specific role for the TTPO could be considered.

Plan Approval

The Governor has a role with all three of the parties involved in the statewide long-range transportation plan. WSDOT is a cabinet agency, the Governor has to approve the metropolitan transportation improvement programs, and the Governor appoints the members of the WSTC. The Governor is in the best position to ensure an integrated process and should approve the statewide long-range transportation plan before it is submitted to the U.S. Department of Transportation. The legislature could also require the Office of Financial Management (OFM) to review and confirm the financial assumptions of the statewide long-range transportation plan.

Performance Measures and Attainment Report

Current state statutes require OFM to establish objectives and performance measures for state transportation agencies “to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals (RCW 47.04.280).” OFM is also responsible for the preparation of a biennial report “on the progress toward the attainment by state transportation agencies of the state transportation policy goals and objectives prescribed by statute, appropriation, and governor directive (RCW 47.01.071).” The consultants recommend that the legislature amend these requirements to have the objectives and performance measures come from the statewide long-range transportation plan and encompass performance of the statewide transportation system.

D. Budget Process

In addition to clarifying planning statutes the legislature can use the budget process to assure itself that state-level planning expenditures are focused on the highest priorities of the legislature.

RECOMMENDATION 3

The legislature should require: a comparison of the proposed biennial budget with the statewide long-range transportation plan’s performance goals and financial plan; greater transparency of the state-level planning budget, including the use of federal planning dollars and the corresponding state match; and periodic reporting on the status of plans that it has funded, answering the question whether the plans are “on-time, on-schedule, and within budget.”

Link Programming to Statewide Long-Range Transportation Plan

The legislature should use the budget process to relate investment decisions to the performance-based goals in the statewide long-range transportation plan. The Governor could be required to show how the proposed biennial 16-year transportation financial plan (with its operating budget and project list) relates to the statewide long-range transportation plan’s performance goals and financial plan. Making this connection will help the legislature understand longer term trends as it reviews the biennial budget.

Transparency

State-level planning costs are, for the most part, included in the WSDOT operations budget which is subject to an incremental budget approach where the agency needs to show only the changes in the budget. This makes it more difficult for the legislature to understand exactly what planning activities are budgeted in the biennium.

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It is also difficult for the legislature to understand the trade-offs and options with regards to the expenditure of federal planning funds and the corresponding state match. This includes understanding:

- **The minimum state expenditure required to match federal state planning and research funds.** The Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) requires that states set aside 2 percent of certain Federal Highway Administration (FHWA) apportionments for state planning and research activities, with 25 percent of the 2 percent used for research, development and technology transfer activities. Federal planning and research funds must be matched by 20 percent¹⁹ state funds. The budget presented to the legislature does not estimate the amount of the required expenditure of federal funds on planning and research nor the corresponding match.
- **The use of federal state planning and research funds.** Federal state planning and research funds and the state match are used to support WSDOT Program T - Transportation Planning, Data and Research expenditures. The federal government gives maximum possible flexibility to the states in the expenditure of federal planning dollars and there are other eligible uses within Program T and other programs for these federal dollars. For example, ferry system planning (in Program W) and development of the state highway system plan (in Program T) are eligible for federal planning funding but are not included in the 2009-11 biennium state planning and research program.
- **Other federal planning funds.** There are also federal planning funds that are used for rail, aviation, and public transportation planning. These funds also require a 20 percent match, except for aviation planning which requires a 5 percent match.

WSDOT is required to prepare a State Planning and Research Program for federal approval each biennium. It can, without additional effort, provide the same information for legislative consideration and approval in the budget process.

To improve transparency in budgeting state-level planning, the legislature could require the WSDOT biennial budget to include: a list of planning activities and plans to be completed in the biennium; state and federal funds anticipated for each activity and plan; and a comparison of the minimum state funds that are required to match federal planning expenditures and the proposed state funds. Without this information it is very difficult for the legislature to shift funding to meet its highest priorities, or to accurately understand what is requested.

¹⁹ In some situations the match may be reduced to 13.5 percent.

Reporting

The legislature does not have a consistent way of knowing whether plans that are funded are being developed “on-time, on-budget, and within scope.” The legislature could require periodic reports on the status of plans that it has authorized and funded. This should be reasonable for WSDOT to accommodate given its extensive performance reporting.

APPENDIX A. NATIONAL GOALS, OBJECTIVES AND PERFORMANCE MEASURES

**Exhibit 2.
Federal Initiatives: Recommended National Goals and Objectives**

Objective	AASHTO	FHWA	Bipartisan Policy Center
Safety	Reduce traffic fatalities, serious injuries, and property loss	Improve safety for all system users	Reduce accidents, injuries, and serious fatalities
Preservation	Preserve highway, transit, and rail for future generations	Preserve existing system	Preserve multimodal system with a focus on the national interest
Economic Prosperity	Support global competitiveness and economic growth through an improved multimodal freight system	Improve economic growth and development through freight movements	Economic Growth- Produce maximum economic growth per dollar of investment Metropolitan Accessibility- Provide efficient access to jobs, labor, and other activities within metropolitan areas

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Objective	AASHTO	FHWA	Bipartisan Policy Center
Congestion	Improve the ability of highway, transit, and rail to advance personal mobility, connectivity, and accessibility	Increase mobility by reducing congestion	National Connectivity-Connect people and goods across the nation with and effective surface transportation network
Environment	Enhance community quality of life and minimize impacts on the environment and global climate change	Support environment and community and concerns about energy consumption and livability	Energy Security and Environmental Protection-Integrate energy security and environmental protection objectives with transportation policies and programs
System Operations	Use advanced management techniques and technologies to assure reliability and provide effective emergency response in disasters	N/A	N/A

From AASHTO Standing Committee on Planning Executive Roundtable for Performance-based Planning and Programming, October 2009

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Exhibit 3.
Federal Initiatives: Recommended Performance Measures for National Goals and Objectives

Objective	AASHTO	FHWA	Bipartisan Policy Center
Safety	Annual fatalities on a 3-yr moving average.; Serious injuries	Total fatalities/ incapacitating injuries (all roads and by system/ functional class); fatality rate/ incapacitating injuries by VMT or population	Fatalities and injuries per capita; Fatalities and injuries per VMT
Preservation	IRI (TIER 1)*; Structural condition (TIER 2); NHS structurally deficient deck area (TIER 1); Bridge structural adequacy (Tier 3)	Percent lane miles in good/fair/poor (national highway system and on state systems); Pavement roughness (IRI) good/fair/poor; Percent of bridge deck area in good/fair/poor conditions	Preservation needs should be funded by redirecting preservation funds to states with the largest needs on both highway and transit systems of national significance
Economic Prosperity	Travel delay (TIER 1); Travel delay per commuter (regional measure) (TIER 2); Congestion cost (TIER 2); Interstate system travel time reliability (Tier 2)	Travel time delay on major freight corridors; Average freight corridor truck speed; Average international border crossing time; Average time to navigate bottlenecks; Freight GHG emissions nationally and by state/ metro region	Access to jobs and labor; Access to non-work activities; Network utility (national connectivity)

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Objective	AASHTO	FHWA	Bipartisan Center	Policy
Congestion	Incident response time on NHS (TIER 3); Incident clearance time on NHS (TIER 3); Work zone closures on NHS (TIER 3)	Travel time reliability (selected NHS route segments, national and urbanized areas); Hours of delay (selected NHS route segments, national and urbanized areas)	Access, where congestion limits accessibility as does travel distance, travel cost and mode availability	
Environment	Transportation GHG (TIER 2); Storm water runoff (TIER 3)	Reduction of tons of GHG emitted national and by state/ metro region; Air pollutant emissions; Wetlands acreage	Petroleum consumption; CO2 emissions	
System Operations	Reliability on Significant Freight Corridors (SFCs) (TIER 1); Speed/travel time on SFCs (TIER 1); Roadway access measure (TIER 3)	N/A	N/A	

*Tier 1 reflects AASHTO's notation for performance measures that have been vetted by the states as "ready to go" for national comparison: there is general consensus on a definition; data are available; and measures are comparable and have been tested and understood; Tier 3 reflects measures that require more research for definition, data collection, and data analysis.

APPENDIX B. OTHER STATE PLANNING REQUIREMENTS AND STATUS

Arizona

The Arizona Department of Transportation (ADOT) is a cabinet agency. There is a seven (7) member Transportation Board that serves in an advisory capacity to the ADOT director and has authority to establish and/or modify state routes and highways, award construction contracts and monitor the status of construction projects, issue revenue bonds for financing needed transportation improvements throughout the state, and award local airport grants.

Planning Statutes

By statute²⁰ the Transportation Board and ADOT have a shared responsibility for transportation planning.

- **Policy Statement.** The Transportation Board is responsible for developing and adopting a statewide transportation policy statement every two (2) years. The policy statement is to include “performance expectations for the statewide transportation system over the next twenty years and shall guide ADOT in developing a comprehensive and balanced statewide highway system” (ARS 28-306(c)). In establishing the statewide transportation policy statement, the board “shall consider, to the greatest extent possible, local, regional and tribal transportation goals (ARS 28-306(e)).”
- **Long-Range Statewide Transportation Plan.** The Transportation Board is to adopt a 20 year long-range statewide transportation plan every five (5) years, which ADOT prepares under the Board’s direction. By statute, the plan is to consider any information developed as a result of federally mandated planning process, but “shall be developed in addition to any federally mandated planning requirements (ARS 28-506(A) (4-5)).”
- **Uniform Transportation Planning Practices and Performance-Based Planning Processes.** The Transportation Board is to adopt uniform planning practices and planning processes that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies.
- **Performance Measures.** The Transportation Board is to adopt performance measures and factors and data collection standards that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies.

²⁰ Arizona Revised Statutes Title 28 Sections 301-307 describe the responsibilities of the Transportation Board and Title 28 Sections 501-507 the role of the Arizona Department of Transportation.

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- **Annual Capital Program.** The Transportation Board adopts the annual capital project list.

Plan Status

2010 Statewide Transportation Planning Framework

An ambitious statewide transportation planning framework called Building a Quality Arizona or *bqAZ*²¹ developed in a collaborative effort between Arizona's Councils of Governments, Metropolitan Planning Organizations, and ADOT was accepted by the State Transportation Board in January 2010.²²

The framework was developed in accordance with an Executive Order from the Governor and was modeled after the successful approach the Maricopa Association of Governments (MAG) followed in developing the Regional Transportation Plan, subsequently funded by voters as 'Proposition 400' in 2004. The framework:

- Establishes a 2050 vision for the transportation future of Arizona
- Includes all major surface transportation facilities and services
- Emphasizes coordination with neighboring states and Mexico
- Focuses on personal travel and on freight movement
- Incorporates results of a separate but integrated State Rail Framework

The effort was guided by a Framework Policy Committee that provided guidance on the long-term vision for transportation. The 41-member committee had two co-chairs - the chair of the Maricopa County Regional Council and a member of the State Transportation Board - and included elected officials from the Council of Governments and MPO boards, business, tribal representations, state agency directors, FHWA staff, and stakeholders.

A 16-member Framework Management Committee guided the development of the framework and worked with the statewide technical team and a regional advisory team. The Framework Management Committee was co-chaired by the Director of ADOT and the Executive Director of the Maricopa Association of Governments and included representations from the MPOs, Councils of Governments, business and ADOT. The 11-member regional advisory team provided advice to the technical team on the staff level.

The plan is scenario based and preceded from the development of four regional plans to a statewide plan.

²¹ *bqAZ* refers to a series of regional, rail, and other framework studies as well as the statewide framework.

²² The minutes of the January 15, 2010 meeting note that the framework was done by ADOT at the "direction" of the Board. This appears to have fulfilled the requirements for a policy statement.

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State Long-Range Transportation Plan

ADOT is in the process of updating the state 20-year, fiscally constrained, long-Range transportation plan. The update starts from the recommended statewide scenario from the *bqAZ* effort.

California

The California Department of Transportation (Caltrans) is part of the state's Business, Transportation and Housing Agency, with the Executive Director of Caltrans reporting to the Secretary.

The California Transportation Commission, which is independent of Caltrans, consists of eleven (11) voting members and two (2) non-voting ex-officio members. Of the eleven (11) voting members, nine (9) are appointed by the Governor, one (1) is appointed by the Senate Rules Committee, and one (1) is appointed by the Speaker of the Assembly. The two (2) ex-officio non-voting members are appointed from the State Senate and Assembly, usually the respective chairs of the transportation policy committee in each house.

The commission is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The commission also advises and assists the Secretary of Business, Transportation and Housing and the legislature in formulating and evaluating state policies and plans for California's transportation programs. The commission adopts the biennial five-year state transportation improvement program (STIP) and approves the biennial four-year state highway operation and protection program (SHOPP), including the five-year estimate of state and federal funds for the STIP and the SHOPP. The commission adopts guidelines for the development of the STIP and for the development of regional transportation plans and provides the legislature with an annual report on transportation issues.

Planning Statutes²³

The California legislature substantially revised the state's planning statutes in the 2008 and 2009 sessions to meet climate change goals adopted by the legislature.

²³ California Government Code Chapter 585 includes provisions related to California transportation planning.

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- **Regional Transportation Plans.** Local planning agencies are to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced transportation system. The plan “shall be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials” (California Government Code Section 65080 (a)). Plans must be developed every four (4) years, conform to the regional transportation plan guidelines adopted by the California Transportation Commission, and be submitted to the Commission and Caltrans.
- **Authority of Regional Transportation Agencies and MPOs.** California has 18 MPOs and 26 Regional Transportation Authorities. SB 45 passed in the 2007 legislative session provides enhanced direct programming authority to the MPOs and Regional Transportation Agencies by allocating the majority of California’s transportation funds directly to local entities. Under SB 45, 75 percent of State Transportation Improvement Program funds (including all State Highway Account, Public Transportation Account, and federal transportation funds, minus state administrative and other costs) are committed to regional improvement programs. The remaining 25 percent of funds are for interregional improvement programs which are administered by the state. Regional improvement programs are developed by RTPAs and MPOs, in accordance with the regional transportation plan.
- **MPO Sustainable Communities Strategy.** SB 375 passed in the 2008 legislative session requires each MPO to develop a sustainable communities strategy encompassing land use and transportation to meet greenhouse gas reduction goals set by the State Air Resources Board, who must approve the MPO plan. If MPO’s cannot develop strategies to meet the greenhouse gas reduction goals, they can consider and submit to the State Air Resources Board an alternative planning strategy. “At a minimum, the metropolitan planning organization must obtain state board acceptance that an alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets established for that region by the state board” (California Government Code Section 65080 (J) (iii)). Once the MPO adopts a sustainable communities plan it is to be incorporated in that region’s regional transportation plan.
- **California Transportation Plan.** In the 2009 session the legislature required Caltrans to update the California Transportation Plan to show how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The plan is to identify the statewide integrated multimodal transportation system needed to obtain this reduction. An interim report is due to the legislature and the California Transportation Commission by December 31, 2012 identifying how the sustainable communities strategies and alternative planning strategies will influence the design of the statewide, integrated multimodal transportation system. The California Transportation Plan is to include a policy element, a strategies element, and a recommendations element in seven (7) legislative goal areas. The strategies element “shall incorporate the broad systems concepts and strategies synthesized from the adopted regional transportation plans” (SB 391, Section 3 (b)). The plan must be completed by December 31, 2015 and updated every five (5) years thereafter.

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- **Approval.** The Plan is required to be submitted to the Transportation Commission and various other state agencies for review and comment. “Prior to adopting the plan or update, the department shall make a final draft available to the legislature and Governor for review and comment. The commission may present the results of its review and comment to the legislature and Governor. The Governor shall adopt the plan and submit the plan to the legislature and the Secretary of the United States Department of Transportation (SB 391, Section 5).
- **Integrated Planning.** The legislature finds that it is in the interests of the state to have an integrated state and regional transportation planning process. “It further finds that federal law mandates the development of a state and regional long-range transportation plan as a prerequisite for receipt of federal transportation funds. It is the intent of the Legislature that the preparation of these plans shall be a cooperative process involving local and regional government, transit operators, congestion management agencies, and the goods movement industry and that the process be a continuation of activities performed by each entity and be performed without any additional cost (California Government Code Section 65070 (a)).

Plan Status

In response to SB 391, Caltrans is preparing the *California Interregional Blueprint* that “will articulate the state’s vision for an integrated, multimodal, interregional transportation system that complements regional transportation plans and land use visions.”²⁴ Once completed in 2012, the *Blueprint* will be the basis for the California Transportation Plan 2040 which is to be completed by December 31, 2015. A *Progress Report* was issued in 2010. The *Blueprint* will include the development of a Statewide Integrated Transportation, Land Use, and Economic Model to evaluate interregional transportation improvements, model and evaluate transportation and land use scenarios, and assess the effects of transportation policies on the economy.

²⁴ Caltrans, California Interregional Blueprint – Progress Report, 2010, p.1

Florida

The Florida Department of Transportation (FDOT) is a cabinet department reporting to the Governor.

- **Transportation Commission.** A nine (9) member Florida Transportation Commission, shown on the FDOT organization chart as having a “dotted line” relationship to the Secretary, is appointed by the Governor subject to confirmation by the Florida State Senate. The commission’s primary functions are to: review major transportation policy initiatives or revisions submitted by the department; recommend major transportation policy to the Governor and Legislature; serve as an oversight body for FDOT (i.e. review performance, review work program, monitor highway safety, monitor financial status, and review budget requests and long-range plan); serve as an oversight body for Florida’s eleven (11) regional transportation authority’s; and serve as nominating commission in the selection of the Secretary of Transportation. The Commission has an Executive Director and other staff.
- **Metropolitan Planning Organizations.** Florida state law authorizes the creation of Florida MPOs and the Florida Metropolitan Planning Organization Advisory Council (MPOAC). MPOAC is a statewide transportation planning and policy organization created by the legislature to augment the role of individual MPOs in the cooperative transportation planning process. The MPOAC assists MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion. The organization is made up of a Governing Board (26 members) consisting of local elected officials from each of the MPOs and a Staff Directors Advisory Committee consisting of the staff directors from each of the MPOs. The MPOAC also includes a Policy and Technical Subcommittee and other committees as assigned by the Governing Board. The Policy and Technical Subcommittee annually prepares legislative policy positions and develops initiatives to be advanced during Florida’s legislative session. The MPOAC is authorized to employ an Executive Director and other staff.
- **Statewide Intermodal Transportation Advisory Council.** State statutes create a Strategic Intermodal System that consists of transportation facilities that meet “a strategic and essential state interest. Limited resources available for the implementation of statewide and interregional transportation priorities are to be focused on that system” (FS Section 33961). State statutes create a Statewide Intermodal Transportation Advisory Council to advise and make recommendations to the legislature and FDOT on policies, planning, and funding of intermodal transportation projects in the state’s strategic intermodal system. The strategic intermodal system comprises “the state’s largest and most strategic transportation facilities, including major air, space, water, rail, and highway facilities.” The Council has fifteen (15) members – nine (9) selected by the Governor, three (3) by the President of the Senate, and three (3) by the Speaker of the House – representing rail, aviation, spaceport, intercity bus, trucking, military, and other intermodal transportation stakeholders.

Planning Statutes²⁵

- **Florida Transportation Plan.** FDOT is to develop the Florida Transportation Plan, which is to be easily read and understood by the general public and is to define the state's long-range transportation goals and objectives over a 20-year period within the context of the state comprehensive plan. The Florida Transportation Plan is to be based on three (3) prevailing principles: preservation, economic competitiveness, and improving travel choices to ensure mobility. The Plan is to consider the needs of the entire state transportation system, to examine the use of all modes, and to have long term (20-year), short-term (annual work program); and annual performance report components.
 - **MPOs.** The plan is required to be developed in cooperation with MPOs and "reconciled, to the maximum extent feasible, with the long-range plans developed by MPOs" (FS 330.155(3)(a)).
 - **Update.** The long-range component is to be updated every five (5) years.
 - **Transportation Commission.** The short-range component and the annual performance report are to be submitted to the Transportation Commission.
- **Regional Planning Councils.** Regional planning councils are authorized to develop, as an element of their strategic regional policy plan, transportation goals and policies that must comply with the three (3) prevailing principals and are to be advisory to the MPOs and FDOT.
- **MPOs.** Florida statutes require MPOs to develop 20- year transportation plans that consider the goals and objectives of the Florida Transportation Plan. "To ensure that the process is integrated with the statewide planning process, MPOs shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System and facilities for which projects have been identified pursuant to that process" (FS 39.175 (1)).
- **Metropolitan Planning Organization Advisory Council (MPOAC).** The MPOAC is to "serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes" (FS 39.175 (6)).
- **Strategic Intermodal System Plan.** FDOT is required, in cooperation with MPOs, regional planning councils, local governments, the Statewide Intermodal Transportation Advisory Council and other transportation providers, to develop a Strategic Intermodal System Plan. The plan is to be consistent with the Florida Transportation Plan and is to be updated at least once every five (5) years subsequent to the updates of the Florida Transportation Plan.

²⁵ Florida Statutes Chapter 339.

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- **Transportation Commission.** The Transportation Commission is to provide an annual review of FDOT's performance and productivity, including progress in meeting the Strategic Intermodal System Plan, to the governor and the legislative transportation and appropriation committees. If the Commission finds that the department has failed to perform satisfactorily, the commission must recommend actions to be taken to improve the FDOT's performance.

Plan Status

Florida issued a draft 2060 Florida Transportation Plan in October 2010 and adopted a revised Florida's Strategic Intermodal System Strategic Plan in January 2010.

Florida Transportation Plan

The draft *2060 Florida Transportation Plan*, which is the first Florida Transportation Plan to cover a 50-year period, is organized around six goals with long-range objectives, implementation strategies, and progress indicators for each. A committee of 29 people representing all levels of government, all modes of transportation, business and economic development interests, the military and private citizens developed the plan. Four (4) advisory groups involving an additional 74 people were involved in developing the plan.

The *2060 Florida Transportation Plan* includes recommendation on 21st century governance noting that "the current fragmentation in transportation decision making responsibilities and processes is one of the most significant challenges to implementing the 2060 FTP" (p. 24). There are a large number of transportation entities involved in planning and most transportation planning and funding processes are organized by transportation mode and jurisdiction. "Differences in plan update schedules, horizon years, assumptions, and prioritization processes across agencies and jurisdictions further complicate decision making" (p.24). The draft Florida Transportation Plan notes that Florida does not have a unified vision linking regional transportation visions and priorities to accomplish statewide goals. The statewide vision should be "developed under the authority of the Governor and Legislature and implemented through coordinated actions of all state and regional agencies" (p. 25).

Florida Strategic Intermodal System Strategic Plan²⁶

Florida's strategic intermodal system was established and the initial facilities and services included in the system were determined by the legislature in 2003. In 2004 the legislature provided the framework for funding future strategic intermodal system improvements, identified the intermodal system as the highest priority for transportation capacity, identified funding sources, and made all strategic intermodal system facilities eligible for state funding, regardless of ownership. The framework:

- Emphasizes interregional, interstate, and international travel and transport
- Uses objective measures of transportation activity reflecting national and industry standards
- Considers the economic requirements of key Florida industries
- Identifies transportation facilities emerging in importance
- Screens for responsible environmental stewardship
- Proactively designates planned facilities.

The 2010 plan update was developed by FDOT under the auspices of a 31-member 2010 SIS Strategic Plan Leadership Committee representing transportation agencies and providers, regional and local governments, business and economic development interests, and community and environmental interests.

The plan includes a section on partnerships noting: "Ultimately, the success of the SIS will depend on how FDOT works with the full range of transportation partners to coordinate investments, build consensus around priorities, and identify and fund specific investments. The state's role in transportation has shifted from emphasizing highways to encouraging all modes; and from addressing many needs to having a strategic focus on the SIS" (p. 26).

²⁶ Other Strategic Intermodal System (SIS) plans prepared by FDOT include the Annual SIS Designation and Data Review Report, the SIS Multimodal Needs Plan, and the SIS Multimodal Cost Feasible Plan. These documents with the SIS Strategic Plan meet the statutory requirements of the SIS plan. (*2010 SIS Strategic Plan*, p. 27)

Georgia

The Georgia Department of Transportation (GDOT) is governed by a 13-member State Transportation Board which exercises general control and supervision of the department. The Board is entrusted with powers which include: naming the Commissioner; designating which public roads are encompassed within the state highway system; approving long-range transportation plans; overseeing the administration of construction contracts; and authorizing lease agreements. Board members are elected by a majority of a General Assembly caucus from each of Georgia's thirteen congressional districts. Each board member serves a five-year term.

Planning Statutes²⁷

Georgia's transportation planning statutes were revised in the 2009 legislative session with the passage of Senate Bill 200 the *Transforming Transportation Investment Act*. The Act increased the Governor's responsibility for transportation and implemented his *Tomorrow's Transportation Today (IT3)* program to bring a "results-oriented, strategic orientation to transportation planning and implementation. IT3 supports the work of the Georgia Department of Transportation and Metropolitan Planning Organizations throughout Georgia."²⁸

Key provisions of the revised statutes are:

- **Director of Planning.** A Director of Planning position was created, with the director to be appointed by the Governor subject to approval by a majority vote of the both the House and Senate Transportation Committees. The director serves during the term and at the pleasure of the Governor and is the director of the planning division of GDOT but reports to the Governor.
- **Planning Responsibilities.** The principal responsibility of the director and the GDOT planning division is the development of transportation plans including the federally compliant statewide strategic transportation plan and statewide transportation improvement program. After the Governor reviews and approves the statewide strategic plan and transportation improvement program, they are submitted to the Transportation Board for approval.
- **Statewide Strategic Transportation Plan.** The statewide strategic transportation plan is defined by statute as the official, intermodal, comprehensive, fiscally constrained transportation plan which includes projects, programs, and other activities to support implementation of the state's strategic transportation goals and policies. This plan and the process for developing the plan shall comply with 23 C.F.R. Section 450.104.

²⁷ Official Code of Georgia Annotated (OCGA) section 32 deals with transportation planning.

²⁸ <http://www.it3.ga.gov/Pages/default.aspx>

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- **Progress Report.** A status report was due Oct. 15, 2009 to the Governor, Lieutenant Governor, Speaker of the House, and chairs of the Senate and House Transportation Committees detailing progress on the development of the plan.
- **Draft Plan Comment.** A draft plan was to be submitted to members of the General Assembly and the Governor for comments and suggestions by December 31, 2009, with comments due from the Governor and the House and Senate Transportation Committees by February 15, 2010.
- **Final Plan.** The final plan was due, and was completed on, April 10, 2010.
- **Investment Policies.** The statutes provided ten (10) investment policies to guide the strategic plan, with the investment policies expiring every four (4) years unless amended or renewed.
- **Project List.** The director and GDOT planning division are also charged with the development of an annual capital construction project list to be reviewed by the Governor and submitted to the legislature for consideration in the budget.
- **Regional Plans.** GDOT's planning division is to review and make recommendations to the Governor concerning all proposed regional transportation plans and transportation improvement programs and "negotiate with the proponent of the plans concerning changes or amendments which may be recommended by the department of the Governor, consistent with federal law and regulation" (OCGA § 32-2-22 (8) (b)).

Plan Status

The *Statewide Strategic Transportation Plan 2010-2030* was finalized on April 10, 2010. The plan takes a business case approach by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented. Over the next five (5) years GDOT intends to integrate the strategic plan with the long-range plans developed by MPOs and local counties.

The 2010 General Assembly authorized a significant increase in transportation funding and authorized the creation of twelve (12) special transportation taxing districts (House Bill 277).

Mississippi

The Mississippi Department of Transportation (MDOT) is governed by a three (3)-member elected commission representing three geographic areas in the state—northern, central and southern districts. The commissioners have authority and responsibility for the supervision of all modes of transportation in the state dealing with aeronautics, highways, public transit, ports, and rail safety. The chair of the commission is appointed by the members who are elected at the same time as the Governor.

The Executive Director of MDOT is selected by the Commission, subject to the advice and consent of the Mississippi State Senate, for a four-year term.

Planning Statutes²⁹

- **Transportation Commission.** The Mississippi Transportation Commission is charged with responsibility to “coordinate and develop a comprehensive, balanced transportation policy, to promote the coordinated and efficient use of all available and future modes of transportation, and to make recommendations to the legislature regarding transportation policies” (Section 65-1-8).
- **Office of Intermodal Planning.** The Office of Intermodal Planning within MDOT is established by statute and given responsibilities with respect to ports in the state that are not state ports.
- **Highway Plan.** A 3-year plan for the maintenance, construction, and relocation of the state highway system is required.

Plan Status

Mississippi’s 2007 *MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)*³⁰ is the updated state long-range transportation plan and updates the metropolitan long-range transportation plan for three (3) Mississippi MPOs.³¹ The efforts conducted within MULTIPLAN to update the long-range transportation plans for the MPOs included:

- The goals and objectives for the MPO plans were updated
- Roadside origin and destination surveys were conducted to support planning activities
- A travel demand model was developed for the MPO plan updates.

²⁹ Mississippi Statutes Section 65.

³⁰ Mississippi’s MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)³⁰ received the President’s Award for Planning from the American Association of State Highway and Transportation Officials (AASHTO). AASHTO recognized MDOT and Mississippi’s MPO’s for the outstanding planning achievement as the result of the agreement to prepare the first joint Statewide and Metropolitan Area Transportation Plan in the United States.

³¹ A fourth Mississippi MPO is part of a the Memphis MPO.

Nevada

The Nevada Department of Transportation (NDOT) is administered by a seven-member Board consisting of the Governor, the Lieutenant Governor, the Attorney General and the State Controller, who serve ex-officio, and three (3) members appointed by the Governor.

Planning Statutes³²

- **NDOT Planning Division.** The statutes create a planning division within NDOT with responsibilities to: develop and coordinate balanced transportation policy and planning consistent with the social, economic and environmental goals of the state. The plan must be designed to meet the present and future needs of the state and local areas of the state for adequate, safe and efficient transportation facilities and services at a reasonable cost to the taxpayer. The division is also to coordinate local plans for balanced transportation facilities and services and assist in application for federal grants which must be submitted through an appropriate or designated state agency. The facilities and services may include, but are not limited to, highways, pathways and special lanes for bicycles, railways, urban public transportation, and aviation.
- The planning division is also charged with: establishing planning techniques and processes for all modes of transportation at an appropriate level, according to the requirements of the state and local areas of the state; assisting in the development of the department's capital program for all modes of transportation; testing and evaluating policies, plans, proposals, systems, programs and projects within the framework of the goals of the department; and conducting research in planning techniques, travel needs, transportation potential for the state, investigating, testing and demonstrating methods and equipment suitable for application to the problems of transportation facing the state.
- **Performance Report.** In 2007, concurrent with the adoption of close to \$1 billion in bonding capacity for transportation projects, the legislature required NDOT to adopt a plan for measuring the performance of the department and to report annually to the Transportation Board and the Director of the Legislative Counsel Bureau.

³² Nevada Revised Statutes Title 35, Chapter 408 deals with highways and bridges. Title 22, Chapter 277 deals with Regional Transportation Commissions.

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- **Regional Transportation Commissions.** The state legislature authorized the creation of Regional Transportation Commissions in any county in which a streets and highway plan has been adopted as part of the master plan by the county. A commission may be designated as a metropolitan planning organization. Commissions, including those designated as MPOs, may operate public transportation systems, and in larger counties establish a public transit system. In counties with populations of over 400,000, the commission or MPO is required to cooperate with local air pollution control board and regional planning coalitions to ensure that plans are consistent and to establish and carry out a program of integrated, long-range planning.

Plan Status

The *Statewide Transportation Plan – Moving Nevada through 2028* was adopted by the Transportation Board in September 2008. The plan is a policy document to guide NDOT and is a multimodal plan that “explores the issues affecting aviation, bicycles, pedestrians, transit, cars, trucks, and trains and the linkage between these modes” (p ES-1). NDOT worked closely with Nevada’s four (4) MPOs, other local, state, federal agencies, and tribal nations in developing the plan.

Texas

The Texas Department of Transportation (TxDOT) is an independent agency reporting to the Texas Transportation Commission. The five (5) member Transportation Commission adopts rules for the operation of the department, plans and makes policies for the location, construction and maintenance of the state system of highways and public roads, oversees the work of the TxDOT Director in preparing a comprehensive plan providing a system of highways and public roads, designates any county road as a farm-to-market road, divides the department into not more than 25 districts, prepares quarterly financial reports on the Department, creates and enhances existing and alternate sources of revenue, authorizes borrowing money, and submits recommendations on changes to the Governor and Legislature among other responsibilities³³.

³³ Texas Code Chapter 201 Subchapter A describes the role of the Commission.

Planning Statutes³⁴

- **Statewide Transportation Plan.** The department is responsible for developing a plan to include all modes of transportation including highways and turnpikes, aviation, mass transportation, railroads and high speed railroads, and water traffic. The plan must include a component that is not financially constrained and identifies improvements to relieve congestion. The department must seek input from local officials in determining these improvements. The plan includes a component that is updated annually describing the evaluation of transportation improvements based on performance measures.
- **International Trade Corridor Plan.** TxDOT shall work with appropriate entities to develop an integrated international trade corridor plan. The plan shall assign priorities based on the amount of trade measured by weight and value to the transportation systems of the state. The plan shall be updated biennially and be reported to the presiding Chair of each house of the legislature no later than December 1st of every even year.
- **Long-Term Plan for Statewide Passenger Rail System.** TxDOT shall update annually a long-term plan for passenger rail including a description of existing and proposed systems, information regarding the status of passenger rail systems under construction, an analysis of potential interconnecting difficulties, and ridership statistics for existing systems.
- **Cooperative Planning with Counties.** The Department may enter an agreement with a county that identifies future transportation corridors. The corridors must be identified in a plan adopted by the Transportation Commission, TxDOT, or a MPO.
- **Annual Report to Legislature on Certain Matters:** Not later than December 1st of each year the department shall submit a report to the legislature that details: the expenditures made by the Department in the preceding fiscal year on: the unified transportation program; turnpike projects and toll roads; the Trans-Texas corridor; rail projects; and non-highway facilities on the Trans-Texas corridor. The report must also detail the amount of bonds or other public securities issued for transportation projects and the direction of money by the department to a regional mobility authority in the state.

Plan Status

Strategic Plan and Texas Transportation Needs Report

In 2008, at the request of Governor Rick Perry, the Transportation Commission appointed a 12-member panel of experienced business leaders to provide an independent and authoritative assessment of the state's transportation infrastructure and mobility needs from 2009 to 2030. The goals of the report were to:

- Preserve and enhance the value of the state's enormous investment in transportation infrastructure

³⁴ Texas Code Chapter 201 Subchapter H describes the planning requirements.

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- Preserve and enhance urban and rural mobility and their value to the economic competitiveness of Texas
- Enhance the safety of Texas' traveling public
- Initiate a discussion on strategic rebalancing of transportation investments among infrastructure, mobility, and non-highway modes to anticipate future needs.

The 2030 Committee provided guidance to a team of transportation experts at the Texas Transportation Institute, the Center for Transportation and Research at the University of Austin, and the University of Texas at San Antonio. Staff from TxDOT and metropolitan research organizations provided input and support for the team. The work was done in six months in 2008-2009 and several methods were used to solicit public input.

TxDOT also creates a five-year strategic plan that is updated every two years and adopted by the Texas Transportation Commission. The plan's purpose is to identify short-term goals, objectives and strategies to address Texas' multimodal needs. Agency level performance measures are also identified. The plan is updated every two years and the 2011-2015 Strategic Plan was recently adopted by the Commission.

State Long-Range Transportation Plan

TxDOT is in the process of updating the State 25-year, fiscally constrained long-range transportation plan. The update builds on recommendations of the 2030 Committee as well as TxDOT and MPO planning efforts such as the Texas Rail Plan, Texas Airport System Plan, Regional Coordinated Transportation planning, and Strategic Plan. A draft plan has been released and the final report is due in November, 2010.

MPO Planning

Texas has 25 MPOs. According to the TxDOT website the Texas Transportation Commission recently revised its administrative code to require: "TxDOT to codify its planning program rules in such a way that enables TxDOT and empowers MPOs to develop long-range, mid-range, and short range plans, each with specified, measurable criteria. Also new to the process is the use of an extended cash forecast, which will provide greater flexibility for TxDOT and MPOs as they react to fluctuating financial resources by advancing or delaying projects, and to ensure that planning documents are appropriately fiscally constrained."³⁵ These new rules will go into effect in 2011.

³⁵ "New Rules Empower Metropolitan Planning Organizations, the Public, with Greater Authority Over Transportation Planning Decisions." Texas Department of Transportation. <http://www.dot.state.tx.us/news/037-2010.htm>

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The revised administrative code was the result of work by a Transportation Planning and Project Development Rulemaking Advisory Committee created by the Commission in July 2009. Its members were representatives from metropolitan planning organizations (MPOs), local governments, transit organizations, tolling authorities and the Federal Highway Administration. The Rulemaking Advisory Committee presented draft rules to the Texas Transportation Commission in May 2010, and after public comments were received, final adoption occurred in August 2010. “The work of this committee is essential to the 2035 Statewide Long Range Transportation Plan, the new goals for the 2011-2015 TxDOT Strategic Plan and will be considered in future unified transportation programs” (Texas Department of Transportation Department Implementation of Sunset Advisory Commission Recommendations, June 2010, p. 7).

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APPENDIX C.
DRAFT BILL

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-0417.1/11

ATTY/TYPIST: BP:crs

BRIEF DESCRIPTION: Concerning statewide transportation planning.

1 AN ACT Relating to statewide transportation planning; amending RCW
2 47.01.071, 47.01.075, 47.04.280, 47.06.140, 47.01.011, 47.01.300,
3 47.01.330, 47.05.010, 47.05.030, 47.80.023, 47.80.030, 47.82.010,
4 36.70A.070, 36.70A.085, 46.68.170, 47.60.290, 47.60.327, 47.76.210, and
5 47.79.020; adding new sections to chapter 47.06 RCW; adding a new
6 chapter to Title 47 RCW; creating a new section; recodifying RCW
7 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.420, 47.01.425, and
8 47.04.280; and repealing RCW 47.06.020, 47.06.040, 47.06.043,
9 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080, 47.06.090,
10 47.06.100, 47.06.110, 47.06.120, 47.01.141, 47.60.286, 47.76.220,
11 47.79.040, and 47.80.070.

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

13 NEW SECTION. **Sec. 1.** (1) Transportation planning is a
14 responsibility that crosses jurisdictions, including the state,
15 regional planning organizations, metropolitan planning organizations,
16 tribal nations, and local government. All levels of government,
17 including the federal government, fund transportation planning and
18 research. The legislature intends to allow more flexibility to
19 organize the transportation planning process across modes and

1 jurisdictions by providing policy direction on the desired outcome and
2 reducing statutory procedural requirements. It is not the
3 legislature's intent to discontinue planning or discount the importance
4 of particular plans, but to eliminate statutory requirements that have
5 impeded the efficacy of statewide transportation planning.

6 (2) Transportation planning across jurisdictions should be:

7 (a) Consistent with the transportation system policy goals in RCW
8 47.04.280 (as recodified by this act);

9 (b) Aligned and integrated with common transportation system
10 performance measures and attainment reporting;

11 (c) Technically competent;

12 (d) Based on consistent and uniform transportation system
13 performance and user data;

14 (e) The result of extensive public outreach and input;

15 (f) Conducted in a cost-efficient manner; and

16 (g) Compliant with federal requirements.

17 (3) The legislature intends that transportation planning will:

18 (a) Identify mode-neutral, long-range performance alternatives for
19 the state transportation system; and

20 (b) Be linked to shorter-term capital programming, policy, and
21 financial decisions.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.06 RCW
23 to read as follows:

24 The long-range statewide transportation plan required under 23
25 U.S.C. Sec. 135 must be developed by an ad hoc planning committee
26 convened July 1, 2013. Thereafter, the planning committee must be
27 convened pursuant to legislative direction at least every seven years.

28 (1) The planning committee must be comprised of:

29 (a) The chair of the Washington state transportation commission.
30 The chair of the commission may designate another transportation
31 commissioner to serve;

32 (b) The secretary of the department of transportation or the
33 secretary's designee; and

34 (c) A representative of transportation planning organizations to be
35 designated by the joint regional transportation planning organization
36 and metropolitan planning organization coordinating committee.

1 (2) The long-range statewide transportation plan must, at a
2 minimum:

3 (a) Establish a vision for the development of the statewide
4 transportation system;

5 (b) Incorporate the transportation system policy goals in RCW
6 47.04.280 (as recodified by this act);

7 (c) Address statewide transportation issues, without regard to
8 jurisdiction, and be based on ongoing mode, metropolitan, regional, and
9 tribal transportation planning;

10 (d) Be outcome and performance based; consider mode-neutral
11 alternatives; integrate state, regional, metropolitan, tribal, and
12 local transportation planning; and establish system performance
13 measures that will form the basis for the attainment report required
14 under RCW 47.04.280(4) (as recodified by this act);

15 (e) Involve representatives of significant transportation interests
16 and the general public from across the state. As part of this process,
17 the planning committee shall utilize data developed by the
18 transportation commission's statewide transportation survey conducted
19 under RCW 47.01.075 (as recodified by this act);

20 (f) Identify significant statewide transportation policy issues;

21 (g) Recommend statewide transportation policies and strategies to
22 the legislature; and

23 (h) Provide clear financial assumptions, identify the need for new
24 resources, and provide a financial plan that can be linked with
25 biennial budget decisions.

26 (3) The planning committee shall negotiate and agree upon a
27 proposed federally compliant long-range statewide transportation plan.
28 The planning committee shall forward the plan to the office of
29 financial management for review. The office of financial management
30 shall forward the plan to the governor with a recommendation to accept
31 or reject the plan as submitted. If the governor approves the plan,
32 the governor shall submit it to the federal department of
33 transportation as Washington's federally compliant long-range statewide
34 transportation plan. If the governor does not approve the plan, the
35 governor shall return the plan to the planning committee for revision
36 and resubmission.

37 (4) When there are inconsistencies between the long-range statewide
38 transportation plan and state, regional, metropolitan, tribal, or local

1 transportation plans, the department of transportation shall negotiate
2 with the propounder of the plans, consistent with federal law and
3 regulation.

4 (5) Other state mode, regional, metropolitan, and tribal
5 transportation plans may be updated using the same public outreach
6 process and information that is developed for the update of the long-
7 range statewide transportation plan.

8 (6) This section does not create a private right of action.

9 **Sec. 3.** RCW 47.01.071 and 2007 c 516 s 4 are each amended to read
10 as follows:

11 The transportation commission (~~((shall have))~~) has the following
12 functions, powers, and duties:

13 (1) To propose transportation policies (~~((to be adopted))~~) for
14 adoption by the governor and the legislature (~~((designed to assure the~~
15 ~~development and maintenance of a comprehensive and balanced statewide~~
16 ~~transportation system which will meet the needs of the people of this~~
17 ~~state for safe and efficient transportation services. Wherever~~
18 ~~appropriate, the policies shall provide for the use of integrated,~~
19 ~~intermodal transportation systems. The policies must be aligned with~~
20 ~~the goals established in RCW 47.04.280. To this end the commission~~
21 ~~shall:~~

22 ~~(a) Develop transportation policies which are based on the~~
23 ~~policies, goals, and objectives expressed and inherent in existing~~
24 ~~state laws;~~

25 ~~(b) Inventory the adopted policies, goals, and objectives of the~~
26 ~~local and area wide governmental bodies of the state and define the~~
27 ~~role of the state, regional, and local governments in determining~~
28 ~~transportation policies, in transportation planning, and in~~
29 ~~implementing the state transportation plan;~~

30 ~~(c) Establish a procedure for review and revision of the state~~
31 ~~transportation policy and for submission of proposed changes to the~~
32 ~~governor and the legislature; and~~

33 ~~(d) Integrate the statewide transportation plan with the needs of~~
34 ~~the elderly and persons with disabilities, and coordinate federal and~~
35 ~~state programs directed at assisting local governments to answer such~~
36 ~~needs;~~

1 ~~(2) To provide for the effective coordination of state~~
2 ~~transportation planning with national transportation policy, state and~~
3 ~~local land use policies, and local and regional transportation plans~~
4 ~~and programs));~~

5 ~~((+3))~~ (2) In conjunction with ~~((the provisions under))~~ RCW
6 47.01.075 (as recodified by this act), to provide for public
7 involvement in transportation designed to elicit the public's views
8 ~~((both with respect to adequate transportation services and appropriate~~
9 ~~means of minimizing adverse social, economic, environmental, and energy~~
10 ~~impact of transportation programs;~~

11 ~~(4) By December 2010, to prepare a comprehensive and balanced~~
12 ~~statewide transportation plan consistent with the state's growth~~
13 ~~management goals and based on the transportation policy goals provided~~
14 ~~under RCW 47.04.280 and applicable state and federal laws. The plan~~
15 ~~must reflect the priorities of government developed by the office of~~
16 ~~financial management and address regional needs, including multimodal~~
17 ~~transportation planning. The plan must, at a minimum: (a) Establish~~
18 ~~a vision for the development of the statewide transportation system;~~
19 ~~(b) identify significant statewide transportation policy issues; and~~
20 ~~(c) recommend statewide transportation policies and strategies to the~~
21 ~~legislature to fulfill the requirements of subsection (1) of this~~
22 ~~section. The plan must be the product of an ongoing process that~~
23 ~~involves representatives of significant transportation interests and~~
24 ~~the general public from across the state. Every four years, the plan~~
25 ~~shall be reviewed and revised, and submitted to the governor and the~~
26 ~~house of representatives and senate standing committees on~~
27 ~~transportation.~~

28 ~~The plan shall take into account federal law and regulations~~
29 ~~relating to the planning, construction, and operation of transportation~~
30 ~~facilities;~~

31 ~~(5) By December 2007, the office of financial management shall~~
32 ~~submit a baseline report on the progress toward attaining the policy~~
33 ~~goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October~~
34 ~~1, 2008, beginning with the development of the 2009-2011 biennial~~
35 ~~transportation budget, and by October 1st biennially thereafter, the~~
36 ~~office of financial management shall submit to the legislature and the~~
37 ~~governor a report on the progress toward the attainment by state~~
38 ~~transportation agencies of the state transportation policy goals and~~

1 objectives prescribed by statute, appropriation, and governor
2 directive. The report must, at a minimum, include the degree to which
3 state transportation programs have progressed toward the attainment of
4 the policy goals established under RCW 47.04.280, as measured by the
5 objectives and performance measures established by the office of
6 financial management under RCW 47.04.280)) on transportation policy;

7 ((+6)) (3) To develop a long-range statewide transportation plan
8 in conjunction with the department of transportation, regional
9 transportation planning organizations, and metropolitan transportation
10 planning organizations under section 2 of this act;

11 (4) To propose to the governor and the legislature prior to the
12 convening of each regular session held in an odd-numbered year a
13 recommended budget for the operations of the commission as required by
14 RCW 47.01.061 (as recodified by this act);

15 ((+7)) (5) To adopt such rules as may be necessary to carry out
16 reasonably and properly those functions expressly vested in the
17 commission by statute;

18 ((+8)) (6) To contract with the office of financial management or
19 other appropriate state agencies for administrative support, accounting
20 services, computer services, and other support services necessary to
21 carry out its other statutory duties;

22 ((+9)) (7) To conduct transportation-related studies and policy
23 analysis to the extent directed by the legislature or governor in the
24 biennial transportation budget act, or as otherwise provided in law,
25 and subject to the availability of amounts appropriated for this
26 specific purpose; and

27 ((+10)) (8) To exercise such other specific powers and duties as
28 may be vested in the transportation commission by this or any other
29 provision of law.

30 **Sec. 4.** RCW 47.01.075 and 2007 c 516 s 5 are each amended to read
31 as follows:

32 (1) The transportation commission shall provide a public forum for
33 the development of transportation policy in Washington state to include
34 coordination with regional transportation planning organizations,
35 transportation stakeholders, counties, cities, and citizens.

36 (a) At least every ((five)) seven years, the commission shall
37 convene regional forums to gather citizen input on transportation

1 issues. The commission, department, metropolitan transportation
2 planning organizations, and regional transportation planning
3 organizations shall consider the input gathered at the forums (~~as it~~
4 ~~establishes~~) in the development of the long-range statewide
5 transportation plan under (~~RCW 47.01.071(4)~~) section 2 of this act.

6 (b) Beginning in 2012, the commission shall, with the involvement
7 of the department, conduct a survey to gather data on users of the
8 statewide transportation system, including the state ferry system, to
9 help inform level of service, operational, pricing, planning, and
10 investment decisions. The survey must be updated at least every two
11 years and be maintained to support the development and implementation
12 of adaptive management of the statewide transportation system.

13 (2) In fulfilling its responsibilities under this section, the
14 commission may create ad hoc committees or other such committees of
15 limited duration as necessary.

16 (3) In order to promote a better transportation system, the
17 commission may offer policy guidance and make recommendations to the
18 governor and the legislature in key issue areas, including but not
19 limited to:

20 (a) Transportation finance;

21 (b) Preserving, maintaining, and operating the statewide
22 transportation system;

23 (c) Transportation infrastructure needs;

24 (d) Promoting best practices for adoption and use by
25 transportation-related agencies and programs;

26 (e) Transportation efficiencies that will improve service delivery
27 and/or coordination;

28 (f) Improved planning and coordination among transportation
29 agencies and providers; and

30 (g) Use of intelligent transportation systems and other technology-
31 based solutions.

32 NEW SECTION. Sec. 5. A new section is added to chapter 47.06 RCW
33 to read as follows:

34 Prior to the convening of each regular session held in an odd-
35 numbered year, the governor's proposed biennial transportation budget
36 must include a statement of how the proposed biennial transportation

1 budget relates to the long-range statewide transportation plan's
2 performance goals and financial plan.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.06 RCW
4 to read as follows:

5 The department shall:

6 (1) Present its proposed transportation planning and research
7 budget to the legislature biennially. The budget must include: A list
8 of planning activities and plans to be completed in the biennium; state
9 and federal funds anticipated for each activity and plan; and a
10 comparison of the minimum state funds required to match federal
11 planning expenditures and proposed state funds; and

12 (2) Include in its ongoing performance reporting the status of the
13 plans that are authorized by the legislature in the biennial
14 transportation budget, including whether the plans are being developed
15 on schedule and within the allocated budget.

16 **Sec. 7.** RCW 47.04.280 and 2010 c 74 s 1 are each amended to read
17 as follows:

18 (1) It is the intent of the legislature to establish policy goals
19 for the planning, operation, performance of, and investment in, the
20 state's transportation system. The policy goals established under this
21 section are deemed consistent with the benchmark categories adopted by
22 the state's blue ribbon commission on transportation on November 30,
23 2000. Public investments in transportation should support achievement
24 of these policy goals:

25 (a) Economic vitality: To promote and develop transportation
26 systems that stimulate, support, and enhance the movement of people and
27 goods to ensure a prosperous economy;

28 (b) Preservation: To maintain, preserve, and extend the life and
29 utility of prior investments in transportation systems and services;

30 (c) Safety: To provide for and improve the safety and security of
31 transportation customers and the transportation system;

32 (d) Mobility: To improve the predictable movement of goods and
33 people throughout Washington state;

34 (e) Environment: To enhance Washington's quality of life through
35 transportation investments that promote energy conservation, enhance
36 healthy communities, and protect the environment; and

1 (f) Stewardship: To continuously improve the quality,
2 effectiveness, and efficiency of the transportation system.

3 (2) The powers, duties, and functions of state transportation
4 agencies must be performed in a manner consistent with the policy goals
5 set forth in subsection (1) of this section.

6 (3) These policy goals are intended to be the basis for
7 establishing detailed and measurable objectives and related performance
8 measures.

9 ~~(4) ((It is the intent of the legislature that the office of
10 financial management establish objectives and performance measures for
11 the department of transportation and other state agencies with
12 transportation-related responsibilities to ensure transportation system
13 performance at local, regional, and state government levels progresses
14 toward the attainment of the policy goals set forth in subsection (1)
15 of this section. The office of financial management shall submit
16 initial objectives and performance measures to the legislature for its
17 review and shall provide copies of the same to the commission during
18 the 2008 legislative session.))~~ The office of financial management
19 shall submit ~~((objectives and performance measures))~~ a report on the
20 attainment of the policy goals established in subsection (1) of this
21 section and the objectives established in the long-range statewide
22 transportation plan, including performance measures on the statewide
23 transportation system, to the legislature for its review and shall
24 provide copies of the ~~((same))~~ report to the commission, department,
25 and regional and metropolitan transportation planning organizations
26 during each regular session of the legislature during an even-numbered
27 year thereafter.

28 (5) This section does not create a private right of action.

29 **Sec. 8.** RCW 47.06.140 and 2009 c 514 s 3 are each amended to read
30 as follows:

31 (1) The legislature declares the following transportation
32 facilities and services to be of statewide significance: Highways of
33 statewide significance as designated by the legislature under chapter
34 47.05 RCW, the interstate highway system, interregional state principal
35 arterials including ferry connections that serve statewide travel,
36 intercity passenger rail services, intercity high-speed ground
37 transportation, major passenger intermodal terminals excluding all

1 airport facilities and services, the freight railroad system, the
2 Columbia/Snake navigable river system, marine port facilities and
3 services that are related solely to marine activities affecting
4 international and interstate trade, key freight transportation
5 corridors serving these marine port facilities, and high capacity
6 transportation systems serving regions as defined in RCW 81.104.015.
7 (~~The department, in cooperation with regional transportation planning~~
8 ~~organizations, counties, cities, transit agencies, public ports,~~
9 ~~private railroad operators, and private transportation providers, as~~
10 ~~appropriate, shall plan for improvements to transportation facilities~~
11 ~~and services of statewide significance in the statewide multimodal~~
12 ~~transportation plan.)) Improvements to facilities and services of
13 statewide significance (~~identified in the statewide multimodal~~
14 ~~transportation plan)), or to highways of statewide significance
15 designated by the legislature under chapter 47.05 RCW, are essential
16 state public facilities under RCW 36.70A.200.~~~~

17 (2) The department of transportation, in consultation with local
18 governments, shall set level of service standards for state highways
19 and state ferry routes of statewide significance. Although the
20 department shall consult with local governments when setting level of
21 service standards, the department retains authority to make final
22 decisions regarding level of service standards for state highways and
23 state ferry routes of statewide significance. In establishing level of
24 service standards for state highways and state ferry routes of
25 statewide significance, the department shall consider the necessary
26 balance between providing for the free interjurisdictional movement of
27 people and goods and the needs of local communities using these
28 facilities. When setting the level of service standards under this
29 section for state ferry routes, the department may allow for a standard
30 that is adjustable for seasonality.

31 **Sec. 9.** RCW 47.01.011 and 2007 c 516 s 2 are each amended to read
32 as follows:

33 (~~The legislature hereby recognizes the following imperative needs~~
34 ~~within the state: To create a statewide transportation development~~
35 ~~plan which identifies present status and sets goals for the future; to~~
36 ~~coordinate transportation modes; to promote and protect land use~~
37 ~~programs required in local, state, and federal law; to coordinate~~

1 ~~transportation with the economic development of the state; to supply a~~
2 ~~broad framework in which regional, metropolitan, and local~~
3 ~~transportation needs can be related; to facilitate the supply of~~
4 ~~federal and state aid to those areas which will most benefit the state~~
5 ~~as a whole; to provide for public involvement in the transportation~~
6 ~~planning and development process; to administer programs within the~~
7 ~~jurisdiction of this title relating to the safety of the state's~~
8 ~~transportation systems; and to coordinate and implement national~~
9 ~~transportation policy with the state transportation planning program.)~~)

10 The legislature finds and declares that placing all elements of
11 transportation in a single department is fully consistent with and
12 shall in no way impair the use of moneys in the motor vehicle fund
13 exclusively for highway purposes.

14 Through this chapter, a unified department of transportation is
15 created. To the jurisdiction of this department will be transferred
16 the present powers, duties, and functions of the department of
17 highways, the highway commission, the toll bridge authority, the
18 aeronautics commission, and the canal commission, and the
19 transportation related powers, duties, and functions of the planning
20 and community affairs agency. The powers, duties, and functions of the
21 department of transportation must be performed in a manner consistent
22 with the policy goals set forth in RCW 47.04.280 (as recodified by this
23 act).

24 **Sec. 10.** RCW 47.01.300 and 1994 c 258 s 4 are each amended to read
25 as follows:

26 The department shall, in cooperation with environmental regulatory
27 authorities:

28 (1) ~~((Identify and document environmental resources in the~~
29 ~~development of the statewide multimodal plan under RCW 47.06.040;~~

30 ~~(2) Allow for public comment regarding changes to the criteria used~~
31 ~~for prioritizing projects under chapter 47.05 RCW before final adoption~~
32 ~~of the changes by the commission;~~

33 ~~(3))~~) Use an environmental review as part of the project prospectus
34 identifying potential environmental impacts, mitigation, and costs
35 during the early project identification and selection phase, submit the
36 prospectus to the relevant environmental regulatory authorities, and

1 maintain a record of comments and proposed revisions received from the
2 authorities;

3 ((+4)) (2) Actively work with the relevant environmental
4 regulatory authorities during the design alternative analysis process
5 and seek written concurrence from the authorities that they agree with
6 the preferred design alternative selected;

7 ((+5)) (3) Develop a uniform methodology, in consultation with
8 relevant environmental regulatory authorities, for submitting plans and
9 specifications detailing project elements that impact environmental
10 resources, and proposed mitigation measures, to the relevant
11 environmental regulatory authorities during the preliminary
12 specifications and engineering phase of project development;

13 ((+6)) (4) Screen construction projects to determine which
14 projects will require complex or multiple permits. The permitting
15 authorities shall develop methods for initiating review of the permit
16 applications for the projects before the final design of the projects;

17 ((+7)) (5) Conduct special prebid meetings for those projects that
18 are environmentally complex; and

19 ((+8)) (6) Review environmental considerations related to
20 particular projects during the preconstruction meeting held with the
21 contractor who is awarded the bid.

22 **Sec. 11.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read
23 as follows:

24 (1) The secretary shall establish an office of transit mobility.
25 The purpose of the office is to facilitate the integration of
26 decentralized public transportation services with the state
27 transportation system. The goals of the office of transit mobility
28 are: (a) To facilitate connection and coordination of transit services
29 and planning; and (b) maximizing opportunities to use public
30 transportation to improve the efficiency of transportation corridors.

31 (2) The duties of the office include, but are not limited to, the
32 following:

33 (a) ~~((Developing a statewide strategic plan that creates common
34 goals for transit agencies and reduces competing plans for cross-
35 jurisdictional service;~~

36 ~~(b))~~ Developing a park and ride lot program;

37 ~~((c))~~ (b) Encouraging long-range transit planning;

1 ~~((d))~~ (c) Providing public transportation expertise to improve
2 linkages between regional transportation planning organizations and
3 transit agencies;

4 ~~((e))~~ (d) Strengthening policies for inclusion of transit and
5 transportation demand management strategies in route development,
6 corridor plan standards, and budget proposals;

7 ~~((f))~~ (e) Recommending best practices to integrate transit and
8 demand management strategies with regional and local land use plans in
9 order to reduce traffic and improve mobility and access;

10 ~~((g) Producing recommendations for the public transportation
11 section of the Washington transportation plan;))~~ and

12 ~~((h))~~ (f) Participating in all aspects of corridor planning,
13 including freight planning, ferry system planning, and passenger rail
14 planning.

15 (3) In forming the office, the secretary shall use existing
16 resources to the greatest extent possible.

17 (4) The office of transit mobility shall establish measurable
18 performance objectives for evaluating the success of its initiatives
19 and progress toward accomplishing the overall goals of the office.

20 (5) The office of transit mobility must report quarterly to the
21 secretary, and annually to the transportation committees of the
22 legislature, on the progress of the office in meeting the goals and
23 duties provided in this section.

24 **Sec. 12.** RCW 47.05.010 and 2002 c 5 s 401 are each amended to read
25 as follows:

26 The legislature finds that solutions to state highway deficiencies
27 have become increasingly complex and diverse and that anticipated
28 transportation revenues will fall substantially short of the amount
29 required to satisfy all transportation needs. Difficult investment
30 trade-offs will be required.

31 It is the intent of the legislature that investment of state
32 transportation funds to address deficiencies on the state highway
33 system be based on a policy of priority programming having as its basis
34 the rational selection of projects and services according to factual
35 need and an evaluation of life cycle costs and benefits that are
36 systematically scheduled to carry out defined objectives within

1 available revenue. The state must develop analytic tools to use a
2 common methodology to measure benefits and costs for all modes.

3 The priority programming system must ensure preservation of the
4 existing state highway system, relieve congestion, provide mobility for
5 people and goods, support the state's economy, and promote
6 environmental protection and energy conservation.

7 The priority programming system must (~~implement the state-owned~~
8 ~~highway component of the statewide transportation plan,~~) be consistent
9 with the long-range statewide transportation plan and local,
10 metropolitan, and regional transportation plans, by targeting state
11 transportation investment to appropriate multimodal solutions that
12 address identified state highway system deficiencies.

13 The priority programming system for improvements must incorporate
14 a broad range of solutions (~~that are identified in the statewide~~
15 ~~transportation plan as~~) appropriate to address state highway system
16 deficiencies, including but not limited to highway expansion,
17 efficiency improvements, nonmotorized transportation facilities, high
18 occupancy vehicle facilities, transit facilities and services, rail
19 facilities and services, and transportation demand management programs.

20 **Sec. 13.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to read
21 as follows:

22 (1) The office of financial management shall propose a
23 comprehensive (~~ten-year~~) sixteen-year investment program for the
24 preservation and improvement programs defined in this section,
25 consistent with the policy goals described under RCW 47.04.280 (as
26 recodified by this act). (~~The proposed ten-year investment program~~
27 ~~must be forwarded as a recommendation by the office of financial~~
28 ~~management to the legislature, and must be based upon the needs~~
29 ~~identified in the statewide transportation plan established under RCW~~
30 ~~47.01.071(4).~~)

31 (2) The preservation program consists of those investments
32 necessary to preserve the existing state highway system and to restore
33 existing safety features, giving consideration to lowest life cycle
34 costing.

35 (3) The improvement program consists of investments needed to
36 address identified deficiencies on the state highway system to meet the
37 policy goals established in RCW 47.04.280 (as recodified by this act).

1 **Sec. 14.** RCW 47.80.023 and 2009 c 515 s 15 are each amended to
2 read as follows:

3 Each regional transportation planning organization shall have the
4 following duties:

5 (1) Prepare and periodically update a transportation strategy for
6 the region. The strategy shall address alternative transportation
7 modes and transportation demand management measures in regional
8 corridors and shall recommend preferred transportation policies to
9 implement adopted growth strategies. The strategy shall serve as a
10 guide in preparation of the regional transportation plan.

11 (2) Prepare a regional transportation plan as set forth in RCW
12 47.80.030 that is consistent with countywide planning policies if such
13 have been adopted pursuant to chapter 36.70A RCW, with county, city,
14 and town comprehensive plans, and state transportation plans.

15 (3) Certify by December 31, 1996, that the transportation elements
16 of comprehensive plans adopted by counties, cities, and towns within
17 the region reflect the guidelines and principles developed pursuant to
18 RCW 47.80.026, are consistent with the adopted regional transportation
19 plan, and, where appropriate, conform with the requirements of RCW
20 36.70A.070.

21 (4) Where appropriate, certify that countywide planning policies
22 adopted under RCW 36.70A.210 and the adopted regional transportation
23 plan are consistent.

24 (5) Develop, in cooperation with the department of transportation,
25 operators of public transportation services and local governments
26 within the region, a six-year regional transportation improvement
27 program which proposes regionally significant transportation projects
28 and programs and transportation demand management measures. The
29 regional transportation improvement program shall be based on the
30 programs, projects, and transportation demand management measures of
31 regional significance as identified by transit agencies, cities, and
32 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
33 respectively, and any recommended programs or projects identified by
34 the agency council on coordinated transportation, as provided in
35 chapter 47.06B RCW, that advance special needs coordinated
36 transportation as defined in RCW 47.06B.012. The program shall include
37 a priority list of projects and programs, project segments and
38 programs, transportation demand management measures, and a specific

1 financial plan that demonstrates how the transportation improvement
2 program can be funded. The program shall be updated at least every two
3 years for the ensuing six-year period.

4 (6) Include specific opportunities and projects to advance special
5 needs coordinated transportation, as defined in RCW 47.06B.012, in the
6 coordinated transit-human services transportation plan, after providing
7 opportunity for public comment.

8 (7) Designate a lead planning agency to coordinate preparation of
9 the regional transportation plan and carry out the other
10 responsibilities of the organization. The lead planning agency may be
11 a regional organization, a component county, city, or town agency, or
12 the appropriate Washington state department of transportation district
13 office.

14 (8) Review level of service methodologies used by cities and
15 counties planning under chapter 36.70A RCW to promote a consistent
16 regional evaluation of transportation facilities and corridors.

17 (9) Work with cities, counties, transit agencies, the department of
18 transportation, and others to develop level of service standards or
19 alternative transportation performance measures.

20 (10) Work with the transportation commission, department, and other
21 regional and metropolitan transportation planning organizations on the
22 development of the long-range statewide transportation plan.

23 (11) Submit biennial reports to the office of financial management
24 in support of the attainment report required under RCW 47.04.280(4) (as
25 recodified by this act).

26 (12) Submit to the agency council on coordinated transportation, as
27 provided in chapter 47.06B RCW, beginning on July 1, 2007, and every
28 four years thereafter, an updated plan that includes the elements
29 identified by the council. Each regional transportation planning
30 organization must submit to the council every two years a prioritized
31 regional human service and transportation project list.

32 **Sec. 15.** RCW 47.80.030 and 2005 c 328 s 2 are each amended to read
33 as follows:

34 (1) Each regional transportation planning organization shall
35 develop in cooperation with the department of transportation, providers
36 of public transportation and high capacity transportation, ports, and

1 local governments within the region, adopt, and periodically update a
2 regional transportation plan that:

3 ~~(a) ((Is based on a least cost planning methodology that identifies
4 the most cost-effective facilities, services, and programs;~~

5 ~~(b) Identifies existing or planned transportation facilities,
6 services, and programs, including but not limited to major roadways
7 including state highways and regional arterials, transit and
8 nonmotorized services and facilities, multimodal and intermodal
9 facilities, marine ports and airports, railroads, and noncapital
10 programs including transportation demand management that should
11 function as an integrated regional transportation system, giving
12 emphasis to those facilities, services, and programs that exhibit one
13 or more of the following characteristics:~~

14 ~~(i) Crosses member county lines;~~

15 ~~(ii) Is or will be used by a significant number of people who live
16 or work outside the county in which the facility, service, or project
17 is located;~~

18 ~~(iii) Significant impacts are expected to be felt in more than one
19 county;~~

20 ~~(iv) Potentially adverse impacts of the facility, service, program,
21 or project can be better avoided or mitigated through adherence to
22 regional policies;~~

23 ~~(v) Transportation needs addressed by a project have been
24 identified by the regional transportation planning process and the
25 remedy is deemed to have regional significance; and~~

26 ~~(vi) Provides for system continuity;~~

27 ~~(e)) Is consistent with the long-range statewide transportation
28 plan required under section 2 of this act and with the transportation
29 system policy goals in RCW 47.04.280 (as recodified by this act);~~

30 (b) Establishes level of service standards for state highways and
31 state ferry routes, with the exception of transportation facilities of
32 statewide significance as defined in RCW 47.06.140. These regionally
33 established level of service standards for state highways and state
34 ferries shall be developed jointly with the department of
35 transportation, to encourage consistency across jurisdictions. In
36 establishing level of service standards for state highways and state
37 ferries, consideration shall be given for the necessary balance between

1 providing for the free interjurisdictional movement of people and goods
2 and the needs of local commuters using state facilities;

3 ~~((d))~~ (c) Includes a financial plan demonstrating how the
4 regional transportation plan can be implemented, indicating resources
5 from public and private sources that are reasonably expected to be made
6 available to carry out the plan, and recommending any innovative
7 financing techniques to finance needed facilities, services, and
8 programs;

9 ~~((e))~~ (d) Assesses regional development patterns, capital
10 investment and other measures necessary to:

11 (i) Ensure the preservation of the existing regional transportation
12 system, including requirements for operational improvements,
13 resurfacing, restoration, and rehabilitation of existing and future
14 major roadways, as well as operations, maintenance, modernization, and
15 rehabilitation of existing and future transit, railroad systems and
16 corridors, and nonmotorized facilities; and

17 (ii) Make the most efficient use of existing transportation
18 facilities to relieve vehicular congestion and maximize the mobility of
19 people and goods;

20 ~~((f))~~ (e) Sets forth a proposed regional transportation approach,
21 including capital investments, service improvements, programs, and
22 transportation demand management measures to guide the development of
23 the integrated, multimodal regional transportation system. For
24 regional growth centers, the approach must address transportation
25 concurrency strategies required under RCW 36.70A.070 and include a
26 measurement of vehicle level of service for off-peak periods and total
27 multimodal capacity for peak periods; and

28 ~~((g))~~ (f) Where appropriate, sets forth the relationship of high
29 capacity transportation providers and other public transit providers
30 with regard to responsibility for, and the coordination between,
31 services and facilities.

32 (2) The organization shall review the regional transportation plan
33 biennially for currency and forward the adopted plan along with
34 documentation of the biennial review to the state department of
35 transportation.

36 (3) All transportation projects, programs, and transportation
37 demand management measures within the region that have an impact upon

1 regional facilities or services must be consistent with the plan and
2 with the adopted regional growth and transportation strategies.

3 **Sec. 16.** RCW 47.82.010 and 1990 c 43 s 36 are each amended to read
4 as follows:

5 The department, in conjunction with local jurisdictions, shall
6 coordinate as appropriate with the designated metropolitan planning
7 organizations to develop a program for improving Amtrak passenger rail
8 service. The program may include:

9 (1) Determination of the appropriate level of Amtrak passenger rail
10 service;

11 (2) Implementation of higher train speeds for Amtrak passenger rail
12 service, where safety considerations permit;

13 (3) Recognition, in the (~~state's long range planning process~~)
14 development of the long-range statewide transportation plan under
15 section 2 of this act, of potential higher speed intercity passenger
16 rail service, while monitoring socioeconomic and technological
17 conditions as indicators for higher speed systems; and

18 (4) Identification of existing intercity rail rights-of-way which
19 may be used for public transportation corridors in the future.

20 **Sec. 17.** RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each
21 amended to read as follows:

22 The comprehensive plan of a county or city that is required or
23 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
24 and descriptive text covering objectives, principles, and standards
25 used to develop the comprehensive plan. The plan shall be an
26 internally consistent document and all elements shall be consistent
27 with the future land use map. A comprehensive plan shall be adopted
28 and amended with public participation as provided in RCW 36.70A.140.

29 Each comprehensive plan shall include a plan, scheme, or design for
30 each of the following:

31 (1) A land use element designating the proposed general
32 distribution and general location and extent of the uses of land, where
33 appropriate, for agriculture, timber production, housing, commerce,
34 industry, recreation, open spaces, general aviation airports, public
35 utilities, public facilities, and other land uses. The land use
36 element shall include population densities, building intensities, and

1 estimates of future population growth. The land use element shall
2 provide for protection of the quality and quantity of groundwater used
3 for public water supplies. Wherever possible, the land use element
4 should consider utilizing urban planning approaches that promote
5 physical activity. Where applicable, the land use element shall review
6 drainage, flooding, and storm water run-off in the area and nearby
7 jurisdictions and provide guidance for corrective actions to mitigate
8 or cleanse those discharges that pollute waters of the state, including
9 Puget Sound or waters entering Puget Sound.

10 (2) A housing element ensuring the vitality and character of
11 established residential neighborhoods that: (a) Includes an inventory
12 and analysis of existing and projected housing needs that identifies
13 the number of housing units necessary to manage projected growth; (b)
14 includes a statement of goals, policies, objectives, and mandatory
15 provisions for the preservation, improvement, and development of
16 housing, including single-family residences; (c) identifies sufficient
17 land for housing, including, but not limited to, government-assisted
18 housing, housing for low-income families, manufactured housing,
19 multifamily housing, and group homes and foster care facilities; and
20 (d) makes adequate provisions for existing and projected needs of all
21 economic segments of the community.

22 (3) A capital facilities plan element consisting of: (a) An
23 inventory of existing capital facilities owned by public entities,
24 showing the locations and capacities of the capital facilities; (b) a
25 forecast of the future needs for such capital facilities; (c) the
26 proposed locations and capacities of expanded or new capital
27 facilities; (d) at least a six-year plan that will finance such capital
28 facilities within projected funding capacities and clearly identifies
29 sources of public money for such purposes; and (e) a requirement to
30 reassess the land use element if probable funding falls short of
31 meeting existing needs and to ensure that the land use element, capital
32 facilities plan element, and financing plan within the capital
33 facilities plan element are coordinated and consistent. Park and
34 recreation facilities shall be included in the capital facilities plan
35 element.

36 (4) A utilities element consisting of the general location,
37 proposed location, and capacity of all existing and proposed utilities,

1 including, but not limited to, electrical lines, telecommunication
2 lines, and natural gas lines.

3 (5) Rural element. Counties shall include a rural element
4 including lands that are not designated for urban growth, agriculture,
5 forest, or mineral resources. The following provisions shall apply to
6 the rural element:

7 (a) Growth management act goals and local circumstances. Because
8 circumstances vary from county to county, in establishing patterns of
9 rural densities and uses, a county may consider local circumstances,
10 but shall develop a written record explaining how the rural element
11 harmonizes the planning goals in RCW 36.70A.020 and meets the
12 requirements of this chapter.

13 (b) Rural development. The rural element shall permit rural
14 development, forestry, and agriculture in rural areas. The rural
15 element shall provide for a variety of rural densities, uses, essential
16 public facilities, and rural governmental services needed to serve the
17 permitted densities and uses. To achieve a variety of rural densities
18 and uses, counties may provide for clustering, density transfer, design
19 guidelines, conservation easements, and other innovative techniques
20 that will accommodate appropriate rural densities and uses that are not
21 characterized by urban growth and that are consistent with rural
22 character.

23 (c) Measures governing rural development. The rural element shall
24 include measures that apply to rural development and protect the rural
25 character of the area, as established by the county, by:

26 (i) Containing or otherwise controlling rural development;

27 (ii) Assuring visual compatibility of rural development with the
28 surrounding rural area;

29 (iii) Reducing the inappropriate conversion of undeveloped land
30 into sprawling, low-density development in the rural area;

31 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
32 surface water and groundwater resources; and

33 (v) Protecting against conflicts with the use of agricultural,
34 forest, and mineral resource lands designated under RCW 36.70A.170.

35 (d) Limited areas of more intensive rural development. Subject to
36 the requirements of this subsection and except as otherwise
37 specifically provided in this subsection (5)(d), the rural element may

1 allow for limited areas of more intensive rural development, including
2 necessary public facilities and public services to serve the limited
3 area as follows:

4 (i) Rural development consisting of the infill, development, or
5 redevelopment of existing commercial, industrial, residential, or
6 mixed-use areas, whether characterized as shoreline development,
7 villages, hamlets, rural activity centers, or crossroads developments.

8 (A) A commercial, industrial, residential, shoreline, or mixed-use
9 area shall be subject to the requirements of (d)(iv) of this
10 subsection, but shall not be subject to the requirements of (c)(ii) and
11 (iii) of this subsection.

12 (B) Any development or redevelopment other than an industrial area
13 or an industrial use within a mixed-use area or an industrial area
14 under this subsection (5)(d)(i) must be principally designed to serve
15 the existing and projected rural population.

16 (C) Any development or redevelopment in terms of building size,
17 scale, use, or intensity shall be consistent with the character of the
18 existing areas. Development and redevelopment may include changes in
19 use from vacant land or a previously existing use so long as the new
20 use conforms to the requirements of this subsection (5);

21 (ii) The intensification of development on lots containing, or new
22 development of, small-scale recreational or tourist uses, including
23 commercial facilities to serve those recreational or tourist uses, that
24 rely on a rural location and setting, but that do not include new
25 residential development. A small-scale recreation or tourist use is
26 not required to be principally designed to serve the existing and
27 projected rural population. Public services and public facilities
28 shall be limited to those necessary to serve the recreation or tourist
29 use and shall be provided in a manner that does not permit low-density
30 sprawl;

31 (iii) The intensification of development on lots containing
32 isolated nonresidential uses or new development of isolated cottage
33 industries and isolated small-scale businesses that are not principally
34 designed to serve the existing and projected rural population and
35 nonresidential uses, but do provide job opportunities for rural
36 residents. Rural counties may allow the expansion of small-scale
37 businesses as long as those small-scale businesses conform with the
38 rural character of the area as defined by the local government

1 according to RCW 36.70A.030(15). Rural counties may also allow new
2 small-scale businesses to utilize a site previously occupied by an
3 existing business as long as the new small-scale business conforms to
4 the rural character of the area as defined by the local government
5 according to RCW 36.70A.030(15). Public services and public facilities
6 shall be limited to those necessary to serve the isolated
7 nonresidential use and shall be provided in a manner that does not
8 permit low-density sprawl;

9 (iv) A county shall adopt measures to minimize and contain the
10 existing areas or uses of more intensive rural development, as
11 appropriate, authorized under this subsection. Lands included in such
12 existing areas or uses shall not extend beyond the logical outer
13 boundary of the existing area or use, thereby allowing a new pattern of
14 low-density sprawl. Existing areas are those that are clearly
15 identifiable and contained and where there is a logical boundary
16 delineated predominately by the built environment, but that may also
17 include undeveloped lands if limited as provided in this subsection.
18 The county shall establish the logical outer boundary of an area of
19 more intensive rural development. In establishing the logical outer
20 boundary, the county shall address (A) the need to preserve the
21 character of existing natural neighborhoods and communities, (B)
22 physical boundaries, such as bodies of water, streets and highways, and
23 land forms and contours, (C) the prevention of abnormally irregular
24 boundaries, and (D) the ability to provide public facilities and public
25 services in a manner that does not permit low-density sprawl;

26 (v) For purposes of (d) of this subsection, an existing area or
27 existing use is one that was in existence:

28 (A) On July 1, 1990, in a county that was initially required to
29 plan under all of the provisions of this chapter;

30 (B) On the date the county adopted a resolution under RCW
31 36.70A.040(2), in a county that is planning under all of the provisions
32 of this chapter under RCW 36.70A.040(2); or

33 (C) On the date the office of financial management certifies the
34 county's population as provided in RCW 36.70A.040(5), in a county that
35 is planning under all of the provisions of this chapter pursuant to RCW
36 36.70A.040(5).

37 (e) Exception. This subsection shall not be interpreted to permit

1 in the rural area a major industrial development or a master planned
2 resort unless otherwise specifically permitted under RCW 36.70A.360 and
3 36.70A.365.

4 (6) A transportation element that implements, and is consistent
5 with, the land use element.

6 (a) The transportation element shall include the following
7 subelements:

8 (i) Land use assumptions used in estimating travel;

9 (ii) Estimated traffic impacts to state-owned transportation
10 facilities resulting from land use assumptions to assist the department
11 of transportation in monitoring the performance of state facilities, to
12 plan improvements for the facilities, and to assess the impact of land-
13 use decisions on state-owned transportation facilities;

14 (iii) Facilities and services needs, including:

15 (A) An inventory of air, water, and ground transportation
16 facilities and services, including transit alignments and general
17 aviation airport facilities, to define existing capital facilities and
18 travel levels as a basis for future planning. This inventory must
19 include state-owned transportation facilities within the city or
20 county's jurisdictional boundaries;

21 (B) Level of service standards for all locally owned arterials and
22 transit routes to serve as a gauge to judge performance of the system.
23 These standards should be regionally coordinated;

24 (C) For state-owned transportation facilities, level of service
25 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
26 to gauge the performance of the system. The purposes of reflecting
27 level of service standards for state highways in the local
28 comprehensive plan are to monitor the performance of the system, to
29 evaluate improvement strategies, and to facilitate coordination between
30 the county's or city's six-year street, road, or transit program and
31 the office of financial management's (~~ten-year~~) sixteen-year
32 investment program. The concurrency requirements of (b) of this
33 subsection do not apply to transportation facilities and services of
34 statewide significance except for counties consisting of islands whose
35 only connection to the mainland are state highways or ferry routes. In
36 these island counties, state highways and ferry route capacity must be
37 a factor in meeting the concurrency requirements in (b) of this
38 subsection;

1 (D) Specific actions and requirements for bringing into compliance
2 locally owned transportation facilities or services that are below an
3 established level of service standard;

4 (E) Forecasts of traffic for at least ten years based on the
5 adopted land use plan to provide information on the location, timing,
6 and capacity needs of future growth;

7 (F) Identification of state and local system needs to meet current
8 and future demands. Identified needs on state-owned transportation
9 facilities must be consistent with the long-range statewide
10 (~~multimodal~~) transportation plan required under (~~chapter 47.06 RCW~~)
11 section 2 of this act;

12 (iv) Finance, including:

13 (A) An analysis of funding capability to judge needs against
14 probable funding resources;

15 (B) A multiyear financing plan based on the needs identified in the
16 comprehensive plan, the appropriate parts of which shall serve as the
17 basis for the six-year street, road, or transit program required by RCW
18 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
19 for public transportation systems. The multiyear financing plan should
20 be coordinated with the (~~ten-year~~) sixteen-year investment program
21 developed by the office of financial management as required by RCW
22 47.05.030;

23 (C) If probable funding falls short of meeting identified needs, a
24 discussion of how additional funding will be raised, or how land use
25 assumptions will be reassessed to ensure that level of service
26 standards will be met;

27 (v) Intergovernmental coordination efforts, including an assessment
28 of the impacts of the transportation plan and land use assumptions on
29 the transportation systems of adjacent jurisdictions;

30 (vi) Demand-management strategies;

31 (vii) Pedestrian and bicycle component to include collaborative
32 efforts to identify and designate planned improvements for pedestrian
33 and bicycle facilities and corridors that address and encourage
34 enhanced community access and promote healthy lifestyles.

35 (b) After adoption of the comprehensive plan by jurisdictions
36 required to plan or who choose to plan under RCW 36.70A.040, local
37 jurisdictions must adopt and enforce ordinances which prohibit
38 development approval if the development causes the level of service on

1 a locally owned transportation facility to decline below the standards
2 adopted in the transportation element of the comprehensive plan, unless
3 transportation improvements or strategies to accommodate the impacts of
4 development are made concurrent with the development. These strategies
5 may include increased public transportation service, ride sharing
6 programs, demand management, and other transportation systems
7 management strategies. For the purposes of this subsection (6),
8 "concurrent with the development" means that improvements or strategies
9 are in place at the time of development, or that a financial commitment
10 is in place to complete the improvements or strategies within six
11 years.

12 (c) The transportation element described in this subsection (6),
13 the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121
14 for counties, and RCW 35.58.2795 for public transportation systems, and
15 the ((ten-year)) sixteen-year investment program required by RCW
16 47.05.030 for the state, must be consistent.

17 (7) An economic development element establishing local goals,
18 policies, objectives, and provisions for economic growth and vitality
19 and a high quality of life. The element shall include: (a) A summary
20 of the local economy such as population, employment, payroll, sectors,
21 businesses, sales, and other information as appropriate; (b) a summary
22 of the strengths and weaknesses of the local economy defined as the
23 commercial and industrial sectors and supporting factors such as land
24 use, transportation, utilities, education, workforce, housing, and
25 natural/cultural resources; and (c) an identification of policies,
26 programs, and projects to foster economic growth and development and to
27 address future needs. A city that has chosen to be a residential
28 community is exempt from the economic development element requirement
29 of this subsection.

30 (8) A park and recreation element that implements, and is
31 consistent with, the capital facilities plan element as it relates to
32 park and recreation facilities. The element shall include: (a)
33 Estimates of park and recreation demand for at least a ten-year period;
34 (b) an evaluation of facilities and service needs; and (c) an
35 evaluation of intergovernmental coordination opportunities to provide
36 regional approaches for meeting park and recreational demand.

37 (9) It is the intent that new or amended elements required after
38 January 1, 2002, be adopted concurrent with the scheduled update

1 provided in RCW 36.70A.130. Requirements to incorporate any such new
2 or amended elements shall be null and void until funds sufficient to
3 cover applicable local government costs are appropriated and
4 distributed by the state at least two years before local government
5 must update comprehensive plans as required in RCW 36.70A.130.

6 **Sec. 18.** RCW 36.70A.085 and 2009 c 514 s 2 are each amended to
7 read as follows:

8 (1) Comprehensive plans of cities that have a marine container port
9 with annual operating revenues in excess of sixty million dollars
10 within their jurisdiction must include a container port element.

11 (2) Comprehensive plans of cities that include all or part of a
12 port district with annual operating revenues in excess of twenty
13 million dollars may include a marine industrial port element. Prior to
14 adopting a marine industrial port element under this subsection (2),
15 the commission of the applicable port district must adopt a resolution
16 in support of the proposed element.

17 (3) Port elements adopted under subsections (1) and (2) of this
18 section must be developed collaboratively between the city and the
19 applicable port, and must establish policies and programs that:

20 (a) Define and protect the core areas of port and port-related
21 industrial uses within the city;

22 (b) Provide reasonably efficient access to the core area through
23 freight corridors within the city limits; and

24 (c) Identify and resolve key land use conflicts along the edge of
25 the core area, and minimize and mitigate, to the extent practicable,
26 incompatible uses along the edge of the core area.

27 (4) Port elements adopted under subsections (1) and (2) of this
28 section must be:

29 (a) Completed and approved by the city according to the schedule
30 specified in RCW 36.70A.130; and

31 (b) Consistent with the economic development, transportation, and
32 land use elements of the city's comprehensive plan, and consistent with
33 the city's capital facilities plan.

34 (5) In adopting port elements under subsections (1) and (2) of this
35 section, cities and ports must: Ensure that there is consistency
36 between the port elements and the port comprehensive scheme required

1 under chapters 53.20 and 53.25 RCW; and retain sufficient planning
2 flexibility to secure emerging economic opportunities.

3 (6) In developing port elements under subsections (1) and (2) of
4 this section, a city may utilize one or more of the following
5 approaches:

6 (a) Creation of a port overlay district that protects container
7 port uses;

8 (b) Use of industrial land banks;

9 (c) Use of buffers and transition zones between incompatible uses;

10 (d) Use of joint transportation funding agreements;

11 (e) Use of policies to encourage the retention of valuable
12 warehouse and storage facilities;

13 (f) Use of limitations on the location or size, or both, of
14 nonindustrial uses in the core area and surrounding areas; and

15 (g) Use of other approaches by agreement between the city and the
16 port.

17 (7) The department of (~~community, trade, and economic~~
18 ~~development~~) commerce must provide matching grant funds to cities
19 meeting the requirements of subsection (1) of this section to support
20 development of the required container port element.

21 (8) Any planned improvements identified in port elements adopted
22 under subsections (1) and (2) of this section must be transmitted by
23 the city to the transportation commission for consideration of
24 inclusion in the long-range statewide transportation plan required
25 under (~~RCW 47.01.071~~) section 2 of this act.

26 **Sec. 19.** RCW 46.68.170 and 2009 c 470 s 701 are each amended to
27 read as follows:

28 There is hereby created in the motor vehicle fund the RV account.
29 All moneys hereafter deposited in said account shall be used by the
30 department of transportation for the construction, maintenance, and
31 operation of recreational vehicle sanitary disposal systems at safety
32 rest areas (~~in accordance with the department's highway system plan as~~
33 ~~prescribed in chapter 47.06 RCW~~). During the 2007-2009 and 2009-2011
34 fiscal biennia, the legislature may transfer from the RV account to the
35 motor vehicle fund such amounts as reflect the excess fund balance of
36 the RV account to accomplish the purposes identified in this section.

1 **Sec. 20.** RCW 47.60.290 and 2007 c 512 s 5 are each amended to read
2 as follows:

3 (1) The department shall annually review fares and pricing policies
4 applicable to the operation of the Washington state ferries.

5 (2) Beginning in 2008, the department shall develop fare and
6 pricing policy proposals that must:

7 (a) Recognize that each travel shed is unique, and might not have
8 the same farebox recovery rate and the same pricing policies;

9 (b) Use data from the current survey conducted under RCW
10 (~~47.60.286~~) 47.01.075 (as recodified by this act);

11 (c) Be developed with input from affected ferry users by public
12 hearing and by review with the affected ferry advisory committees, in
13 addition to the data gathered from the survey conducted (~~in RCW~~
14 ~~47.60.286~~) under RCW 47.01.075 (as recodified by this act);

15 (d) Generate the amount of revenue required by the biennial
16 transportation budget;

17 (e) Consider the impacts on users, capacity, and local communities;
18 and

19 (f) Keep fare schedules as simple as possible.

20 (3) While developing fare and pricing policy proposals, the
21 department must consider the following:

22 (a) Options for using pricing to level vehicle peak demand; and

23 (b) Options for using pricing to increase off-peak ridership.

24 **Sec. 21.** RCW 47.60.327 and 2007 c 512 s 7 are each amended to read
25 as follows:

26 (1) The department shall develop, and the commission shall review,
27 operational strategies to ensure that existing assets are fully
28 utilized and to guide future investment decisions. These operational
29 strategies must, at a minimum:

30 (a) Recognize that each travel shed is unique and might not have
31 the same operational strategies;

32 (b) Use data from the current survey conducted under RCW
33 (~~47.60.286~~) 47.01.075 (as recodified by this act);

34 (c) Be consistent with vehicle level of service standards;

35 (d) Choose the most efficient balance of capital and operating
36 investments by using a life-cycle cost analysis; and

1 (e) Use methods of collecting fares that maximize efficiency and
2 achieve revenue management control.

3 (2) After the commission reviews recommendations by the department,
4 the commission and department shall make joint recommendations to the
5 legislature for the improvement of operational strategies.

6 (3) In developing operational strategies, the following, at a
7 minimum, must be considered:

8 (a) The feasibility of using reservation systems;

9 (b) Methods of shifting vehicular traffic to other modes of
10 transportation;

11 (c) Methods of improving on-dock operations to maximize efficiency
12 and minimize operating and capital costs;

13 (d) A cost-benefit analysis of remote holding versus over-water
14 holding;

15 (e) Methods of reorganizing holding areas and minimizing on-dock
16 employee parking to maximize the dock size available for customer
17 vehicles;

18 (f) Schedule modifications;

19 (g) Efficiencies in exit queuing and metering;

20 (h) Interoperability with other transportation services;

21 (i) Options for leveling vehicle peak demand; and

22 (j) Options for increasing off-peak ridership.

23 (4) Operational strategies must be reevaluated periodically and, at
24 a minimum, before developing a new capital plan.

25 **Sec. 22.** RCW 47.76.210 and 1995 c 380 s 2 are each amended to read
26 as follows:

27 The Washington state department of transportation shall implement
28 a state freight rail program that supports the freight rail service
29 objectives identified in the (~~state's multimodal~~) long-range
30 statewide transportation plan required under (~~chapter 47.06 RCW~~)
31 section 2 of this act. The support may be in the form of projects and
32 strategies that support branch lines and light-density lines, provide
33 access to ports, maintain adequate mainline capacity, and preserve or
34 restore rail corridors and infrastructure.

35 **Sec. 23.** RCW 47.79.020 and 1993 c 381 s 2 are each amended to read
36 as follows:

1 The legislature finds that there is substantial public benefit to
2 establishing a high-speed ground transportation program in this state.
3 The program shall implement the recommendations of the high-speed
4 ground transportation steering committee report dated October 15, 1992.
5 The program shall be administered by the department of transportation
6 in close cooperation with the utilities and transportation commission
7 and affected cities and counties.

8 The high-speed ground transportation program shall have the
9 following goals:

10 (1) Implement high-speed ground transportation service offering top
11 speeds over 150 m.p.h. between Everett and Portland, Oregon by 2020.
12 This would be accomplished by meeting the intermediate objectives of a
13 maximum travel time between downtown Portland and downtown Seattle of
14 two hours and thirty minutes by the year 2000 and maximum travel time
15 of two hours by the year 2010;

16 (2) Implement high-speed ground transportation service offering top
17 speeds over 150 m.p.h. between Everett and Vancouver, B.C. by 2025;

18 (3) Implement high-speed ground transportation service offering top
19 speeds over 150 m.p.h. between Seattle and Spokane by 2030.

20 The department of transportation shall, subject to legislative
21 appropriation, implement such projects as necessary to achieve these
22 goals in accordance with the implementation plans identified in RCW
23 47.79.030 ((and 47.79.040)).

24 NEW SECTION. **Sec. 24.** The following acts or parts of acts are
25 each repealed:

26 (1) RCW 47.06.020 (Role of department) and 2007 c 516 s 9 & 1993 c
27 446 s 2;

28 (2) RCW 47.06.040 (Statewide multimodal transportation plan) and
29 2002 c 189 s 4, 1998 c 199 s 1, 1994 c 258 s 5, & 1993 c 446 s 4;

30 (3) RCW 47.06.043 (Technical workers--Skill enhancement) and 2003
31 c 363 s 204;

32 (4) RCW 47.06.045 (Freight mobility plan) and 1998 c 175 s 10;

33 (5) RCW 47.06.050 (State-owned facilities component) and 2007 c 516
34 s 10, 2002 c 5 s 413, & 1993 c 446 s 5;

35 (6) RCW 47.06.060 (Aviation plan) and 1993 c 446 s 6;

36 (7) RCW 47.06.070 (Marine ports and navigation plan) and 1993 c 446
37 s 7;

- 1 (8) RCW 47.06.080 (Freight rail plan) and 1993 c 446 s 8;
2 (9) RCW 47.06.090 (Intercity passenger rail plan) and 2002 c 5 s
3 414 & 1993 c 446 s 9;
4 (10) RCW 47.06.100 (Bicycle transportation and pedestrian walkways
5 plan) and 1993 c 446 s 10;
6 (11) RCW 47.06.110 (Public transportation plan) and 2005 c 319 s
7 124, 1996 c 186 s 512, 1995 c 399 s 120, & 1993 c 446 s 11;
8 (12) RCW 47.06.120 (High capacity transportation planning and
9 regional transportation planning--Role of department) and 1993 c 446 s
10 12;
11 (13) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
12 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;
13 (14) RCW 47.60.286 (Ferry user data survey) and 2007 c 512 s 4;
14 (15) RCW 47.76.220 (State rail plan--Contents) and 1995 c 380 s 3,
15 1993 c 224 s 2, 1985 c 432 s 1, & 1983 c 303 s 5;
16 (16) RCW 47.79.040 (Rail passenger plan) and 1993 c 381 s 4; and
17 (17) RCW 47.80.070 (Statewide consistency) and 1994 c 158 s 5.

18 NEW SECTION. **Sec. 25.** (1) RCW 47.01.051, 47.01.061, 47.01.071,
19 47.01.075, 47.01.420, and 47.01.425 are each recodified as sections in
20 a new chapter in Title 47 RCW.

21 (2) RCW 47.04.280 is recodified as a new section in chapter 47.06
22 RCW.

--- END ---

APPENDIX D.

AGENCY RESPONSES



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

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January 3, 2011

The Honorable Mary Margaret Haugen
Washington State Senator
PO Box 40402
Olympia, Washington 98504-0402

The Honorable Judy Clibborn
Washington State Representative
PO Box 40600
Olympia, Washington 98504-0600

Dear Senator Haugen and Representative Clibborn:

We appreciate the opportunity to comment on the Joint Transportation Committee (JTC) consultant's draft report *Evaluation of State-Level Transportation Plans* which examines the complexities of transportation planning. We look forward to working with your respective committees and your staff to improve Washington's transportation planning framework.

We support further efforts to address the following findings and recommendations from the report:

- Revising current transportation planning RCWs could improve the effectiveness of statewide planning.
- Designating in state law the entity responsible for developing the long-range statewide transportation plan required by federal law would increase accountability and clarify responsibility.
- Governor's approval of the long-range statewide transportation plan to ensure an integrated preparation process.
- The Highway System Plan and Target Zero are examples of effective modal and corridor plans that produce useful investment and operational strategies.

We believe that any changes to state transportation planning requirements should ensure that:

- Plans meet federal requirements to maintain eligibility for federal transportation funding and that Washington is positioned to access evolving and emerging federal programs and funding.
- Investments in current transportation system assets are maintained while future investments address the highest priorities that support the economy, the environment, and our communities today and into the future.
- Plans focus on critical needs, are performance based and data driven, and meet the needs of the public and key local, regional, state, federal, and tribal decision makers.

Transportation Committee Chairs

January 3, 2011

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We recommend that you consider the following in moving forward:

- Supporting the recommendation to designate WSDOT as the lead for preparing the long-range statewide transportation plan. WSDOT should do this in consultation with, at a minimum, the Washington State Transportation Commission and the MPO, RTPOs, tribal governments, and local governments. We are concerned, however, that the consultant's recommended "blended option" for leading statewide plan preparation would diffuse responsibility and accountability
- Working with WSDOT and USDOT in the drafting of any changes to Washington's transportation planning framework.
- Retaining statutory requirements for the statewide long-range plan and key modal plans to ensure that their contents and processes meet state needs, federal requirements, and that they effectively guide future investments.

Governor Gregoire's proposed 2011-2013 budget contains a requirement that by October 2011, WSDOT is to make recommendations on cost savings that could be achieved through consolidating reporting and planning functions within the department. We believe this requirement will provide additional input to any efforts to implement recommendations of the JTC report.

Please don't hesitate to contact me or Brian Smith, Director, Strategic Planning Division, at 360-705-7958, or smithb@wsdot.wa.gov

Sincerely



Paula J. Hammond, P.E.
Secretary of Transportation

PJH:jsl/bg