

NINETY FIFTH DAY, APRIL 17, 2025

2025 REGULAR SESSION

NINETY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, April 17, 2025

The Senate was called to order at 10 o'clock a.m. by the Vice President Pro Tempore, Senator Lovick presiding. The Secretary called the roll and announced to the Vice President Pro Tempore that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Anya Guhan and Miss Zoe Adler, presented the Colors.

Page Miss Brooke Boyden led the Senate in the Pledge of Allegiance.

The prayer was offered by Minister Carla Spaccarotelli of Chaplain at Providence St. Peter Hospital, Olympia.

MOTIONS

On motion of Senator Riccelli, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Riccelli, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

April 16, 2025

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5030,
SENATE BILL NO. 5037,

SUBSTITUTE SENATE BILL NO. 5040,

SUBSTITUTE SENATE BILL NO. 5049,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5129,

SUBSTITUTE SENATE BILL NO. 5149,

SUBSTITUTE SENATE BILL NO. 5163,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5175,

SUBSTITUTE SENATE BILL NO. 5182,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5200,

SUBSTITUTE SENATE BILL NO. 5214,

SUBSTITUTE SENATE BILL NO. 5221,

SUBSTITUTE SENATE BILL NO. 5265,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5355,

SECOND SUBSTITUTE SENATE BILL NO. 5356,

SECOND SUBSTITUTE SENATE BILL NO. 5358,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5459,

SUBSTITUTE SENATE BILL NO. 5558,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

April 16, 2025

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1068,

SUBSTITUTE HOUSE BILL NO. 1177,

HOUSE BILL NO. 1270,

SUBSTITUTE HOUSE BILL NO. 1272,

HOUSE BILL NO. 1389,

HOUSE BILL NO. 1494,

SUBSTITUTE HOUSE BILL NO. 1509,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1522,

SECOND SUBSTITUTE HOUSE BILL NO. 1715,
SECOND SUBSTITUTE HOUSE BILL NO. 1788,
SUBSTITUTE HOUSE BILL NO. 1791,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

April 16, 2025

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5315,

SUBSTITUTE SENATE BILL NO. 5431,

SUBSTITUTE SENATE BILL NO. 5516,

SUBSTITUTE SENATE BILL NO. 5587,

SENATE BILL NO. 5682,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTIONS

On motion of Senator Riccelli, the Senate advanced to the eighth order of business.

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION

8640

By Senators Pedersen, Braun, Riccelli, Dhingra, Shewmake, Conway, Salomon, Chapman, Alvarado, Orwall, Lovick, Slatter, Valdez, Hasegawa, Wellman, Bateman, Frame, Trudeau, Cortes, Saldaña, Robinson, Stanford, Liias, Krishnadasan, Hansen, Ramos, Kauffman, C. Wilson, Nobles, Cleveland, Lovelett, King, Warnick, Short, Goehner, Wagoner, Holy, Gildon, Torres, Dozier, Muzzall, MacEwen, J. Wilson, Harris, Boehnke, Fortunato, Christian, and McCune

WHEREAS, Karen Lynn Keiser was appointed to the Washington State House of Representatives in 1995; ran and won her first election in 1996; was appointed to the Washington State Senate in 2001; and was reelected six times; and

WHEREAS, For nearly 30 years, Senator Keiser represented the 33rd legislative district, a diverse area that includes the cities of SeaTac, Des Moines, Normandy Park, and parts of Burien and Kent; and

WHEREAS, Senator Keiser was elected by the Senate to the position President Pro Tempore on January 8, 2018, and presided over the Senate with grace when called upon to do so; and

WHEREAS, While serving on the Senate Health & Long-Term Care Committee, Senator Keiser was a pivotal leader in reforming Washington's health care system; and

WHEREAS, Senator Keiser sponsored the legislation establishing the Washington Health Benefit Exchange, which has since provided more than 1,900,000 Washingtonians with health care coverage; and

WHEREAS, Senator Keiser was instrumental in the passage of the Paid Family and Medical Leave program, which has since allowed over 600,000 Washington workers to bond with newborn babies, care for ailing relatives, or take time off for their own medical conditions; and

WHEREAS, Senator Keiser sponsored the legislation establishing the Prescription Drug Affordability Board, with the

goal of monitoring and mitigating unsupported price increases of prescription drugs for Washingtonians; and

WHEREAS, Senator Keiser fought for years to lower the price of insulin for Washingtonians, culminating in her successful establishment of a permanent out-of-pocket price cap of \$35 for a 30-day supply; and

WHEREAS, Serving as the chair of the Senate Labor & Commerce Committee, Senator Keiser championed policies that helped working families, improved women's economic security, and reduced workplace sexual harassment; and

WHEREAS, Senator Keiser worked to make Washington the first state in the nation to implement full overtime protections for agricultural workers, for which work she received a personal letter of commendation from President Joe Biden; and

WHEREAS, Senator Keiser continuously called for bipartisan collaboration in order to maintain sustainable progress in the legislature; and

WHEREAS, The Washington State Legislature will continue to look back at Senator Keiser's work and service for guidance and inspiration for generations to come;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington commend and honor Karen Lynn Keiser for her service to the citizens of the State of Washington and to the Washington State Legislature; and

BE IT FURTHER RESOLVED, That this resolution be transmitted by the Secretary of the Senate to Senator Keiser with our most sincere thanks and appreciation for her years of exemplary service in the Legislature.

Senators Pedersen, King, Orwall, Conway, Dhingra, Wilson, C., Wellman, Braun, Cleveland, Hasegawa and Saldaña spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8640.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced former Senator Karen Keiser who was seated in the gallery.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately.

Senator Warnick announced a meeting of the Republican Caucus immediately.

MOTION

At 10:37 a.m., on motion of Senator Riccelli, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 1:38 p.m. by Vice President Pro Tempore Lovick.

MOTION

On motion of Senator Riccelli, the Senate reverted to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5786, by Senate Committee on Ways & Means (originally sponsored by Stanford)

Increasing license, permit, and endorsement fees.

The bill was read on Third Reading.

Senators MacEwen, King, Braun and Dozier spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5786.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5786 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Liias, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Chapman, Christian, Cortes, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, Kauffman, King, Krishnadasan, Lovelett, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SECOND SUBSTITUTE SENATE BILL NO. 5786, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Riccelli, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

April 15, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5143 with the following amendment(s): 5143-S.E AMH MENA OMLI 284

0.

On page 26, line 17, after "to" strike "a legislator's" and insert "an"

On page 26, line 25, after "resources;" strike "and"

On page 26, line 28, after "award" insert ";

(v) A legislator if the information posted has a direct and tangible relationship to a legislative proposal or policy introduced in the legislature; and

(vi) Commemorations or celebrations of Washington state historical events, holidays, or persons who are not current legislators"

On page 27, line 5, after "(2)" strike "This" and insert "((This)) Subsection (1) of this"

On page 28, at the beginning of line 16, strike "distinction"); and" insert "distinction; and))"

On page 28, line 22, after "responsibilities" insert ";

(f) Subject to subsection (2)(c)(ii) of this section, activities with a legislative nexus as described under section 12 of this act"

On page 29, line 3, after "(2)" strike "This" and insert "((This)) Subsection (1) of this"

On page 30, at the beginning of line 14, strike "distinction"); and" insert "distinction; and))"

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On page 30, line 20, after "responsibilities" insert "; and
(f) Subject to subsection (2)(c)(ii) of this section, activities with a legislative nexus as described under section 12 of this act"

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Gildon moved that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5143 and ask the House to recede therefrom.

Senators Gildon and Valdez spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Gildon that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5143 and ask the House to recede therefrom.

The motion by Senator Gildon carried and the Senate refused to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5143 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

April 2, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5161 with the following amendment(s): 5161-S.E AMH ENGR H2091.E

Strike everything after the enacting clause and insert the following:

"2025-2027 FISCAL BIENNIUM

NEW SECTION. Sec. 1. (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2027.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2026" or "FY 2026" means the fiscal year ending June 30, 2026.

(b) "Fiscal year 2027" or "FY 2027" means the fiscal year ending June 30, 2027.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

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NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation..... \$588,000

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State

Appropriation \$504,000

Pilotage Account—State Appropriation \$150,000

TOTAL APPROPRIATION \$654,000

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation..... \$216,000

Puget Sound Ferry Operations Account—State

Appropriation \$132,000

TOTAL APPROPRIATION \$348,000

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor Vehicle Account—State Appropriation..... \$1,186,000

The appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation..... \$1,546,000

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation..... \$759,000

NEW SECTION. Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

Move Ahead WA Flexible Account—State Appropriation

..... \$3,025,000

The appropriation in this section is subject to the following conditions and limitations: The entire move ahead WA flexible account—state appropriation in this section is provided solely for increasing the number of certified women and minority-owned contractors in the transportation sector statewide, with priority given to areas outside of the Puget Sound area and supporting these contractors to successfully compete and earn more transportation contracting opportunities. This purpose must be accomplished through various programs including, but not limited to: (1) Outreach to women and minority-owned business communities and individuals; (2) technical assistance, mentorship, and consultation as needed in areas such as financing, accounting, contracting, procurement, and resolution of disputes and grievances; (3) language access programs for those with limited English proficiency; (4) developing a truck rotation program to allow smaller minority and women-owned trucking companies to pool their resources and compete with larger scale trucking operations; and (5) other programs that aim to increase the number of women and minority contractors that are successful in obtaining contracts in the transportation sector directly with state agencies such as the department, with local jurisdictions, or as subcontractors for prime contractors.

NEW SECTION. Sec. 108. FOR THE DEPARTMENT OF COMMERCE

Carbon Emissions Reduction Account—State

Appropriation \$4,920,000

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

(1) \$4,920,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

(2) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 701, chapter . . . , Laws of 2025 (House Bill No. 2043) (concerning transportation resources).

NEW SECTION. Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation \$3,383,000

The appropriation in this section is subject to the following conditions and limitations: The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2025, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

NEW SECTION. Sec. 110. FOR THE UNIVERSITY OF WASHINGTON

Multimodal Transportation Account—State

Appropriation..... \$2,400,000

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

(1) \$2,300,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the public. For the first phase of work, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed.

(2) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the mobility innovation center at the University of Washington to conduct transportation-related research in partnership with the department, the private sector, and local transportation agencies.

NEW SECTION. Sec. 111. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

Motor Vehicle Account—State Appropriation \$997,000

NEW SECTION. Sec. 112. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Carbon Emissions Reduction Account—State

Appropriation..... \$12,000,000

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

(1)(a) \$12,000,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet

vehicles are located or are scheduled to be purchased.

(b) The department shall report when and where the equipment was installed and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by January 2, 2027, with an interim report due January 2, 2026. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(2) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and track revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(3) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2027.

(4) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 701, chapter . . . , Laws of 2025 (House Bill No. 2043) (concerning transportation resources).

NEW SECTION. Sec. 113. FOR THE DEPARTMENT OF ECOLOGY

Model Toxics Control Capital Account—State

Appropriation \$11,715,000

Carbon Emissions Reduction Account—State

Appropriation \$35,300,000

TOTAL APPROPRIATION \$47,015,000

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

(1) \$11,715,000 of the model toxics control capital account—state appropriation and \$35,300,000 of the carbon emissions reduction account—state appropriation are provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emission vehicles and for the necessary fueling infrastructure needed for zero emission student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

(2) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 701, chapter . . . , Laws of 2025 (House Bill No. 2043) (concerning transportation resources).

NEW SECTION. Sec. 114. FOR THE EVERGREEN STATE COLLEGE

Aeronautics Account—State Appropriation..... \$94,000

The appropriation in this section is subject to the following conditions and limitations: The entire aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and

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whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

NEW SECTION. Sec. 115. FOR THE OFFICE OF THE GOVERNOR

State Patrol Highway Account—State Appropriation \$760,000

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3).

NEW SECTION. Sec. 116. FOR THE DEPARTMENT OF REVENUE

Motor Vehicle Account—State Appropriation \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: \$1,000,000 of the motor vehicle account—state appropriation is provided solely for estimated implementation costs associated with new revenues.

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation... \$10,244,000

Highway Safety Account—Federal Appropriation \$36,023,000

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

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

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

TOTAL APPROPRIATION..... \$47,577,000

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

(1) \$600,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2027.

(2) \$1,500,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. The

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commission must provide to the transportation committees of the legislature a preliminary status report on the specific locations selected and any outcome information by December 1, 2025, with a final report due June 30, 2027.

(3) \$2,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature and the office of financial management on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation \$4,076,000

Motor Vehicle Account—State Appropriation..... \$4,206,000

County Arterial Preservation Account—State

Appropriation \$4,571,000

TOTAL APPROPRIATION \$12,853,000

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State

Appropriation \$5,079,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Carbon Emissions Reduction Account—State

Appropriation \$374,000

Motor Vehicle Account—State Appropriation..... \$2,960,000

Puget Sound Ferry Operations Account—State

Appropriation \$100,000

TOTAL APPROPRIATION \$3,434,000

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

(1) \$100,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable

recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2025.

(2) \$250,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the Freight Policy Transportation Institute of Washington State University to serve as the independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(8) of this act, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with an end of biennium report due to the governor and the transportation committees of the legislature by December 31, 2026.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

(3) \$274,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee for a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California Code of Regulations in Washington. The study must include estimates of greenhouse gas emissions reductions, criteria air pollutant reductions, potential labor impacts, potential impacts on shipping costs and port competitiveness, and shore power infrastructure needs and costs. The joint transportation committee must, at a minimum, coordinate with the department of ecology, department of transportation, representatives from Washington ports, shippers, utilities, and the trucking industry, impacted labor unions, and environmental organizations. The joint transportation committee must report to the transportation committees of the legislature by December 31, 2025.

(4) \$100,000 of the Puget Sound ferry operations account—state appropriation is for the joint transportation committee to convene a work group in advance of the 75th anniversary of the Washington state ferries on July 1, 2025, to review Washington state ferry funding requirements and options to increase dedicated funding sources for the ferry system. The executive committee of the joint transportation committee may appoint relevant stakeholders as part of the work group. A preliminary report must be submitted to the governor and transportation committees of the legislature by December 15, 2025, and the legislature intends that a final report will be submitted to the governor and transportation committees of the legislature by June 1, 2026.

(5) \$75,000 of the motor vehicle account—state appropriation is for the joint transportation committee to continue the

alternative project delivery methods and innovative practices study. The next phase of the study will provide additional consultation on collaborative procurement and contracting approaches that may be used by the Washington state department of transportation in public works contracting to increase contract competition and support containing costs and project delivery schedule. A supplemental report on findings and recommendations, including any changes in current practice and statutory requirements, is due to the transportation committees of the legislature by December 1, 2025.

(6) \$200,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative new methods for local governments to fund sidewalk improvements, including but not limited to establishing a sidewalk utility. The study must review revenue options utilized in other states and make evaluations based on fairness, stability, adequacy, regressivity, simplicity, and the effect on economic vitality. The joint transportation committee must submit a preliminary report of findings and recommendations to the transportation committees of the legislature by December 15, 2025. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2026.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation.....	\$2,843,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.....	\$150,000
State Route Number 520 Corridor Account—State Appropriation	\$288,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$178,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$168,000
TOTAL APPROPRIATION	\$3,627,000

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

(1) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(2) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2025 and quarterly thereafter until any agreements are finalized.

(3) The commission shall partner with the department of transportation to design and implement a toll relief program based upon income qualification. Implementation must start with facilities where tolling begins in fiscal year 2026 or later. The commission shall work with the department of transportation to assess potential impacts of extending the toll relief program based

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upon income qualification to existing tolled facilities that opened prior to fiscal year 2026. The assessment, at a minimum, must determine potential impacts to meeting current financial and legal requirements in place for each facility. The commission, in partnership with the department of transportation, shall provide annual updates on the program to the transportation committees of the legislature.

(4) \$600,000 of the motor vehicle account—state appropriation is provided solely for the commission for road usage charge research activities. This amount is intended to be a contingency, in the event the federal highway administration grant funding awarded under the strategic innovation for revenue collection (SIRC) program is not received. The office of financial management shall place the amount provided in this subsection in unallotted status until the office of financial management determines the SIRC funding will not be received. Should the SIRC funding be received, this appropriation lapses.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State

Appropriation.....\$1,548,000

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

(1) Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

(2) The board shall on an annual basis provide a status update on project delivery, including information on project timeline, cost, and budgeted cash flow over time to the office of financial management and the transportation committees of the legislature on the delivery of the freight mobility strategic investment projects on LEAP Transportation Document 2025-2 ALL PROJECTS, as developed on March 23, 2025.

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—

State Appropriation.....\$42,000

State Patrol Highway Account—State Appropriation

.....\$729,400,000

State Patrol Highway Account—Federal Appropriation

.....\$24,115,000

State Patrol Highway Account—Private/Local

Appropriation.....\$4,604,000

Highway Safety Account—State Appropriation.....\$9,482,000

Ignition Interlock Device Revolving Account—State

Appropriation.....\$2,706,000

Multimodal Transportation Account—State

Appropriation.....\$331,000

State Route Number 520 Corridor Account—State

Appropriation.....\$90,000

Tacoma Narrows Toll Bridge Account—State

Appropriation.....\$274,000

I-405 and SR 167 Express Toll Lanes Account—State

Appropriation.....\$2,894,000

TOTAL APPROPRIATION.....\$773,938,000

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

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce

vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2025, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2025, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$800,000 in state sales and use taxes have been remitted to the state since July 1, 2025, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 of this act.

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

(3)(a) By December 1st of each year during the 2025-2027 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

(i) A summary of recruitment and retention strategies;

(ii) The number of transportation funded staff vacancies by major category;

(iii) The number of applicants for each of the positions by these categories;

(iv) The composition of workforce;

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

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

(b) During the 2025-2027 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2026 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4) \$8,526,000 of the state patrol highway account—state appropriation is provided solely for debt service obligations for the land mobile radio system replacement, upgrade, and other related activities.

(5) \$2,610,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and

responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

(6)(a) \$2,944,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2025-2027 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

(7)(a) \$7,552,000 of the highway safety account—state appropriation is provided solely for cost associated with the work zone speed safety camera pilot program with the amounts for specific activities as follows:

(i) 2,353,000 for the Washington state patrol's oversight, administrative, overtime, and other costs associated with the processing of work zone speed safety violations;

(ii) \$3,990,000 for interagency reimbursements to the office of administrative hearings for adjudication related expenses associated with work zone speed violations; and

(iii) \$1,209,000 for interagency reimbursements to the office of

attorney general for legal guidance and adjudication related expenses associated with work zone speed violations.

(b) Pursuant to section 217(6) of this act, the Washington state patrol, in conjunction with the other agencies involved in the work zone speed safety camera pilot program, must collaborate with the department of transportation on a preliminary report due from the department by December 1, 2025.

(8) \$1,668,000 of the state patrol highway account—state appropriation is provided solely for three accelerated training programs for lateral hires. It is the intent of the legislature that the three accelerated training programs for lateral hires offered in 2025-2027 biennium achieve at least 30 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

(9) By December 1, 2025, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

(10) \$7,572,000 of the state patrol highway account—state appropriation is provided solely for one additional trooper basic training class with troopers graduating in the 2025-2027 biennium and funding to initiate an additional trooper basic training class with troopers graduating in the 2027-2029 biennium.

(11) \$6,904,000 of the state patrol highway account—state appropriation is provided solely for the planned replacement of aging Cessna aircrafts and of this amount \$310,000 is provided solely for the downpayment and related costs of three planned replacements. It is the intent of the legislature to fund three planned Cessna replacements as soon as the aircrafts can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircrafts as soon as possible in the 2025-2027 fiscal biennium.

(12) \$796,000 of the state patrol highway account—state appropriation is provided solely for commissioned staff who reach 26 or more years of service in accordance with RCW 43.43.386.

(13) \$3,000,000 of the state patrol highway account—state appropriation is provided solely for hiring additional staff and purchasing equipment for the toxicology laboratory to reduce the DUI processing backlog, with the expectation that processing times will be reduced.

(14) \$3,500,000 of the state patrol highway account—state appropriation is provided solely to address emergent issues that may arise due to the high level of commissioned and noncommissioned vacancies. Potential uses of the funding include the following: Employee leave buyouts, increased contracting to maintain adequate service levels, unanticipated facility and equipment needs, increased overtime, travel, and other related costs.

(15) Within existing resources, the Washington state patrol must offer a minimum of 14 emergency vehicle operator courses per year at its Shelton driving track exclusively for basic law enforcement academies offered by the criminal justice training commission.

(16) \$2,000,000 of the state patrol highway account—state appropriation is provided solely for staffing and security equipment for Washington State Patrol to staff the international border crossing and provide support for the department of homeland security, during the months of June and July 2026 for the purposes of the World Cup, to facilitate border crossings and screening against human trafficking, narcotics trafficking, unlawful crossings, and other unlawful activity.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

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Driver Licensing Technology Support Account—State Appropriation.....	\$1,771,000
Marine Fuel Tax Refund Account—State Appropriation.....	\$34,000
Motorcycle Safety Education Account—State Appropriation.....	\$5,408,000
Limited Fish and Wildlife Account—State Appropriation.....	\$496,000
Highway Safety Account—State Appropriation.....	\$301,622,000
Highway Safety Account—Federal Appropriation.....	\$1,315,000
Motor Vehicle Account—State Appropriation.....	\$94,692,000
Motor Vehicle Account—Private/Local Appropriation.....	\$1,336,000
Ignition Interlock Device Revolving Account—State Appropriation.....	\$6,842,000
Department of Licensing Services Account—State Appropriation.....	\$8,664,000
License Plate Technology Account—State Appropriation.....	\$3,765,000
Abandoned Recreational Vehicle Account—State Appropriation.....	\$3,115,000
Limousine Carriers Account—State Appropriation.....	\$128,000
Electric Vehicle Account—State Appropriation.....	\$465,000
DOL Technology Improvement & Data Management Account—State Appropriation.....	\$976,000
Agency Financial Transaction Account—State Appropriation.....	\$18,335,000
Move Ahead WA Flexible Account—State Appropriation.....	\$1,506,000
Driver's Education Safety Improvement Account—State Appropriation.....	\$15,379,000
TOTAL APPROPRIATION.....	\$465,849,000

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

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

(a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;

(b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;

(c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and

(d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the

implementation of statutory and policy changes made during the pandemic.

(3) For the 2025-2027 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(4) \$3,087,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2025-2027 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(5)(a) \$750,000 of the highway safety account—state appropriation is provided solely for contracts with organizations providing driver's license assistance and other related support services in other parts of the state.

(b) By December 1st of each year, the department must submit information on the contracted providers, including: The annual budget of the contracted providers in the preceding year; information regarding private and other governmental support for the activities of the providers; and a description of the number of people served, services delivered, and outcome measures.

(6) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2025, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(7) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. The legislature intends to require a final report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(8) \$1,220,000 of the highway safety account—state appropriation is provided solely for estimated implementation costs associated with new revenues.

(9) \$7,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1113) (misdemeanor dismissal). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1113) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(10) \$106,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (House Bill No. 1244) (driver training alternative). If chapter . . . , Laws of 2025 (House Bill No. 1244) is not enacted by June 30, 2025, the amount provided in this

subsection lapses.

(11) \$44,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Substitute House Bill No. 1371) (veteran parking privileges). If chapter . . . , Laws of 2025 (Substitute House Bill No. 1371) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(12) \$831,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1596) (speeding). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1596) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(13) \$542,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1822) (driver course/workzones). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1822) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(14) \$2,631,000 of the highway safety account—state appropriation and \$15,379,000 of the driver education safety improvement account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1878) (young driver safety). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1878) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(15) \$50,000 of the highway safety account—state appropriation is provided solely for translating the written driver's manual and test into Dari, Farsi, and Somali.

(16)(a)(i) A legislative task force to review the special license plate process is established, with members as provided in this subsection:

(A) The president of the senate shall appoint two senate members from each of the two largest caucuses of the senate;

(B) The speaker of the house of representatives shall appoint two house members from each of the two largest caucuses of the house of representatives;

(C) At least one member from each caucus must be a member of the transportation committee, or successor committee; and

(D) The governor shall appoint two members representing the department of licensing.

(ii) The task force shall choose its chair from among its legislative membership. Legislators shall convene the initial meeting of the task force.

(b) The task force shall review the following issues:

(i) Application requirements and evaluation of special license plate requests;

(ii) Cost of implementing new special license plates and a funding policy for future requests;

(iii) Identifying metrics the department must use to recommend the discontinuation of special license plates;

(iv) The state's ability to recoup the cost of new special license plates; and

(v) Efficiency in processing special license plate legislation.

(c) Legislative members of the task force may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(d) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their

successor committees.

(e) The task force shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2025.

(17)(a) Within existing resources, the department of licensing must continue issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2) of this act. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2025-2027 fiscal biennium.

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

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

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

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

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

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

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

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

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

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

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

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

(g) A high occupancy vehicle exempt decal expires June 30, 2027, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2) of this act is

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terminated.

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

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

Puget Sound Gateway Facility Account—State	
Appropriation.....	\$7,651,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$47,859,000
State Route Number 520 Civil Penalties Account—State	
Appropriation.....	\$2,378,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$38,545,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.....	\$26,766,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$42,199,000
TOTAL APPROPRIATION.....	\$165,398,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

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

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

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

(3) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(4) As part of the department's 2027-2029 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(5)(a) \$200,000 of the state route number 520 corridor account—state appropriation and \$200,000 of the Alaskan Way

viaduct replacement project account—state appropriation are provided solely for the department, in coordination with the Washington state transportation commission, to conduct a pilot or pilots of advanced tolling technology provided by the private sector. The purpose of this pilot or pilots will be to assess the viability and accuracy of advanced technologies that may reduce the implementation and long-term costs of the toll system or enable more flexible operations. The department shall retain a separate independent third-party vendor or vendors who can provide expert oversight, guidance, and advisement on the work, including: The pilot design; the evaluation plan; data analysis; and reporting on findings.

(b) A final report of findings is due to the transportation committees of the legislature by July 1, 2026. The report must, at a minimum: Outline the technology tested; provide a comparison of system performance, operations, costs, and revenue collection efficiencies between the test system or test systems and the roadway toll system in use today; assess the requirements for achieving compatibility with the existing back-office system; provide a summary of how lessons learned from the pilot or pilots were incorporated into the planned procurement of new roadside toll systems; and provide recommendations on next steps.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State	
Appropriation	\$2,472,000
Motor Vehicle Account—State Appropriation....	\$128,388,000
Puget Sound Ferry Operations Account—State	
Appropriation	\$307,000
Multimodal Transportation Account—State	
Appropriation	\$3,088,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation	\$1,488,000
TOTAL APPROPRIATION	\$135,743,000

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation.....	\$44,029,000
Move Ahead WA Account—State Appropriation..	\$2,044,000
State Route Number 520 Corridor Account—State	
Appropriation	\$34,000
TOTAL APPROPRIATION	\$46,107,000

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Move Ahead WA Account—State Appropriation..	\$20,000,000
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The appropriation in this section is subject to the following conditions and limitations: The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2025, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

(1) A list of department owned and managed fuel sites prioritized by urgency of replacement;

(2) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and

(3) A discussion of to what extent the fuel site infrastructure

can support zero emissions vehicles.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation \$12,929,000
 Aeronautics Account—Federal Appropriation \$2,600,000
 Aeronautics Account—Private/Local Appropriation... \$60,000
 TOTAL APPROPRIATION..... \$15,589,000

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

(1) \$2,100,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) The department shall submit a report to the transportation committees of the legislature by October 1, 2025, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$750,000 of the aeronautics account—state appropriation is provided solely for the city of Yakima for an overflow parking lot at the Yakima Air Terminal. The department may not require a match for this project.

(4) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct the second phase of a feasibility study on the possibility of offering commercial service at the Bremerton National Airport. The department may not require a match for this project.

(5) \$1,774,000 of the aeronautics account—state appropriation is provided solely for the commercial aviation work group created in chapter 463, Laws of 2023. Funding is provided for:

(a) The state commercial aviation work group to comprehensively evaluate the long-range commercial aviation needs of Washington within the broader context of state transportation needs and the specific needs of western Washington taking into consideration airport capacity in adjacent states and provinces. The work group shall review existing data and conduct research to determine Washington's long-range commercial aviation facility needs while considering alternatives to additional airport capacity.

(b)(i) Except as provided in subsection (c) of this section, the work group shall investigate the expansion of existing aviation facilities and possible siting locations for new greenfield aviation facilities, with the expected outcome to be a report that compares the strengths and weaknesses of each site considered. In this investigation, the work group shall consider both new sites and those previously identified in previous aviation planning documents. The work group must consider all impacts that, whether by the expansion of a current facility or the location of a new greenfield site, the creation of a new primary commercial aviation facility may have, including impacts on:

- (A) Community members and quality of life;
 - (B) The environment, including the impacts of a facility on water quality and the ability of the state to meet the greenhouse gas emissions limits established in RCW 70A.45.020;
 - (C) County master plans and other local planning and zoning, including development regulations and comprehensive plans adopted under chapter 36.70A RCW; and
 - (D) Current airspace operations.
- (ii) The work group shall:
- (A) Perform outreach to and make efforts to collaborate with:

(I) Applicable federal agencies including the federal aviation administration, the United States environmental protection agency, the United States department of defense, and the United States department of energy;

(II) Indian tribes, as defined in RCW 43.376.010, through outreach and collaboration by the work group under this subsection does not constitute or substitute for formal government-to-government consultation under the 1989 State-Tribal Relations/Centennial Accord and chapter 43.376 RCW;

- (III) The environmental community;
- (IV) Local communities;
- (V) Economic development agencies;
- (VI) Other states and provinces as appropriate;

(B) Identify potential site infrastructure shortfalls and make recommendations as to how they could be most suitably addressed, including the feasibility of the specific transportation infrastructure required to move people to the potential site. This process includes the delivery of an adequate supply of aircraft fuel and supporting infrastructure along with facilities needed to transition to the use of sustainable aviation fuels;

(C) Consider the cost of construction of a facility and supporting infrastructure;

(D) In cooperation with the federal aviation administration, analyze:

(I) Airspace requirements and airspace restrictions of potential sites;

(II) Any possible terrain and man-made obstacles that could possibly create a hazard to aircraft;

(III) Local weather patterns and microclimates to determine if they will create issues for the operation of large aircraft; and

(E) Carry out other duties as assigned by the legislature.

(c) The work group shall not consider:

(i) Expansion opportunities for a port or county run airport located in a county with a population of 2,000,000 or more; or

(ii) The expansion of an existing airport or the siting of a new airport that would be incompatible with the operations of a military installation.

(d) In addition, the work group shall provide information to the transportation committees of the legislature on the future of aviation growth in the state, including potential commercial aviation, general aviation, and air cargo demands, with consideration of new technologies, alternative transportation modes, and the airport of the future.

(e) Nothing in this section shall be construed to endorse, limit, or otherwise alter existing or future plans for capital development and capacity enhancement at existing commercial airports in Washington.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation.....\$70,960,000
 Motor Vehicle Account—Federal Appropriation..... \$500,000
 Multimodal Transportation Account—State
 Appropriation \$1,180,000
 Move Ahead WA Flexible Account—State Appropriation
 \$572,000
 TOTAL APPROPRIATION\$73,212,000

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

(1) During the 2025-2027 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair

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market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) The department may not execute a state highway route transfer under RCW 36.75.090 and 47.24.010 without approval from the receiving city or county from July 1, 2025, until June 30, 2026. The department may continue discussions with local jurisdictions regarding state highway route transfers to local jurisdictions that may occur after consideration of the final report and recommendations of the Washington State Route Jurisdiction Study expected by December 2025.

(3)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

(4)(a) \$350,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by June 30, 2026.

(5) The department is directed to initiate the process and carry out a sale or transfer of ownership by mutually agreeable terms in accordance with requirements of state law under RCW 47.12.063 of the surplus property in the city of Seattle located between State route number 99 and First Avenue South and between South Royal Brougham Way and South Dearborn Street, King county parcel numbers 7666206955 and 7666206950. The department shall first consider terms and enter negotiations with the countywide port district in which the property is located consistent with RCW 47.12.063 before considering other options

for disposition of the property.

(6) \$250,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Substitute House Bill No. 1774) (lease of unused highway land). If chapter . . . , Laws of 2025 (Substitute House Bill No. 1774) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(7) \$285,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1902) (streamlining of permitting for transportation projects work group). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1902) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation.....	\$767,000
Multimodal Transportation Account—State Appropriation	\$200,000
Multimodal Transportation Account—Federal Appropriation	\$51,533,000
Carbon Emissions Reduction Account—State Appropriation	\$167,088,000
TOTAL APPROPRIATION	\$219,588,000

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

(1) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program described in RCW 47.04.350.

(2) \$130,851,000 of the carbon emissions reduction account—state appropriation is provided solely for a point-of-sale voucher incentive program, inclusive of costs for program administration and staffing, to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(a) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(i) Simplified zero-emission vehicle eligibility requirements;

(ii) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(iii) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(iv) A centralized user and manufacturer portal for information, application, and assistance;

(v) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(vi) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(b) The following battery electric and hydrogen fuel cell

electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(i) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(ii) Cargo handling and off-road equipment.

(c) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(d) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(e) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

(3) \$9,986,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, or to serve as state match for secured federal funds, to finance hydrogen fueling stations for medium and heavy-duty vehicles and up to two years of hydrogen fueling station operational costs along corridors designated as hydrogen corridors by the state or near or on transit agency, port, or public utility district property, with a focus on benefiting disadvantaged and overburdened communities, where possible. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58) and other public or private funding sources as necessary, to bring these stations into commercial operation.

(4) \$400,000 of the carbon emissions reduction account—state appropriation is provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.

(5) \$851,000 of the carbon emissions reduction account—state appropriation is provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle pilot project that includes charging infrastructure and mobile battery units.

(6) \$8,342,000 of the multimodal transportation account—federal appropriation is provided solely for the electric vehicle charger reliability and accessibility accelerator program for projects to support the repair or replacement of existing broken or nonoperational publicly accessible chargers.

(7) \$3,164,000 of the multimodal transportation account—federal appropriation is provided solely for funding for the west coast charging and fueling corridor project for two medium and heavy-duty vehicle electric vehicle charging station sites and one site with a hydrogen refueling station along the I-5 corridor.

(8) The department shall notify the transportation committees of the legislature if approval of federal funding for department activities under the national electric vehicle infrastructure formula program, the electric vehicle charger reliability and

accessibility accelerator program, or the west coast charging and fueling corridor project is permanently revoked.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation....	\$574,953,000
Motor Vehicle Account—Federal Appropriation...	\$7,000,000
Move Ahead WA Account—State Appropriation..	\$50,000,000
Puget Sound Gateway Facility Account—State	
Appropriation	\$3,402,000
RV Account—State Appropriation	\$1,100,000
State Route Number 520 Corridor Account—State	
Appropriation	\$4,736,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$1,585,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$8,752,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$2,624,000
TOTAL APPROPRIATION	\$654,152,000

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

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2) \$25,000,000 of the motor vehicle account—state appropriation is provided solely for repair and replacement of traffic barriers including, but not limited to, low-speed concrete barriers, beam guardrails, steel-backed timber guardrails, and other systems necessary to fabricate, construct, and install traffic barriers to improve safety on state highway infrastructures.

(3) \$11,500,000 of the motor vehicle account—state appropriation is provided solely for lane striping using the most reflective paint available to maximize the visibility of lane striping, especially at night.

(4)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2025, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing

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encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

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

(5) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection (4) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(6) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (2) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(7) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (4) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(8)(a) \$1,200,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits.

(b) The city must coordinate and work with the department and local governments and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way. State funds may be used to reimburse the organizations doing this outreach assistance who transition people into treatment or housing that is not on the rights-of-way or for debris clean up on highway rights-of-way.

(c) The department may hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees.

(d) Funds may also be used to reimburse local law enforcement costs or the Washington state patrol if they are participating as part of a state or local government agreement to provide enhanced safety related activities along state highway rights-of-way.

(e) It is the intent of the legislature that the city and collaborating partners should place particular emphasis on utilizing available funds for addressing large scale and multiple homeless encampments that impact public safety and health. Funding for initiatives associated with such encampments may include targeted assistance to local governments and social service organizations, directing moneys toward not only initial efforts to clear encampments, clean up debris and restore sightlines, but to ongoing work, monitoring, and maintenance of efforts to place individuals in housing, treatment, and services, and to better ensure individuals experiencing homelessness receive needed assistance while sites remain safe and secure for the traveling public.

(9) \$180,000 of the motor vehicle account—state appropriation is provided solely for graffiti mitigation operations using spray drone technology.

(10) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING

Highway Safety Fund—State Appropriation.....	\$10,621,000
Motor Vehicle Account—State Appropriation.....	\$99,907,000
Motor Vehicle Account—Federal Appropriation...	\$2,099,000
Motor Vehicle Account—Private/Local Appropriation	\$294,000
Move Ahead WA Account—State Appropriation..	\$3,074,000
Multimodal Transportation Account—State Appropriation	\$5,000,000
State Route Number 520 Corridor Account—State Appropriation	\$247,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$44,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$36,000
TOTAL APPROPRIATION	\$122,444,000

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

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department must identify low-cost enhancement projects that could substantially fulfill safety improvements before proceeding on full project scope designs and engineering. Low-cost enhancements may include, but are not limited to, new signage, rumble strips, speed bumps, flashing crosswalk lights, lowering speed limits, lane narrowing via traffic calming, and other safety improvements. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2025-2027 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot

program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

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

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208(17) of this act. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(17) of this act must be authorized to use the reserved portion of the highway.

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

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

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2027. The department may coordinate such messaging with any statewide public awareness campaigns

being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

(6) \$10,621,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). Pursuant to the reporting requirements of RCW 46.63.200(10), the department, in collaboration with the Washington state patrol and the Washington traffic safety commission, must report to the transportation committees of the legislature by July 1, 2027, on the data and efficacy of speed safety camera system use in state highway work zones. A preliminary report on the pilot activities is due to the transportation committees of the legislature by December 1, 2025, and must include, but is not limited to: (a) The number of deployments and locations of the speed safety cameras, (b) staffing workload, (c) number of violations issued, (d) detailed expenses incurred by each agency in the pilot, and (e) efficiency measures each agency has taken in operating the pilot program in the most cost-effective manner possible.

(7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2026, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

(8)(a) \$1,900,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail, as pursuant to section 217(11)(a), chapter 472, Laws of 2023.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The department must submit a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(9) Within appropriated amounts, the department shall appoint one full-time equivalent employee each within its traffic management centers in Shoreline and Parkland to watch the traffic monitors for graffiti artist activities on state highway infrastructures. The department shall notify the Washington state patrol upon observing such activities.

(10) \$10,000,000 of the motor vehicle account—state appropriation is provided solely for safety enhancements on the state route number 18 highway corridor.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation.....\$45,773,000

Motor Vehicle Account—Federal Appropriation..... \$780,000

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Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation	\$510,000
Multimodal Transportation Account—State Appropriation	\$7,920,000
State Route Number 520 Corridor Account—State Appropriation	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$136,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION	\$61,480,000

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

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2026.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2026.

(4) \$6,791,000 of the multimodal transportation account—state appropriation is provided solely for the department to complete the transportation reporting and accounting information system to the current cloud version of the software.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State Appropriation..... \$2,500,000

Motor Vehicle Account—State Appropriation.....\$33,038,000

Motor Vehicle Account—Federal Appropriation..\$43,301,000

Motor Vehicle Account—Private/Local Appropriation

..... \$400,000

Move Ahead WA Flexible Account—State Appropriation

..... \$6,369,000

Multimodal Transportation Account—State

Appropriation \$1,802,000

Multimodal Transportation Account—Federal

Appropriation \$2,820,000

Multimodal Transportation Account—Private/Local

Appropriation \$100,000

State Route Number 520 Corridor Account—State

Appropriation \$657,000

TOTAL APPROPRIATION\$90,987,000

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

(1) \$140,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to continue to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide an interim report on progress to date to the Seattle city council, state department of transportation, and the transportation committees of the legislature by June 30, 2025, and a final report that includes recommendations by June 30, 2027.

(2) \$1,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS).

(3)(a) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

(b) The department must provide a report on the activities and results of the land use liaison during the 2023-2025 biennium, including the number of project approvals expedited and the number of clients served by the liaison. This report is due to the transportation committees of the legislature by November 15, 2025.

(4)(a) \$6,369,000 of the move ahead WA flexible account—state appropriation is provided solely for an Interstate 5 planning

and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) An interim report on the progress of the Interstate 5 master plan to the transportation committees of the legislature and the office of financial management by June 30, 2026.

(5) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario. The report is due to the joint transportation committee by November 1, 2025.

(6) \$657,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to contract with the University of Washington department of mechanical engineering, to further study measures to reduce noise impacts from the state route number 520 bridge expansion joints. The field testing shall be scheduled during existing construction, maintenance, or other scheduled closures to minimize impacts. The testing must also ensure safety of the traveling public. The study shall examine the types and durability of the materials used to provide noise mitigation and the costs associated with the differing types of materials. A draft report must be submitted to the transportation committees of the legislature and the governor by March 1, 2026. A final report must be submitted to the transportation committees of the legislature and the governor by December 31, 2026.

(7) \$2,500,000 of the Interstate 405 and State Route Number 167 Express Toll Lanes Account—state appropriation is provided solely for the department to develop an implementation plan for state route number 167 that builds on the SR 167 master plan completed in June 2023. The SR 167 implementation plan must include, but is not limited to, high-level engineering and cost estimating work necessary to update the I-405/SR 167 corridor funding and phasing report that needs to be completed to advance priority project components developed in the SR 167 master plan. The SR 167 implementation plan with recommendations is due to the transportation committees of the legislature by December 1, 2026.

(8) \$4,620,000 of the motor vehicle account—federal appropriation is provided solely for work on the road usage charge research project overseen by the Washington state transportation commission using amounts of the federal grant

award.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation	\$56,000
Motor Vehicle Account—State Appropriation	\$108,902,000
Puget Sound Ferry Operations Account—State Appropriation	\$244,000
State Route Number 520 Corridor Account—State Appropriation	\$69,000
Connecting Washington Account—State Appropriation	\$452,000
Multimodal Transportation Account—State Appropriation	\$6,349,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$43,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$43,000
TOTAL APPROPRIATION	\$116,197,000

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

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature within 30 days.

(2) On August 1, 2025, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2025, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

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

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

Carbon Emissions Reduction Account—State Appropriation	\$275,251,000
State Vehicle Parking Account—State Appropriation	\$784,000

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Rural Mobility Grant Program Account—State	
Appropriation.....	\$32,223,000
Multimodal Transportation Account—State	
Appropriation.....	\$92,109,000
Multimodal Transportation Account—Federal	
Appropriation.....	\$4,491,000
Multimodal Transportation Account—Private/Local	
Appropriation.....	\$100,000
TOTAL APPROPRIATION.....	\$404,958,000

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

(1)(a) \$62,698,000 of the multimodal transportation account—state appropriation and \$78,525,000 of the carbon emissions reduction account—state appropriation are provided solely for a grant program for special needs transportation distributed in accordance with RCW 47.66.150. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of special needs transportation grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(b) \$425,000 of the carbon emissions reduction account—state appropriation is provided solely for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium.

(2) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(3) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of rural mobility transportation grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(4) \$3,300,000 of the carbon emissions reduction account—state appropriation, \$5,700,000 of the multimodal transportation account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of CTR grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(5) \$188,900,000 of the carbon emissions reduction account—state appropriation is provided solely for transit support grants. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions. For grant awards not yet under contract, as a condition of transit support grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(6) \$1,124,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(7) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2025.

(8) \$600,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2026.

(9) \$100,000 of the multimodal transportation account—state appropriation is provided solely for King county metro for a pilot program to provide funds to nonprofit organizations to offer rideshare vouchers to persons who are low-income and people with disabilities who rely on paratransit to get to and from work or medical appointments. King county metro must work with a group who provides dialysis services in King county and with a group who provides employment services and supports to adults with disabilities in the four most populous counties in Washington. The department must submit a report to the office of financial management and the transportation committees of the legislature by June 1, 2026. The report must incorporate feedback from participants to the extent possible and evaluate the effectiveness of the program as an alternative to current public transportation programs.

(10) \$3,400,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for the program described in RCW 47.04.355 to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards.

(11) \$250,000 of the multimodal transportation account—state appropriation is provided solely for a grant to Pacific Transit to provide veterans with transportation to medical appointments.

(12) \$6,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies for enhanced services between June 1, 2026, and July 30, 2026.

(a) Enhanced services consist of:

(i) Increased frequency on regular routes, creating temporary shuttle services, enhancing on-demand services, increasing frequency of water taxi services, and supporting incentives to encourage transit use; and

(ii) Enhancing customer experience by temporarily increasing operations, cleanliness, rider communications, wayfinding, and safety and security.

(b) Of the amounts provided in this subsection the department must distribute:

(i) Forty percent to King County metro;

(ii) Twenty percent to public transportation benefit areas and regional transit authorities operating in the four counties making

up the largest regional transportation planning organization in the state, distributed proportionally based on agency service hours; and

(iii) Twenty percent to other public transit agencies operating in cities named by a world cup organizing committee to host fan zones, excluding agencies already included above, distributed proportionally based on agency service hours.

(c) Agencies must submit their planned expenditures to the department and the Washington State Transit Association for review by December 1, 2025. If any agency does not submit a plan to enhance services consistent with (a) of this subsection, the department must redistribute funding to other transit agencies using the distribution in (b) of this subsection.

(13) \$350,000 of the multimodal transportation account—state appropriation is provided solely for Pierce county to support public transportation services on the Key Peninsula.

(14) \$950,000 of the multimodal transportation account—state appropriation is provided solely for RiverCities Transit to operate weekday transit service from Longview to Vancouver.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation.....	\$640,700,000
Puget Sound Ferry Operations Account—Federal	
Appropriation.....	\$115,315,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation.....	\$121,000
TOTAL APPROPRIATION.....	\$756,136,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2025-2027 supplemental and 2027-2029 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) \$75,047,000 of the Puget Sound ferry operations account—federal appropriation and \$24,425,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2025-2027 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 704 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$11,962,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries workforce development activities.

(6) During negotiations of the 2027-2029 collective bargaining agreements, (a) the department must identify provisions that create barriers for, or contribute to creating a disparate impact on,

newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce; (b) and the department must create a forum for direct discussion between the governor, labor leadership, the office of financial management and the Washington state ferries to collaboratively identify and resolve compensation and staffing issues, with the goal of service improvements for ferry riders. By January 1, 2027, the department must report to the transportation committees of the legislature on progress in incorporating the finding and recommendations from the December 2022 joint transportation committee study on the Washington state ferries' workforce.

(7) \$2,600,000 of the Puget Sound ferry operations account—state appropriation solely for winter service enhancements in the San Juan Islands. By December 1, 2026, the department must report to the transportation committees of the legislature and the office of financial management impacts of the service increase, including but not limited to, ridership impacts and service reliability.

(8) \$2,548,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(9) \$6,950,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2026 and 2027 with its annual budget submittal and updated estimates by January 1, 2026.

(10) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for a workforce development pilot at the Seattle Maritime Academy for the 2025-2027 fiscal biennium. Amounts provided in this subsection must be utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed.

(a) The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) Washington state ferries must submit the joint training and recruitment plan to the appropriate policy and fiscal committees of the legislature and the office of financial management by December 1, 2025. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature and the office of financial management by December 1, 2025.

(11) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for

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maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues;

(b) Current average monthly level of service compared to the average monthly full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(12) \$15,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired and the monthly staffing levels by job class as well as planned for staffing levels as part of the annual performance report.

(13) \$2,757,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island through Labor Day 2026.

(14) \$3,541,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route through Labor Day 2026.

(15) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least three percent in credit card and other financial transaction costs related to the collection of ferry fares imposed under RCW 47.60.290 and 47.60.315 beginning October 1, 2025. The department may recover transaction fees incurred through credit card transactions. The Washington state ferries must notify customers of the fee at the point of sale and itemize the fee on customer receipts.

(16) \$375,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Substitute House Bill No. 1264) (ferry system salaries). If chapter . . . , Laws of 2025 (Substitute House Bill No. 1264) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State	
Appropriation.....	\$2,000,000
Multimodal Transportation Account—State	
Appropriation.....	\$81,324,000
Multimodal Transportation Account—Private/Local	
Appropriation.....	\$46,000
TOTAL APPROPRIATION.....	\$83,370,000

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

(1) The department must report to the legislature annually on its ongoing efforts to provide high quality intercity passenger rail service, to align planning efforts for continued growth and on-time performance improvements, and to implement service enhancements, including the delivery and use of new trainsets. Status reports on these efforts must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2025, and December 1,

2026.

(2) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to contract with the Pacific Northwest economic region to support the department as it undertakes a comprehensive outreach and engagement process to support intercity passenger rail planning efforts by enhancing department outreach activities through the solicitation of feedback regarding critical areas of passenger rail planning efforts including, but not limited to, ridership, revenue, economic development, environmental stewardship, transportation system resiliency, and long-term viability of the Amtrak Cascades service. Department outreach and engagement activities shall be conducted as part of the state rail plan update and Amtrak Cascades service development plan work. The department shall collaborate with the Pacific Northwest economic region to solicit input from a broad range of audiences to support plan development through venues such as PNWER Greater Northwest Rail Summits, open houses, and webinars.

NEW SECTION. Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Carbon Emissions Reduction Account—State	
Appropriation.....	\$274,000
Motor Vehicle Account—State Appropriation.....	\$14,876,000
Motor Vehicle Account—Federal Appropriation...	\$2,562,000
Multituse Roadway Safety Account—State Appropriation	
.....	\$1,800,000
Multimodal Transportation Account—State	
Appropriation.....	\$1,380,000
TOTAL APPROPRIATION.....	\$20,892,000

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

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

(3) \$1,526,000 of the motor vehicle account—state appropriation is provided solely to help support the Wahkiakum ferry operation.

(4) \$274,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

(5) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. The department shall provide a report with an update on activities in the program to the transportation committees of the legislature by December 1, 2026.

(6) \$70,000 of the multimodal transportation account—state appropriation is provided solely for the department to contract with the Puget Sound harbor committee to support the development of the Puget Sound harbor safety plan.

(7) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the department to contract with the sailors union of the pacific for scholarship funding for a certified basic training program at a maritime academy. One of the expected outcomes is an increase in the number of trained maritime individuals to help address the personnel needs of the state ferry system and other maritime industry employers.

(8) \$930,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Continue contracting with the Washington state department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Partner with the county road administration board to update the road cost factor unit costs used in the calculation of the allocation factor for the county's portion of the motor vehicle fuel tax;

(c) Create specific guidance and training for county public works departments developing community engagement plans to mitigate project and program harms and maximize community benefits by expanding upon the freight mobility strategic investment board's 'Toolkit and Best Practices for Integrating Community Considerations in Infrastructure Investments'; and

(d) Continue partnering with the board of registration for professional engineers and land surveyors and contract with the Washington state transportation center at the University of Washington to identify best practices within public works for the recruitment and retention of employees, including recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, ways to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work life balance outcomes.

(9) The city of Seattle must provide a report on any findings and recommendations of the digital conflict area awareness management program, for which state funding was provided in the 2023-2025 biennium, and any implementation needs and process mapping for use by other jurisdictions, to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2026.

NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION—CLEAN FUELS CREDIT PROGRAM

The department of transportation, with the assistance of designated staff in the department, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. Sec. 301. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation \$3,376,000

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

(1) \$3,376,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) \$500,000 is for emergency repairs;

(b) \$800,000 is for roof replacements;

(c) \$120,000 is for vehicle identification number inspection shelters;

(d) \$800,000 is for generator and electrical replacement.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2025, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Move Ahead WA Account—State Appropriation.. \$9,333,000

Rural Arterial Trust Account—State Appropriation\$51,573,000

Motor Vehicle Account—State Appropriation..... \$2,103,000

County Arterial Preservation Account—State

Appropriation\$30,242,000

TOTAL APPROPRIATION\$93,251,000

NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Carbon Emissions Reduction Account—State

Appropriation\$21,600,000

Small City Pavement and Sidewalk Account—State

Appropriation \$3,953,000

Transportation Improvement Account—State

Appropriation\$251,289,000

Complete Streets Grant Program Account—State

Appropriation\$24,670,000

Move Ahead WA Account—State Appropriation.. \$9,333,000

TOTAL APPROPRIATION\$310,845,000

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation.....\$18,408,000

Move Ahead WA Account—State Appropriation..\$17,687,000

TOTAL APPROPRIATION\$36,095,000

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

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,164,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with

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periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2025, covering the first 15 months of the 2025-2027 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2025-2027 fiscal biennium and the 2027-2029 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2027-2029 fiscal biennium.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.....	\$7,406,000
Carbon Emissions Reduction Account—State	
Appropriation.....	\$4,879,000
Climate Active Transportation Account—State	
Appropriation.....	\$2,900,000
Move Ahead WA Account—Private/Local Appropriation	
.....	\$223,250,000
Puget Sound Gateway Facility Account—State	
Appropriation.....	\$43,434,000
Transportation Partnership Account—State	
Appropriation.....	\$9,548,000
Motor Vehicle Account—State Appropriation ...	\$153,808,000
Motor Vehicle Account—Federal Appropriation	\$487,331,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation.....	\$54,334,000
Motor Vehicle Account—Private/Local Appropriation	
.....	\$53,581,000
Connecting Washington Account—State Appropriation	
.....	\$1,805,230,000
Special Category C Account—State Appropriation	
.....	\$10,637,000
Multimodal Transportation Account—State	
Appropriation.....	\$1,527,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$1,100,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$554,187,000
Move Ahead WA Account—State Appropriation	
.....	\$1,304,110,000

Move Ahead WA Account—Federal Appropriation	
.....	\$348,013,000
TOTAL APPROPRIATION	\$5,065,275,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2025-1 as developed March 23, 2025, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,703,027,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The Puget Sound Gateway Facility account—state appropriation includes up to \$26,511,000 in proceeds from the sale of bonds authorized in RCW 47.10.896.

(6) The Interstate 405 and state route number 167 express toll lanes account—state appropriation includes up to \$376,158,000 in proceeds from the sale of bonds authorized in RCW 47.10.896.

(7) The move ahead WA account—state appropriation includes up to \$708,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

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

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its

determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10)(a) \$54,334,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$118,178,000 of the motor vehicle account—federal appropriation, \$112,263,000 of the connecting Washington account—state appropriation, \$796,352,000 of the move ahead WA account—state appropriation, \$108,621,000 of the motor vehicle account—state appropriation, and \$2,698,000 of the motor vehicle account—private/local appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal U.S. v. Washington court injunction by 2030.

(b) Appropriations may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2025, and June 1, 2026.

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

(e) During the 2025-2027 fiscal biennium, the department shall semi-annually provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature.

(11) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(12)(a) \$134,500,000 of the move ahead WA account—federal appropriation, \$223,250,000 of the move ahead WA account—state appropriation, and \$223,250,000 of the move ahead WA account—private/local appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature

finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now more than 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. The legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000.

(b) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall continue to advise quarterly on the status of any bistate agreements to the joint transportation committee until any agreements are finalized.

(13) \$185,484,000 of the connecting Washington account—state appropriation, \$1,527,000 of the multimodal transportation account—state appropriation, \$28,103,000 of the motor vehicle account—private/local appropriation, \$212,157,000 of the motor vehicle account—federal appropriation, \$213,513,000 of the move ahead WA account—federal appropriation, \$217,959,000 of the move ahead WA account—state appropriation, \$212,157,000 of the motor vehicle account—federal appropriation, and \$43,434,000 of the Puget Sound gateway facility account—state appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

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

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

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(14) \$15,988,000 of the connecting Washington account—state appropriation is provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The pathway in the project is planned to begin at milepost 3.15 and end at milepost 7.48. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

(15) With respect to the SR 520 Seattle Corridor Improvements - West End project (M00400R), upon completion of the Montlake

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Phase of the West End project, the department shall sell or transfer that portion of the property not necessary for transportation purposes and shall initiate a process to convey or transfer such portion of the surplus property to a subsequent owner.

(16) \$304,000 of the motor vehicle account—federal appropriation and \$24,000 of the motor vehicle account—state appropriation are provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

(17) \$17,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$22,000,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2027 legislative session while reappropriating any remaining funds into the 2027-2029 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(18) \$12,800,000 of the move ahead WA account—state appropriation is provided solely for the I-5 Nisqually Delta project (L4000008).

(19) \$1,548,000 of the motor vehicle account—state appropriation, \$5,229,000 of the connecting Washington account—state appropriation, and \$10,416,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Move Ahead WA Account—State Appropriation	\$154,883,000
Recreational Vehicle Account—State Appropriation	\$751,000
Motor Vehicle Account—State Appropriation	\$63,189,000
Motor Vehicle Account—Federal Appropriation	\$600,864,000

Motor Vehicle Account—Private/Local Appropriation	\$7,935,000
Connecting Washington Account—State Appropriation	\$39,840,000
State Route Number 520 Corridor Account—State Appropriation	\$7,515,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$1,871,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$5,376,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$9,648,000
Transportation Partnership Account—State Appropriation	\$10,000,000
TOTAL APPROPRIATION	\$901,872,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2025-1 as developed March 23, 2025, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(5) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred

from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

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

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

(8) \$17,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$22,000,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2027 legislative session while reappropriating any remaining funds into the 2027-2029 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation	\$5,845,000
Motor Vehicle Account—Federal Appropriation ...	\$8,374,000
Motor Vehicle Account—Private/Local Appropriation	\$635,000
TOTAL APPROPRIATION.....	\$14,854,000

The appropriations in this section are subject to the following conditions and limitations: \$5,621,000 of the motor vehicle account—state appropriation, \$6,500,000 of the motor vehicle account—federal appropriation, and \$635,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF

TRANSPORTATION—PUBLIC PROGRAM V—CAPITAL

Regional Mobility Grant Program Account—

State Appropriation	\$97,384,000
Multimodal Transportation Account—State Appropriation	\$57,765,000
Carbon Emissions Reduction Account—State	\$183,872,000
TOTAL APPROPRIATION	\$339,021,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V).

(2) \$6,673,000 of the multimodal transportation account—state appropriation is provided solely for a public transit ride share grant program. For grant awards not yet under contract, as a condition of public transit ride share grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium. Of the amounts provided in this subsection, \$1,673,000 of the multimodal transportation account—state appropriation is for the reappropriation of amounts provided for a public transit ride share grant program in the 2023-2025 fiscal biennium.

(3)(a) \$37,845,000 of the multimodal transportation account—state appropriation is provided solely for new regional mobility grant program projects proposed for funding for the 2025-2027 biennium in the 2025-2027 regional mobility grant program prioritized project list provided to the legislature pursuant to RCW 47.66.030. It is the intent of the legislature to provide \$30,870,000 of funding in the 2027-2029 biennium for the completion of those projects. \$38,937,000 of the regional mobility grant program account—state appropriation is provided solely for regional mobility grant projects identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V). \$58,447,000 of the regional mobility grant program account—state appropriation is provided solely for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall provide annual status reports on December 15, 2025, and December 15, 2026, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2025-2027 fiscal biennium, a transit agency must maintain a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. For grant

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awards not yet under contract, as a condition of regional mobility grants provided pursuant to (a) of this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(c) During the 2025-2027 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2027-2029 fiscal biennium.

(4) \$11,189,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects. Of the amounts provided in this subsection, \$3,407,000 is for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. Entities identified to receive funding in the LEAP document referenced in this section receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this section before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(5) \$2,058,000 of the multimodal transportation account—state appropriation and \$50,799,000 of the carbon emissions reduction account—state appropriation are provided solely for green transportation capital projects identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V). Of the amounts provided in this subsection, the entire multimodal transportation account amount and \$18,536,000 of the carbon emissions reduction account amount are for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. Of the amount of carbon emissions reduction account funds appropriated in this subsection, in addition to \$544,000, up to one percent may be used for program administration and staffing. For grant awards not yet under contract, as a condition of green transportation capital grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(6) \$12,232,000 of the carbon emissions reduction account—state appropriation is provided solely for move ahead WA tribal transit grant projects. Of the amounts provided in this subsection, \$1,635,000 is for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. \$100,000 of the amount provided in this subsection may be used for program administration and staffing. Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. By December 1, 2026 the department must submit a prioritized list to the office of financial management and the transportation committees of the legislature of new projects totaling no more than \$5,762,000.

(7) \$11,800,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for the following projects:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115);

(c) Pierce Transit - Meridian (L2021197); and

(d) King County Metro South Annex Base - Electrification Elements (L4000174).

(8) For grant awards not yet under contract, as a condition of bus and bus facility grants identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23,

2025, Program - Public Transportation Program (V), public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Carbon Emissions Reduction Account—State

Appropriation\$219,755,000

Move Ahead WA Account—State Appropriation

.....\$310,620,000

Puget Sound Capital Construction Account—State

Appropriation\$430,797,000

Puget Sound Capital Construction Account—Federal

Appropriation\$19,185,000

Transportation Partnership Account—State

Appropriation\$5,395,000

Connecting Washington Account—State Appropriation

.....\$8,424,000

Capital Vessel Replacement Account—State

Appropriation\$147,726,000

TOTAL APPROPRIATION\$1,141,902,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Washington State Ferries Capital Program (W).

(2) \$5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) \$6,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C).

(4) The capital vessel replacement account—state appropriation includes up to \$147,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) For the 2025-2027 biennium, the marine division shall provide to the office of financial management and the legislative transportation committees the following reports on ferry capital projects:

(a) On a semiannual basis the report must include a status update on projects with funding provided in this section including, but not limited to, the following:

(i) Anticipated cost increases and cost savings;

(ii) Anticipated cash flow and schedule changes; and

(iii) Explanations for the changes.

(b) On an annual basis, the report must include a status update on vessel and terminal preservation and improvement plans including, but not limited to, the following: (i) What work has been done; (ii) how have schedules shifted; and (iii) associated changes in funding among projects, accompanied by explanations for the changes.

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

(6) The legislature intends to reassess funding for the Bainbridge Island and Kingston terminal electrification projects based on progression of the electrification program and future recommendations of the department.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF

TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Carbon Emissions Reduction Account—State Appropriation.....	\$88,538,000
Essential Rail Assistance Account—State Appropriation.....	\$1,518,000
Motor Vehicle Account—State Appropriation	\$316,000
Motor Vehicle Fund—Private/Local Appropriation ..	\$326,000
Move Ahead WA Flexible Account—State Appropriation	\$18,731,000
Transportation Infrastructure Account—State Appropriation.....	\$7,193,000
Multimodal Transportation Account—State Appropriation.....	\$79,327,000
Multimodal Transportation Account—Federal Appropriation.....	\$113,163,000
TOTAL APPROPRIATION.....	\$309,112,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Rail Program (Y), except that passenger rail equipment preservation (700010C) is renamed "Passenger rail equipment preservation and heavy maintenance", and grain train program (701210A) is renamed "Grain hopper car preservation and maintenance."

(2) \$1,500,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for a low-interest loan for the Port of Longview Rail Corridor Expansion project (L1000347) to accommodate current and future port cargo-handling needs. The low-interest loan must comply with the requirements of RCW 47.76.460(2).

(4) \$6,899,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2026, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(6)(a) \$2,842,000 of the carbon emissions reduction account—state appropriation and \$25,076,000 of the multimodal transportation account—federal appropriation are provided solely to support the department's continued work on a service development plan for a new ultra high-speed ground transportation corridor under the federal corridor identification and development program (L2021074). The department may not move forward with programmatic environmental review, or any other activities related to the federal corridor identification and development program, unless authorized to do so by the legislature.

(b) The department must coordinate with the chairs and ranking

members of the transportation committees of the legislature to provide periodic updates and check-in points on progress made over the course of the biennium, with updates available no less frequently than semiannually, and must include written status updates to be provided with sufficient time for review prior to any update meetings held. An annual report on ultra high-speed ground transportation corridor identification and development program efforts must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2025 and December 1, 2026.

(7) \$18,731,000 of the move ahead WA flexible account—state appropriation, \$54,785,000 of the multimodal transportation account—federal appropriation, and \$326,000 of the motor vehicle account—local appropriation are provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079).

(8) \$5,277,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

(9) \$27,500,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(10) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(11) \$26,200,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

(12) \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(13) \$1,219,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(14) \$19,500,000 of the carbon emissions reduction account—state appropriation is provided solely for the Puyallup Tribe Port Electrification project (L1000346).

(15)(a) \$3,600,000 of the multimodal transportation account—state appropriation is provided solely for the Cascades corridor delivery program for advancing the Cascades corridor (R00003A), including through planning and project development activities conducted as part of the federal corridor identification and development program. The department must continue to pursue funding opportunities for the Cascades corridor through the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of

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funding opportunities from the programs and any corresponding state match needs.

(b) In conducting project development work, including as part of the federal corridor identification and development program, and for future efforts as part of the federal-state partnership for intercity passenger rail grant program, the department shall emphasize the need to prioritize the improvement of intercity passenger rail through data-driven analyses that aim to fully leverage opportunities for federal funding for public intercity passenger rail to drive transformative improvements in trip speed, reliability, and frequency to make traveling by rail along this corridor more convenient and accessible to the traveling public.

(c) The department shall emphasize achieving ambitious goals in the following areas as part of this project development work:

(i) Service reliability: Increasing on-time performance with a goal of minimum trip reliability of 88 percent on-time performance in accordance with the executed service outcome agreement.

(ii) Service frequencies: Increasing service frequencies consistent with forecasted market and ridership demand sufficiently to facilitate convenient use by the public intercity passenger rail as a competitive alternative to other modes of transportation.

(iii) Speeds: Increasing speeds to shorten travel times through consideration of major infrastructure investments to raise speeds to maximum operating speeds where feasible. The department shall engage with host railroads and infrastructure owners on increasing speeds beyond current maximum operating speeds.

(iv) Improvements to first and last-mile connections: Creating improved multimodal connectivity to other transportation options at stations.

(v) Emission reductions: Reducing greenhouse gas emissions in alignment with state goals.

(d) The department shall report to the transportation committees of the legislature, as well as to the joint transportation committee, by December 1, 2025, and by December 1, 2026, on analyses conducted and progress made to achieve the benefits identified in (c) of this subsection, and shall include information on how this progress can contribute to development of a compelling and ambitious vision for the future of public intercity passenger rail that can be effectively communicated to the public.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Carbon Emissions Reduction Account—State Appropriation.....	\$92,337,000
Climate Active Transportation Account—State Appropriation.....	\$186,865,000
Freight Mobility Investment Account—State Appropriation.....	\$19,335,000
Freight Mobility Multimodal Account—State Appropriation.....	\$24,952,000
Highway Infrastructure Account—Federal Appropriation.....	\$1,500,000
Move Ahead WA Account—State Appropriation	\$81,442,000
Move Ahead WA Flexible Account—State Appropriation	\$37,500,000
Motor Vehicle Account—State Appropriation	\$24,120,000
Motor Vehicle Account—Federal Appropriation	\$106,461,000
Motor Vehicle Account—Private/Local Appropriation	\$75,000,000
Connecting Washington Account—State Appropriation	\$66,794,000
Multimodal Transportation Account—State Appropriation.....	\$104,838,000

TOTAL APPROPRIATION\$821,144,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Local Programs Program (Z), except that: An additional \$6,600,000 of the multimodal transportation account—state appropriation is provided solely for the Mountains to Sound Greenway Trail 'Bellevue Gap' project (L4000152); an additional \$4,500,000 of the multimodal transportation account—state appropriation is provided solely for the Maple Valley Pedestrian Bridge over SR 169 project (L2021093); an additional \$2,500,000 of the move ahead WA flexible account—state appropriation is provided solely for the Bradley Road Safe Routes Pedestrian Improvements project (L4000143); an additional \$10,206,000 of the connecting Washington account—state appropriation is provided solely for the North Lewis County Industrial Access project (N400526I); an additional \$44,660,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331); an additional \$10,000,000 of the move ahead WA account—state appropriation is provided solely for the Poplar Way Bridge project (L4000102); an additional \$5,000,000 of the move ahead WA account—state appropriation is provided solely for the Woodinville SR 202 and Trestle Widening project (L4000028); the scope for the Industrial Rail Additions project (L1000211) must be modified to authorize the expenditure of any funds appropriated for the project, not otherwise needed for preliminary engineering or rights-of-way, for the purposes of construction, including demolition; and the scope for the SR 520 & 148th Avenue NE Bicycle/Pedestrian Crossing project (L2021047) must be modified to address priority multimodal safety and access improvements in the Overlake area and provide multimodal connectivity to services for residents and workers in the area.

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

(a) \$38,380,000 of the multimodal transportation account—state appropriation and \$43,372,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) \$16,933,000 of the motor vehicle account—federal appropriation, \$53,139,000 of the climate active transportation account—state appropriation, and \$13,321,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must continue efforts to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) \$18,781,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$35,528,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local

preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(5) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306 of this act is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306 of this act for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2026.

(6) \$66,442,000 of the move ahead WA account—state appropriation, \$29,900,000 of the move ahead WA flexible account—state appropriation, and \$75,000,000 of the motor vehicle account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Local Programs Program (Z).

(7) \$57,154,000 of the climate active transportation account—state appropriation and \$39,675,000 of the carbon emissions reduction account are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Local Programs Program (Z).

(8) \$27,200,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(9) \$33,200,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(10) \$5,100,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

(a) Sustainable aviation fuel (SAF);

(b) Hydrogen; and

(c) Battery electric energy storage mechanisms.

(11) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123), as described in section 911(18), chapter 472, Laws of 2023.

(12) \$170,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to finish updating the 2020 I-5 Lid Feasibility Study (L2021140).

(13) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2026.

(14)(a)(i) \$7,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$4,200,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,800,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) If an applicant qualifies for a rebate amount and there are sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (14)(a):

(A) "E-bike" means an electric assisted bicycle as defined in

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RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) \$3,568,000 of the carbon emissions reduction account—state appropriation is provided solely for an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2027-2029 fiscal biennium.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(15) \$19,335,000 of the freight mobility investment account—state appropriation and \$24,952,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(16) \$3,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year in a manner consistent with past practices as specified in section 312, chapter 333, Laws of 2021.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees a report for all capital projects in a manner consistent with past practices as specified in section 313, chapter 186, Laws of 2022.

NEW SECTION. Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS

(1) The department of transportation shall notify the transportation committees of the legislature when it intends to pause for a significant length of time or not proceed with operating items or capital projects included as budget provisos or on project lists. When feasible, this notification shall be provided prior to the pause or cancellation and at least seven days in advance of any public announcement related to such a pause or

cancellation.

(2) At the time of notification, the department shall provide an explanation for the reason or reasons for the pause or cancellation for each operating budget item and capital project. The explanation shall include specific reasons for each pause or cancellation, in addition to a statement of the broad rationale for the pause or cancellation.

(3) When feasible, the department shall make best efforts to keep the transportation committees of the legislature informed of an evaluation process underway for selecting operating budget items and capital projects to be paused or canceled, providing updates as its selection efforts proceed.

(4) When exigent circumstances prevent prior notice of a pause or cancellation from being provided to the transportation committees of the legislature, the department shall provide the information required under this section to the transportation committees of the legislature as soon as is practicable.

NEW SECTION. Sec. 315. FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS MANAGEMENT

As part of the department's 2026 supplemental and 2027-2029 biennial budget requests, the department shall also report on:

- (1) The federal grant programs it has applied for; and
- (2) The federal competitive grant programs it could have applied for but did not and the reason or reasons it did not apply.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State	
Appropriation	\$4,320,000
Connecting Washington Account—State	
Appropriation	\$15,817,000
Puget Sound Gateway Facility Account—State	
Appropriation	\$133,000
Highway Bond Retirement Account—State	
Appropriation	\$1,590,140,000
Transportation Improvement Board Bond Retirement	
Account—State Appropriation	\$5,619,000
Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation	\$28,249,000
Toll Facility Bond Retirement Account—State	
Appropriation	\$84,516,000
Interstate 405 and State Route 167 Express Toll	
Lanes Account—State Appropriation	\$1,881,000
Special Category C Account—State Appropriation ..	\$644,000
TOTAL APPROPRIATION	\$1,731,319,000

NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State	
Appropriation	\$864,000
Connecting Washington Account—State	
Appropriation	\$3,163,000
Puget Sound Gateway Facility Account—State	
Appropriation	\$27,000
Interstate 405 and State Route 167 Express Toll	
Lanes Account—State Appropriation	\$376,000
Special Category C Account—State Appropriation ..	\$128,000

TOTAL APPROPRIATION.....\$4,558,000
NEW SECTION. Sec. 403. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION
 Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties.....\$443,860,000
 Multimodal Transportation Account—State Appropriation: For distribution to cities and counties.....\$26,786,000
 Motor Vehicle Account—State Appropriation: For distribution to cities and counties\$23,438,000
 TOTAL APPROPRIATION.....\$494,084,000

NEW SECTION. Sec. 404. FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers\$1,877,014,000

NEW SECTION. Sec. 405. FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers\$206,302,000

NEW SECTION. Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State.....\$30,000,000
 (2) Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State.....\$392,000,000
 (3) Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State.....\$3,600,000
 (4) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State\$124,000,000
 (5) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State\$4,200,000
 (6) Move Ahead WA Flexible Account—State Appropriation: For transfer to the Move Ahead WA Account—State.....\$189,000,000
 (7) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State.....\$11,992,000
 (8)(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State\$15,999,000
 (b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

(9) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State.....\$43,000,000
 (10) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State.....\$4,844,000
 (11) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State.....\$8,511,000
 (12) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State\$4,844,000
 (13) Motor Vehicle Account—State

Appropriation: For transfer to the Transportation Improvement Account—State.....\$9,688,000
 (14)(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$1,000,000
 (b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.
 (15) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State \$1,752,000
 (16) Capital Vessel Replacement Account—State Appropriation: For transfer to the Transportation Partnership Account—State\$25,000,000
 (17) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State.....\$14,670,000
 (18) Multimodal Transportation Account—State Appropriation: For transfer to the Connecting Washington Account—State\$32,000,000
 (19) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State.....\$8,511,000
 (20) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State\$316,000,000
 (21) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State.....\$27,679,000
 (22) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State.....\$12,223,000
 (23) Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State\$160,000,000
 (24) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State\$22,896,000
 (25) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State\$62,340,000
 (26) Move Ahead WA Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State\$125,000,000
 (27) Regional Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State\$51,000,000
 (28) Move Ahead WA Account—State Appropriation: For transfer to the Transportation Partnership Account—State\$25,000,000
 (29) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State\$152,000,000
 (30) Transportation 2003 Account (Nickel)—State Appropriation: For transfer to the State Patrol Highway Account—State\$25,000,000
 (31)(a) Transportation Partnership Account—State Appropriation: For transfer to the Capital Vessel Replacement Account—State.....\$147,000,000
 (b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873. Transfers under this subsection are deemed to be for projects or improvements identified as transportation partnership projects or improvements for purposes of RCW 47.10.873. Appropriations in the amount of this transfer are made in this act to reflect proceeds from the sale of bonds authorized in RCW 47.10.873.

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(32)(a) Transportation Partnership Account—State
Appropriation: For transfer to the Move Ahead WA
Account—State.....\$708,000,000
(b) The amount transferred in this subsection represents
proceeds from the sale of bonds authorized in RCW 47.10.873.
Transfers under this subsection are deemed to be for projects or
improvements identified as transportation partnership projects or
improvements for purposes of RCW 47.10.873. Appropriations
in the amount of this transfer are made in this act to reflect
proceeds from the sale of bonds authorized in RCW 47.10.873.

(33) Move Ahead WA Flexible Account—State
Appropriation: For transfer to the Multimodal
Transportation Account—State\$5,230,000
(34) Highway Safety Account—State Appropriation:
For transfer to the Multimodal Transportation
Account—State.....\$25,000,000
(35) Capital Vessel Replacement Account—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State\$16,000,000

**NEW SECTION. Sec. 407. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,
AND ONGOING BOND REGISTRATION AND
TRANSFER CHARGES: FOR DEBT TO BE PAID BY
STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—State
Appropriation.....\$25,372,000

**NEW SECTION. Sec. 408. SPECIAL
APPROPRIATION TO THE GOVERNOR**

Motor Vehicle Account—State Appropriation ... \$350,000,000

(1) It is the intent of the legislature to ensure a fair and equitable
process to address extraordinary bid cost increases for highway
improvement and ferry vessel replacement projects.

(2) \$350,000,000 of the motor vehicle account—state
appropriation is provided solely for a project reserve fund for
extraordinary bid cost increases for contracts on highway
improvement and ferry vessel replacement projects.

(a) Release of funds from the project reserve fund provided in
this section may be authorized by the director of the office of
financial management for use on projects funded in the 2025-
2027 biennial budget that require additional funds to be
completed within the legislatively approved scope.

(b) Funds from the project reserve fund for individual project
contracts may not exceed 20 percent of a total contract amount,
and no more than \$100,000,000 may be used for any one project
with funding in the 2025-2027 biennial budget.

(c) The director of the office of financial management shall
notify the chairs and ranking members of the transportation
committees of the legislature two weeks prior to allocating funds
from the project reserve fund to any project.

(d) If a project's cost shortfall is greater than amounts available
and authorized by this section, the director of the office of
financial management shall notify the chairs and ranking
members of the transportation committees of the legislature with
a recommendation about whether to rebid or rescope the project.

COMPENSATION

**NEW SECTION. Sec. 501. COLLECTIVE
BARGAINING AGREEMENTS NOT IMPAIRED**

Nothing in this act prohibits the expenditure of any funds by an
agency or institution of the state for benefits guaranteed by any
collective bargaining agreement in effect on the effective date of
this section.

**NEW SECTION. Sec. 502. COLLECTIVE
BARGAINING AGREEMENTS**

In accordance with chapters 41.80, 41.56, and 47.64 RCW,

agreements have been reached between the governor and
employee organizations representing state employee bargaining
units for the 2025-2027 fiscal biennium. Funding is provided in
this act to fund these agreements. The collective bargaining
agreements that have been reached and are funded in this act, and
the description of the major economic terms in each of the listed
agreements are specified in OFM Transportation Document
2025-4: 2025-27 Collective Bargaining Agreements as developed
December 17, 2024.

**NEW SECTION. Sec. 503. COMPENSATION—
REPRESENTED EMPLOYEES—HEALTH CARE—
COALITION—INSURANCE BENEFITS**

An agreement was reached for the 2025-2027 fiscal biennium
between the governor and the health care coalition under the
provisions of chapter 41.80 RCW. Appropriations in this act for
state agencies are sufficient to implement the provisions of the
2025-2027 collective bargaining agreement, which maintains the
provisions of the prior agreement, and are subject to the following
conditions and limitations:

(1) The monthly employer funding rate for insurance benefit
premiums, public employees' benefits board administration, and
the uniform medical plan, shall not exceed \$1,347 per eligible
employee for fiscal year 2026. For fiscal year 2027, the monthly
employer funding rate shall not exceed \$1,348 per eligible
employee. These funding rates are sufficient to cover, effective
January 1, 2026, the following:

- (a) In the uniform medical plan, coverage for Doula services;
- (b) In the uniform dental plan the following:
 - (i) Increasing the temporomandibular joint benefit to \$1,000
annually and \$5,000 per lifetime;
 - (ii) Eliminating the deductible for children up to age 15;
- (c) Implementation of Substitute House Bill No. 1123
(ensuring access to primary care, behavioral health, and
affordable hospital services).

(2) The funding rates in subsection (1) of this section are not
sufficient to continue offering an Accountable Care Plan as of
plan year 2026.

(3) Current funding allows for the public employees' benefits
board to adjust the employer paid long-term disability benefit to
a maximum monthly benefit of \$450 within the current funding
resources.

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

(5) The rates are sufficient to cover a diabetes management
program and apply the cost-share provisions outlined in chapter
366, Laws of 2023 (breast examinations—health plan cost
sharing) in the uniform medical plan, effective January 1, 2025.
The rates are not sufficient to add coverage of prescription drugs
for the treatment of obesity or weight loss. The authority shall not
add coverage of prescription drugs for the treatment of obesity or
weight loss without a specific appropriation from the legislature.
Nothing in this section requires removal of any existing coverage
of prescription drugs to treat diabetes.

**NEW SECTION. Sec. 504. COMPENSATION—
REPRESENTED EMPLOYEES—OUTSIDE HEALTH
CARE—COALITION—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for

represented employees outside the coalition for health benefits, and are subject to the following conditions and limitations: The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$1,347 per eligible employee for fiscal year 2026. For fiscal year 2027, the monthly employer funding rate may not exceed \$1,348 per eligible employee.

NEW SECTION. Sec. 505. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS

(1) Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations: The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,347 per eligible employee for fiscal year 2026. For fiscal year 2027, the monthly employer funding rate shall not exceed \$1,348 per eligible employee.

(2) The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

NEW SECTION. Sec. 506. GENERAL WAGE INCREASES

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees and employees of institutions of higher education, who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a three percent general wage increase effective July 1, 2025, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2025, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a two percent general wage increase effective July 1, 2027, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a two percent salary increase effective July 1, 2027, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

NEW SECTION. Sec. 507. COMPENSATION—PENSION CONTRIBUTIONS

Appropriations are adjusted to reflect changes to agency appropriations to reflect savings resulting from changes to pension funding as provided in Substitute House Bill No. 1467 (actuarial funding of pension systems).

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements, 2015 connecting Washington projects or improvements, and move ahead WA projects or improvements are listed in the LEAP Transportation Document 2025-1 as developed March 23, 2025, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account, connecting Washington account, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations, connecting Washington account appropriations, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

- (a) Transfers may only be made within each specific fund source referenced on the respective project list;
- (b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;
- (c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;
- (d) Transfers may not occur for projects not identified on the applicable project list;
- (e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;
- (f) Transfers may not be made while the legislature is in session;
- (g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;
- (h) The total amount of transfers under this section may not exceed \$50,000,000;
- (i) Except as otherwise provided in (k) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;
- (j) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and
- (k) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1)(k), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers

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under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

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

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

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

NEW SECTION. Sec. 602. BOND REIMBURSEMENT

To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, connecting Washington account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. REAPPROPRIATIONS REPORTING

(1) As part of its 2026 supplemental budget submittal, the department of transportation shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2023-2025 fiscal biennium into the 2025-2027 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2023 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2025-2027 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. WEBSITE REPORTING REQUIREMENTS

The department of transportation shall post on its website every report that is due from the department to the legislature during the 2025-2027 fiscal biennium on one web page in a manner consistent with past practices as specified in section 605, chapter 333, Laws of 2021.

NEW SECTION. Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) During the 2025-2027 fiscal biennium, while the legislature is not in session, the director of the office of financial management may approve project scope change requests to connecting Washington projects and move ahead WA projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 if a connecting Washington project, and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than 10 days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. TOLL CREDITS

The department of transportation may provide up to \$5,000,000 in toll credits to Kitsap transit for its role in delivering capital projects related to Kitsap transit public transportation services including, but not limited to, ferry service. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. Sec. 609. LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2025-2027 fiscal biennium as shown on the LEAP Transportation Document 2025-2 ALL PROJECTS as developed March 23, 2025, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2025-2027 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2025-2027 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2025-2027 and 2027-2029 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2025.

MISCELLANEOUS 2025-2027 FISCAL BIENNIUM

NEW SECTION. Sec. 701. Appropriations in this act from the natural climate solutions account, carbon emissions reduction

account, climate transit programs account, and climate active transportation account are subject to the requirements of RCW 70A.65.030.

NEW SECTION. Sec. 702. DEVELOPMENT OF CLIMATE COMMITMENT ACT EVALUATION TOOLS

The department of transportation shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 of this act for programs, projects, and other activities that receive funding from the carbon emissions reduction account.

Sec. 703. RCW 14.40.020 and 2024 c 310 s 601 are each amended to read as follows:

The state commercial aviation work group shall submit a progress report to the governor and the transportation committees of the legislature by December 1, ~~((2024))~~ 2026, and annually every July 1st thereafter. The first report of the work group shall include a list of areas that will not have further review as the areas are in conflict with the operations of a military installation. The 2025 report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, during the 2025-2027 biennium, the work group must:

(1) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and

(2) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

Sec. 704. RCW 43.19.642 and 2023 c 472 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of 20 percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the 2021-2023 ~~((and)),~~ 2023-2025, and 2025-2027 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 705. RCW 46.20.745 and 2023 c 472 s 704 are each

amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 706. RCW 47.28.030 and 2015 c 282 s 1 are each amended to read as follows:

(1)(a) A state highway shall be constructed, altered, repaired, or improved, and improvements located on property acquired for right-of-way purposes may be repaired or renovated pending the use of such right-of-way for highway purposes, by contract or state forces. The work or portions thereof may be done by state forces when the estimated costs thereof are less than ~~((fifty thousand dollars))~~ \$50,000 and effective July 1, 2005, ~~((sixty thousand dollars))~~ \$60,000.

(b) When delay of performance of such work would jeopardize a state highway or constitute a danger to the traveling public, the work may be done by state forces when the estimated cost thereof is less than ~~((eighty thousand dollars))~~ \$80,000 and effective July 1, 2005, ~~((one hundred thousand dollars))~~ \$100,000.

(c) When the department of transportation determines to do the work by state forces, it shall enter a statement upon its records to that effect, stating the reasons therefor.

(d) To enable a larger number of small businesses and veteran, minority, and women contractors to effectively compete for department of transportation contracts, the department may adopt rules providing for bids and award of contracts for the performance of work, or furnishing equipment, materials, supplies, or operating services whenever any work is to be performed and the engineer's estimate indicates the cost of the work would not exceed ~~((eighty thousand dollars))~~ \$80,000 and effective July 1, 2005, ~~((one hundred thousand dollars))~~ \$100,000.

(2) The rules adopted under this section:

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(a) Shall provide for competitive bids to the extent that competitive sources are available except when delay of performance would jeopardize life or property or inconvenience the traveling public; and

(b) Need not require the furnishing of a bid deposit nor a performance bond, but if a performance bond is not required then progress payments to the contractor may be required to be made based on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from the previous partial payment; and

(c) May establish prequalification standards and procedures as an alternative to those set forth in RCW 47.28.070, but the prequalification standards and procedures under RCW 47.28.070 shall always be sufficient.

(3) The department of transportation shall comply with such goals and rules as may be adopted by the office of minority and women's business enterprises to implement chapter 39.19 RCW with respect to contracts entered into under this chapter. The department may adopt such rules as may be necessary to comply with the rules adopted by the office of minority and women's business enterprises under chapter 39.19 RCW.

(4)(a) Work for less than ~~((one hundred thousand dollars))~~ \$100,000 may be performed on ferry vessels and terminals by state forces. During the 2025-2027 fiscal biennium, work for less than \$350,000 may be performed on ferry vessels and terminals by state forces.

(b) When the estimated cost of work to be performed on ferry vessels and terminals is between ~~((one hundred thousand dollars))~~ \$100,000 and ~~((two hundred thousand dollars))~~ \$200,000, or between \$350,000 and \$450,000 during the 2025-2027 fiscal biennium, the department shall contact, by mail or ~~((electronic mail))~~ email, contractors that appear on the department's small works roster as created pursuant to procedures in chapter 39.04 RCW to do specific work the contractors are qualified to do to determine if any contractor is interested and capable of doing the work. If there is a response of interest within ~~((seventy-two))~~ 72 hours, the small works roster procedures commence. If no qualified contractors respond with interest and availability to do the work, the department may use its regular contracting procedures. If the secretary determines that the work to be completed is an emergency, procedures governing emergencies apply.

(c) The department shall hire a disinterested, third party to conduct an independent analysis to identify methods of reducing out-of-service times for vessel maintenance, preservation, and improvement projects. The analysis must include options that consider consolidating work while vessels are at shipyards by having state forces perform services traditionally performed at Eagle Harbor at the shipyard and decreasing the allowable time at shipyards. The analysis must also compare the out-of-service vessel times of performing services by state forces versus contracting out those services which in turn must be used to form a recommendation as to what the threshold of work performed on ferry vessels and terminals by state forces should be. This analysis must be presented to the transportation committees of the senate and house of representatives by December 1, 2010.

(d) The department shall develop a proposed ferry vessel maintenance, preservation, and improvement program and present it to the transportation committees of the senate and house of representatives by December 1, 2010. The proposed program must:

(i) Improve the basis for budgeting vessel maintenance, preservation, and improvement costs and for projecting those costs into a ~~((sixteen year))~~ 16-year financial plan;

(ii) Limit the amount of planned out-of-service time to the greatest extent possible, including options associated with department staff as well as commercial shipyards; and

(iii) Be based on the service plan in the capital plan, recognizing that vessel preservation and improvement needs may vary by route.

(e) In developing the proposed ferry vessel maintenance, preservation, and improvement program, the department shall consider the following, related to reducing vessel out-of-service time:

(i) The costs compared to benefits of Eagle Harbor repair and maintenance facility operations options to include staffing costs and benefits in terms of reduced out-of-service time;

(ii) The maintenance requirements for on-vessel staff, including the benefits of a systemwide standard;

(iii) The costs compared to benefits of staff performing preservation or maintenance work, or both, while the vessel is underway, tied up between sailings, or not deployed;

(iv) A review of the department's vessel maintenance, preservation, and improvement program contracting process and contractual requirements;

(v) The costs compared to benefits of allowing for increased costs associated with expedited delivery;

(vi) A method for comparing the anticipated out-of-service time of proposed projects and other projects planned during the same construction period;

(vii) Coordination with required United States coast guard dry dockings;

(viii) A method for comparing how proposed projects relate to the service requirements of the route on which the vessel normally operates; and

(ix) A method for evaluating the ongoing maintenance and preservation costs associated with proposed improvement projects.

Sec. 707. RCW 46.68.063 and 2023 c 472 s 706 are each amended to read as follows:

The department of licensing technology improvement and data management account is created in the highway safety account. All receipts from fees collected under RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation.

Sec. 708. RCW 46.68.290 and 2023 c 472 s 707 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the motor vehicle account. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars;

and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and

management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within 30 days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the motor vehicle account and the Tacoma Narrows toll bridge account.

Sec. 709. RCW 46.68.300 and 2024 c 310 s 603 are each amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

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Sec. 710. RCW 46.68.320 and 2024 c 310 s 604 are each amended to read as follows:

(1) The regional mobility grant program account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.030.

(2) Beginning with September 2007, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$5,000,000.

(3) Beginning with September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$6,250,000.

(4) During the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys from the regional mobility grant program account to the multimodal transportation account.

Sec. 711. RCW 46.68.370 and 2023 c 472 s 709 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle ~~((account-fund))~~ fund for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety fund such amounts as reflect the excess fund balance of the license plate technology account. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations.

Sec. 712. RCW 46.68.395 and 2023 c 472 s 710 are each amended to read as follows:

(1) The connecting Washington account is created in the motor vehicle account. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the move ahead WA account.

Sec. 713. RCW 46.68.490 and 2023 c 472 s 711 are each amended to read as follows:

(1) The climate active transportation account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following active transportation grant programs: Safe routes to schools, school-based bike program, bicycle and pedestrian grant program, complete streets grants program, and connecting communities grant program, as well as pedestrian and bicycle or other active transportation projects identified in an

omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 24 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate active transportation account. This subsection does not apply during the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia.

Sec. 714. RCW 46.68.500 and 2023 c 472 s 712 are each amended to read as follows:

(1) The climate transit programs account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following transit grant programs: Transit support grant program, tribal transit mobility grants, transit coordination grants, special needs transit grants, bus and bus facility grant program, green transit grants, and transportation demand management grants, as well as transit projects identified in an omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 56 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate transit programs account. This subsection does not apply during the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia.

Sec. 715. RCW 46.68.510 and 2024 c 310 s 605 are each amended to read as follows:

The move ahead WA account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as move ahead WA projects or improvements in an omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements. During the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys from the move ahead WA account to the motor vehicle fund and the transportation partnership account.

Sec. 716. RCW 47.56.876 and 2023 c 472 s 713 are each amended to read as follows:

(1) A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account must be used to fund legal obligations associated with bonds and loans associated with the construction and operation of state route number 520 under circumstances where the toll revenue collections at the time are not sufficient to fully cover such legal obligations, and then may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. The legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to transfer moneys in the state route number 520 civil penalties account to the motor vehicle ~~((account-fund))~~ fund.

(2) For purposes of this section, "legal obligations associated with bonds and loans" includes, but is not limited to, debt service and all other activities necessary to comply with financial covenants associated with state route number 520, costs associated with the civil penalties program, and operation and

maintenance costs.

Sec. 717. RCW 47.60.315 and 2023 c 472 s 714 are each amended to read as follows:

(1) The commission shall adopt fares and pricing policies by rule, under chapter 34.05 RCW, according to the following schedule:

(a) Each year the department shall provide the commission a report of its review of fares and pricing policies, with recommendations for the revision of fares and pricing policies for the ensuing year;

(b) By September 1st of each year, beginning in 2008, the commission shall adopt by rule fares and pricing policies for the ensuing year.

(2) The commission may adopt by rule fares that are effective for more or less than one year for the purposes of transitioning to the fare schedule in subsection (1) of this section.

(3) The commission may increase ferry fares included in the schedule of charges adopted under this section by a percentage that exceeds the fiscal growth factor.

(4) The chief executive officer of the ferry system may authorize the use of promotional, discounted, and special event fares to the general public and commercial enterprises for the purpose of maximizing capacity use and the revenues collected by the ferry system. The department shall report to the commission a summary of the promotional, discounted, and special event fares offered during each fiscal year and the financial results from these activities.

(5) Fare revenues and other revenues deposited in the Puget Sound ferry operations account created in RCW 47.60.530 may not be used to support the Puget Sound capital construction account created in RCW 47.60.505, unless the support for capital is separately identified in the fare or except as provided in section 715, chapter 333, Laws of 2021 during the 2021-2023 biennium ~~((and))~~, section 716, chapter 472, Laws of 2023 during the 2023-2025 fiscal biennium, and section 719, chapter . . . , Laws of 2025 (section 719 of this act) during the 2025-2027 fiscal biennium.

(6) The commission may not raise fares until the fare rules contain pricing policies developed under RCW 47.60.290, or September 1, 2009, whichever is later.

(7) The commission shall impose a vessel replacement surcharge of 25 cents on every one-way and round-trip ferry fare sold, including multiride and monthly pass fares. This surcharge must be clearly indicated to ferry passengers and drivers and, if possible, on the fare media itself.

(8) Except as provided in subsection (10) of this section, beginning May 1, 2020, the commission shall impose an additional vessel replacement surcharge in an amount sufficient to fund 25 year debt service on one 144-auto hybrid vessel taking into account funds provided in chapter 417, Laws of 2019 or chapter . . . (SSB 5419), Laws of 2019. The department of transportation shall provide to the commission vessel and debt service cost estimates. Information on vessels constructed or purchased with revenue from the surcharges must be publicly posted including, but not limited to, the commission website.

(9) The vessel replacement surcharges imposed in this section may only be used for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of new ferry vessels.

(10) The commission shall not impose the additional vessel replacement surcharge in subsection (8) of this section if doing so would increase fares by more than 10 percent.

(11) For the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, any ferry fuel surcharge imposed by the commission may not go into effect until after the ensuing regular legislative session. If a fuel surcharge is imposed as provided under this subsection, the commission must reevaluate the need for the

surcharge on at least a quarterly basis to determine if the surcharge is still needed to cover increased fuel costs, and revoke the surcharge if the determination is that the surcharge is no longer needed for this purpose.

Sec. 718. RCW 47.60.322 and 2023 c 472 s 715 are each amended to read as follows:

(1) The capital vessel replacement account is created in the motor vehicle account. All revenues generated from the vessel replacement surcharge under RCW 47.60.315(7) and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. However, expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.

(2) The state treasurer may transfer moneys from the capital vessel replacement account to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.

(3) The legislature may transfer from the capital vessel replacement account to the connecting Washington account created under RCW 46.68.395 such amounts as reflect the excess fund balance of the capital vessel replacement account to be used for ferry terminal construction and preservation.

(4) During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the capital vessel replacement account to the transportation partnership account and the connecting Washington account.

Sec. 719. RCW 47.60.530 and 2023 c 472 s 716 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle account.

(2) The following funds must be deposited into the account:

(a) All moneys directed by law;

(b) All revenues generated from ferry fares; and

(c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the Puget Sound capital construction account.

Sec. 720. RCW 47.66.120 and 2024 c 104 s 1 are each amended to read as follows:

(1)(a) The department's public transportation division shall establish a green transportation capital grant program. The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include: Electrification of vehicle fleets, including battery and fuel cell electric vehicles; modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen refueling; necessary upgrades to electrical transmission and distribution systems; and construction of charging and fueling stations. The department's public transportation division shall

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identify projects and shall submit a prioritized list of all projects requesting funding to the legislature by December 1st of each even-numbered year.

(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:

(i) The cost-effectiveness of the reductions in carbon emissions provided by the project; and

(ii) The benefit provided to transitioning the entire state to a transportation system with lower carbon intensity.

(c) During the 2023-2025 fiscal biennium, the department must incorporate principles into the grant selection process with the goal of increasing the distribution of funding to communities based on addressing environmental harms and providing environmental benefits for overburdened communities, as defined in RCW 70A.02.010, and vulnerable populations.

(2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section. The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.

(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding at the level deemed appropriate by the department.

(4) The department's public transportation division must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.

(6) During the 2021-2023 fiscal biennium, the department may provide up to 20 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the department may provide up to 10 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects.

Sec. 721. RCW 46.68.280 and 2019 c 416 s 706 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to

the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account, the Puget Sound capital construction account, and the Tacoma Narrows toll bridge account.

(4) During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the state patrol highway account.

(5) The "nickel account" means the transportation 2003 account.

Sec. 722. RCW 82.44.200 and 2023 c 472 s 718 are each amended to read as follows:

The electric vehicle account is created in the transportation infrastructure account. Proceeds from the principal and interest payments made on loans from the account must be deposited into the account. Expenditures from the account may be used only for the purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and the support of other transportation electrification and alternative fuel related purposes, including RCW 47.01.520. Moneys in the account may be spent only after appropriation. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the electric vehicle account to the move ahead WA flexible account and multimodal transportation account.

Sec. 723. RCW 82.70.020 and 2024 c 310 s 608 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ~~((2025))~~ 2027, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed \$60 per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ~~((2024))~~ 2027, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed \$60 per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by 50 percent, but may not exceed \$60 per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

Sec. 724. RCW 82.70.040 and 2024 c 310 s 609 are each amended to read as follows:

(1)(a) The department must keep a running total of all credits

allowed under RCW 82.70.020 during each fiscal year. The department may not allow any credits that would cause the total amount allowed to exceed \$2,750,000 in any fiscal year.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department must ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. For credits approved by the department through June 30, 2015, the approved credit may be carried forward and used for tax reporting periods through December 31, 2016. Credits approved after June 30, 2015, must be used for tax reporting periods within the calendar year for which they are approved by the department and may not be carried forward to subsequent tax reporting periods. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person may be approved for tax credits under RCW 82.70.020 in excess of \$100,000 in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2025))~~ 2027.

(5)(a) During the 2025-2027 fiscal biennium, the director shall on the 25th of February, May, August, and November of each year advise the state treasurer of the amount of credit taken under RCW 82.70.020 during the preceding calendar quarter ending on the last day of December, March, June, and September, respectively.

(b) On the last day of March, June, September, and December of each year, the state treasurer, based upon information provided by the department, shall deposit to the general fund a sum equal to the dollar amount of the credit provided under RCW 82.70.020 from the multimodal transportation account.

Sec. 725. RCW 82.70.900 and 2024 c 310 s 610 are each amended to read as follows:

This chapter expires July 1, ~~((2025))~~ 2027.

NEW SECTION. Sec. 726. FUEL CONVERSION ACTIVITY REPORTING

(1) The department of transportation shall continue to cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 of this act for programs, projects, and other activities that receive funding from the carbon emissions reduction account.

(2) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 701, chapter . . . , Laws of 2025 (House Bill No. 2043) (concerning transportation resources).

Sec. 727. RCW 47.04.390 and 2023 c 431 s 7 are each amended to read as follows:

(1) The department shall establish a statewide school-based bicycle education grant program. The grant will support two programs: One for elementary and middle school; and one for junior high and high school aged youth to develop the skills and

street safety knowledge to be more confident bicyclists for transportation and/or recreation. In development of the grant program, the department is encouraged to consult with the environmental justice council and the office of equity.

(2)(a) For the elementary and middle school program, the department shall contract with a nonprofit organization with relevant reach and experience, including a statewide footprint and demonstrable experience deploying bicycling and road safety education curriculum via a train the trainer model in schools. The selected nonprofit shall identify partner schools that serve target populations, based on the criteria in subsection (3) of this section. Partner schools shall receive from the nonprofit: In-school bike and pedestrian safety education curriculum, materials, equipment guidance and consultation, and physical education teacher trainings. Youth grades three through eight are eligible for the program.

(b) Selected school districts shall receive and maintain a fleet of bicycles for the youth in the program. Youth and families participating in the school-based bicycle education grant program shall have an opportunity to receive a bike, lock, helmet, and lights free of cost.

(3) For the junior high and high school program, the department shall contract with a nonprofit organization with relevant reach and experience, including a statewide footprint; demonstrable experience developing and managing youth-based programming serving youth of color in an after-school and/or community setting; and deploying bicycling and road safety education curriculum via a train the trainer model. The selected nonprofit shall use the equity-based criteria in subsection (4) of this section to identify target populations and partner organizations including, but not limited to, schools, community-based organizations, housing authorities, and parks and recreation departments, that work with the eligible populations of youth ages 14 to 18. Partner organizations shall receive from the nonprofit: Education curriculum, materials, equipment including, but not limited to, bicycles, helmets, locks, and lights, guidance and consultation, and initial instructor/volunteer training, as well as ongoing support.

(4) In selecting schools and partner organizations for the school-based bicycle education grant program, the department and nonprofit must consider, at a minimum, the following criteria:

- (a) Population impacted by poverty, as measured by free and reduced lunch population or 200 percent federal poverty level;
- (b) People of color;
- (c) People of Hispanic heritage;
- (d) People with disabilities;
- (e) Environmental health disparities, such as those indicated by the diesel pollution burden portion of the Washington environmental health disparities map developed by the department of health, or other similar indicators;
- (f) Location on or adjacent to an Indian reservation;
- (g) Geographic location throughout the state;
- (h) Crash experience involving pedestrians and bicyclists;
- (i) Access to a community facility or commercial center; and
- (j) Identified need in the state active transportation plan or a regional, county, or community plan.

(5) The department shall submit a report for both programs to the transportation committees of the legislature by December 1, 2022, and each December 1st thereafter identifying the selected programs and school districts for funding by the legislature. The report must also include the status of previously funded programs.

(6) For the purposes of the program in the 2025-2027 fiscal biennium:

(a) The program for elementary and middle school is for youth in grades three through eight.

(b) The program for junior high and high school is for youth in

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grades six through 12.(c) The opportunity to receive a bike, lock, helmet, and lights free of cost must be limited to youth participants in both programs.(d) For the purposes of the program for youth in grades three through eight, the contracted nonprofit may identify partner organizations, in addition to partner schools, that serve target populations based on the criteria in subsection (4) of this section, and provide the partner organizations with the same curricula, materials, guidance, consultation, and trainings that are provided to the partner schools.**2023-2025 FISCAL BIENNIUM****GENERAL GOVERNMENT AGENCIES—OPERATING**

Sec. 801. 2024 c 310 s 103 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Carbon Emissions Reduction Account—State

Appropriation.....((~~\$5,000,000~~))
\$80,000

Electric Vehicle Account—State Appropriation..... \$220,000

TOTAL APPROPRIATION.....((~~\$5,220,000~~))
\$300,000

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

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) Beginning January 1, 2025, ((~~\$5,000,000~~)) \$80,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

Sec. 802. 2024 c 310 s 105 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Motor Vehicle Account—State Appropriation \$1,000,000

Multimodal Transportation Account—State
Appropriation.....((~~\$5,000,000~~))
\$2,700,000TOTAL APPROPRIATION.....((~~\$6,000,000~~))
\$3,700,000

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

(1) ((~~\$5,000,000~~)) \$2,700,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all

types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2)(a) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

(i) Intern programs with the department of transportation;

(ii) A road scholars short-term training program; and

(iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers and land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

(i) Opportunities to create diverse and equitable engineering workforce;

(ii) Workforce data and gaps;

(iii) Current education pathways and licensure processes;

(iv) Current programs focused on workforce development and position skill-up opportunities;

(v) Strategies to retain workforce within the state;

(vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and

(vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.

(c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant recommendations to the transportation committees of the legislature by December 31, 2024.

Sec. 803. 2024 c 310 s 106 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Carbon Emissions Reduction Account—State

Appropriation((~~\$18,000,000~~))
\$6,000,000

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

(1)(a) \$6,000,000 of the carbon emissions reduction account—state appropriation((~~—and beginning January 1, 2025,~~

~~\$12,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

(b) The department must report when and where the equipment was installed and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204, chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

(3) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(4) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2025.

Sec. 804. 2024 c 310 s 108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Model Toxics Control Capital Account—State
Appropriation.....(~~(\$15,715,000))~~
\$4,000,000

(~~Carbon Emissions Reduction Account—State
Appropriation.....\$4,000,000~~
TOTAL APPROPRIATION.....\$19,715,000))

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

(1) (~~(\$15,715,000))~~ \$4,000,000 of the model toxics control capital account—state appropriation(~~, and beginning January 1, 2025, \$4,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emission vehicles and for the necessary fueling infrastructure needed for zero emission student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204, chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

Sec. 805. 2024 c 310 s 110 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Aeronautics Account—State Appropriation(~~(\$188,000))~~

\$94,000

The appropriation in this section is subject to the following conditions and limitations: (~~(\$188,000 of)~~) the entire aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

TRANSPORTATION AGENCIES—OPERATING

Sec. 901. 2024 c 310 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation \$7,842,000
Highway Safety Account—Federal Appropriation
.....(~~(\$35,745,000))~~
\$39,745,000

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

Cooper Jones Active Transportation Safety Account—
State Appropriation \$836,000
School Zone Safety Account—State Appropriation.. \$850,000
**TOTAL APPROPRIATION(~~(\$45,333,000))~~
\$49,333,000**

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

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities

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with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

(5)(a) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to provide the transportation committees of the legislature with the following information by June 30, 2025:

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

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

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

(b) If chapter 307, Laws of 2024 is enacted by June 30, 2024, the requirement in this subsection lapses.

(6) \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

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

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

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

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

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county

government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

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

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

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

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection (7) are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (7); and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(8) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(9) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(10) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. By June 30, 2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.

(11) \$1,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted

approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

Sec. 902. 2024 c 310 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	\$1,615,000
Motor Vehicle Account—State Appropriation ..	(\$3,524,000)
	<u>\$3,553,000</u>
County Arterial Preservation Account—State Appropriation.....	\$1,839,000
TOTAL APPROPRIATION.....	(\$6,978,000)
	<u>\$7,007,000</u>

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 903. 2024 c 310 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Carbon Emissions Reduction Account—State Appropriation.....	(\$3,477,000)
	<u>\$1,207,000</u>
Multimodal Transportation Account—State Appropriation.....	(\$552,000)
	<u>\$480,000</u>
Motor Vehicle Account—State Appropriation ..	(\$5,100,000)
	<u>\$5,028,000</u>
((Puget Sound Ferry Operations Account—State Appropriation.....	\$100,000)
TOTAL APPROPRIATION.....	(\$9,229,000)
	<u>\$6,715,000</u>

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

(1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

- (i) Determine the annual revenue generation potential of a range of fee amounts;
- (ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;
- (iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and
- (iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of

the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

- (A) The secretary of transportation or their designee;
- (B) Joint transportation committee executive committee members or their designees;
- (C) The state treasurer or the state treasurer's designee;
- (D) A representative of a national nonprofit organization specializing in public-private partnership program development;
- (E) A representative of the construction trades; and
- (F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

- (A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;
- (B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and
- (C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

(3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

- (i) One representative from a city with a population of more than 5,000 and fewer than 50,000;
- (ii) One representative from a city with a population of more than 50,000;
- (iii) One representative from a county with a population of

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more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

(4)(a) (~~(\$2,000,000)~~) \$404,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit

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vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

(5) (~~(\$125,000)~~) \$53,000 of the motor vehicle account—state appropriation and (~~(\$125,000)~~) \$53,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The recommendation must include the timing and costs associated with the development of such analytical capacity.

(6) (~~(\$1,000,000)~~) \$600,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

(7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation

committees of the legislature on a quarterly basis, with an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025. The end of biennium report must include a detailed summary of stakeholder views expressed during the independent review process and an analysis of how these views can be addressed in the overall findings of the analysis.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

(8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9)(a) \$450,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule.

(b) The study must also evaluate other innovative project delivery practices utilized around the country and Washington state-specific possibilities such as: (i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and (ii) benefits and costs associated with the bundling of bridge, culvert, or other groups of projects into single procurement packages.

(c) The study must specifically examine contracting methods, alternative bundling concepts, and other options to manage costs as the Washington state department of transportation continues to make progress on meeting the requirements of the federal *U.S. v. Washington* court injunction.

(d) The study must include recommendations on any changes to current practices and statutory requirements.

(e) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, environmental, and women and minority-owned business communities.

(f) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(10)(a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract

with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) A representative of the freight mobility strategic investment board;

(xii) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xiii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

~~(11) ((\$100,000 of the Puget Sound ferry operations account—state appropriation is for the joint transportation committee to convene a work group in advance of the 75th anniversary of the Washington state ferries on June 1, 2026, to review Washington state ferry funding requirements and options to increase dedicated funding sources for the ferry system. The executive committee of the joint transportation committee may appoint relevant stakeholders as part of the work group. A preliminary report must be submitted to the governor and transportation committees of the legislature by December 15, 2024, and the legislature intends that a final report will be submitted to the governor and transportation committees of the legislature by June 1, 2026.~~

~~(12))~~ Beginning January 1, 2025, ~~(\$477,000))~~ \$203,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to conduct a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California

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Code of Regulations in Washington. The study must include estimates of greenhouse gas emissions reductions, criteria air pollutant reductions, potential labor impacts, potential impacts on shipping costs and port competitiveness, and shore power infrastructure needs and costs. The joint transportation committee must, at a minimum, coordinate with the department of ecology, department of transportation, representatives from Washington ports, shippers, utilities, and the trucking industry, impacted labor unions, and environmental organizations. The joint transportation committee must report to the transportation committees of the legislature by June 30, 2025.

((43)) (12)(a) \$250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to contract with a national expert on developing inclusive, mixed-income, mixed-use transit-oriented housing to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030. The contracted party must have demonstrated expertise in understanding the impact of housing development on racially diverse communities, as well as expertise in, and existing peer-reviewed research on, developing housing near transit that is inclusive of low-income, workforce, and market rate housing.

(b) The review must look at any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must include examples of local and national best practices for developing affordable housing and workforce housing near transit, and allow for comparison on a city-by-city basis. The review must also include a report with recommendations for state-level policy to expand housing and mixed-use transit-oriented development in Washington state, in a manner that minimizes displacement of existing communities and ensures housing near transit remains affordable to low-income Washingtonians. The contracted party shall provide its review to the appropriate committees of the legislature by June 30, 2025.

Sec. 904. 2024 c 310 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation	\$3,289,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$150,000
Multimodal Transportation Account—State	
Appropriation.....(((\$200,000))	
	<u>\$200,000</u>
State Route Number 520 Corridor Account—State	
Appropriation.....	\$288,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$179,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.....	\$167,000
TOTAL APPROPRIATION.....(((\$4,273,000))	
	<u>\$4,273,000</u>

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

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation

planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

(a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;

(b) Report outreach findings and results to the joint transportation committee for review and input;

(c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;

(d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and

(e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. The commission must provide draft applications for federal grant opportunities to the chairs and ranking members of the transportation committees of the legislature for review and comment prior to submission.

(6) The transportation commission shall conduct an assessment aimed at identifying approaches to streamlining the current rule-making process for setting toll rates and policies for eligible toll facilities, while maintaining public access and providing opportunities to provide input on proposals. The intent of the assessment is to identify rule-making approaches that support the state's ability to set toll rates and policies in a timely and efficient manner, so that the state can meet anticipated funding obligations. This assessment should include a review of rate-setting processes used by toll authorities in other states. The transportation commission shall provide recommendations to the transportation committees of the legislature by July 31, 2024.

(7) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(8) \$200,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out a study assessing approaches to increasing safety and compliance of high occupancy vehicle lanes, express toll lanes, tolled facilities, and construction zones, facilitated by advanced technologies.

(a) The approaches assessed must, at a minimum, focus on advanced roadside technologies that: Are able to operate independently without connection to the department of transportation's existing communication systems and utilities; have a limited physical footprint that does not use over-roadway infrastructure; and have a 95 percent or greater license plate reading accuracy.

(b) The study must review current laws, including assessing underlying policies related to prohibitions on program cost coverage coming from infraction or other revenues generated by advanced technology systems, and identify provisions needed to enable a future technology-based safety and compliance program.

(c) The commission shall submit an interim report to the transportation committees of the legislature by January 10, 2024, that, at a minimum, provides an initial assessment of the viability of deploying a system into operation. A final report of findings and recommendations must be submitted to the transportation committees of the legislature by June 30, 2024.

(9) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the commission to carry out an initial assessment and scoping effort to determine the feasibility of creating a future west coast transportation network plan. This plan would serve to proactively identify and coordinate improvements and investments across the west coast states to freight rail, passenger rail, highways, and air transportation. The intent for the plan is to leverage and align west coast efforts to reduce our collective carbon footprint, improve freight and passenger mobility, and strengthen west coast resiliency. This effort must be carried out in partnership with the Oregon and California transportation commissions and the state department of transportation from each state, and must consider, but not be limited to:

(a) Current state activities, investments, and plans that support the establishment of clean transportation in the air, on the highways, and on rail lines moving freight and passengers;

(b) Currently identified resiliency risks along the west coast and existing strategic plans and investments that could inform a future west coast unified plan; and

(c) Incorporation of work from the statewide transportation policy plan.

(10) \$250,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out engagement with Washington stakeholders on the results of the recently completed Forward Drive research program to inform next steps on road usage charging. The commission must submit a report of findings and recommendations to the transportation committees of the legislature by December 1, 2024.

Sec. 905. 2024 c 310 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—

State Appropriation	\$43,000
State Patrol Highway Account—State Appropriation	(\$629,476,000))
	<u>\$621,677,000</u>
State Patrol Highway Account—Federal Appropriation	(\$19,360,000))
	<u>\$23,360,000</u>
State Patrol Highway Account—Private/Local Appropriation	\$4,594,000
Highway Safety Account—State Appropriation	\$1,736,000
Ignition Interlock Device Revolving Account—State Appropriation	\$2,208,000
Multimodal Transportation Account—State Appropriation	\$316,000
State Route Number 520 Corridor Account—State Appropriation	\$89,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$275,000
I-405 and SR 167 Express Toll Lanes Account—State Appropriation	\$2,895,000
TOTAL APPROPRIATION	(\$660,992,000))
	<u>\$657,193,000</u>

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

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 472, Laws of 2023.

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

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to

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increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

(5) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

(6)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and
- (v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

(7)(a) (~~(\$2,243,000)~~) \$2,918,000 of the state patrol highway

account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

(8) (~~(\$3,896,000)~~) \$3,033,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this

subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

(10) (~~(\$3,226,000)~~) \$1,690,000 of the state patrol highway account—state appropriation is provided solely for two accelerated training programs for lateral hires. It is the intent of the legislature that the second accelerated training program for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

(11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

(15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$5,905,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class. The cadet class is expected to graduate in June 2025.

(17) (~~(\$2,381,000)~~) \$1,758,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol*, Public Employment Relations Commission Case No. 134557-U-21.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) (~~(\$2,222,000)~~) \$2,640,000 of the state patrol highway account—state appropriation is provided solely for the first planned replacement of an aging Cessna aircraft and \$100,000 of the state patrol highway account—state appropriation is provided solely for the downpayment and related costs of the second planned replacement of another aging Cessna aircraft. It is the intent of the legislature to fund the second planned Cessna replacement without financing the acquisition as soon as the

aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.

(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 207, Laws of 2024 (tribal warrants). If chapter 207, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

(24) \$691,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 237, Laws of 2024 (state patrol longevity bonus). If chapter 237, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(25) \$46,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 301, Laws of 2024 (catalytic converters). If chapter 301, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 906. 2024 c 310 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Driver Licensing Technology Support Account—State

Appropriation (~~(\$1,743,000)~~)
\$1,740,000

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

Motorcycle Safety Education Account—State
 Appropriation (~~(\$5,319,000)~~)
\$5,292,000

Limited Fish and Wildlife Account—State
 Appropriation (~~(\$768,000)~~)
\$632,000

Highway Safety Account—State Appropriation
 (~~(\$283,109,000)~~)
\$285,793,000

Highway Safety Account—Federal Appropriation \$2,371,000
 Motor Vehicle Account—State Appropriation
 (~~(\$101,823,000)~~)
\$100,523,000

Motor Vehicle Account—Private/Local Appropriation
 \$1,336,000

Ignition Interlock Device Revolving Account—State
 Appropriation (~~(\$6,415,000)~~)
\$6,509,000

Department of Licensing Services Account—State
 Appropriation (~~(\$9,150,000)~~)
\$8,741,000

License Plate Technology Account—State Appropriation
 (~~(\$4,398,000)~~)
\$4,369,000

Abandoned Recreational Vehicle Account—State
 Appropriation (~~(\$3,091,000)~~)
\$4,591,000

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Limousine Carriers Account—State Appropriation	(((\$126,000))
	<u>\$134,000</u>
Electric Vehicle Account—State Appropriation	\$443,000
DOL Technology Improvement & Data Management Account—State Appropriation	\$943,000
Agency Financial Transaction Account—State Appropriation	(((\$16,998,000))
	<u>\$16,430,000</u>
Move Ahead WA Flexible Account—State Appropriation	(((\$2,096,000))
	<u>\$1,779,000</u>
TOTAL APPROPRIATION	(((\$440,163,000))
	<u>\$441,660,000</u>

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

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

(a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;

(b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;

(c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and

(d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

(a) Review the adoption actions in other states, including successes and lessons learned;

(b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;

(c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;

(d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;

(e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and

(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701, chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701, chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall

charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

(10) (~~(\$3,082,000))~~ \$4,591,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(11) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse). If chapter 35, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 57, Laws of 2023 (streamlining CDL issuance). If chapter 57, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(13) \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(14) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(15) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(17) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount

provided in this subsection lapses.

(18) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(19) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(20)(a) \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2), chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

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

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

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

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

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

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

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

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

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

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

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

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

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(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2), chapter 472, Laws of 2023 is terminated.

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

(21)(a) \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

(22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

(23) \$1,962,000 of the highway safety account—state appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identicard services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the

facility needs of licensing service offices in the context of flexible mobile licensing services.

(24) \$2,750,000 of the highway safety account—state appropriation is provided solely for organizations providing driver's license assistance and support services. Of this amount:

(a) \$2,000,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women; and

(b) \$750,000 of the highway safety account—state appropriation is provided solely ~~((for additional contracts in fiscal year 2025))~~ to contract with organizations providing driver's license assistance and other related support services in other parts of the state.

(c) By December 1st of each year, the department must submit information on the contracted providers, including: The annual budget of the contracted providers in the preceding year; information regarding private and other governmental support for the activities of the providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing organization in King county and organizations receiving funds with the fiscal year 2025 expansion, must develop a statewide delivery plan that maximizes the number of people served, promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

(25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,395,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 1, Laws of 2024 (enhancing prorate and fuel tax collections). If chapter 1, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) \$100,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 162, Laws of 2024 (improving access to department of licensing issued documents). If chapter 162, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor

vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to subagents, county auditors, and the department of licensing; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, subagents, county auditors, financial institutions, vehicle dealers, and insurance companies.

(32) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(33) \$225,000 of the highway safety account—state appropriation is provided solely for the department, for incorporation into its comprehensive implementation plan required under chapter 445, Laws of 2023 (improving young driver safety), to expand driver training education requirements for driver's license purposes to persons age 18 through 24 to include: (a) An assessment of opportunities to close availability and accessibility gaps in rural and underserved areas, as specified in section 612 ~~((of this act))~~, chapter 310, Laws of 2024; and (b) an analysis of the potential inclusion of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, as specified in section 612 ~~((of this act))~~, chapter 310, Laws of 2024.

(34) \$38,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 308, Laws of 2024 (speed safety cameras). If chapter 308, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(35) \$34,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 146, Laws of 2024 (definition of veteran). If chapter 146, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$159,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 306, Laws of 2024 (impaired driving). If chapter 306, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(37) \$300,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter

315, Laws of 2024 (state custody/ID cards). If chapter 315, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(38) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. A preliminary report of the study findings relating to internal costs to administer the program is due to the governor and transportation committees of the legislature by December 31, 2024. The legislature intends to require a final report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(39) \$2,100,000 of the highway safety account—state appropriation is provided solely for the department to increase public awareness of REAL ID. Of the amounts appropriated in this subsection, \$1,000,000 is for the department to directly contract with a communications group with experience spreading awareness about REAL ID to community-based organizations and ethnic media outlets.

Sec. 907. 2024 c 310 s 209 (uncodified) is amended to read as follows:

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

State Route Number 520 Corridor Account—State	
Appropriation	(((\$67,199,000)) \$55,639,000
State Route Number 520 Civil Penalties Account—State	
Appropriation	(((\$4,178,000)) \$2,378,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	(((\$34,398,000)) \$36,510,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	(((\$22,541,000)) \$24,614,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	(((\$25,523,000)) \$25,764,000
TOTAL APPROPRIATION	(((\$153,839,000)) \$144,905,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

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

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times)

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maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

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

(3) \$535,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$1,245,000 of the state route number 520 corridor account—state appropriation, \$535,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$702,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6) Up to \$16,648,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding updated tolling on the state route number 520 corridor.

(8) ~~(\$19,248,000))~~ \$10,188,000 of the state route number 520 corridor account—state appropriation is provided solely for the costs of insurance for the state route number 520 floating bridge.

(9) \$75,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to (a) conduct an actuarial analysis of the short and long-term costs and benefits, including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route number 520 master bond resolution, and (b) develop a plan to implement a self-insurance program for the state route number 520 floating bridge. By December 15, 2024, the department shall report to the governor and the transportation committees of the legislature on the results of the actuarial analysis and the self-insurance program. It is the intent of the legislature to implement a self-insurance program for the state route number 520 floating bridge by July 1, 2025.

Sec. 908. 2024 c 310 s 210 (uncodified) is amended to read as follows:

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

Transportation Partnership Account—State

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Appropriation	\$1,494,000
Motor Vehicle Account—State Appropriation	(\$122,732,000))
	<u>\$122,717,000</u>

Puget Sound Ferry Operations Account—State

Appropriation \$307,000

Multimodal Transportation Account—State

Appropriation \$2,988,000

Transportation 2003 Account (Nickel Account)—State

Appropriation \$1,488,000

TOTAL APPROPRIATION ~~**(\$129,009,000))**~~

\$128,994,000

The appropriations in this section are subject to the following conditions and limitations: \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in consultation with WaTech, must further review leasing options.

Sec. 909. 2024 c 310 s 211 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation ~~(\$40,362,000))~~

\$40,310,000

Move Ahead WA Account—State Appropriation.. \$2,532,000

State Route Number 520 Corridor Account—State

Appropriation \$34,000

TOTAL APPROPRIATION ~~**(\$42,928,000))**~~

\$42,876,000

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

(1) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

(a) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

(b) Detailed information on any increased capital and other implementation costs under each scenario;

(c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

(d) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

(e) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

(2)(a) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

(b) Conducting the detailed space study under subsection (1) of

this section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

(c) In addition to the reporting requirement under subsection (1) of this section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

Sec. 910. 2024 c 310 s 213 (uncodified) is amended to read as follows:

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

Aeronautics Account—State Appropriation	(\$17,448,000))
	<u>\$17,134,000</u>
Aeronautics Account—Federal Appropriation	(\$5,579,000))
	<u>\$5,129,000</u>
Aeronautics Account—Private/Local Appropriation ...	\$60,000
TOTAL APPROPRIATION.....	(\$23,087,000))
	<u>\$22,323,000</u>

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

(1) ~~(\$2,000,000))~~ \$1,900,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) ~~(\$1,476,000))~~ \$1,376,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of

2023 (commercial aviation services). Funding is provided for the activities of the work group and for support of the work group by the department. The activities of the work group include the issuance of the initial progress report, required in section 4, chapter 463, Laws of 2023, which requires the listing of areas that will not have further review as the areas are in conflict with the operations of a military installation. The report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, within the funding provided, the work group must:

(a) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and

(b) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

(5) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct a study on the feasibility of offering commercial service at the Port of Bremerton airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

(6) \$2,575,000 of the aeronautics account—state appropriation is provided solely for the Pullman-Moscow regional airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

Sec. 911. 2024 c 310 s 214 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation	(\$65,161,000))
	<u>\$65,139,000</u>
Motor Vehicle Account—Federal Appropriation.....	\$500,000
Multimodal Transportation Account—State Appropriation	(\$1,351,000))
	<u>\$1,001,000</u>
Move Ahead WA Flexible Account—State Appropriation	\$572,000
TOTAL APPROPRIATION	(\$67,584,000))
	<u>\$67,212,000</u>

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

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

(4)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to

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chapter 70A.535 RCW.

(b) The LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed March ((6, 2024)) 23, 2025, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

(5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy).

((7)) (6)(a) ((\$500,000)) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

((8)) (7) To assist the department as it continues to make progress on meeting the requirements of the federal *U.S. v. Washington* court injunction and to address estimated programmatic cost increases, within the funding provided in this section, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs. The department shall provide a report outlining recommendations to the governor and transportation committees of the legislature by December 15, 2024.

Sec. 912. 2024 c 310 s 215 (uncodified) is amended to read

as follows:

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

Motor Vehicle Account—State Appropriation.....	\$703,000
Electric Vehicle Account—State Appropriation	\$4,746,000
Multimodal Transportation Account—State Appropriation	\$4,400,000
Multimodal Transportation Account—Federal Appropriation	(((\$25,000,000)) \$26,770,000
Carbon Emissions Reduction Account—State Appropriation	(((\$195,025,000)) \$43,237,000
TOTAL APPROPRIATION	(((\$229,874,000)) \$79,856,000

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

(1) \$3,746,000 of the electric vehicle account—state appropriation((;)) and \$30,000,000 of the carbon emissions reduction account—state appropriation((, and beginning January 1, 2025, \$15,000,000 of the carbon emissions reduction account—state appropriation)) are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

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

(4) \$1,200,000 of the multimodal transportation account—state appropriation((;)) and \$2,000,000 of the carbon emissions reduction account—state appropriation((, and beginning January 1, 2025, \$3,400,000 of the carbon emissions reduction account—state appropriation)) are provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

(5) (((\$120,000,000)) \$7,849,000 of the carbon emissions reduction account—state appropriation((, and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction

~~account—state appropriation, are))~~ is provided solely for implementation of zero-emission medium and heavy-duty vehicle and equipment infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, (~~(\$20,000,000))~~ \$3,700,000 is for the department to administer an early action grant program to provide expedited funding for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with the department of ecology to implement the early action grant program.

(b)(i) The remaining (~~(\$110,000,000))~~ \$4,149,000, inclusive of costs for program administration and staffing, is for a point-of-sale voucher incentive program to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(ii) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(A) Simplified zero-emission vehicle eligibility requirements;

(B) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(C) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(D) A centralized user and manufacturer portal for information, application, and assistance;

(E) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(F) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(iii) The following battery electric and hydrogen fuel cell electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(A) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(B) Cargo handling and off-road equipment.

(iv) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(v) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in (b)(i) of this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and

equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(vi) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

(6) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.

(7) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites, which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(8) Beginning January 1, 2025, (~~(\$10,000,000))~~ \$14,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles with a focus on locations in disadvantaged and overburdened communities, where possible. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).

(9) Beginning January 1, 2025, (~~(\$800,000))~~ \$400,000 of the carbon emissions reduction account—state appropriation is provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.

(10) Beginning January 1, 2025, (~~(\$1,725,000))~~ \$874,000 of the carbon emissions reduction account—state appropriation is provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle pilot project that includes charging infrastructure and mobile battery units.

Sec. 913. 2024 c 310 s 216 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State	Appropriation
.....	((\$545,500,000))
	<u>\$556,639,000</u>

Motor Vehicle Account—Federal Appropriation...	\$7,000,000
Move Ahead WA Account—State Appropriation...	\$50,000,000
RV Account—State Appropriation	\$1,100,000
State Route Number 520 Corridor Account—State	
Appropriation	\$4,841,000

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Tacoma Narrows Toll Bridge Account—State
 Appropriation.....\$1,585,000
 Alaskan Way Viaduct Replacement Project Account—
 State Appropriation.....\$8,752,000
 Interstate 405 and State Route Number 167 Express
 Toll Lanes Account—State Appropriation\$2,624,000
 TOTAL APPROPRIATION.....(~~(\$621,402,000)~~)
\$632,541,000

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

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2)(a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

(3)(a) \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

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

(4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection (3) of this section.

The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(7) (~~(\$1,500,000)~~) \$1,300,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186, Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 914. 2024 c 310 s 217 (uncodified) is amended to read

as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
OPERATING**

Highway Safety Fund—State Appropriation	\$5,529,000
Motor Vehicle Account—State Appropriation ((\$88,566,000))	
	<u>\$86,659,000</u>
Motor Vehicle Account—Federal Appropriation ...	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	\$294,000
Move Ahead WA Account—State Appropriation ..	\$3,090,000
Multimodal Transportation Account—State	
Appropriation.....	\$5,000,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$247,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$44,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.....	\$1,122,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$37,000
TOTAL APPROPRIATION.....((\$105,979,000))	
	<u>\$104,072,000</u>

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

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

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

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

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical

transportation vehicles, when in use for medical purposes, as described in section 208(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

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

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

(6) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras).

(7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

(8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

(9)(a) ((~~\$5,000,000~~)) \$3,100,000 of the motor vehicle account—state appropriation is provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to

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highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

- (i) Existing volumes and traffic patterns;
- (ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;
- (iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;
- (iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;
- (v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;
- (vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;
- (vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;
- (viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;
- (ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;
- (x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;
- (xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and
- (xii) Determination of the feasibility that additional east-west

freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras on state highways. The goals of the automated highway speed safety camera pilot program are to test speed camera technology, determine the impact on speeding behavior in areas of testing, and compile public response to the use of traffic safety cameras on highways.

(a) The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program to include, but not be limited to, the following program elements:

- (i) Selection of technology;
- (ii) Placement of cameras in high speed, collision, or fatality locations;
- (iii) Establishment of public notification and warning signs prior to entering into an area with a speed safety camera;
- (iv) Outreach and public engagement about the program and site selection process; and
- (v) Development and implementation of a process to collect and report relevant pilot program data, including rates of speed prior to, during, and after the use of pilot program cameras, and public response to pilot program cameras.

(b) Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates.

(c) Ticketing of violators using vehicle speed information captured by automated traffic safety cameras authorized under the pilot program is prohibited during the pilot program.

(d) As part of the pilot program, the department may inform registered vehicle owners of a vehicle's rate of speed exceeding the posted speed limit and the amount of the fine the law would have allowed to be imposed by providing notification by mail.

(e) The department is required to provide a program progress report to the governor and transportation committees of the legislature by ~~((September 30, 2024))~~ June 30, 2025, to include a summary of public input on the use of safety cameras, including objections, evaluation of technologies used, and changes in speeding behavior.

(f) Photographs, microphotographs, electronic images, and other personally identifying data captured and collected for the purposes of the pilot program are for the exclusive use of the Washington state patrol and department of transportation in carrying out the pilot program, are not open to the public, and may not be used in court in a pending action or proceeding.

(12) \$1,000,000 of the motor vehicle account—state

appropriation is provided solely for implementation of chapter 111, Laws of 2024 (graffiti abatement and reduction pilot). If chapter 111, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 915. 2024 c 310 s 218 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation	(\$63,497,000)) \$63,501,000
Motor Vehicle Account—Federal Appropriation	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation.....	\$509,000
Multimodal Transportation Account—State Appropriation.....	(\$22,723,000)) \$15,932,000
State Route Number 520 Corridor Account—State Appropriation.....	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation.....	\$136,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation.....	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION.....	(\$94,006,000)) \$87,219,000

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

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by

December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and ~~(\$21,194,000))~~ \$14,403,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701, chapter 472, Laws of 2023.

(5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting).

Sec. 916. 2024 c 310 s 219 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State Appropriation	\$4,000,000
Motor Vehicle Account—State Appropriation (\$32,044,000))	\$30,471,000
Motor Vehicle Account—Federal Appropriation	\$31,527,000
Motor Vehicle Account—Private/Local Appropriation	\$400,000
Move Ahead WA Flexible Account—State Appropriation	\$11,922,000
Multimodal Transportation Account—State Appropriation	(\$2,714,000)) \$2,574,000
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	(\$85,516,000)) \$83,803,000

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

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

(3)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned

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or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

(4) (~~(\$700,000)~~) \$560,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide (~~a report on the plan that includes recommendations~~) an interim report on progress to date to the Seattle city council, state department of transportation, and the transportation committees of the legislature by June 30, 2025.

(5) (~~(\$2,557,000)~~) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS)(~~(, and is subject to the conditions, limitations, and review requirements in section 701, chapter 472, Laws of 2023)~~).

(6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

(7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

(8)(a) \$11,922,000 of the move ahead WA flexible account—state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is

not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

(9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the

joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

(10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical assistance program development and implementation efforts.

(11) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(12) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

Sec. 917. 2024 c 310 s 220 (uncodified) is amended to read as follows:

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

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation.....	\$56,000
Motor Vehicle Account—State Appropriation	(\$112,419,000))
	<u>\$122,169,000</u>

Puget Sound Ferry Operations Account—State Appropriation.....	\$244,000
State Route Number 520 Corridor Account—State Appropriation.....	\$69,000
Connecting Washington Account—State Appropriation	

.....	\$452,000
Multimodal Transportation Account—State Appropriation	\$6,335,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$43,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$43,000
TOTAL APPROPRIATION	(\$119,700,000))
	<u>\$129,450,000</u>

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

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

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

Sec. 918. 2024 c 310 s 221 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State Appropriation	(\$30,400,000))
	<u>\$2,557,000</u>
Climate Transit Programs Account—State Appropriation	(\$410,645,000))
	<u>\$378,895,000</u>
State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	(\$120,177,000))
	<u>\$61,730,000</u>
Rural Mobility Grant Program Account—State Appropriation	\$33,077,000
Multimodal Transportation Account—State Appropriation	(\$126,238,000))

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	<u>\$119,100,000</u>
Multimodal Transportation Account—Federal	
Appropriation.....	\$4,374,000
Multimodal Transportation Account—Private/Local	
Appropriation.....	\$100,000
TOTAL APPROPRIATION.....	(((\$725,795,000)) <u>\$600,617,000</u>

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

(1) \$64,906,000 of the multimodal transportation account—state appropriation and ~~(((\$78,325,000))~~ \$77,900,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and ~~(((\$17,963,000))~~ \$17,713,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$48,278,000 of the multimodal transportation account—state appropriation and ~~(((\$60,137,000))~~ \$59,962,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) \$2,208,000 of the multimodal transportation account—state appropriation and \$225,000 of the climate transit programs account—state appropriation are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) ~~(((\$11,598,000))~~ \$9,925,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as~~

~~developed March 6, 2024, Program - Public Transportation Program (V))) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V).~~

(5)(a) ~~(((\$71,581,000))~~ \$13,133,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as developed March 6, 2024, Program - Public Transportation Program (V))) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V).~~ The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects

under the first mile/last mile connections grant program.

(7) ~~(((\$16,319,000)) \$12,911,000~~ of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as developed March 6, 2024)) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V)~~. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) ~~(((\$12,000,000)) \$9,942,000~~ of the multimodal transportation account—state appropriation and ~~(((\$39,400,000)) \$28,306,000~~ of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as developed March 6, 2024, Program - Public Transportation Program (V))) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V)~~. Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) \$5,950,000 of the multimodal transportation account—state appropriation and \$1,249,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as developed March 6, 2024, Program - Public Transportation Program (V))) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V)~~.

(11) ~~((Beginning January 1, 2025, \$7,442,000 of the carbon emissions reduction account—state appropriation is provided solely for additional green transportation capital projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024. Of the amounts provided in this subsection, \$1,000,000 is for the Jefferson Transit—Electric Bus Replacement project (GT23250A), \$1,023,000 is for the Pacific Transit—Electrification of the Paratransit Fleet project (GT23250C), \$3,795,000 is for the C-TRAN—Hydrogen Fueling Station Infrastructure project (GT23250D), and \$1,623,000 is for the Island Transit—Fleet Expansion project (GT23250E).~~

~~(((\$10,267,000)) \$8,632,000~~ of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program. Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, 2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, ~~(((\$10,167,000)) \$8,532,000~~ is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as~~

~~developed March 6, 2024)) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V)~~. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

~~(((\$13)) (12) \$188,930,000~~ of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions.

~~(((\$14) \$38,000,000)) (13) \$35,914,000~~ of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

~~(((\$15)) (14) Beginning January 1, 2025, (((\$7,758,000)) \$1,467,000~~ of the carbon emissions reduction account—state appropriation is provided solely for ~~((additional bus and bus facility projects. Of the amounts provided in this subsection, \$1,467,000 is for))~~ Kitsap Transit for inductive charging units for transit centers ~~(((\$1,891,000 is for Twin Transit for zero-emission vehicle acquisition, \$4,400,000 is for C-TRAN for highway 99 BRT hydrogen fuel cell buses))~~.

~~(((\$16)) (15) \$2,000,000~~ of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

~~(((\$17) \$46,587,000)) (16) \$31,735,000~~ of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2024-2 ALL PROJECTS as developed March 6, 2024, Move Ahead WA Transit Projects)) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Public Transportation Program (V)~~.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection ~~(((\$15))~~ are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

~~(((\$18)) (17) \$702,000~~ of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or

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provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

~~((49))~~ (18) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~((20))~~ (19) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~((24))~~ (20)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

(c) King county metro must provide at least a 50 percent match to develop the pilot program funded under this subsection.

~~((22))~~ (21) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

~~((23))~~ (22) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

~~((24))~~ (23) Beginning January 1, 2025, ~~((2,000,000))~~ \$290,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with populations fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

~~((25))~~ (24) Beginning January 1, 2025, ~~((900,000))~~ \$300,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people

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with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a status report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2025.

~~((26) Beginning January 1, 2025, \$11,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024 2 ALL PROJECTS as developed March 6, 2024:~~

~~(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);~~

~~(b) Kitsap Transit: Design & Shore Power (G2000115);~~

~~(c) Pierce Transit—Meridian (L2021197); and~~

~~(d) King County Metro South Annex Base Electrification Elements (L4000174).~~

~~((27))~~ (25) \$100,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to implement a pilot program to provide funds to nonprofit organizations to offer rideshare vouchers to persons who are low-income and people with disabilities who rely on paratransit to get to and from work or medical appointments. King county metro must work with a group who provides dialysis services in King county and with a group who provides employment services and supports to adults with disabilities in the four most populous counties in Washington. The department must submit a report to the office of financial management and the transportation committees of the legislature by June 1, 2025. The report must incorporate feedback from participants to the extent possible and evaluate the effectiveness of the program as an alternative to current public transportation programs.

Sec. 919. 2024 c 310 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State

Appropriation ~~((571,594,000))~~ \$527,612,000

Puget Sound Ferry Operations Account—Federal

Appropriation ~~((198,650,000))~~ \$197,187,000

Puget Sound Ferry Operations Account—Private/Local

Appropriation \$121,000
TOTAL APPROPRIATION ~~((770,365,000))~~ \$724,920,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) ~~((97,060,000))~~ \$95,597,000 of the Puget Sound ferry operations account—federal appropriation and ~~((51,450,000))~~ \$15,884,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703, chapter 472, Laws of 2023. The amount provided in this subsection represents the

fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) (~~(\$16,973,000))~~ \$8,873,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office;

(e) Increase human resources capacity to expand recruitment efforts including to communities currently underrepresented within the Washington state ferries, and add a workforce ombuds; and

(f) Hire additional dispatch staff, or any other staff mandatory for system operations.

(8) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

(9)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The

review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

(10) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(11) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees of the legislature by December 15, 2023.

(13) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(14) \$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

(15) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

(16) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

(17) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

(a) Add a second shift at the Eagle Harbor maintenance facility;

(b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;

(c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and

(d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

(18)(a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are

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utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

(19) \$420,000 of the Puget Sound ferry operations account appropriation—state is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

(20) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues;

(b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(21) (~~(\$10,000,000)~~) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(22) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to

evaluate options for the state to return to providing state passenger-only ferry service to support existing ferry service routes.

(a) The study must focus on the routes recommended for further study by the 2020 study of passenger-only ferry service by the Puget Sound regional council as well as San Juan county interisland passenger-only ferry service. The department must contract with a third-party entity with experience in passenger-only ferry service.

(b) The evaluation must study options for the state to return to providing state passenger-only ferry service to support existing ferry service routes. The study must include estimated ridership, operating costs including labor, vessel procurement options with prioritization given to clean fueled ferries such as electric ferries, funding options including state subsidies of passenger-only ferry districts, and schedule and timing to implement passenger-only ferry options in evaluated routes.

(c) A progress report is due to the governor and transportation committees of the legislature by October 30, 2024. A final report is due to the governor and transportation committees of the legislature by June 1, 2025.

(23) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(24) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

Sec. 920. 2024 c 310 s 224 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State

Appropriation \$275,000

Motor Vehicle Account—State Appropriation (~~(\$14,282,000)~~)

\$14,266,000

Motor Vehicle Account—Federal Appropriation... \$2,567,000

Multistate Roadway Safety Account—State Appropriation

..... \$1,230,000

Multimodal Transportation Account—State

Appropriation \$2,000,000

TOTAL APPROPRIATION (~~(\$20,354,000)~~)

\$20,338,000

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

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other

interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

(e) Update the 2020 county transportation revenue study; and

(f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts expended on the purposes enumerated in this subsection.

~~((4))~~ (3)(a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((5))~~ (4) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law

enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((6))~~ (5) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((7))~~ (6)(a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

~~((8))~~ (7) \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

~~((9))~~ (8) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

~~((d) The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.~~

~~((10))~~ (9) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this

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subsection, the department shall work to enhance its multiagency permit program capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 1001. 2024 c 310 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation
~~.....(((\$7,888,000))~~
\$6,531,000

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

(1) ~~((((\$7,888,000))~~ \$6,531,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) ~~((((\$250,000))~~ \$1,420,000 is for emergency repairs;
 (b) ~~((((\$2,000,000))~~ \$1,133,000 is for roof replacements;
 (c) ~~((((\$350,000))~~ \$251,000 is for fuel tank decommissioning;
 (d) ~~((((\$500,000 is for generator and electrical replacement;~~
 (e) ~~((((\$500,000))~~ \$200,000 is for the exterior envelope of the Yakima office;

~~((((\$2,000,000))~~ (e) \$1,704,000 is for energy efficiency projects;

~~((((\$1,000,000))~~ (f) \$819,000 is for pavement surface improvements;

~~((((\$300,000))~~ (g) \$90,000 is for fire alarm panel replacement;

~~((((\$188,000))~~ (h) \$202,000 is for repairs at the Bellevue district office;

~~((((\$200,000))~~ (i) \$150,000 is for an academy master plan. As part of the academy master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

~~((((\$500,000))~~ (j) \$477,000 reappropriation is for the Tacoma district office generator replacement project; and

~~((((\$100,000))~~ (k) \$85,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

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(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

Sec. 1002. 2023 c 472 s 303 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State
 Appropriation \$3,975,000
 Transportation Improvement Account—State
 Appropriation ~~((((\$240,000,000))~~
\$220,000,000

Complete Streets Grant Program Account—State
 Appropriation ~~((((\$14,670,000))~~
\$4,670,000

Move Ahead WA Account—State Appropriation.. \$9,333,000
 Climate Active Transportation Account—State
 Appropriation ~~((((\$19,067,000))~~
\$16,567,000

TOTAL APPROPRIATION ~~((((\$287,045,000))~~
\$254,545,000

Sec. 1003. 2024 c 310 s 303 (uncodified) is amended to read as follows:

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

~~(((Connecting Washington Account—State~~
~~Appropriation \$3,000))~~
 Motor Vehicle Account—State Appropriation ~~((((\$29,810,000))~~
\$15,352,000

Move Ahead WA Account—State Appropriation.. \$12,011,000
 Multimodal Transportation Account—State
 Appropriation \$1,200,000
 TOTAL APPROPRIATION ~~((((\$43,024,000))~~
\$28,563,000

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

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility

utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3)(a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only rest stop must be considered if property is available to develop a new light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) ~~(((\$15,457,000))~~ \$1,000,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5)(a) ~~\$4,100,000 of the ((move ahead WA account))~~ motor vehicle account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management,

in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

Sec. 1004. 2024 c 310 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account—

State Appropriation ~~(((\$23,794,000))~~ \$16,388,000

Carbon Emissions Reduction Account—State

Appropriation \$250,000

Climate Active Transportation Account—State

Appropriation ~~(((\$2,000,000))~~ \$1,100,000

Move Ahead WA Account—Private/Local Appropriation

..... \$137,500,000

State Route Number 520 Civil Penalties Account—State

Appropriation \$10,000,000

Transportation 2003 Account (Nickel Account)—State

Appropriation ~~(((\$634,000))~~ \$629,000

Transportation Partnership Account—State

Appropriation ~~(((\$46,899,000))~~ \$93,540,000

Motor Vehicle Account—State Appropriation

..... ~~(((\$100,366,000))~~ \$90,241,000

Motor Vehicle Account—Federal Appropriation

..... ~~(((\$480,282,000))~~ \$342,560,000

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation ~~(((\$337,144,000))~~ \$282,810,000

Motor Vehicle Account—Private/Local Appropriation

..... ~~(((\$74,115,000))~~ \$74,996,000

Connecting Washington Account—State Appropriation

..... ~~(((\$1,960,374,000))~~ \$2,100,759,000

Special Category C Account—State Appropriation

..... ~~(((\$143,917,000))~~ \$119,192,000

Multimodal Transportation Account—State

Appropriation ~~(((\$14,311,000))~~ \$8,719,000

Multimodal Transportation Account—Federal

Appropriation ~~(((\$12,287,000))~~

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	<u>\$480,000</u>
((State Route Number 520 Corridor Account—	
State Appropriation.....	(\$500,000))
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	(((\$319,464,000))
	<u>\$295,220,000</u>
Move Ahead WA Account—State Appropriation	
.....	(((\$737,961,000))
	<u>\$735,394,000</u>
Move Ahead WA Account—Federal Appropriation	
.....	(((\$373,155,000))
	<u>\$272,554,000</u>
JUDY Transportation Future Funding Program Account—	
State Appropriation.....	\$52,000,000
Model Toxics Control Stormwater Account—State	
.....	\$15,000,000
TOTAL APPROPRIATION.....	(((\$4,841,703,000))
	<u>\$4,649,332,000</u>

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2024-4~~) 2025-1 as developed March ((~~6, 2024~~) 23, 2025, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601, chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2024-2~~) 2025-2 ALL PROJECTS as developed March ((~~6, 2024~~) 23, 2025, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,332,926,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$111,106,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to ((~~\$46,899,000~~) \$27,418,000 in

proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ((~~2024-2~~) 2025-2 ALL PROJECTS as developed March ((~~6, 2024~~) 23, 2025;

(c) Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

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

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(11) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

(a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

(b) I-82/EB WB On and Off Ramps (L2000123).

(12)(a) ((~~\$337,114,000~~) \$282,810,000 of the coronavirus state fiscal recovery fund—federal appropriation, ((~~\$110,439,000~~) \$31,405,000 of the motor vehicle account—federal appropriation, ((~~\$576,827,000~~) \$191,807,000 of the connecting Washington account—state appropriation, \$525,187,000 of the move ahead WA account—state appropriation, \$5,832,000 of the motor

vehicle account—private/local appropriation, and ~~(((\$8,329,000))~~ \$266,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

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

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

(13)(a) \$15,000,000 of the model toxics control stormwater account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

(b) Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

(14)(a) ~~(((\$25,067,000))~~ \$12,011,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302; and

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools.

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(15) ~~(((\$6,000,000))~~ \$384,000 of the move ahead WA account—state appropriation and ~~(((\$10,000,000))~~ \$3,342,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017), for the archeological study of Suquamish artifacts in Gorst to be completed by December 2027. Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(16)(a) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 ~~((over the 16 year move ahead WA investment program))~~.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the

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Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) ~~(((\$2,642,000))~~ \$94,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) ~~(((\$338,512,000))~~ \$343,674,000 of the connecting Washington account—state appropriation, ~~(((\$3,109,000))~~ \$1,582,000 of the multimodal transportation account—state appropriation, ~~(((\$27,201,000))~~ \$26,735,000 of the motor vehicle account—private/local appropriation, ~~(((\$178,543,000))~~ \$174,712,000 of the move ahead WA account—federal appropriation, ~~(((\$36,370,000))~~ \$10,001,000 of the move ahead WA account—state appropriation, and ~~(((\$211,131,000))~~ \$161,680,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

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

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

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(20) \$2,213,000 of the motor vehicle account—state appropriation and \$14,012,000 of the connecting Washington account—state appropriation are provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

(21) ~~(((\$409,667,000))~~ \$363,020,000 of the connecting Washington account—state appropriation, ~~(((\$500,000 of the state route number 520 corridor account—state appropriation,))~~ \$10,000,000 of the state route number 520 civil penalties account—state appropriation, \$52,000,000 of the JUDY transportation future funding program account—state appropriation, and \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R) and are subject to the following conditions and limitations:

(a) The department shall immediately proceed with awarding the bid for the Portage Bay Bridge and Roanoke Lid project to the team that submitted the proposal with the apparent best value in September 2023. Consistent with negotiated timelines, the legislature expects the award to be made by March 15, 2024, and assumes that the department shall expedite executing the contract with the awarded team. Once the contract is executed for this project, the department shall seek consequential cost reduction opportunities through value engineering and prioritizing functionality and usability of the Portage Bay Bridge and Roanoke Lid. The department shall report on the status of the project and cost reduction efforts to the transportation committees of the legislature by December 15, 2024.

(b) Upon completion of the Montlake Phase of the West End project, the department shall sell or transfer that portion of the property not necessary for transportation purposes, and shall initiate a process to convey or transfer such portion of the surplus property to a subsequent owner.

(c) ~~((Of the amounts provided in this subsection, \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities.))~~ It is the intent of the legislature to provide ~~((an additional \$600,000))~~ \$1,100,000 for noise mitigation activities.

(d) Pursuant to chapter 281, Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(22) ~~(((\$450,000))~~ \$391,000 of the motor vehicle account—state appropriation ~~((is))~~ and \$5,562,000 of the motor vehicle account—federal appropriation are provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

(23) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects

in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(24) ~~(((\$9,593,000)) \$9,195,000 of the motor vehicle account—state appropriation, (((\$552,000 of the connecting Washington account—state appropriation,)) and (((\$209,000)) \$584,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.~~

(25) Prior to initiating new advertisements or requests for qualifications for the following projects: SR 9/Marsh Road to 2nd Street Vicinity (N00900R), SR 526 Corridor Improvements (N52600R), US 395 North Spokane Corridor (M00800R), and SR 18 - Widening - Issaquah/Hobart Rd to Raging River - Phase 1 (L1000199), the capital projects advisory review board shall review the planned procurement methods for these projects. The board shall provide recommendations on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for project L1000199 by July 1, 2024, and projects N52600R, N00900R, and M00800R by December 1, 2024. After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate.

The department shall structure the advertisements, requests for qualifications, and requests for proposals, for projects referenced in this subsection, in a manner that provides a high degree of certainty that bids come in as expected according to engineer estimates made through the cost estimate valuation process. The department may request bid offers with alternatives for components of a larger project so that the department may present to the legislature modified options for projects to minimize project delays and stay within appropriated funding resources. If alternatives provided are at or below the engineer estimates, the department may proceed with the project award.

If bid proposals exceed engineer estimates by more than five percent or \$10,000,000, the department shall report this information to the transportation committees of the legislature within two weeks of receiving the bid proposals, and pause award and contract execution.

(26) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

(27) ~~(((\$1,804,000)) \$270,000 of the connecting Washington account—state appropriation is provided solely for the SR 164 East Auburn Access project (L1000120). The department must work with the Muckleshoot tribe to deliver the project.~~

(28) \$250,000 of the motor vehicle account—state appropriation is provided solely for preliminary engineering of the SR 14/Camas Slough Bridge project (L1000352). Funds may be used for predesign environmental assessment work, community engagement, design, and project cost estimation.

(29) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for matching funds for the

department to apply to the federal highway administration's wildlife crossings pilot program, in the 2024 grant application cycle, for wildlife crossing underpasses on U.S. 97 between Tonasket and Riverside.

(30) ~~(((\$1,800,000)) \$1,720,000 of the multimodal transportation account—state appropriation and (((\$12,287,000)) \$480,000 of the multimodal transportation account—federal appropriation are provided solely for the department to develop and implement a technology-based truck parking availability system along the Interstate 5 corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers (L1000375). The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and provide a final report to the transportation committees of the legislature by December 1, 2024.~~

(31) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements (L1000377).

~~((32) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements (L1000376). As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in this subsection (32). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity, as well as for long term expansion of truck parking capacity-))~~

Sec. 1005. 2024 c 310 s 305 (uncodified) is amended to read as follows:

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

Move Ahead WA Account—State Appropriation	(((\$105,219,000)) <u>\$101,593,000</u>
Recreational Vehicle Account—State Appropriation \$769,000	
Transportation 2003 Account (Nickel Account)—State Appropriation	\$70,411,000
Motor Vehicle Account—State Appropriation	(((\$154,960,000)) <u>\$142,439,000</u>
Motor Vehicle Account—Federal Appropriation \$560,102,000	
Motor Vehicle Account—Private/Local Appropriation	(((\$17,010,000)) <u>\$13,121,000</u>
Connecting Washington Account—State Appropriation	(((\$48,726,000)) <u>\$47,462,000</u>
State Route Number 520 Corridor Account—State Appropriation	(((\$7,434,000)) <u>\$6,205,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation	(((\$12,202,000)) <u>\$9,611,000</u>
Alaskan Way Viaduct Replacement Project Account—State Appropriation	(((\$1,662,000)) <u>\$1,213,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(((\$15,183,000)) <u>\$8,702,000</u>

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Transportation Partnership Account—State
 Appropriation.....\$12,036,000
 TOTAL APPROPRIATION.....(~~(\$1,005,714,000))~~
\$973,664,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2024-4)) 2025-1~~ as developed March (~~(6, 2024)) 23, 2025~~, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601, chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2024-2)) 2025-2~~ ALL PROJECTS as developed March (~~(6, 2024)) 23, 2025~~, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The transportation partnership account—state appropriation includes up to (~~(\$3,280,000))~~ \$12,036,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) (~~(\$22,000,000))~~ \$9,500,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

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

(7) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(8) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(9) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114).

(11) (~~(\$4,319,000))~~ \$693,000 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). Of the amounts in this subsection, \$155,000 must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

Sec. 1006. 2024 c 310 s 306 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
 TRANSPORTATION OPERATIONS—PROGRAM Q—
 CAPITAL**

Motor Vehicle Account—State Appropriation (~~(\$10,606,000))~~
\$10,538,000

Motor Vehicle Account—Federal Appropriation
 (~~(\$12,226,000))~~
\$12,768,000

Motor Vehicle Account—Private/Local Appropriation
 \$500,000

Move Ahead WA Account—State Appropriation..... \$611,000
 TOTAL APPROPRIATION (~~(\$23,943,000))~~
\$24,417,000

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

(1) (~~(\$5,547,000))~~ \$5,548,000 of the motor vehicle account—state appropriation, (~~(\$8,830,000))~~ \$8,465,000 of the motor vehicle account—federal appropriation, and \$500,000 of the

motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

Sec. 1007. 2024 c 310 s 307 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State Appropriation.....	(((\$116,021,000))) <u>\$124,229,000</u>
Move Ahead WA Account—State Appropriation.....	(((\$49,828,000))) <u>\$69,726,000</u>
Puget Sound Capital Construction Account—State Appropriation.....	(((\$388,304,000))) <u>\$450,163,000</u>
Puget Sound Capital Construction Account—Federal Appropriation.....	(((\$87,047,000))) <u>\$28,822,000</u>
Puget Sound Capital Construction Account— Private/Local Appropriation	(((\$2,150,000))) <u>\$839,000</u>
Transportation 2003 Account (Nickel Account)—State Appropriation.....	(((\$9,705,000))) <u>\$7,446,000</u>
Transportation Partnership Account—State Appropriation.....	(((\$21,883,000))) <u>\$12,874,000</u>
Connecting Washington Account—State Appropriation.....	(((\$21,688,000))) <u>\$43,376,000</u>
TOTAL APPROPRIATION.....	(((\$697,098,000))) <u>\$737,947,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2024-2 ALL PROJECTS as developed March 6, 2024,)) 2025-2 ALL PROJECTS as developed March 23, 2025, Program - Washington State Ferries Capital Program (W).

(2) ~~(((\$24,260,000)))~~ \$25,135,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) \$21,688,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (~~((L2000329))~~) (L2021073). The amounts provided in this subsection are contingent upon the

enactment of chapter 429, Laws of 2023.

~~((4))~~ ~~((Beginning January 1, 2025, \$11,554,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329).))~~

~~((5))~~ ~~(((\$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a vessel predesign to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth Fauntleroy route. The predesign study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of utilizing the existing hybrid electric Olympic class vessel design.))~~

~~((6))~~ ~~(((\$8,032,000))~~ \$2,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). ~~((Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.))~~

~~((7))~~ ~~(((\$125,000))~~ (5) \$302,000 of the Puget Sound capital construction account—state appropriation and ~~(((\$125,000))~~ \$302,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

~~((8))~~ ~~((6))~~ The transportation partnership account—state appropriation includes up to ~~(((\$7,195,000))~~ \$7,445,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~((9))~~ ~~((7))~~ For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.

~~((10))~~ ~~((8))~~ For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.

~~((11))~~ ~~((Beginning January 1, 2025, \$6,175,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).))~~

~~((12))~~ ~~((Beginning January 1, 2025, \$24,265,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).))~~

Sec. 1008. 2024 c 310 s 308 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State Appropriation	(((\$114,800,000))) <u>\$4,604,000</u>
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Essential Rail Assistance Account—State

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Appropriation.....	(((\$1,412,000))
	<u>\$570,000</u>
Motor Vehicle Account—State Appropriation	(((\$697,000))
	<u>\$384,000</u>
Move Ahead WA Account—State Appropriation ..	\$1,500,000
Move Ahead WA Flexible Account—State Appropriation	(((\$33,500,000))
	<u>\$20,968,000</u>
((Multimodal Transportation Account—	
Private/Local Appropriation	(((\$12,000))
Transportation Infrastructure Account—State	
Appropriation.....	(((\$16,621,000))
	<u>\$5,826,000</u>
Multimodal Transportation Account—State	
Appropriation.....	(((\$101,403,000))
	<u>\$46,223,000</u>
Multimodal Transportation Account—Federal	
Appropriation.....	(((\$25,903,000))
	<u>\$19,525,000</u>
TOTAL APPROPRIATION.....	(((\$295,848,000))
	<u>\$99,600,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed March ~~((6, 2024))~~ 23, 2025, Program - Rail Program (Y).

(2)(a) \$2,680,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

~~(3) (((\$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for a low-interest loan for the Port of Longview Rail Corridor Expansion project (L1000347) to accommodate current and future port cargo handling needs. The low-interest loan must comply with the requirements of RCW 47.76.460(2).~~

~~(((\$7,567,000))~~ \$4,861,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

~~(((\$5))~~ (4) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

~~(((\$6))~~ (5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications

in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

~~(((\$7—\$25,000,000))~~ (6) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

~~(((\$8—\$33,500,000))~~ (7) \$20,968,000 of the move ahead WA flexible account—state appropriation ~~(((\$8))~~ and \$6,900,000 of the multimodal transportation account—federal appropriation are provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

~~(((\$9—\$19,990,000))~~ (8) \$4,155,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

~~(((\$10—\$6,300,000))~~ (9) \$1,023,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

~~(((\$11—\$14,000,000))~~ (10) \$500,000 of the carbon emissions reduction account—state appropriation ~~(((\$11—\$14,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~(((\$12—\$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel electric switcher locomotives with zero emission battery electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.~~

~~(((\$13))~~ (11) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

~~(((\$14—\$26,500,000))~~ (12) \$300,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

~~(((\$15—\$2,000,000))~~ (13) \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((14))~~ (14) \$500,000 of the carbon emissions reduction account—state appropriation, and beginning January 1, 2025, ~~(((\$1,500,000))~~ \$281,000 of the carbon emissions reduction account—state appropriation, are provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((17))~~ (15) \$1,307,000 of the transportation infrastructure account—state appropriation is provided solely for the Port of Quincy Rail Infrastructure Expansion project (L1000348), an expansion of rail infrastructure within the Port of Quincy's current rail terminal and to nearby industrial zoned properties in the port district.

~~((18))~~ (16) Beginning January 1, 2025, ~~(((\$20,000,000))~~ \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for the Puyallup Tribe Port Electrification project (L1000346).

Sec. 1009. 2024 c 310 s 309 (uncodified) is amended to read as follows:

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

Carbon Emissions Reduction Account—State Appropriation.....	(((\$53,944,000)) \$11,782,000
Climate Active Transportation Account—State Appropriation.....	(((\$169,442,000)) \$107,431,000
Freight Mobility Investment Account—State Appropriation.....	(((\$21,847,000)) \$16,460,000
Freight Mobility Multimodal Account—State Appropriation.....	(((\$27,216,000)) \$17,704,000
((Highway Infrastructure Account—State Appropriation.....	(((\$1,060,000))
Highway Infrastructure Account—Federal Appropriation.....	(((\$1,500,000))
Move Ahead WA Account—State Appropriation	(((\$117,033,000)) \$21,225,000
Move Ahead WA Flexible Account—State Appropriation	(((\$34,500,000)) \$11,500,000
Motor Vehicle Account—State Appropriation (((\$31,785,000))	(((\$31,785,000)) \$14,547,000
Motor Vehicle Account—Federal Appropriation	(((\$129,698,000)) \$98,263,000
Motor Vehicle Account—Private/Local Appropriation	\$35,000,000
Connecting Washington Account—State Appropriation	(((\$117,410,000)) \$27,212,000
Multimodal Transportation Account—State Appropriation.....	(((\$142,372,000)) \$71,630,000
TOTAL APPROPRIATION.....	(((\$882,807,000)) \$432,754,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed March ~~((6, 2024))~~ 23, 2025, Program - Local Programs

Program (Z), except that: An additional \$500,000 of the multimodal transportation account—state appropriation is provided solely for the Maple Valley Pedestrian Bridge over SR 169 project (L2021093) and an additional \$100,000 of the move ahead WA flexible account—state appropriation is provided solely for the Bradley Road Safe Routes Pedestrian Improvements project (L4000143).

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

(a) ~~(((\$47,707,000))~~ \$27,707,000 of the multimodal transportation account—state appropriation and ~~(((\$43,058,000))~~ \$27,686,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) ~~(((\$31,553,000))~~ \$26,020,000 of the motor vehicle account—federal appropriation, ~~(((\$45,399,000))~~ \$24,260,000 of the climate active transportation account—state appropriation, and ~~(((\$21,157,000))~~ \$15,586,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) ~~(((\$12,792,000))~~ \$8,436,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) ~~(((\$46,580,000))~~ \$35,278,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) ~~(((\$7,125,000))~~ \$1,750,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306, chapter 472, Laws of 2023 is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306, chapter 472, Laws of 2023 for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the

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governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (~~(\$136,893,000))~~ \$41,085,000 of the move ahead WA account—state appropriation and (~~(\$25,000,000))~~ \$9,600,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed March (~~((6, 2024))~~) 23, 2025, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed March (~~((6, 2024))~~) 23, 2025, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, (~~(\$25,493,000))~~ \$3,551,000 of the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities. The roundabout at Vail is with Thurston county, the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project predesign and design information developed to date to the local jurisdictions and have a project implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department. Of the amounts provided in this subsection, \$7,000,000 is for the roundabout at Vail road and state route number 507.

(c) \$15,000,000 of the move ahead Washington account—state appropriation is provided solely for the Columbia River Bridge Replacement/Hood River to White Salmon project (L4000046). The office of financial management shall place the amounts in this subsection in unallotted status. As funds are appropriated by the Oregon legislature, the office of financial management may

release amounts provided in this subsection to match Oregon appropriations.

(8) (~~(\$39,185,000))~~ \$21,885,000 of the climate active transportation account—state appropriation, (~~(\$11,600,000 of the multimodal transportation))~~ \$1,550,000 of the carbon emissions reduction account—state appropriation, and (~~(\$3,000,000))~~ \$400,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed March (~~((6, 2024))~~) 23, 2025, Program - Local Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed March (~~((6, 2024))~~) 23, 2025, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) (~~(\$25,000,000))~~ \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) (~~(\$14,000,000))~~ \$200,000 of the carbon emissions reduction account—state appropriation (~~(, and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) (~~(\$6,500,000))~~ \$1,400,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be

used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123), as described in section 911 (18) and (19), chapter 472, Laws of 2023.

(14) (~~(\$200,000)~~) \$30,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) (~~(\$1,000,000)~~) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16)(a)(i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and

there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16)(a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, (~~(\$2,000,000)~~) \$432,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation

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committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) (~~(\$21,847,000)~~) \$16,460,000 of the freight mobility investment account—state appropriation and (~~(\$27,216,000)~~) \$17,704,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) (~~(\$4,150,000)~~) \$75,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) (~~(\$9,240,000)~~) \$2,630,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document (~~(2024-2)~~) 2025-2 ALL PROJECTS as developed March (~~(6, 2024)~~) 23, 2025;

(c) Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) (~~(\$5,000,000)~~) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) Beginning January 1, 2025, (~~(\$22,944,000)~~) \$7,279,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document (~~(2024-2)~~) 2025-2 ALL PROJECTS as developed March (~~(6, 2024)~~) 23, 2025:

(a) North Aurora Safety Improvements (L4000154);

(b) North Broadway Pedestrian Bridge (L2021082);

(c) (~~(State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);~~

(~~(d))~~) 72nd Ave & Washington Ave Active Transportation Components (L2021194);

(~~(e))~~) (~~(d)~~) Bluff Trail Hood River to White Salmon (L2021199);

(~~(f))~~) (~~(e)~~) Columbia Heights Safety Improvements (L2021195);

(~~(g))~~) (~~(f)~~) La Center Pac. Hwy Shared Use Path (L2021196);

(~~(h))~~) (~~(g)~~) SR 240/Aaron Dr Complete Streets Improvements (L2021193);

(~~(i))~~) (~~(h)~~) View Ridge Safe Routes to Schools (L1000342);

(~~(j))~~) (~~(i)~~) 84th Ave NE Pedestrian and Bicycle Project (L1000366);

(~~(k))~~) (~~(j)~~) Communities for a Health Bay electric boat (L1000368);

(~~(l))~~) (~~(k)~~) SR 303 Warren Ave Bridge Pedestrian Improvements (L2000339); and

(~~(m))~~) (~~(l)~~) SR 520 & 148th NE Bicycle/Pedestrian Crossing (L2021047).

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2024 c 310 s 401 (uncodified) is amended to read as follows:

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

Transportation Partnership Account—State	
Appropriation	((\$221,000))
	<u>\$34,000</u>
Connecting Washington Account—State	
Appropriation	((\$4,531,000))
	<u>\$2,169,000</u>
Special Category C Account—State	
Appropriation	((\$444,000))
	<u>\$150,000</u>

Highway Bond Retirement Account—State	
Appropriation	((\$1,475,218,000))
	<u>\$1,476,980,000</u>

Ferry Bond Retirement Account—State	
Appropriation	\$4,616,000

Transportation Improvement Board Bond Retirement Account—State	
Appropriation	\$10,305,000
Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation	\$28,262,000
Toll Facility Bond Retirement Account—State	
Appropriation	\$76,372,000
TOTAL APPROPRIATION	((\$1,599,969,000))
	<u>\$1,598,888,000</u>

Sec. 1102. 2024 c 310 s 402 (uncodified) is amended to read as follows:

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

Transportation Partnership Account—State	
Appropriation	((\$46,000))
	<u>\$21,000</u>
Connecting Washington Account—State	
Appropriation	((\$1,017,000))
	<u>\$600,000</u>

Special Category C Account—State Appropriation((~~\$95,000~~))
\$31,000
 TOTAL APPROPRIATION.....((~~\$1,158,000~~))
\$652,000

Sec. 1103. 2024 c 310 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties.....((~~\$461,954,000~~))
\$451,996,000

Multimodal Transportation Account—State Appropriation: For distribution to cities and counties.....\$26,786,000
 Motor Vehicle Account—State Appropriation: For distribution to cities and counties\$23,438,000
 TOTAL APPROPRIATION.....((~~\$512,178,000~~))
\$502,220,000

Sec. 1104. 2024 c 310 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers((~~\$1,955,782,000~~))
\$1,913,772,000

Sec. 1105. 2024 c 310 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers((~~\$253,180,000~~))
\$205,018,000

Sec. 1106. 2024 c 310 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State.....((~~\$175,000,000~~))
\$115,000,000

(2) Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State.....((~~\$200,000,000~~))
\$120,000,000

(3) Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State.....\$29,200,000

(4) Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State\$32,730,000

(5) Washington State Aviation Account—State Appropriation: For transfer to the Aeronautics Account—State.....\$150,000

(6) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State\$178,885,000

(7) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Transit Programs Account—State.....((~~\$408,000,000~~))
\$375,000,000

(8) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State\$4,200,000

(9) Move Ahead WA Flexible Account—State Appropriation: For transfer to the Move Ahead WA

Account—State\$100,000,000
 (10) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$25,000,000

(11) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State\$84,000,000

(12)(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State.....\$6,611,000

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

(13) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State\$1,500,000

(14) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State\$4,844,000

(15) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State\$8,511,000

(16) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State\$4,844,000

(17) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State.....\$9,688,000

(18)(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$1,000,000

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

(19) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State((~~\$560,000~~))
\$380,000

(20)(a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State\$29,000,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.

(21) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State.....\$14,670,000

(22) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State((~~\$3,000,000~~))
\$33,000,000

(23) Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$15,000,000

(24) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State.....\$8,511,000

(25) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State\$11,790,000

(26) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital

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Construction Account—State	(\$175,000,000)
	<u>\$240,000,000</u>
(27) Multimodal Transportation Account—State	
Appropriation: For transfer to the Puget Sound	
Ferry Operations Account—State	\$90,500,000
(28) Multimodal Transportation Account—State	
Appropriation: For transfer to the Regional Mobility	
Grant Program Account—State	\$27,679,000
(29) Multimodal Transportation Account—State	
Appropriation: For transfer to the Rural Mobility	
Grant Program Account—State	\$12,223,000
(30) Multimodal Transportation Account—State	
Appropriation: For transfer to the State Patrol Highway	
Account—State	(\$59,000,000)
	<u>\$49,000,000</u>
(31)(a) Alaskan Way Viaduct Replacement	
Project Account—State Appropriation: For transfer to	
the Transportation Partnership Account—State....	\$47,899,000
(b) \$22,899,000 of the amount transferred in this subsection	
represents repayment of debt service incurred for the construction	
of the SR 99/Alaskan Way Viaduct Replacement project	
(809936Z).	
(32) Tacoma Narrows Toll Bridge Account—State	
Appropriation: For transfer to the Motor Vehicle	
Account—State	\$543,000
(33)(a) General Fund Account—State	
Appropriation: For transfer to the State Patrol Highway	
Account—State	\$625,000
(b) The state treasurer shall transfer the funds only after	
receiving notification from the Washington state patrol under	
section 207, chapter 472, Laws of 2023.	
(34) Puget Sound Ferry Operations Account—State	
Appropriation: For transfer to the Puget Sound Capital	
Construction Account—State	\$121,828,000
(35) Move Ahead WA Account—State	
Appropriation: For transfer to the Puget Sound Ferry	
Operations Account—State	\$120,000,000
(36) Advance Right-Of-Way Revolving Fund—State	
Appropriation: For transfer to the JUDY Transportation	
Future Funding Program Account—State	\$40,000,000
(37) Transportation Infrastructure Account—State	
Appropriation: For transfer to the Essential Rail	
Assistance Account—State	\$1,000,000
(38) Regional Mobility Grant Program Account—State	
Appropriation: For transfer to the Multimodal	
Transportation Account—State	\$6,098,000
(39) Move Ahead WA Account—State Appropriation:	
For transfer to the Motor Vehicle Account—State	
.....	(\$50,000,000)
	<u>\$70,000,000</u>
(40) Move Ahead WA Account—State Appropriation:	
For transfer to the Transportation 2003	
Account—State	\$13,000,000

Sec. 1107. 2024 c 310 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal	
Appropriation	\$192,490,000
Toll Facility Bond Retirement Account—State	
Appropriation	(\$26,562,000)
	<u>\$26,955,000</u>

TOTAL APPROPRIATION	(\$219,052,000)
	<u>\$219,445,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

IMPLEMENTING PROVISIONS

Sec. 1201. 2024 c 310 s 501 (uncodified) is amended to read as follows:

MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements, 2015 connecting Washington projects or improvements, and move ahead WA projects or improvements are listed in the LEAP Transportation Document (~~(2024-1)~~) 2025-1 as developed March (~~(6, 2024)~~) 23, 2025, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account, connecting Washington account, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations, connecting Washington account appropriations, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

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

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;

(f) Transfers may not be made while the legislature is in session;

(g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(h) The total amount of transfers under this section may not exceed \$50,000,000;

(i) Except as otherwise provided in (k) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;

(j) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

(k) Transfers between projects may be made by the department of transportation without the formal written approval provided

under this subsection (1)(k), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

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

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

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

Sec. 1202. 2024 c 310 s 502 (uncodified) is amended to read as follows:

TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed March ((6, 2024)) 23, 2025, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

Sec. 1203. 2024 c 310 s 503 (uncodified) is amended to read as follows:

LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed March ((6, 2024)) 23, 2025, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2023-2025 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

MISCELLANEOUS

NEW SECTION. Sec. 1301. A new section is added to 2024 c 310 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 472, Laws of 2023, chapter 310, Laws of 2024, and this act must be expended for the programs and in the amounts specified in chapter 472, Laws of 2023, chapter 310, Laws of 2024, and this act. However, after May 1, 2025, unless specifically prohibited, the department may transfer state appropriations for the 2023-2025 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature two weeks prior to approving any allotment modifications or transfers under this section.

NEW SECTION. Sec. 1302. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1303. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Liias moved that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5161 and request of the House a conference thereon.

The Vice President Pro Tempore declared the question before the Senate to be motion by Senator Liias that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5161 and request a conference thereon.

The motion by Senator Liias carried and the Senate refused to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5161 and requested of the House a conference thereon by voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

The Vice President Pro Tempore appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 5161 and the House amendment(s) thereto: Senators King, Liias and Ramos.

MOTION

On motion of Senator Liias, the appointments to the conference committee were confirmed.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5571 with the

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following amendment(s): 5571 AMH ENGR H2006.E

MOTION

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35.21 RCW to read as follows:

(1) Except as provided in subsection (3) of this section, a city is prohibited from requiring or excluding exterior cladding materials that are in compliance with the state building code.

(2) "Exterior cladding" means a nonload-bearing material attached to the exterior of a building.

(3) The limitation in this section does not apply to homeowners' associations governed by chapter 64.38 RCW, plat communities governed by chapter 64.90 RCW, structures in an area designated as a local historic district, structures located in an area designated as a historic district on the national register of historic places, structures designated as a local, state, or national historic landmark, areas subject to provisions of the international wildland urban interface code adopted by a town, city, or county, and any city with old-world Bavarian architectural themed building requirements in law. Furthermore, a city that adopts building codes requiring fire-resistant siding materials as protection from wildfire is not in violation of the provisions of this section.

NEW SECTION. Sec. 2. A new section is added to chapter 35A.21 RCW to read as follows:

(1) Except as provided in subsection (3) of this section, a code city is prohibited from requiring or excluding exterior cladding materials that are in compliance with the state building code.

(2) "Exterior cladding" means a nonload-bearing material attached to the exterior of a building.

(3) The limitation in this section does not apply to homeowners' associations governed by chapter 64.38 RCW, plat communities governed by chapter 64.90 RCW, structures in an area designated as a local historic district, structures located in an area designated as a historic district on the national register of historic places, structures designated as a local, state, or national historic landmark, areas subject to provisions of the international wildland urban interface code adopted by a town, city, or county, and any city with old-world Bavarian architectural themed building requirements in law. Furthermore, a city that adopts building codes requiring fire-resistant siding materials as protection from wildfire is not in violation of the provisions of this section.

NEW SECTION. Sec. 3. A new section is added to chapter 36.01 RCW to read as follows:

(1) Except as provided in subsection (3) of this section, a county is prohibited from requiring or excluding exterior cladding materials that are in compliance with the state building code.

(2) "Exterior cladding" means a nonload-bearing material attached to the exterior of a building.

(3) The limitation in this section does not apply to homeowners' associations governed by chapter 64.38 RCW, plat communities governed by chapter 64.90 RCW, structures in an area designated as a local historic district, structures located in an area designated as a historic district on the national register of historic places, structures designated as a local, state, or national historic landmark, areas subject to provisions of the international wildland urban interface code adopted by a town, city, or county, and any city with old-world Bavarian architectural themed building requirements in law. Furthermore, a city that adopts building codes requiring fire-resistant siding materials as protection from wildfire is not in violation of the provisions of this section."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

Senator Bateman moved that the Senate refuse to concur in the House amendment(s) to Senate Bill No. 5571 and ask the House to recede therefrom.

Senators Bateman and Torres spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Bateman that the Senate refuse to concur in the House amendment(s) to Senate Bill No. 5571 and ask the House to recede therefrom.

The motion by Senator Bateman carried and the Senate refused to concur in the House amendment(s) to Senate Bill No. 5571 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5036 with the following amendment(s): 5036 AMH ENVI H2060.2

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70A.45.005 and 2021 c 316 s 44 are each amended to read as follows:

(1) The legislature finds that Washington has long been a national and international leader on energy conservation and environmental stewardship, including air quality protection, renewable energy development and generation, emission standards for fossil-fuel based energy generation, energy efficiency programs, natural resource conservation, sustainable forestry and the production of forest products, vehicle emission standards, and the use of biofuels. Washington is also unique among most states in that in addition to its commitment to reduce emissions of greenhouse gases, it has established goals to grow the clean energy sector and reduce the state's expenditures on imported fuels.

(2) The legislature further finds that Washington should continue its leadership on climate change policy by creating accountability for achieving the emission reductions established in RCW 70A.45.020, participating in the design of a regional multisector market-based system to help achieve those emission reductions, assessing other market strategies to reduce emissions of greenhouse gases, maintaining and enhancing the state's ability to continue to sequester carbon through natural and working lands and forest products, and ensuring the state has a well-trained workforce for our clean energy future. The consistent tracking and annual reporting of statewide emissions in a greenhouse gas inventory as required under RCW 70A.45.020 is an important responsibility that allows the legislature to determine whether state emissions are on a trajectory to achieve statutory emissions reduction limits, or whether new or amended policy interventions are necessary to achieve those limits.

(3) It is the intent of the legislature that the state will: (a) Limit and reduce emissions of greenhouse gas consistent with the emission reductions established in RCW 70A.45.020; (b) minimize the potential to export pollution, jobs, and economic opportunities; (c) support industry sectors that can act as sequesterers of carbon; and (d) reduce emissions at the lowest cost to Washington's economy, consumers, and businesses.

(4) In the event the state elects to participate in a regional multisector market-based system, it is the intent of the legislature that the system will become effective by January 1, 2012, after authority is provided to the department for its implementation. By acting now, Washington businesses and citizens will have adequate time and opportunities to be well positioned to take

advantage of the low carbon economy and to make necessary investments in low carbon technology.

(5) It is also the intent of the legislature that the regional multisector market-based system recognize Washington's unique emissions and sequestration portfolio, including the:

(a) State's hydroelectric system;

(b) Opportunities presented by Washington's abundant forest resources and the associated forest products industry, along with aquatic and agriculture land and the associated industries; and

(c) State's leadership in energy efficiency and the actions it has already taken that have reduced its generation of greenhouse gas emissions and that entities receive appropriate credit for early actions to reduce greenhouse gases.

(6) If any revenues, excluding those from state trust lands, that accrue to the state are created by a market system, they must be used for the purposes established in chapter 70A.65 RCW and to further the state's efforts to achieve the goals established in RCW 70A.45.020, address the impacts of global warming on affected habitats, species, and communities, promote and invest in industry sectors that act as sequesterers of carbon, and increase investment in the clean energy economy particularly for communities and workers that have suffered from heavy job losses and chronic unemployment and underemployment.

Sec. 2. RCW 70A.45.020 and 2020 c 79 s 2, 2020 c 32 s 4, and 2020 c 20 s 1398 are each reenacted and amended to read as follows:

(1)(a) The state shall limit anthropogenic emissions of greenhouse gases to achieve the following emission reductions for Washington state:

(i) By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels, or ((ninety million five hundred thousand)) 90,500,000 metric tons;

(ii) By 2030, reduce overall emissions of greenhouse gases in the state to ((fifty million)) 50,000,000 metric tons, or ((forty-five)) 45 percent below 1990 levels;

(iii) By 2040, reduce overall emissions of greenhouse gases in the state to ((twenty-seven million)) 27,000,000 metric tons, or ((seventy)) 70 percent below 1990 levels;

(iv) By 2050, reduce overall emissions of greenhouse gases in the state to ((five million)) 5,000,000 metric tons, or ((ninety-five)) 95 percent below 1990 levels.

(b) By December 1, 2008, the department shall submit a greenhouse gas reduction plan for review and approval to the legislature, describing those actions necessary to achieve the emission reductions in (a) of this subsection by using existing statutory authority and any additional authority granted by the legislature. Actions taken using existing statutory authority may proceed prior to approval of the greenhouse gas reduction plan.

(c) In addition to the emissions limits specified in (a) of this subsection, the state shall also achieve net zero greenhouse gas emissions by 2050. Except where explicitly stated otherwise, nothing in chapter 14, Laws of 2008 limits any state agency authorities as they existed prior to June 12, 2008.

(d) Consistent with this directive, the department shall take the following actions:

(i) Develop and implement a system for monitoring and reporting emissions of greenhouse gases as required under RCW 70A.15.2200; and

(ii) Track progress toward meeting the emission reductions established in this subsection, including the results from policies currently in effect that have been previously adopted by the state and policies adopted in the future, and report on that progress. Progress reporting should include statewide emissions as well as emissions from key sectors of the economy including, but not limited to, electricity, transportation, buildings, manufacturing, and agriculture.

(e) Nothing in this section creates any new or additional regulatory authority for any state agency as they existed prior to January 1, 2019.

(2) ((By December 31st of each even-numbered year beginning in 2010, the)) (a) The department and the department of commerce shall post and maintain on the department's website and report to the governor and the appropriate committees of the senate and house of representatives the total emissions of greenhouse gases for the ((preceding)) most recent two years for which such data are available, and totals in each major source sector, including emissions associated with leaked gas identified by the utilities and transportation commission under RCW 81.88.160. The report must include greenhouse gas emissions from wildfires, developed in consultation with the department of natural resources. The department shall ensure the reporting rules adopted under RCW 70A.15.2200 allow it to develop a comprehensive inventory of emissions of greenhouse gases from all significant sectors of the Washington economy. The report required under this section must be completed by December 31st of each even-numbered year through 2030, and must be completed by December 31st of each year beginning December 31, 2031.

(b) In addition to the report required in (a) of this subsection, by December 31, 2027, and December 31, 2029, the department and the department of commerce shall post and maintain on the department's website and provide notification to the governor and the appropriate committees of the senate and the house of representatives summarizing the total emissions of greenhouse gases for the most recent year for which such data is available, and totals in each major source sector reported as required under (a) of this subsection.

(3) Except for purposes of reporting, emissions of carbon dioxide from industrial combustion of biomass in the form of fuel wood, wood waste, wood by-products, and wood residuals shall not be considered a greenhouse gas as long as the region's silvicultural sequestration capacity is maintained or increased.

Sec. 3. RCW 70A.65.130 and 2021 c 316 s 15 are each amended to read as follows:

(1) For the benefit of ratepayers, allowances must be allocated at no cost to covered entities that are natural gas utilities.

(a) By October 1, 2022, the department shall adopt rules, in consultation with the utilities and transportation commission, establishing the methods and procedures for allocating allowances to natural gas utilities. Rules adopted under this subsection must allow for a natural gas utility to be provided allowances at no cost to cover their emissions and decline proportionally with the cap, consistent with RCW 70A.65.070. Allowances allocated at no cost to natural gas utilities must be consigned to auction for the benefit of ratepayers consistent with subsection (2) of this section, deposited for compliance, or a combination of both. The rules adopted by the department pursuant to this section must include provisions directing revenues generated under this subsection to the applicable utilities.

(b) By October 1, 2022, the department shall adopt an allocation schedule by rule, in consultation with the utilities and transportation commission, for the first two compliance periods for the provision of allowances for the benefit of ratepayers at no cost to natural gas utilities.

(c) By October 1, 2028, the department shall adopt an allocation schedule by rule, in consultation with the utilities and transportation commission, for the provision of allowances for the benefit of ratepayers at no cost to natural gas utilities for the compliance periods contained within calendar years 2031 through 2040.

(2)(a) Beginning in 2023, 65 percent of the no cost allowances

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must be consigned to auction for the benefit of customers, including at a minimum eliminating any additional cost burden to low-income customers from the implementation of this chapter. Rules adopted under this subsection must increase the percentage of allowances consigned to auction by five percent each year until a total of 100 percent is reached.

(b) Revenues from allowances sold at auction must be returned by providing nonvolumetric credits on ratepayer utility bills, prioritizing low-income customers, or used to minimize cost impacts on low-income, residential, and small business customers through actions that include, but are not limited to, weatherization, decarbonization, conservation and efficiency services, and bill assistance. The customer benefits provided from allowances consigned to auction under this section must be in addition to existing requirements in statute, rule, or other legal requirements.

(c) Except for low-income customers, the customer bill credits under this subsection are reserved exclusively for customers at locations connected to a natural gas utility's system on July 25, 2021. Bill credits may not be provided to customers of the gas utility at a location connected to the system after July 25, 2021.

(3) In order to qualify for no cost allowances, covered entities that are natural gas utilities must provide copies of their greenhouse gas emissions reports filed with the United States environmental protection agency under 40 C.F.R. Part 98 subpart NN - suppliers of natural gas and natural gas liquids for calendar years 2015 through 2021 to the department on or before March 31, 2022. The copies of the reports must be provided in electronic form to the department, in a manner prescribed by the department. The reports must be complete and contain all information required by 40 C.F.R. Sec. 98.406 including, but not limited to, information on large end users served by the natural gas utility. For any year where a natural gas utility was not required to file this report with the United States environmental protection agency, a report may be submitted in a manner prescribed by the department containing all of the information required in the subpart NN report.

(4) To ((continue receiving)) receive no cost allowances, a natural gas utility must provide to the department ((the United States environmental protection agency subpart NN greenhouse gas emissions report for each reporting year in the manner and by the dates provided)) an annual greenhouse gas emissions report as required by RCW 70A.15.2200(5) ((as part of the greenhouse gas reporting requirements of this chapter))."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Shewmake moved that the Senate concur in the House amendment(s) to Senate Bill No. 5036.

Senator Shewmake spoke in favor of the motion.

Senator Boehnke spoke against the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Shewmake that the Senate concur in the House amendment(s) to Senate Bill No. 5036.

The motion by Senator Shewmake carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5036 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5036, as

amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SENATE BILL NO. 5036, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5168 with the following amendment(s): 5168-S AMH APP H1990.1 0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.04.281 and 2003 c 295 s 5 are each amended to read as follows:

The select committee on pension policy has the following powers and duties:

(1) Study pension issues, develop pension policies for public employees in state retirement systems, and make recommendations to the legislature;

(2) Study the financial condition of the state pension systems, develop funding policies, and make recommendations to the legislature; and

(3) ((Consult with the chair and vice chair on appointing members to the state actuary appointment committee upon the convening of the state actuary appointment committee established under RCW 44.44.013; and

(4))) Receive the results of the actuarial audits of the actuarial valuations and experience studies administered by the pension funding council pursuant to RCW 41.45.110. The select committee on pension policy shall study and make recommendations on changes to assumptions or contribution rates to the pension funding council prior to adoption of changes under RCW 41.45.030, 41.45.035, or 41.45.060.

NEW SECTION. Sec. 2. A new section is added to chapter 41.45 RCW to read as follows:

Subject to RCW 44.44.030, the council shall appoint, remove, and set the salary of the state actuary, by affirmative vote of four members of the council. When considering the appointment, removal, and salary setting of the state actuary, the council shall consider recommendations from the executive committee of the select committee on pension policy.

Sec. 3. RCW 44.44.030 and 2003 c 295 s 14 are each amended to read as follows:

(1) Subject to RCW 44.04.260, the state actuary shall have the authority to select and employ such research, technical, clerical

personnel, and consultants as the actuary deems necessary, whose salaries shall be fixed by the actuary and approved by the ((state actuary appointment committee)) pension funding council, and who shall be exempt from the provisions of the state civil service law, chapter 41.06 RCW.

(2) All actuarial valuations and experience studies performed by the office of the state actuary shall be signed by a member of the American academy of actuaries. If the state actuary is not such a member, the state actuary, after approval by the select committee, shall contract for a period not to exceed two years with a member of the American academy of actuaries to assist in developing actuarial valuations and experience studies.

NEW SECTION. Sec. 4. RCW 44.44.013 (State actuary appointment committee—Creation—Membership—Powers) and 2003 c 295 s 13 are each repealed."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Robinson moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5168.

Senator Robinson spoke in favor of the motion.

Senator Gildon spoke against the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Robinson that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5168.

The motion by Senator Robinson carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5168 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5168, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5168, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5168, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 14, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5412 with the following amendment(s): 5412-S AMH ENGR H2103.E 0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW under the subchapter heading "deposit, investment, and use of proceeds" to read as follows:

(1) A school district that is in binding conditions pursuant to RCW 28A.505.110 or under enhanced financial oversight pursuant to RCW 28A.315.221 may take a temporary interfund loan from its capital projects fund, subject to the following conditions:

(a) The borrowing fund must repay the full loan amount to the loaning capital projects fund within one calendar year;

(b) The loaning capital projects fund may not charge interest on the amounts loaned;

(c) The loan may not be made to the detriment of any function or project for which the loaning capital projects fund was established;

(d) The school district's financial reports, including monthly financial reports provided to the board of directors of the district, must specify all outstanding interfund loan balances.

(2)(a) The board of directors of a qualifying school district must adopt a resolution to approve a temporary interfund loan transaction. The resolution must contain the exact amount of the loan, the funds involved, the specific source of funds for repayment, and the schedule for repayment.

(b) If a school district is under enhanced financial oversight pursuant to RCW 28A.315.221, the temporary interfund loan transaction must additionally be approved by the special administrator appointed to oversee and carry out financial conditions imposed on the district as recommended by the financial oversight committee.

(3) The office of the superintendent of public instruction shall adopt rules as necessary to implement this section.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1) To provide an additional tool for maintaining financial solvency, the board of directors of a school district that is in binding conditions pursuant to RCW 28A.505.110 may request from the superintendent of public instruction authorization to sell real property of the district. The superintendent of public instruction, subject to the following conditions, may only grant the authorization if the school district demonstrates to the satisfaction of the superintendent of public instruction that:

(a) The sale is necessary to restore financial stability and prevent adverse impacts to student learning; and

(b) The proceeds from the sale will be used only for:

(i) Alleviating or concluding the financial burdens that caused or significantly contributed to the imposition of binding conditions on the school district; or

(ii) A temporary interfund loan authorized under section 1 of this act.

(2) The office of the superintendent of public instruction shall adopt rules to implement this section that include provisions to ensure transparency and accountability, and to verify that the school district's use of the proceeds from any sale of real property aligns with the terms of the authorization. The rules required by this section must also prohibit a school district from receiving an authorization provided under this section more than once during a 10-year period.

(3) Nothing in this section exempts or shall be construed as exempting school districts from complying with the applicable requirements of section 1, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill 5142) when selling real property acquired through condemnation under chapter 8.16 RCW.

Sec. 3. RCW 28A.320.330 and 2023 c 474 s 8022 and 2023 c 402 s 1 are each reenacted and amended to read as follows:

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School districts shall establish the following funds in addition to those provided elsewhere by law:

(1)(a) A general fund for the school district to account for all financial operations of the school district except those required to be accounted for in another fund.

(b) By the 2018-19 school year, a local revenue subfund of its general fund to account for the financial operations of a school district that are paid from local revenues. The local revenues that must be deposited in the local revenue subfund are enrichment levies and transportation vehicle levies collected under RCW 84.52.053, local effort assistance funding received under chapter 28A.500 RCW, and other school district local revenues including, but not limited to, grants, donations, and state and federal payments in lieu of taxes, but do not include other federal revenues, or local revenues that operate as an offset to the district's basic education allocation under RCW 28A.150.250. School districts must track expenditures from this subfund separately to account for the expenditure of each of these streams of revenue by source, and must provide the supplemental expenditure schedule under (c) of this subsection, and any other supplemental expenditure schedules required by the superintendent of public instruction or state auditor, for purposes of RCW 43.09.2856.

(c) Beginning in the 2019-20 school year, the superintendent of public instruction must require school districts to provide a supplemental expenditure schedule by revenue source that identifies the amount expended by object for each of the following supplementary enrichment activities beyond the state funded amount:

(i) Minimum instructional offerings under RCW 28A.150.220 or 28A.150.260 not otherwise included on other lines;

(ii) Staffing ratios or program components under RCW 28A.150.260, including providing additional staff for class size reduction beyond class sizes allocated in the prototypical school model and additional staff beyond the staffing ratios allocated in the prototypical school formula;

(iii) Program components under RCW 28A.150.200, 28A.150.220, or 28A.150.260, not otherwise included on other lines;

(iv) Program components to support students in the program of special education;

(v) Program components of professional learning, as defined by RCW 28A.415.430, beyond that allocated under RCW 28A.150.415;

(vi) Extracurricular activities;

(vii) Extended school days or an extended school year;

(viii) Additional course offerings beyond the minimum instructional program established in the state's statutory program of basic education;

(ix) Activities associated with early learning programs;

(x) Activities associated with providing the student transportation program;

(xi) Any additional salary costs attributable to the provision or administration of the enrichment activities allowed under RCW 28A.150.276;

(xii) Additional activities or enhancements that the office of the superintendent of public instruction determines to be a documented and demonstrated enrichment of the state's statutory program of basic education under RCW 28A.150.276; and

(xiii) All other costs not otherwise identified in other line items.

(d) For any salary and related benefit costs identified in (c)(xi), (xii), and (xiii) of this subsection, the school district shall maintain a record describing how these expenditures are documented and demonstrated enrichment of the state's statutory program of basic education. School districts shall maintain these

records until the state auditor has completed the audit under RCW 43.09.2856.

(e) For school districts of the second class as defined ((by [in])) in RCW 28A.300.065, a depreciation subfund for the school district to reserve funds for future facility and equipment needs. Up to two percent of a second class school district's general fund may be deposited each fiscal year into the depreciation subfund for the purpose of preventative maintenance or emergency facility needs. The preventative maintenance must be necessary to realize the originally anticipated useful life of a building or facility and include: Exterior painting of facilities; replacement or renovation of roofing, exterior walls, windows, heating, air conditioning and ventilation systems, floor coverings in classrooms and common areas, and electrical and plumbing systems; and renovation of playfields, athletic facilities, and other district real property. School districts of the second class, subject to applicable public works bid limits, may use school district employees to perform preventative maintenance with moneys from the depreciation subfund, but moneys from the depreciation subfund may not be used for employee compensation that is unrelated to this subsection (1)(e).

(2) A capital projects fund shall be established for major capital purposes. All statutory references to a "building fund" shall mean the capital projects fund so established. Money to be deposited into the capital projects fund shall include, but not be limited to, bond proceeds, proceeds from excess levies authorized by RCW 84.52.053, state apportionment proceeds as authorized by RCW 28A.150.270, earnings from capital projects fund investments as authorized by RCW 28A.320.310 and 28A.320.320, and state forest revenues transferred pursuant to subsection (3) of this section.

Money derived from the sale of bonds, including interest earnings thereof, may only be used for those purposes described in RCW 28A.530.010, except that accrued interest paid for bonds shall be deposited in the debt service fund.

Money to be deposited into the capital projects fund shall include but not be limited to rental and lease proceeds as authorized by RCW 28A.335.060, and proceeds from the sale of real property as authorized by RCW 28A.335.130.

Money legally deposited into the capital projects fund from other sources may be used for the purposes described in RCW 28A.530.010, and for the purposes of:

(a) Major renovation and replacement of facilities and systems where periodical repairs are no longer economical or extend the useful life of the facility or system beyond its original planned useful life. Such renovation and replacement shall include, but shall not be limited to, major repairs, exterior painting of facilities, replacement and refurbishment of roofing, exterior walls, windows, heating and ventilating systems, floor covering in classrooms and public or common areas, and electrical and plumbing systems.

(b) Renovation and rehabilitation of playfields, athletic fields, and other district real property.

(c) The conduct of preliminary energy audits and energy audits of school district buildings. For the purpose of this section:

(i) "Preliminary energy audits" means a determination of the energy consumption characteristics of a building, including the size, type, rate of energy consumption, and major energy using systems of the building.

(ii) "Energy audit" means a survey of a building or complex which identifies the type, size, energy use level, and major energy using systems; which determines appropriate energy conservation maintenance or operating procedures and assesses any need for the acquisition and installation of energy conservation measures, including solar energy and renewable resource measures.

(iii) "Energy capital improvement" means the installation, or modification of the installation, of energy conservation measures in a building which measures are primarily intended to reduce energy consumption or allow the use of an alternative energy source.

(d) Those energy capital improvements which are identified as being cost-effective in the audits authorized by this section.

(e) Purchase or installation of additional major items of equipment and furniture: PROVIDED, That vehicles shall not be purchased with capital projects fund money.

(f)(i) Costs associated with implementing technology systems, facilities, and projects, including acquiring hardware, licensing software, and online applications and training related to the installation of the foregoing. However, the software or applications must be an integral part of the district's technology systems, facilities, or projects.

(ii) Costs associated with the application and modernization of technology systems for operations and instruction including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products and services. However, to the extent the funds are used for the purpose under this subsection (2)(f)(ii), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations.

(g) Major equipment repair, painting of facilities, and other major preventative maintenance purposes. However, to the extent the funds are used for the purpose under this subsection (2)(g), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations. Based on the district's most recent two-year history of general fund maintenance expenditures, funds used for this purpose may not replace routine annual preventive maintenance expenditures made from the district's general fund.

(h) ((During the 2021-2023 fiscal biennium, renovation and replacement of facilities and systems, purchase or installation of items of equipment and furniture, including maintenance vehicles and machinery, and other preventative maintenance or infrastructure improvement purposes.)) Temporary interfund loans as authorized under section 1 of this act.

(i) During the 2023-2025 fiscal biennium, for moneys in the capital projects fund not attributable to capital levies, moving of equipment and furniture between buildings and warehouses for storage, moving of the content of teachers' classrooms between buildings, and furniture purchases, when these costs are due to the following activities: Construction, remodeling, replacement, temporary placement, consolidation, or directed transfer.

(3) A debt service fund to provide for tax proceeds, other revenues, and disbursements as authorized in chapter 39.44 RCW. State forestland revenues that are deposited in a school district's debt service fund pursuant to RCW 79.64.110 and to the extent not necessary for payment of debt service on school district bonds may be transferred by the school district into the district's capital projects fund.

(4) An associated student body fund as authorized by RCW 28A.325.030.

(5) Advance refunding bond funds and refunded bond funds to provide for the proceeds and disbursements as authorized in chapter 39.53 RCW.

Sec. 4. RCW 28A.505.130 and 2023 c 435 s 11 are each

amended to read as follows:

(1) For each fund contained in the school district budget the estimated expenditures for the budgeted fiscal year must not be greater than the total of the estimated revenues for the budgeted fiscal year, the estimated fund balance at the beginning of the budgeted fiscal year less the estimated reserve fund balance at the end of the budgeted fiscal year, and the projected revenue from receivables collectible on future years as approved by the superintendent of public instruction for inclusion in the budget.

(2) The proceeds of any interfund loan must not be used to balance the budget of the borrowing fund, except in the following circumstances:

(a) In fiscal year 2024 when such loans may be used to address budget destabilization in the aftermath of the COVID-19 pandemic. Interfund loans in fiscal year 2024 may be for a duration of two years; and

(b) As authorized under section 1 of this act.

Sec. 5. RCW 28A.315.221 and 2012 c 186 s 8 are each amended to read as follows:

(1) The superintendent of public instruction shall convene a financial oversight committee:

(a) At the request of the board of directors of a financially insolvent district;

(b) When the superintendent of public instruction determines a district is financially insolvent, after first consulting with the educational service district where the district is located and notifying the district the committee will be convened; or

(c) When a district has been on binding conditions pursuant to RCW 28A.505.110 for two consecutive years and does not have a satisfactory financial plan.

(2) The financial oversight committee comprises two representatives from the office of the superintendent of public instruction, one representative from an educational service district where a financially insolvent school district is not located, and one nonvoting representative from the educational service district where the financially insolvent school district is located.

(3) The financial oversight committee shall review the financial condition of a financially insolvent school district. In conducting its review, the committee shall hold a public hearing in the financially insolvent school district or educational service district in order to receive public comment on any proposed financial plans. If the financial oversight committee feels that dissolution of the financially insolvent school district is a valid option, it shall receive input at the public hearing on options for dissolving said school district.

(4) After holding a public hearing as provided in subsection (3) of this section, the financial oversight committee must make a recommendation to the superintendent of public instruction to either dissolve a financially insolvent school district or to place a district under enhanced financial monitoring to reduce the risk of dissolution due to insolvency. The superintendent of public instruction must implement financial oversight committee recommendations via enhanced financial oversight, which will be monitored by the educational service district.

(5) Enhanced financial oversight may include, but is not limited to, the following types of actions, which the superintendent of public instruction is expressly authorized to implement and enforce:

(a) Appointment of a special administrator to ((oversee)): Oversee and carry out financial conditions imposed on the district as recommended by the financial oversight committee; and approve temporary interfund loan transactions authorized under section 1 of this act as appropriate;

(b) Review, approval, and limitations on a school district's authority to enter into contracts;

(c) Review, approval, and limitations on hiring and personnel

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actions; ((and))

(d) Liquidation or disposition of fixed assets and contractual liabilities by any reasonable and documented method provided the liquidation or disposition of fixed assets and contractual liabilities is reasonably necessary before filing a dissolution petition; and

(e) Directing the sale of real property or assets of the school district and directing the deposit of proceeds from such sale into a fund as selected by the committee.

(6) Any new, amended, or renewed contract entered into by a school district that is subject to enhanced financial monitoring that has not been approved by the educational service district or special administrator, or that is inconsistent with conditions imposed on the district pursuant to this section, is null and void.

(7) Any action taken by a school district subject to enhanced financial monitoring that is likely to affect the district's finances is null and void if the action was not approved by the educational service district or special administrator or if the action is inconsistent with conditions imposed on the district pursuant to this section.

(8) The superintendent of public instruction shall adopt rules to carry out the provisions in this section, which may include, but are not limited to, identifying the responsibilities and authority of the financial oversight committee, the educational service district, the special administrator, and the school district and the implementation of enhanced financial oversight.

Sec. 6. RCW 28A.335.130 and 2004 c 6 s 2 are each amended to read as follows:

((Except as provided in RCW 28A.335.240(1), the)) The proceeds from any sale of school district real property by a board of directors shall be deposited to the debt service fund and/or the capital projects fund, except for ((amounts)):

(1) Amounts required to be expended for the costs associated with the sale of such property, which moneys may be deposited into the fund from which the expenditure was incurred;

(2) Amounts authorized by a financial oversight committee established under RCW 28A.315.221 to be deposited into a different fund;

(3) As provided in RCW 28A.335.240(1); or

(4) As provided in section 2 of this act.

Sec. 7. RCW 28A.335.120 and 2006 c 263 s 913 are each amended to read as follows:

(1) The board of directors of any school district of this state may:

(a) Sell for cash, at public or private sale, and convey by deed all interest of the district in or to any of the real property of the district which is no longer required for school purposes or which has been authorized for sale as provided in section 2 of this act or by a financial oversight committee established under RCW 28A.315.221; and

(b) Purchase real property for the purpose of locating thereon and affixing thereto any house or houses and appurtenant buildings removed from school sites owned by the district and sell for cash, at public or private sale, and convey by deed all interest of the district in or to such acquired and improved real property.

(2) When the board of directors of any school district proposes a sale of school district real property pursuant to this section and the value of the property exceeds seventy thousand dollars, the board shall publish a notice of its intention to sell the property. The notice shall be published at least once each week during two consecutive weeks in a legal newspaper with a general circulation in the area in which the school district is located. The notice shall describe the property to be sold and designate the place where and the day and hour when a hearing will be held. The board shall hold a public hearing upon the proposal to dispose of the school

district property at the place and the day and hour fixed in the notice and admit evidence offered for and against the propriety and advisability of the proposed sale.

(3) The board of directors of any school district desiring to sell surplus real property shall publish a notice in a newspaper of general circulation in the school district. School districts shall not sell the property for at least forty-five days following the publication of the newspaper notice.

(4) Private schools shall have the same rights as any other person or entity to submit bids for the purchase of surplus real property and to have such bids considered along with all other bids.

(5) Any sale of school district real property authorized pursuant to this section shall be preceded by a market value appraisal by a professionally designated real estate appraiser ((as defined in RCW 74.46.020)) or a general real estate appraiser certified under chapter 18.140 RCW selected by the board of directors and no sale shall take place if the sale price would be less than ninety percent of the appraisal made by the real estate appraiser: PROVIDED, That if the property has been on the market for one year or more the property may be reappraised and sold for not less than seventy-five percent of the reappraised value with the unanimous consent of the board.

(6) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded: PROVIDED, That the use of a licensed real estate broker will not eliminate the obligation of the board of directors to provide the notice described in this section: PROVIDED FURTHER, That the fee or commissions charged for any broker services shall not exceed seven percent of the resulting sale value for a single parcel: PROVIDED FURTHER, That any professionally designated real estate appraiser ((as defined in RCW 74.46.020)) or a general real estate appraiser certified under chapter 18.140 RCW selected by the board to appraise the market value of a parcel of property to be sold may not be a party to any contract with the school district to sell such parcel of property for a period of three years after the appraisal.

(7) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through sale on contract terms, a real estate sales contract may be executed between the district and buyer."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wellman moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5412.

Senator Wellman spoke in favor of the motion.

Senator Harris spoke against the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wellman that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5412.

The motion by Senator Wellman carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5412 by rising vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5412, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5412, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Hasegawa, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5412, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5528 with the following amendment(s): 5528-S AMH SCHM MORI 237; 5528-S AMH OBRA MORI 231

0.

On page 1, line 13, after "standards." insert "This provision will only be applied if the electric vehicle infrastructure training program or a similar nationally recognized program is open to all general journeyman level electricians."

On page 1, beginning on line 9, after "equipment" strike "at state-owned facilities" and insert "on all public works as defined in RCW 39.04.010"

On page 1, line 13, after "standards." insert "Certification under this section is required only for work on the electrical components during the installation and maintenance of electric vehicle supply equipment."

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5528.

Senator Liias spoke in favor of the motion.

Senator King spoke against the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5528.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5528 by voice vote.

The Vice President Pro Tempore declared the question before

the Senate to be the final passage of Substitute Senate Bill No. 5528, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5528, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5528, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 5595 with the following amendment(s): 5595.E AMH TR H2182.1

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.61 RCW to read as follows:

(1)(a) A local authority may designate a nonarterial highway, except as provided in (b) of this subsection, to be a shared street under this section, if the local authority has developed procedures for establishing shared streets.

(b) Nonarterial highways that are state highways may not be designated shared streets unless they are the primary roads through a central business district.

(2) Vehicular traffic traveling along a shared street shall yield the right-of-way to any pedestrian, bicyclist, or operator of a micromobility device on the shared street.

(3) A bicyclist or operator of a micromobility device shall yield the right-of-way to any pedestrian on a shared street.

(4) Any local authority that designates a nonarterial highway to be a shared street as provided by this section must post an annual report on the local authority's website of the number of traffic accidents, including those that involve a pedestrian, bicyclist, or operator of a micromobility device, that occurred on the designated shared street. The report must also include the number of speeding violations and driving under the influence violations that occurred on the designated shared street.

(5) For purposes of this section:

(a) "Micromobility device" means personal or shared nonmotorized scooters, "motorized foot scooters" as defined in RCW 46.04.336, and "electric personal assistive mobility devices" (EPAMD) as defined in RCW 46.04.1695; and

(b) "Shared street" means a city street designated by placement of official traffic control devices where pedestrians, bicyclists, and vehicular traffic share a portion or all of the same street.

Sec. 2. RCW 46.61.250 and 2022 c 235 s 3 are each amended to read as follows:

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(1) Where sidewalks are provided and are accessible, it is unlawful for any pedestrian to walk or otherwise move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, persons with disabilities who require such access may walk or otherwise move along and upon an adjacent roadway until they reach an access point in the sidewalk.

(2) Where sidewalks are not provided or are inaccessible, a pedestrian walking or otherwise moving along and upon a highway, and any personal delivery device moving along and upon a highway, shall:

(a) When shoulders are provided and are accessible, walk or move on the shoulder of the roadway as far as is practicable from the edge of the roadway, facing traffic when a shoulder is available in this direction; or

(b) When shoulders are not provided or are inaccessible, walk or move as near as is practicable to the outside edge of the roadway facing traffic, and when practicable, move clear of the roadway upon meeting an oncoming vehicle.

(3) A pedestrian traveling to the nearest emergency reporting device on a one-way roadway of a controlled access highway is not required to travel facing traffic as otherwise required by subsection (2) of this section.

(4) When walking or otherwise moving along and upon an adjacent roadway, a pedestrian shall exercise due care to avoid colliding with any vehicle upon the roadway.

(5) Subsections (1) and (2) of this section do not apply when the roadway is duly closed to vehicular traffic by placement of official traffic control devices for the sole purposes of pedestrian and bicyclist use of the roadway.

(6) Subsections (1), (2), and (4) of this section do not apply on a shared street as defined in section 1 of this act.

Sec. 3. RCW 46.61.415 and 2022 c 235 s 1 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

(a) Decreases the limit at intersections; or
(b) Increases the limit but not to more than 60 miles per hour; or

(c) Decreases the limit but not to less than 20 miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon, which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed 60 miles per hour.

(3)(a) Local authorities in their respective jurisdictions may establish a maximum speed limit of 20 miles per hour on a nonarterial highway or part of a nonarterial highway or a maximum speed limit of 10 miles per hour on a shared street as defined in section 1 of this act.

(b) A speed limit established under this subsection by a local authority does not need to be determined on the basis of an engineering and traffic investigation if the local authority has developed procedures regarding establishing a maximum speed limit under this subsection. Any speed limit established under this subsection may be canceled within one year of its establishment, and the previous speed limit reestablished, without an engineering and traffic investigation. This subsection does not otherwise affect the requirement that local authorities conduct an

engineering and traffic investigation to determine whether to increase speed limits.

(c) When establishing speed limits under this subsection, local authorities shall consult the manual on uniform traffic control devices as adopted by the Washington state department of transportation.

(4) The secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements, which are a prescribed condition for the allocation of federal funds to the state.

(5) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(6) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the secretary of transportation.

Sec. 4. RCW 46.61.110 and 2023 c 471 s 4 are each amended to read as follows:

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction:

(1)(a) The driver of a vehicle overtaking other traffic proceeding in the same direction shall pass to the left of it at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken traffic.

(b)(i) When the vehicle being overtaken is a motorcycle, motor-driven cycle, or moped, a driver of a motor vehicle found to be in violation of (a) of this subsection must be assessed an additional fine equal to the base penalty assessed under RCW 46.63.110(3). This fine may not be waived, reduced, or suspended, unless the court finds the offender to be indigent, and is not subject to the additional fees and assessments that the base penalty for this violation is subject to under RCW 2.68.040, 3.62.090, and 46.63.110.

(ii) The additional fine imposed under (b)(i) of this subsection must be deposited into the vulnerable roadway user education account created in RCW 46.61.145.

(2)(a) The driver of a vehicle approaching an individual who is traveling as a pedestrian or on a bicycle, riding an animal, or using a farm tractor or implement of husbandry without an enclosed shell, and who is traveling in the right lane of a roadway or on the right-hand shoulder or bicycle lane of the roadway, shall:

(i) On a roadway with two lanes or more for traffic moving in the direction of travel, before passing and until safely clear of the individual, move completely into a lane to the left of the right lane when it is safe to do so;

(ii) On a roadway with only one lane for traffic moving in the direction of travel:

(A) When there is sufficient room to the left of the individual in the lane for traffic moving in the direction of travel, before passing and until safely clear of the individual:

(I) Reduce speed to a safe speed for passing relative to the speed of the individual; and

(II) Pass at a safe distance, where practicable of at least three feet, to clearly avoid coming into contact with the individual or the individual's vehicle or animal; or

(B) When there is insufficient room to the left of the individual in the lane for traffic moving in the direction of travel to comply with (a)(ii)(A) of this subsection, before passing and until safely

clear of the individual, move completely into the lane for traffic moving in the opposite direction when it is safe to do so and in compliance with RCW 46.61.120 and 46.61.125.

(b) A driver of a motor vehicle found to be in violation of this subsection (2) must be assessed an additional fine equal to the base penalty assessed under RCW 46.63.110(3). This fine may not be waived, reduced, or suspended, unless the court finds the offender to be indigent, and is not subject to the additional fees and assessments that the base penalty for this violation is subject to under RCW 2.68.040, 3.62.090, and 46.63.110.

(c) The additional fine imposed under (b) of this subsection must be deposited into the vulnerable roadway user education account created in RCW 46.61.145.

(d) For the purposes of this section, "vulnerable user of a public way" has the same meaning as provided in RCW 46.61.5259.

(e) This subsection (2) does not apply on a shared street as defined in section 1 of this act.

(3) Except when overtaking and passing on the right is permitted, overtaken traffic shall give way to the right in favor of an overtaking vehicle on audible signal and shall not increase speed until completely passed by the overtaking vehicle.

Sec. 5. RCW 46.61.240 and 2019 c 214 s 13 are each amended to read as follows:

(1) Every pedestrian or personal delivery device crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) Where curb ramps exist at or adjacent to intersections or at marked crosswalks in other locations, persons with disabilities or personal delivery devices may enter the roadway from the curb ramps and cross the roadway within or as closely as practicable to the crosswalk. All other pedestrian rights and duties as defined elsewhere in this chapter remain applicable.

(3) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(4) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(5) No pedestrian or personal delivery device shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians and personal delivery devices shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

(6) No pedestrian or personal delivery device shall cross a roadway at an unmarked crosswalk where an official sign prohibits such crossing.

(7) This section does not apply on a shared street as defined in section 1 of this act.

Sec. 6. RCW 46.61.770 and 2019 c 403 s 10 are each amended to read as follows:

(1) Every person operating a bicycle upon a roadway at a rate of speed less than the normal flow of traffic at the particular time and place shall ride as near to the right side of the right through lane as is safe except:

(a) While preparing to make or while making turning movements at an intersection or into a private road or driveway;

(b) When approaching an intersection where right turns are permitted and there is a dedicated right turn lane, in which case a person may operate a bicycle in this lane even if the operator does not intend to turn right;

(c) While overtaking and passing another bicycle or vehicle proceeding in the same direction; and

(d) When reasonably necessary to avoid unsafe conditions

including, but not limited to, fixed or moving objects, parked or moving vehicles, bicyclists, pedestrians, animals, and surface hazards.

(2) A person operating a bicycle upon a roadway or highway other than a limited access highway, which roadway or highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near to the left side of the left through lane as is safe.

(3) A person operating a bicycle upon a roadway may use the shoulder of the roadway or any specially designated bicycle lane.

(4) When the operator of a bicycle is using the travel lane of a roadway with only one lane for traffic moving in the direction of travel and it is wide enough for a bicyclist and a vehicle to travel safely side-by-side within it, the bicycle operator shall operate far enough to the right to facilitate the movement of an overtaking vehicle unless other conditions make it unsafe to do so or unless the bicyclist is preparing to make a turning movement or while making a turning movement.

(5) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(6) This section does not apply on a shared street as defined in section 1 of this act."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Alvarado moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5595.

Senator Alvarado spoke in favor of the motion.

Senator King spoke against the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Alvarado that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5595.

The motion by Senator Alvarado carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 5595 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5595, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5595, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Kauffman, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Hasegawa, Holy, King, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

ENGROSSED SENATE BILL NO. 5595, as amended by the House, having received the constitutional majority, was declared

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passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 26, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5004 with the following amendment(s): 5004-S.E AMH ED H1976.1

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.320.126 and 2019 c 333 s 16 are each amended to read as follows:

(1) School districts must work collaboratively with local law enforcement agencies, public safety answering points, and ((school security personnel)) safety and security staff as defined in RCW 28A.320.124 to develop an emergency response system using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school. ((School districts are encouraged to use the model policies developed by the school safety center in the office of the superintendent of public instruction as a resource.)) "Emergency response system" includes at least one of the following:

(a) Panic or alert buttons that are tied to school administration, school district staff, and emergency response providers;

(b) Live video feed with law enforcement, school district, and school access;

(c) Live audio feed with law enforcement, school district, and school access;

(d) Remote control access to doors;

(e) Live interactive two-way communications; or

(f) A system that complies with applicable state building code requirements for group E occupancies for emergency response systems developed under this section or systems developed as part of a safe school plan under RCW 28A.320.125.

(2) Each school district must submit a progress report on its implementation of an emergency response system as required under this section to the office of the superintendent of public instruction by ((December 1, 2014)) October 1, 2025. By December 1, 2025, the office of the superintendent of public instruction must compile the information submitted by school districts and report to the legislature on the types of emergency response systems used by school districts.

(3) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW.

NEW SECTION. Sec. 2. This act may be known and cited as Alyssa's law."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Torres moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5004.

Senators Torres and Wellman spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Torres that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5004.

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The motion by Senator Torres carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5004 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5004, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5004, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5004, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5212 with the following amendment(s): 5212-S AMH TIMM SMIL 066

0.

On page 3, beginning on line 8, after "(b)" strike all material through "1997" on line 15 and insert "(i) Filing a claim under this subsection shall not affect or impair in any respect whatsoever any water right existing prior to July 27, 1997.

(ii) A water right embodied in a claim filed under this subsection is subordinate to:

(A) Any water right embodied in a permit or certificate issued under chapter 90.03 or 90.44 RCW prior to the date the claim is filed with the superior court;

(B) Any water right embodied in a statement of claim filed in the water rights claims registry before July 27, 1997; and

(C) Any water right whose basis is federal law"

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Shewmake moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5212.

Senators Shewmake and Short spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Shewmake that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5212.

The motion by Senator Shewmake carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5212 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5212, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5212, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5212, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 9, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5029 with the following amendment(s): 5029-S.E AMH GRAH LANG 156

0.

On page 3, after line 36, insert the following:

"(5) By December 1, 2026, and by December 1 every year thereafter, and in compliance with RCW 43.01.036, the department shall submit a report to the governor and the legislature on:

(a) The number of individuals who were provided transportation pursuant to this section during the previous year where the cost of the transportation exceeded \$100; and

(b) Where the cost of the transportation provided to an individual exceeded \$100, the method of transportation used and whether the department made arrangements with a partnering nonprofit organization to coordinate the timing of the individual's release from the department's custody."

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wilson, C. moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029.

Senators Wilson, C. and Christian spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wilson, C. that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029.

The motion by Senator Wilson, C. carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029 by voice vote.

MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5029, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5029, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Christian and McCune

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5032 with the following amendment(s): 5032 AMH APP H2197.1

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.06A.010 and 2013 c 23 s 71 are each amended to read as follows:

There is hereby created an office of the family and children's ombuds within the office of the governor for the purpose of promoting public awareness and understanding of family, youth, and children services provided by the department of children, youth, and families, identifying system issues and responses for the governor and the legislature to act upon, and monitoring and ensuring compliance with administrative acts, relevant statutes, rules, and policies pertaining to family, youth, and children's services and the placement, supervision, and treatment of children, youth, and individuals in the state's care or in state-licensed facilities or residences and juvenile rehabilitation facilities. The ombuds shall report directly to the governor and shall exercise ((his or her)) the ombuds' powers and duties independently of the secretary.

Sec. 2. RCW 43.06A.030 and 2018 c 58 s 77 are each amended to read as follows:

(1) The ombuds shall perform the following duties:

((1)) (a) Provide information as appropriate on the rights and responsibilities of individuals receiving services from the department of children, youth, and families, including family, youth, and children's services, juvenile justice, juvenile rehabilitation, and child early learning, and on the procedures for providing these services;

((2)) (b) Investigate, upon ((his or her)) the ombud's own initiative or upon receipt of a complaint, an administrative act by the department of children, youth, and families alleged to be contrary to law, rule, or policy, imposed without an adequate statement of reason, or based on irrelevant, immaterial, or

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erroneous grounds; however, the ombuds may decline to investigate any complaint as provided by rules adopted under this chapter;

((3)) (c) Monitor the procedures as established, implemented, and practiced by the department of children, youth, and families to carry out its responsibilities in delivering family, youth, and children's services and juvenile rehabilitation services, with a view toward appropriate preservation of families and ensuring ((children's)) health and safety;

((4)) (d) Review periodically the facilities and procedures of state institutions including juvenile rehabilitation facilities serving children, youth, individuals, and families, and state-licensed facilities or residences;

((5)) (e) Recommend changes in the procedures for addressing the needs of children, youth, individuals, and families, who receive care or services from the department of children, youth, and families;

((6)) (f) Submit annually to the oversight board for children, youth, and families created in RCW 43.216.015 and to the governor by November 1st a report analyzing the work of the department of children, youth, and families, including recommendations;

((7)) (g) Grant the oversight board for children, youth, and families access to all relevant records in the possession of the ombuds unless prohibited by law; and

((8)) (h) Adopt rules necessary to implement this chapter.

(2) For the purposes of this section, "child, youth, or individual" includes any person in the state's care or in state-licensed facilities or residences and juvenile rehabilitation facilities who is receiving services from the department of children, youth, and families.

Sec. 3. RCW 43.06A.100 and 2017 3rd sp.s. c 6 s 810 are each amended to read as follows:

(1) The department of children, youth, and families shall:

(a) Allow the ombuds or the ombuds's designee to communicate privately with any child or person in the custody of the department of children, youth, and families, or any child or person who is part of a near fatality investigation by the department of children, youth, and families, for the purposes of carrying out its duties under this chapter;

(b) Permit the ombuds or the ombuds designee physical access to state institutions serving children, youth, and families, including juvenile rehabilitation facilities and state licensed facilities or residences, for the purpose of carrying out its duties under this chapter;

(c) Upon the ombuds's request, grant the ombuds or the ombuds's designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department of children, youth, and families that the ombuds considers necessary in an investigation; and

(d) Grant the office of the family and children's ombuds unrestricted online access to the child welfare case management information system, the juvenile rehabilitation case management system, and the department of children, youth, and families data information system for the purpose of carrying out its duties under this chapter.

(2) For the purposes of this section((, "near")):

(a) "Near fatality" means an act that, as certified by a physician, places the child or person in serious or critical condition.

(b) "Child, youth, or individual" includes any person in the state's care or in state-licensed facilities or residences and juvenile rehabilitation facilities who is receiving services from the department of children, youth, and families.

(3) Nothing in this section creates a duty for the office of the family and children's ombuds under RCW 43.06A.030 as related

to children in the care of an early learning program described in RCW 43.216.500 through 43.216.550, a licensed child care center, or a licensed child care home.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void."

Correct the title.

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Wilson, C. moved that the Senate concur in the House amendment(s) to Senate Bill No. 5032.

Senators Wilson, C. and Christian spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wilson, C. that the Senate concur in the House amendment(s) to Senate Bill No. 5032.

The motion by Senator Wilson, C. carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5032 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5032, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5032, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5032, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5033 with the following amendment(s): 5033-S AMH APP H2149.1 0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70A.226.005 and 1992 c 174 s 1 are each amended to read as follows:

(1) The legislature finds that:

(a) Municipal sewage sludge is an unavoidable by-product of the wastewater treatment process;

(b) Population ((increases)) growth and technological improvements in wastewater treatment processes will ((double the amount of sludge generated within the next ten years)) increase the production of biosolids in the future;

(c) Sludge management is often a financial burden to municipalities and to ratepayers;

(d) Properly managed municipal sewage sludge is a valuable commodity and can be beneficially used in agriculture, silviculture, and in landscapes as a soil conditioner; and

(e) Municipal sewage sludge can contain metals and microorganisms that, under certain circumstances, may pose a risk to public health.

(2) The legislature declares that a program shall be established to manage municipal sewage sludge and that the program shall, to the maximum extent possible, ensure that municipal sewage sludge is reused as a beneficial commodity and is managed in a manner that minimizes risk to public health and the environment.

Sec. 2. RCW 70A.226.007 and 1992 c 174 s 2 are each amended to read as follows:

The purpose of this chapter is to provide the department ((of ecology)) and local governments with the authority and direction to meet federal regulatory requirements for municipal sewage sludge. The department ((of ecology)) may seek delegation and administer the sludge permit program required by the federal clean water act as it existed ((February 4, 1987)) on the effective date of this section.

Sec. 3. RCW 70A.226.010 and 2020 c 20 s 1239 are each amended to read as follows:

((Unless the context clearly requires otherwise, the)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all requirements under this chapter. For the purposes of this chapter, "biosolids" includes septic tank sludge, also known as septage, that can be beneficially recycled and meets all requirements under this chapter.

(2) "Department" means the department of ecology.

(3) "Local health department" has the same meaning as "jurisdictional health department" in RCW 70A.205.015.

(4) "Municipal sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a publicly owned wastewater treatment plant.

(5) "PFAS chemicals" has the same meaning as defined in RCW 70A.350.010.

Sec. 4. RCW 70A.226.020 and 1992 c 174 s 4 are each amended to read as follows:

(1) The department shall adopt rules to implement a biosolid management program within ((twelve)) 12 months of the adoption of federal rules, 40 C.F.R. ((Sec.)) Part 503, relating to technical standards for the use and disposal of sewage sludge. The biosolid management program shall, at a minimum, conform with all applicable federal rules adopted pursuant to the federal clean water act as it existed on ((February 4, 1987)) the effective date of this section.

(2) In addition to any federal requirements, the state biosolid management program may include, but not be limited to, an education program to provide relevant legal and scientific information to local governments and citizen groups.

(3) Rules adopted by the department under this section shall provide for public input and involvement for all state and local permits.

(4) Materials that have received a permit as a biosolid shall be regulated pursuant to this chapter.

(5) The transportation of biosolids and municipal sewage sludge shall be governed by Title 81 RCW. Certificates issued by the utilities and transportation commission before June 11, 1992, that include or authorize transportation of municipal sewage

sludge shall continue in force and effect and be interpreted to include biosolids.

(6)(a) By July 1, 2026, the department must publish guidance to clarify PFAS chemical sampling requirements, including frequency and methodology, for facilities generating biosolids.

(b) Facilities generating biosolids regulated under this chapter must sample for PFAS chemical in accordance with the department's guidance and have the biosolids analyzed by an accredited laboratory for PFAS chemicals using the United States environmental protection agency method 1633A as it existed in December 2024, no more than quarterly starting no later than January 1, 2027, and ending by June 30, 2028.

(c) Facilities that are required to sample their biosolids for PFAS must provide all sampling results to the department no later than September 30, 2028.

(d) By July 1, 2029, the department must submit a report to the appropriate committees of the legislature and the public with a summary of the analysis of the levels of PFAS chemicals in biosolids produced in and/or land applied in Washington state and recommendations on how to proceed based on the analysis.

(e) In developing the recommendations under (d) of this subsection, the department must consult with the advisory committee created in section 6 of this act.

(f) For the purposes of this subsection, "biosolids" do not include septic tank sludge, also known as septage.

Sec. 5. RCW 70A.226.030 and 2014 c 76 s 7 are each amended to read as follows:

(1) The department shall establish annual fees to collect expenses for issuing and administering biosolids permits under this chapter. An initial fee schedule shall be established by rule and shall be adjusted no more often than once every two years. This fee schedule applies to all permits, regardless of date of issuance, and fees shall be assessed prospectively. Fees shall be established in amounts to recover expenses incurred by the department in processing permit applications and modifications, reviewing related plans and documents, monitoring, evaluating, conducting inspections, overseeing performance of delegated program elements, sampling or testing, and providing technical assistance and supporting overhead expenses that are directly related to these activities.

(2) The annual fee paid by a permittee for any permit issued under this chapter shall be determined by the number of residences or residential equivalents contributing to the permittee's biosolids management system. If residences or residential equivalents cannot be determined or reasonably estimated, fees shall be based on other appropriate criteria.

(3) The biosolids permit account is created in the state treasury. All receipts from fees under this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of administering permits under this chapter.

(4) The department shall make available on the department's website information on fees collected, actual expenses incurred, and anticipated expenses for the current and following fiscal years.

(5) The department shall work with the regulated community and local health departments to study the feasibility of modifying the fee schedule to support delegated local health departments and reduce local health department fees paid by biosolids permittees.

NEW SECTION. Sec. 6. A new section is added to chapter 70A.226 RCW to read as follows:

(1) By September 30, 2028, and before developing the report required in RCW 70A.226.020(6)(d), the department must convene and consult with an advisory committee of representatives from:

(a) The farming community;

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- (b) Toxicologists;
 - (c) Utilities that produce soil amendments, including special purpose districts, municipal utility providers, and public utility districts;
 - (d) Local governments;
 - (e) Experts;
 - (f) Interested parties; and
 - (g) Other similar stakeholders.
- (2) The purpose of consultation required under this section is to ensure that the department is soliciting and receiving sufficient input on requirements and standards for sampling or testing biosolids for PFAS chemicals.
- (3) For the purposes of this section, "biosolids" do not include septic tank sludge, also known as septage."
- Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wilson, J. moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5033.

Senators Wilson, J. and Shewmake spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wilson, J. that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5033.

The motion by Senator Wilson, J. carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5033 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5033, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5033, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5033, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5077 with the following amendment(s): 5077 AMH WALJ SHIP 128 0.

On page 6, beginning on line 13, after "agency" strike all material through "organization" on line 14 and insert "or institution of higher learning"

On page 6, line 15, after "agency" strike "," and insert "or"

On page 6, line 16, after "learning" strike ", or third party organization"

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Valdez moved that the Senate concur in the House amendment(s) to Senate Bill No. 5077.

Senator Valdez spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Valdez that the Senate concur in the House amendment(s) to Senate Bill No. 5077.

The motion by Senator Valdez carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5077 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5077, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5077, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SENATE BILL NO. 5077, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5079 with the following amendment(s): 5079 AMH ELHS H1971.1

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.20B.030 and 2012 c 258 s 1 are each amended to read as follows:

(1) Except as otherwise provided by law, including subsection (2) of this section, there will be no collection of overpayments and other debts due the department after the expiration of six years from the date of notice of such overpayment or other debt unless the department has commenced recovery action in a court of law or unless an administrative remedy authorized by statute is in place. However, any amount due in a case thus extended shall

cease to be a debt due the department at the expiration of ((ten)) 10 years from the date of the notice of the overpayment or other debt unless a court-ordered remedy would be in effect for a longer period.

(2) There will be no collection of debts due the department after the expiration of ((twenty)) 20 years from the date a lien is recorded pursuant to RCW 43.20B.080.

(3) The department, at any time, may accept offers of compromise of disputed claims or may grant partial or total write-off of any debt due the department if it is no longer cost-effective to pursue. The department shall adopt rules establishing the considerations to be made in the granting or denial of a partial or total write-off of debts.

(4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635, 43.20B.640, and 43.20B.645, the department may waive all efforts to collect overpayments from a client when the department determines that the elements of equitable estoppel as set forth in WAC 388-02-0495, as it existed on January 1, 2012, are met.

(5) Beginning July 1, 2025, the department may waive all efforts to collect unintentional overpayments of the aged, blind, or disabled assistance program under RCW 74.62.030 and to functionally disabled clients receiving services and supports provided under chapters 74.39, 74.39A and 71A.12 RCW. The department shall adopt rules establishing the circumstances when the department will waive efforts at collection.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Muzzall moved that the Senate concur in the House amendment(s) to Senate Bill No. 5079.

Senator Muzzall spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Muzzall that the Senate concur in the House amendment(s) to Senate Bill No. 5079.

The motion by Senator Muzzall carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5079 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5079, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5079, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5079, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 9, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5093 with the following amendment(s): 5093-S AMH FITZ BAKY 444

0.

On page 3, at the beginning of line 1, strike "2027" and insert "2029"

On page 3, after line 12, insert the following:

"NEW SECTION. Sec. 5. Section 3 of this act takes effect July 1, 2027."

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Dhingra moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5093.

Senators Dhingra and Holy spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Dhingra that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5093.

The motion by Senator Dhingra carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5093 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5093, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5093, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5093, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 12, 2025

MR. PRESIDENT:

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The House passed SENATE BILL NO. 5138 with the following amendment(s): 5138 AMH ORCU HARA 418; 5138 AMH SANT HARA 417

0.

On page 7, after line 7, insert the following:

"NEW SECTION. Sec. 2. This act expires July 1, 2035."

0.

On page 5, after line 11, insert the following:

"(a) "Community-initiated equitable development" means strategic capacity-building and capital investments that are determined and directed by communities who have experienced significant historical and ongoing social and economic vulnerabilities with the purpose to offset disparities, prevent or reduce displacement, address marginalization, and improve access to opportunities, resources, and outcomes."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Saldaña moved that the Senate concur in the House amendment(s) to Senate Bill No. 5138.

Senators Saldaña and Torres spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Saldaña that the Senate concur in the House amendment(s) to Senate Bill No. 5138.

The motion by Senator Saldaña carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5138 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5138, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5138, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Lias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner and Warnick

SENATE BILL NO. 5138, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5139 with the following amendment(s): 5139-S AMH CS H2064.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.380.030 and 2016 c 188 s 4 are each amended to read as follows:

(1) The council comprises (~~(fifteen)~~) 22 members appointed by the governor.

(2) The governor must create a membership that includes:

(a)(i) Representatives of: The department of corrections; the health care authority; the department of social and health services; the employment security department; the juvenile rehabilitation administration; a statewide organization representing community and technical colleges; a statewide organization representing law enforcement interests; a statewide organization representing the interests of crime victims; a statewide organization representing prosecutors; a statewide organization representing public defenders; a statewide or local organization representing businesses and employers; housing providers; and faith-based organizations or communities;

(ii) At least two persons with experience reentering the community after incarceration; (~~and~~)

(iii) Two other community leaders;

(iv) Two community members who are currently incarcerated, one of whom must be incarcerated in a men's correctional facility and one who must be incarcerated in a women's correctional facility; and

(v) Two persons who are either a survivor or victim of a crime as defined in RCW 7.69.020, one of whom does not identify as female, and one who does not identify as male.

(b) At least one position of the council must be reserved for an invited person with a background in tribal affairs, and such position has all of the same voting and other powers of other members.

(3) When making appointments, the governor shall consider:

(a) The racial and ethnic background of applicants in order for the membership to reflect the diversity of racial and ethnic backgrounds of all those who are incarcerated in the state;

(b) The gender of applicants in order for the membership to reflect the gender diversity of all those who are incarcerated in the state;

(c) The geographic location of all applicants in order for the membership to represent the different geographic regions of the state; and

(d) The experiences and background of all applicants relating to the incarcerated population.

Sec. 2. RCW 43.380.060 and 2016 c 188 s 7 are each amended to read as follows:

The members of the council (~~(shall serve without)~~) may receive compensation as provided in RCW 43.03.220 and 43.03.270, (~~(but)~~) and are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

Sec. 3. RCW 43.380.070 and 2016 c 188 s 8 are each amended to read as follows:

(1) Meetings of the council must be held in accordance with the open public meetings act, chapter 42.30 RCW, and at the call of the cochairs or when a majority of the council membership so requests. Members may participate in a meeting of the council by means of a conference telephone or similar communication equipment as described in RCW 23B.08.200, provided that any member who is currently incarcerated may only attend and participate in council meetings virtually, unless the meeting is held at the correctional facility where the member is incarcerated.

(2) (~~(Seven)~~) Twelve members of the council constitute a quorum.

(3) Once operational, the council must convene on a regular schedule at least four times during each year."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wilson, C. moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5139.

Senators Wilson, C. and Christian spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wilson, C. that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5139.

The motion by Senator Wilson, C. carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5139 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5139, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5139, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Lias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5139, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 9, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5142 with the following amendment(s): 5142-S.E AMH CRJ H2055.1

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 8.16 RCW to read as follows:

(1) For purposes of this section, real estate is acquired under threat of condemnation when a school district purchases the real estate without a judgment having been entered in a condemnation action brought under this chapter and the school district sends the property owner a written notice indicating an intent to pursue a condemnation action to acquire the real estate.

(2) At the time of an acquisition of real estate under threat of condemnation, or within a reasonable time after, a school district shall provide the previous property owner or owners a written

statement identifying the use for which the property is being acquired.

(3) Except as provided in subsections (5) through (8) of this section, before real estate acquired in a condemnation action brought under this chapter, or acquired under threat of condemnation, may be sold, transferred, or put to a use other than as a site for school facilities, or as additional grounds to existing school facilities, the school district shall send a written offer by certified mail to the previous owner or owners, or their heirs, assigns, or successors in interest, at their last known addresses, offering to sell the acquired real estate to the previous owner or owners, or their heirs, assigns, or successors in interest, in exchange for the amount paid by the school district to the clerk of the court as compensation for the real estate taken, or, in the case of property acquired under threat of condemnation, for the purchase price paid by the school district. Such previous owner, owners, or their heirs, assigns, or successors in interest shall have 60 days after receipt of such written offer to provide written acceptance to the school district. The school district's obligation to provide such written offer under this subsection is satisfied, and any subsequent disposition of the acquired real estate is not invalidated for lack of actual notice to any previous owner, owners, or their heirs, assigns, or successors in interest, when the school district has in good faith and with reasonable diligence attempted to ascertain the identity of all persons entitled to notice under this section and sent such written offer by certified mail to their last known addresses.

(4) For real estate acquired in a condemnation action brought under this chapter, or under threat of condemnation, a previous owner, owners, or their heirs, assigns, or successors in interest are entitled to notice and opportunity to repurchase the property as described in subsection (3) of this section if: (a) The public use for which the property was acquired is canceled before the property is put to that public use; (b) no actual progress is made toward the public use for which the property was acquired within 10 years after the date of acquisition; (c) the property becomes unnecessary for the public use for which it was acquired or a substantially similar public use; or (d)(i) no voter or state funding for the school or school facility has been requested or submitted to the voters, (ii) no applications to the applicable permitting jurisdictions have been submitted, (iii) no additional parcels of property need to be assembled or acquired, (iv) no school or school facility on the property is included in the district's six-year capital facilities plan, and (v) the property was acquired by the district more than one year ago.

(5) Once the school district puts acquired real estate to use as a site for school facilities, or as additional grounds to existing school facilities, its obligations under subsection (3) of this section terminate, even if the acquired real estate is subsequently put to a use other than as a site for school facilities or as additional grounds to existing school facilities.

(6) A school district's obligations and the rights of an owner, owners, or their heirs, assigns, or successors in interest to receive notice and to purchase back the acquired real estate under subsection (3) of this section terminate 15 years after the date that the real estate was acquired by the school district.

(7) A property owner, or their heirs, assigns, or successors in interest, may waive the rights to receive notice and to purchase back the acquired real estate by executing a written waiver.

(8) Subsection (3) of this section does not apply to a property owner who makes a written request that a school district acquire the property through a condemnation action unless the school district first sent the property owner a written notice indicating an intent to pursue a condemnation action to acquire the property.

NEW SECTION. Sec. 2. This act may be known and cited as the Houston eminent domain fairness act."

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Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Hasegawa moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5142.

Senators Hasegawa and Holy spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Hasegawa that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5142.

The motion by Senator Hasegawa carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5142 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5142, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5142, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldana, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5142, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 14, 2025

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5148 with the following amendment(s): 5148-S2.E AMH PETE H2234.1

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county or city that is required or chooses to plan under RCW 36.70A.040 may submit their housing element required under RCW 36.70A.070(2) and any housing development regulations adopted or amended on or after the effective date of this section to the department for review to determine whether the housing element or housing development regulations comply with the laws and regulations identified in subsection (7) of this section.

(2)(a) Not less than 120 days prior to applying for approval of a housing element, the county or city must notify the department in writing that it intends to apply for approval under subsection

(1) of this section. The department shall review proposed housing elements prior to final adoption and advise the county or city of the actions necessary to receive approval.

(b) Prior to advising the county or city of the actions necessary to receive approval under (a) of this subsection, the department, along with the county or city, may consult with other relevant state agencies in making its determination.

(c) Prior to advising the county or city of the actions necessary to receive approval under (a) of this subsection, the department, along with the county or city, may consult with housing providers, developers, and builders that are located in or have completed work in the county or city.

(d) The department shall publish notice in the Washington state register that a city or county has notified the department of its intent to apply for approval and the department shall post a copy of the notice on the department website.

(3)(a) A county or city submitting a housing element or housing development regulation for review under subsection (1) of this section must submit its application to the department within 10 days after any final action to amend, repeal, or replace the housing element or housing development regulations.

(b) Notwithstanding subsection (1) of this section, the department may review housing development regulations adopted or amended before the effective date of this section if amendments to those regulations are necessary to implement the housing element or any laws and regulations identified in subsection (7) of this section.

(4) Notwithstanding RCW 36.70A.320(1), a housing element or housing development regulation subject to review under this section does not take effect until the department issues a final decision determining that the housing element or housing development regulation complies with the laws and regulations identified in subsection (7) of this section.

(5)(a) An application for review must include, at a minimum, the following:

(i) A cover letter from the legislative authority requesting review of the housing element or housing development regulations;

(ii) A copy of the adopted ordinance or resolution taking the legislative action or actions required to adopt the housing element or housing development regulations;

(iii) A statement explaining how the adopted housing element or housing development regulations comply with the laws and regulations identified in subsection (7) of this section; and

(iv) A copy of the record developed by the city or county at any public meeting or public hearing at which action was taken on the housing element or housing development regulations.

(b) For the purposes of this subsection, "action" and "meeting" have the same meanings as in RCW 42.30.020.

(6)(a) Within 90 days of the date of receipt of an application, the department shall issue a decision determining whether the housing element and any housing development regulations comply with the laws and regulations identified in subsection (7) of this section. The department may extend the review period with written agreement of the city or county.

(b) The department must issue its decision in the form of a written statement, including findings of fact and conclusions, and noting the date of the issuance of its decision. The department's issued decision must conspicuously and plainly state that it is the department's final decision. In issuing a decision that finds that a city's or county's housing element and any housing development regulations are not in compliance with the laws and regulations identified in subsection (7) of this section, the department must demonstrate that the city's or county's housing element or development regulations are clearly erroneous.

(c) The department shall promptly publish its decision as follows:

- (i) Notify the city or county in writing of its decision;
 - (ii) Publish a notice of action in the Washington state register;
 - (iii) Post a notice of its decision on the agency website; and
 - (iv) Notify other relevant state agencies regarding the decision.
- (7)(a) The department shall issue a determination of compliance for a housing element or housing development regulation unless it finds that the housing element or housing development regulation is not consistent with any of the following laws and regulations:
- (i) The housing planning goal set forth in RCW 36.70A.020(4);
 - (ii) The housing element requirements set forth in RCW 36.70A.070(2);
 - (iii) Any relevant rules adopted by the department;
 - (iv) Any relevant state environmental policy act requirements in chapter 43.21C RCW;
 - (v) The county's or city's comprehensive plan;
 - (vi) Emergency shelters, transitional housing, emergency housing, and permanent supportive housing requirements in RCW 35.21.683 and 35A.21.430;
 - (vii) Co-living housing requirements in RCW 36.70A.535;
 - (viii) Density bonuses required in RCW 36.70A.545;
 - (ix) Parking requirements in RCW 36.70A.620 and 36.70A.622; or
 - (x) Housing requirements in RCW 36.70A.115, 36.70A.635, 36.70A.636, 36.70A.637, 36.70A.638, 36.70A.680, 36.70A.681, 36.70A.682, 36.70A.696, 36.70A.697, 36.70A.698, and 36.70A.699.

(b) Within six months of the effective date of this section, the department shall publish a defined set of minimum objective standards that jurisdictions must meet in order to comply with this section.

(8)(a) The department shall publish and regularly update a local government compliance list that includes, at minimum, the following information for each city or county:

- (i) Whether the city or county is subject to a targeted review under subsection (9) of this section;
- (ii) Whether the city or county has applied for a determination of compliance and, if so, the date of the application; and
- (iii) Whether the department has issued a decision on compliance for the city or county and, if so, the nature of the decision, the date that the decision was issued, and the status or outcome of any appeals.

(b) The local government compliance list must be made publicly available on the department's website.

(9)(a)(i) A city or county that is required or chooses to plan under RCW 36.70A.040 must submit its housing element required under RCW 36.70A.070(2) and any housing development regulations adopted or amended on or after the effective date of this section to the department for review in accordance with this section if the department selects the city or county for targeted review under this subsection. The department may select up to 10 cities or counties for targeted review each calendar year and must prioritize selections for review based on criteria including, but not limited to, the following:

(A) The city or county has not planned for and accommodated for its portion of the countywide housing need determined by the county;

(B) The city's or county's housing production is less than 50 percent of the annual housing being produced within the county or regional council area, as applicable, adjusted by population;

(C) The city's or county's housing production consists of greater than 80 percent single-family homes aimed at primarily households whose income is at or greater than 120 percent of the median household income adjusted for household size for the city

or county where the household is located.

(ii) Upon selection for review, the department must notify any selected cities or counties within 10 days.

(iii) During review of a city or county under this subsection, the department may consult with housing developers and builders that are located in or have completed work in the city or county.

(b)(i) If the department determines that a city or county subject to targeted review under this subsection is not in compliance with the laws and regulations identified in subsection (7) of this section, the department shall notify the city or county of the deficiencies identified and propose amendments to correct any deficiencies. The city or county has 120 days to amend its housing element and any relevant housing development regulations to address any deficiencies noted by the department in its decision issued under subsection (6)(a) of this section and must submit any amendments to its housing element or housing development regulations to the department in the same manner of the initial application for review under subsection (5)(a) of this section. The department may extend the 120-day correction period with written agreement of the city or county.

(ii) If the department determines that a housing element or housing development regulation amended under (b)(i) of this subsection does not comply with the laws and regulations identified in subsection (7) of this section, the city or county is subject to the requirements of subsection (11) of this section.

(10) The department's decision on compliance, including subsequent reviews under subsection (9)(b) of this section, and any housing element or housing development regulations subject to review under this section, may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(11)(a) A noncompliant city or county may not deny an affordable or moderate-income housing development, or approve an affordable or moderate-income housing development with conditions or restrictions that have a substantial adverse impact on the viability of the development or the degree of affordability of the development unless at least one of the following conditions is met:

(i) The city or county has received a final decision from the department determining that its housing element and any housing development regulations comply with the laws and regulations identified in subsection (7) of this section;

(ii) The denial of the affordable or moderate-income housing development, or the approval of the affordable or moderate-income housing development with conditions or restrictions that have a substantial adverse impact on the viability of the development or the degree of affordability of the development, is required in order to comply with specific state or federal law;

(iii) The affordable or moderate-income housing development or proposed development site is located outside an urban growth area, in a critical area, in a critical area buffer, or in an area where residential uses are not allowed by the applicable shoreline master program; or

(iv) The affordable or moderate-income housing development or proposed development site is located in an area where neither the local jurisdiction's comprehensive plan nor zoning ordinance permits residential or mixed uses.

(b) The county or city must require the developer of an affordable or moderate-income housing development to include legally binding, enforceable restrictions on the development, recorded as a covenant or deed restriction, to ensure that the following measures of affordability are met for a minimum 25-year period:

(i) At least 20 percent of the units are affordable housing as defined in RCW 36A.70A.030;

(ii) At least 50 percent of the units are workforce housing; or

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(iii) All of the units are moderate-income housing as defined in RCW 36.70A.030.

(c) The county or city must periodically audit compliance with the restrictions or provide another mechanism to ensure that the units committed to affordable or workforce housing meet the measures of affordability described in (b) of this subsection during the agreed term.

(d) For the purposes of this subsection, "noncompliant city or county" means a city or county subject to targeted review under subsection (9) of this section that:

(i) Does not take amendatory actions under subsection (9)(b)(i) of this section following a determination from the department that the city's or county's housing element or housing development regulations do not comply with the laws and regulations identified in subsection (7) of this section; or

(ii) Has a housing element or housing development regulation that does not comply with the laws and regulations identified in subsection (7) of this section as determined by the department under subsection (9)(b)(ii) of this section or, if appealed, the board under RCW 36.70A.290(3)(b).

(12) A city or county may not be required to submit their housing element or housing development regulations for department review and compliance under this section as a condition of eligibility or prioritization for funds or other programs and opportunities unless a city or county is required to submit their housing element or housing development regulations under subsection (9)(a)(i) of this section.

(13) The department may adopt any rules necessary to implement this section.

(14) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Workforce housing" means housing with monthly costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income is:

(i) For a rental: At or below 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development;

(ii) For ownership: At or below 100 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(c) "Moderate-income housing" has the same meaning as "moderate-income household" in RCW 36.70A.030.

(d) "Housing development regulations" means any development regulations related to the housing element requirements under RCW 36.70A.070(2) including, but not limited to, development regulations related to affordable housing, middle housing, co-living housing, accessory dwelling units, emergency shelters, transitional housing, emergency housing, permanent supportive housing, conversions of nonresidential buildings to residential use, and any zoning maps and zoning districts.

Sec. 2. RCW 36.70A.280 and 2023 c 334 s 7, 2023 c 332 s 6, and 2023 c 228 s 7 are each reenacted and amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to

plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance based on a city or county's actions taken to implement the requirements of RCW 36.70A.680 and 36.70A.681 within an urban growth area;

(b) That the 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction;

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous;

(f) That the department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendments by a local government planning under RCW 36.70A.040 was not in compliance with the joint guidance issued by the department pursuant to RCW 70A.45.120; ((or))

(g) That the department's final decision to approve or reject actions by a city implementing RCW 36.70A.635 is clearly erroneous; or

(h) That the department's determination of compliance of a housing element and any related housing development regulations under section 1 of this act is clearly erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section, "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

Sec. 3. RCW 36.70A.290 and 2011 c 277 s 1 are each amended to read as follows:

(1) All requests for review to the growth management hearings board shall be initiated by filing a petition that includes a detailed statement of issues presented for resolution by the board. The board shall render written decisions articulating the basis for its holdings. The board shall not issue advisory opinions on issues

not presented to the board in the statement of issues, as modified by any prehearing order.

(2) All petitions relating to whether or not an adopted comprehensive plan, development regulation, or permanent amendment thereto, is in compliance with the goals and requirements of this chapter or chapter 90.58 or 43.21C RCW must be filed within sixty days after publication as provided in (a) through ((c)) (d) of this subsection.

(a) Except as provided in (c) and (d) of this subsection, the date of publication for a city shall be the date the city publishes the ordinance, or summary of the ordinance, adopting the comprehensive plan or development regulations, or amendment thereto, as is required to be published.

(b) Promptly after adoption, a county shall publish a notice that it has adopted the comprehensive plan or development regulations, or amendment thereto.

Except as provided in (c) and (d) of this subsection, for purposes of this section the date of publication for a county shall be the date the county publishes the notice that it has adopted the comprehensive plan or development regulations, or amendment thereto.

(c) For local governments planning under RCW 36.70A.040, promptly after approval or disapproval of a local government's shoreline master program or amendment thereto by the department of ecology as provided in RCW 90.58.090, the department of ecology shall publish a notice that the shoreline master program or amendment thereto has been approved or disapproved. For purposes of this section, the date of publication for the adoption or amendment of a shoreline master program is the date the department of ecology publishes notice that the shoreline master program or amendment thereto has been approved or disapproved.

(d) For purposes of this section, the date of publication for a housing element and any housing development regulations submitted to the department for review under section 1 of this act is the date the department publishes its final decision on compliance in the Washington State Register or on the department's website, whichever is later.

(3)(a) All petitions relating to whether the department's final decision under section 1 of this act is clearly erroneous must be filed within 60 days after the department publishes its final decision in the Washington State Register or on the department's website, whichever is later.

(b) A decision of the board concerning an appeal of the department's final decision under section 1 of this act must be based solely on whether the relevant housing element or housing development regulations comply with the laws and regulations identified in section 1(7) of this act.

(4) Unless the board dismisses the petition as frivolous or finds that the person filing the petition lacks standing, or the parties have filed an agreement to have the case heard in superior court as provided in RCW 36.70A.295, the board shall, within ten days of receipt of the petition, set a time for hearing the matter.

((4)) (5) The board shall base its decision on the record developed by the city, county, or the state and supplemented with additional evidence if the board determines that such additional evidence would be necessary or of substantial assistance to the board in reaching its decision.

((5)) (6) The board, shall consolidate, when appropriate, all petitions involving the review of the same comprehensive plan or the same development regulation or regulations.

Sec. 4. RCW 36.70A.320 and 2023 c 228 s 8 are each amended to read as follows:

(1) Except as provided in subsections (5) ((and (6))) through (7) of this section, comprehensive plans and development regulations, and amendments thereto, adopted under this chapter

are presumed valid upon adoption.

(2) Except as otherwise provided in subsection (4) of this section, the burden is on the petitioner to demonstrate that any action taken by a state agency, county, or city under this chapter is not in compliance with the requirements of this chapter.

(3) In any petition under this chapter, the board, after full consideration of the petition, shall determine whether there is compliance with the requirements of this chapter. In making its determination, the board shall consider the criteria adopted by the department under RCW 36.70A.190(4). The board shall find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board and in light of the goals and requirements of this chapter.

(4) A county or city subject to a determination of invalidity made under RCW 36.70A.300 or 36.70A.302 has the burden of demonstrating that the ordinance or resolution it has enacted in response to the determination of invalidity will no longer substantially interfere with the fulfillment of the goals of this chapter under the standard in RCW 36.70A.302(1).

(5) The shoreline element of a comprehensive plan and the applicable development regulations adopted by a county or city shall take effect as provided in chapter 90.58 RCW.

(6) The greenhouse gas emissions reduction subelement required by RCW 36.70A.070 shall take effect as provided in RCW 36.70A.096.

(7) Any housing element and any housing development regulations subject to review under section 1 of this act take effect as provided in section 1 of this act.

Sec. 5. RCW 36.70A.130 and 2024 c 17 s 1 are each amended to read as follows:

(1)(a) Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them. Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter according to the deadlines in subsections (4) and (5) of this section.

(b)(i) A city or town located within a county planning under RCW 36.70A.040 may opt out of a full review and revisions of its comprehensive plan established in this section if the city or town meets the following criteria:

(A) Has a population fewer than 500;

(B) Is not located within 10 miles of a city with a population over 100,000;

(C) Experienced a population growth rate of fewer than 10 percent in the preceding 10 years; and

(D) Has provided the department with notice of its intent to participate in a partial review and revision of its comprehensive plan.

(ii) The department shall review the population growth rate for a city or town participating in the partial review and revision of its comprehensive plan process at least three years before the periodic update is due as outlined in subsection (4) of this section and notify cities of their eligibility.

(iii) A city or town that opts out of a full review and revision of its comprehensive plan must update its critical areas regulations and its capital facilities element and its transportation element.

(c) Except as otherwise provided, a county or city not planning under RCW 36.70A.040 shall take action to review and, if needed, revise its policies and development regulations regarding critical areas and natural resource lands adopted according to this chapter to ensure these policies and regulations comply with the requirements of this chapter according to the deadlines in

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subsections (4) and (5) of this section. Legislative action means the adoption of a resolution or ordinance following notice and a public hearing indicating at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefor.

(d) The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW 36.70A.040, an analysis of the population allocated to a city or county from the most recent 10-year population forecast by the office of financial management.

(e) Any amendment of or revision to a comprehensive land use plan shall conform to this chapter. Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. "Updates" means to review and revise, if needed, according to subsection (1) of this section, and the deadlines in subsections (4) and (5) of this section or in accordance with the provisions of subsection (6) of this section. Amendments may be considered more frequently than once per year under the following circumstances:

(i) The initial adoption of a subarea plan. Subarea plans adopted under this subsection (2)(a)(i) must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under chapter 43.21C RCW;

(ii) The development of an initial subarea plan for economic development located outside of the 100 year floodplain in a county that has completed a state-funded pilot project that is based on watershed characterization and local habitat assessment;

(iii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;

(iv) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget; ((or))

(v) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.440, provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment; or

(vi) The adoption or amendment of any housing element necessary to receive a determination of compliance under section 1 of this act.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the court.

(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, according to the schedules established in subsections (4) and (5) of this section, its designated urban growth area or areas, patterns of development

occurring within the urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding 20-year period. The review required by this subsection may be combined with the review and evaluation required by RCW 36.70A.215.

(c) If, during the county's review under (a) of this subsection, the county determines revision of the urban growth area is not required to accommodate the urban growth projected to occur in the county for the succeeding 20-year period, but does determine that patterns of development have created pressure in areas that exceed available, developable lands within the urban growth area, the urban growth area or areas may be revised to accommodate identified patterns of development and likely future development pressure for the succeeding 20-year period if the following requirements are met:

(i) The revised urban growth area may not result in an increase in the total surface areas of the urban growth area or areas;

(ii) The areas added to the urban growth area are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;

(iii) Less than 15 percent of the areas added to the urban growth area are critical areas;

(iv) The areas added to the urban growth areas are suitable for urban growth;

(v) The transportation element and capital facility plan element have identified the transportation facilities, and public facilities and services needed to serve the urban growth area and the funding to provide the transportation facilities and public facilities and services;

(vi) The urban growth area is not larger than needed to accommodate the growth planned for the succeeding 20-year planning period and a reasonable land market supply factor;

(vii) The areas removed from the urban growth area do not include urban growth or urban densities; and

(viii) The revised urban growth area is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands.

(4) Except as otherwise provided in subsections (6) and (8) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) On or before June 30, 2015, for King, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before June 30, 2016, for Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2017, for Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2018, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those

counties.

(5) Except as otherwise provided in subsections (6) and (8) of this section, following the review of comprehensive plans and development regulations required by subsection (4) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) Except as provided in subsection (10) of this section, on or before December 31, 2024, with the following review and, if needed, revision on or before June 30, 2034, and then every 10 years thereafter, for King, Kitsap, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before December 31, 2025, with the following review and, if needed, revision on or before June 30, 2035, and then every 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2026, and every 10 years thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2027, and every 10 years thereafter, for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman counties and the cities within those counties.

(6)(a) Nothing in this section precludes a county or city from conducting the review and evaluation required by this section before the deadlines established in subsections (4) and (5) of this section. Counties and cities may begin this process early and may be eligible for grants from the department, subject to available funding, if they elect to do so.

(b) A county that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the 24 months following the deadline established in subsection (5) of this section: The county has a population of less than 50,000 and has had its population increase by no more than 17 percent in the 10 years preceding the deadline established in subsection (5) of this section as of that date.

(c) A city that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the 24 months following the deadline established in subsection (5) of this section: The city has a population of no more than 5,000 and has had its population increase by the greater of either no more than 100 persons or no more than 17 percent in the 10 years preceding the deadline established in subsection (5) of this section as of that date.

(d) State agencies are encouraged to provide technical assistance to the counties and cities in the review of critical area ordinances, comprehensive plans, and development regulations.

(7)(a) The requirements imposed on counties and cities under this section shall be considered "requirements of this chapter" under the terms of RCW 36.70A.040(1). Only those counties and cities that meet the following criteria may receive grants, loans, pledges, or financial guarantees under chapter 43.155 or 70A.135 RCW:

(i) ((Complying)) The county or city is in compliance with the deadlines in this section; ((or))

(ii) ((Demonstrating)) The county or city demonstrates substantial progress towards compliance with the ((schedules)) deadlines in this section for development regulations that protect critical areas. (((b) A)) For the purposes of this subsection (7)(a)(ii), a county or city that is fewer than 12 months out of

compliance with the ((schedules)) deadlines in this section for development regulations that protect critical areas is making substantial progress towards compliance with the deadlines in this section; or

(iii) The county or city demonstrates substantial progress towards compliance with the deadlines in this section for any housing element and any housing development regulations required to be submitted to the department for review under section 1 of this act. For the purposes of this subsection (7)(a)(iii), a county or city that applies to the department for review within the timelines specified under section 1 of this act demonstrates substantial progress towards compliance with the deadlines in this section and is eligible for grants, loans, pledges, or financial guarantees under chapter 43.155 or 70A.135 RCW until the department or the growth management hearings board issues a final decision determining that the county's or city's housing element or any related housing development regulations are not in compliance with the laws and regulations identified in section 1(7) of this act.

(b) Only those counties and cities in compliance with the schedules in this section may receive preference for grants or loans subject to the provisions of RCW 43.17.250.

(8)(a) Except as otherwise provided in (c) of this subsection, if a participating watershed is achieving benchmarks and goals for the protection of critical areas functions and values, the county is not required to update development regulations to protect critical areas as they specifically apply to agricultural activities in that watershed.

(b) A county that has made the election under RCW 36.70A.710(1) may only adopt or amend development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed if:

(i) A work plan has been approved for that watershed in accordance with RCW 36.70A.725;

(ii) The local watershed group for that watershed has requested the county to adopt or amend development regulations as part of a work plan developed under RCW 36.70A.720;

(iii) The adoption or amendment of the development regulations is necessary to enable the county to respond to an order of the growth management hearings board or court;

(iv) The adoption or amendment of development regulations is necessary to address a threat to human health or safety; or

(v) Three or more years have elapsed since the receipt of funding.

(c) Beginning 10 years from the date of receipt of funding, a county that has made the election under RCW 36.70A.710(1) must review and, if necessary, revise development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed in accordance with the review and revision requirements and timeline in subsection (5) of this section. This subsection (8)(c) does not apply to a participating watershed that has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's goals and benchmarks for protection have been met.

(9)(a) Counties subject to planning deadlines established in subsection (5) of this section that are required or that choose to plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or (ii) of this subsection, and cities with a population of more than 6,000 as of April 1, 2021, within those counties, must provide to the department an implementation progress report detailing the progress they have achieved in implementing their comprehensive plan five years after the review and revision of their comprehensive plan. Once a county meets the criteria in (a)(i) or (ii) of this subsection, the implementation progress report requirements remain in effect thereafter for that county and the cities therein with populations greater than 6,000 as of April 1,

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2021, even if the county later no longer meets either or both criteria. A county is subject to the implementation progress report requirement if it meets either of the following criteria on or after April 1, 2021:

(i) The county has a population density of at least 100 people per square mile and a population of at least 200,000; or

(ii) The county has a population density of at least 75 people per square mile and an annual growth rate of at least 1.75 percent as determined by the office of financial management.

(b) The department shall adopt guidelines for indicators, measures, milestones, and criteria for use by counties and cities in the implementation progress report that must cover:

(i) The implementation of previously adopted changes to the housing element and any effect those changes have had on housing affordability and availability within the jurisdiction;

(ii) Permit processing timelines; and

(iii) Progress toward implementing any actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements as provided for in any element of the comprehensive plan under RCW 36.70A.070.

(c) If a city or county required to provide an implementation progress report under this subsection (9) has not implemented any specifically identified regulations, zoning and land use changes, or taken other legislative or administrative action necessary to implement any changes in the most recent periodic update in their comprehensive plan by the due date for the implementation progress report, the city or county must identify the need for such action in the implementation progress report. Cities and counties must adopt a work plan to implement any necessary regulations, zoning and land use changes, or take other legislative or administrative action identified in the implementation progress report and complete all work necessary for implementation within two years of submission of the implementation progress report.

(10) Any county or city that is required by RCW 36.70A.095 to include in its comprehensive plan a climate change and resiliency element and that is also required by subsection (5)(a) of this section to review and, if necessary, revise its comprehensive plan on or before December 31, 2024, must update its transportation element and incorporate a climate change and resiliency element into its comprehensive plan as part of the first implementation progress report required by subsection (9) of this section if funds are appropriated and distributed by December 31, 2027, as required under RCW 36.70A.070(10).

Sec. 6. RCW 43.21C.495 and 2023 c 334 s 6 and 2023 c 332 s 8 are each reenacted and amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Amendments to development regulations and other nonproject actions taken by a city to implement the requirements under RCW 36.70A.635 pursuant to RCW 36.70A.636(3)(b) are not subject to administrative or judicial appeals under this chapter.

(3) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city or county consistent with the requirements of RCW 36.70A.680 and 36.70A.681 are not subject to

administrative or judicial appeals under this chapter.

(4) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions by a city or county to implement the housing element requirements set forth in RCW 36.70A.070(2) are not subject to administrative or judicial appeals under this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 36.70A RCW to read as follows:

The state, through the department and the attorney general, shall represent its interest before agencies of the United States, interstate agencies, and the courts with regard to comprehensive plans, regulations, activities, or uses approved under this act. Where federal or interstate agency plans, activities, or procedures conflict with state policies, all reasonable steps available shall be taken by the state to preserve the integrity of its policies.

NEW SECTION. Sec. 8. This act may be known and cited as the housing accountability act.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Bateman moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5148.

Senators Bateman and Goehner spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Bateman that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5148.

The motion by Senator Bateman carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5148 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5148, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5148, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Wagoner

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5148, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of

the act.

MESSAGE FROM THE HOUSE

April 11, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5184 with the following amendment(s): 5184-S.E AMH ENGR H1996.E

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that predetermined on-site parking requirements needlessly drive up the cost of development, particularly housing; discourage walking and multimodal transit usage; and encourage excessive reliance of automobiles with attendant impacts on human health and greenhouse gas emissions. The legislature further finds that the amount of parking that a project actually needs should be determined on a case-by-case basis by permit applicants sensitive to actual market conditions rather than a one-size-fits-all regulation.

NEW SECTION. Sec. 2. A new section is added to chapter 35.21 RCW to read as follows:

(1) A city may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per single-family home.

(2) A city may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A city may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) To cities with a population of 30,000 or less, as determined by the population estimate of the office of financial management under RCW 43.62.030;

(b) If a city submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the city's current parking requirements; or

(c) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual

enplanements.

(7) Cities may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(8) Cities are not prohibited from requiring temporary or time-restricted parking. Cities are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(9) Cities that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The city's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The city's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The city's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(10) Cities may submit a request for a variance from the requirements of this section to the department of commerce if compliance with the requirements of this section would be hazardous to the life, health, and safety of residents as confirmed by a building official or fire marshal, or their designees. A request for a variance may include requests to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Cities with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Cities with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. Sec. 3. A new section is added to chapter 35A.21 RCW to read as follows:

(1) A code city may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per single-family home.

(2) A code city may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A code city may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business

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purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) To code cities with a population of 30,000 or less, as determined by the population estimate of the office of financial management under RCW 43.62.030;

(b) If a code city submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the code city's current parking requirements; or

(c) To portions of code cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) Code cities may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(8) Code cities are not prohibited from requiring temporary or time-restricted parking. Code cities are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(9) Code cities that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The code city's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The code city's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The code city's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(10) Code cities may submit a request for a variance from the requirements of this section to the department of commerce if compliance with the requirements of this section would be hazardous to the life, health, and safety of residents as confirmed by a building official or fire marshal, or their designees. A request for a variance may include requests to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Code cities with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Code cities with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 36.01 RCW to read as follows:

(1) A county may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per

single-family home.

(2) A county may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A county may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) If a county submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the county's current parking requirements; or

(b) To portions of counties within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) A county may require off-street parking if the county's roads are not developed to the standards for streets and roads adopted by the cities within that county.

(8) Counties may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(9) Counties are not prohibited from requiring temporary or time-restricted parking. Counties are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(10) A county may submit a request for a variance from the requirements of this section to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Counties that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The county's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The county's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The county's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(12) Counties with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Counties with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. Sec. 5. A new section is added to chapter 19.27 RCW to read as follows:

The state building code council shall research and, if necessary, adopt by rule updated accessible parking space requirements in the state building code promulgated under this chapter to align with current research on disability rates among drivers.

NEW SECTION. Sec. 6. RCW 36.70A.620 (Cities planning under RCW 36.70A.040—Minimum residential parking requirements) and 2020 c 173 s 3 & 2019 c 348 s 5 are each repealed.

NEW SECTION. Sec. 7. This act may be known and cited as the parking reform and modernization act."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Bateman moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5184.

Senators Bateman and Goehner spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Bateman that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5184.

The motion by Senator Bateman carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5184 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5184, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5184, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Cortes, Dhingra, Frame, Gildon, Goehner, Hansen, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Conway, Dozier, Fortunato, Harris, Hasegawa, McCune, Schoesler, Torres, Wagoner, Warnick and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5184, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the

title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 15, 2025

MR. PRESIDENT:

The House passed SENATE BILL NO. 5189 with the following amendment(s): 5189 AMH APP H2156.1

0.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Competencies" mean the rigorous, shared expectations for learning that encompass knowledge, skills, and abilities across grade levels. Competencies are broader than learning standards and may encompass multiple learning standards. Competencies are transparent, measurable, relevant, and transferable to multiple contexts.

(2)(a) "Competency-based education" means education that includes the following elements:

(i) Students are empowered daily to make important decisions about their learning experiences, how they will create and apply knowledge, and how they will demonstrate their learning;

(ii) Assessment is a meaningful, positive, and empowering learning experience for students that yields timely, relevant, and actionable evidence;

(iii) Students receive timely, differentiated support based on their individual learning needs;

(iv) Students progress based on evidence of mastery, not seat time;

(v) Students learn actively using different pathways and varied pacing;

(vi) Strategies to ensure equity for all students are embedded in the culture, structure, and pedagogy of schools and education systems; and

(vii) Rigorous, common expectations for learning, including knowledge, skills, and dispositions, are explicit, transparent, measurable, and transferable.

(b) "Mastery-based learning" has the same meaning as "competency-based education."

NEW SECTION. Sec. 2. (1) By September 1, 2025, the office of the superintendent of public instruction shall adopt rules to authorize full-time enrollment funding for students enrolled in competency-based education programs identified by the state board of education based on:

(a) School membership in the mastery-based learning collaborative established in section 502(2), chapter 334, Laws of 2021 or the school having a current waiver from credit-based graduation requirements granted by the state board of education under RCW 28A.300.750; or

(b) The process developed by the state board of education under section 3 of this act.

(2) Rules adopted pursuant to this section must permit school districts to report full-time equivalent students in eligible competency-based education programs for general apportionment funding.

NEW SECTION. Sec. 3. (1) The state board of education shall design and recommend a process to identify and designate schools and school districts that are implementing competency-based education and identify costs associated with this process. This process must consider the extent to which competency-based education is being implemented as compared to the seven elements of the definition in section 1 of this act. The office of the superintendent of public instruction shall consult with the state

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board of education on how this designation can be displayed on the Washington state report card website.

(2) The office of the superintendent of public instruction, in consultation with the state board of education, shall develop and recommend a process for the office of the superintendent of public instruction to create competencies aligned with the state learning standards and identify costs associated with this process. This process must incorporate relevant materials and guidance developed through the mastery-based learning collaborative established in section 502(2), chapter 334, Laws of 2021. The office of the superintendent of public instruction shall submit the recommendations and associated costs developed in accordance with this subsection to the state board of education by December 1, 2025.

(3) The state board of education shall include the recommendations and associated costs developed in accordance with this section in the report required by section 502(2), chapter 475, Laws of 2023 that is due December 31, 2025.

NEW SECTION. Sec. 4. The Washington interscholastic activities association shall include in its rule adoption process a review of whether the rule would create any potential barriers related to students participating in competency-based education in order to ensure continued equitable access to interscholastic activities for those students.

Sec. 5. RCW 28A.230.125 and 2024 c 202 s 5 are each amended to read as follows:

((The)) (a) Before the 2026-27 school year, the superintendent of public instruction, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, the state board of education, and the workforce training and education coordinating board, shall develop and update for use by all public school districts a standardized high school transcript. The superintendent shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.

((2)) (b) The standardized high school transcript must include a notation of whether the student has earned the Washington state seal of biliteracy established under RCW 28A.300.575.

(2) Before the 2026-27 school year, the state board of education, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, the office of the superintendent of public instruction, the Washington student achievement council, and the workforce training and education coordinating board, shall develop or identify and recommend to the office of the superintendent of public instruction a format for a competency-based education high school transcript that can be used by all public school districts as part of, or as an alternative to, the standardized high school transcript developed under subsection (1) of this section.

(3) The office of the superintendent of public instruction must inform public school districts of updates to the transcripts developed under this section.

(4) For the purposes of this section, "competency-based education" has the same meaning as in section 1 of this act.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 7. RCW 28A.300.810 (Innovative learning pilot program) and 2020 c 353 s 2 are each repealed.

NEW SECTION. Sec. 8. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wellman moved that the Senate concur in the House amendment(s) to Senate Bill No. 5189.

Senators Wellman and Harris spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Wellman that the Senate concur in the House amendment(s) to Senate Bill No. 5189.

The motion by Senator Wellman carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5189 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5189, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5189, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman and Wilson, C.

Voting nay: Senators Braun, Christian, Fortunato, McCune and Wilson, J.

SENATE BILL NO. 5189, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

April 14, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5009 with the following amendment(s): 5009-S.E AMH ENGR H2196.E

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.160.150 and 2009 c 548 s 304 are each amended to read as follows:

Funds allocated for transportation costs, except for funds provided for transportation and transportation services to and from school shall be in addition to the basic education allocation. The distribution formula developed in RCW 28A.160.150 through 28A.160.180 shall be for allocation purposes only and shall not be construed as mandating specific levels of pupil transportation services by local districts nor the type of vehicle to be used for pupil transportation, except as provided in RCW 28A.160.195. School districts are encouraged to use a vehicle type deemed by a district to be a safe and cost-effective manner of transporting its students, including using school buses and other vehicles, and may use the student transportation allocation accordingly. Operating costs as determined under RCW

28A.160.150 through 28A.160.180 shall be funded at ((one hundred)) 100 percent or as close thereto as reasonably possible for transportation of an eligible student to and from school as defined in RCW 28A.160.160(3). In addition, funding shall be provided for transportation services for students living within the walk area as determined under RCW 28A.160.160(5).

Sec. 2. RCW 28A.160.170 and 2021 c 234 s 3 are each amended to read as follows:

Each district shall submit three times each year to the superintendent of public instruction during October, February, and May of each year a report containing the following:

(1)(a) The number of eligible students transported to and from school as provided for in RCW 28A.160.150, along with identification of stop locations and school locations, and (b) the number of miles driven per vehicle type for pupil transportation services as authorized in RCW 28A.160.150 the previous school year; and

(2) Other operational data and descriptions as required by the superintendent to determine allocation requirements for each district. The superintendent shall require that districts separate the costs of operating the program for the transportation of eligible students to and from school as defined by RCW 28A.160.160(3), non-to-and-from-school pupil transportation costs, and costs to provide expanded services under RCW 28A.160.185(1) in the annual financial statement. The cost, quantity, and type of all fuel purchased by school districts for use in to-and-from-school transportation shall be included in the annual financial statement.

Each district shall submit the information required in this section on a timely basis as a condition of the continuing receipt of school transportation moneys.

Sec. 3. RCW 28A.160.180 and 2009 c 548 s 307 are each amended to read as follows:

Each district's annual student transportation allocation shall be determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate the transportation allocation for those services provided for in RCW 28A.160.150, inclusive of all vehicle types used. The allocation formula may be adjusted to include such additional differential factors as basic and special passenger counts as defined by the superintendent of public instruction, average distance to school, and number of locations served.

(2) The allocation shall be based on a regression analysis of the number of basic and special students transported and as many other site characteristics that are identified as being statistically significant.

(3) The transportation allocation for transporting students in district-owned passenger cars, as defined in RCW 46.04.382, pursuant to RCW 28A.160.010 for services provided for in RCW 28A.160.150 if a school district deems it advisable to use such vehicles after the school district board of directors has considered the safety of the students being transported as well as the economy of utilizing a district-owned passenger car in lieu of a school bus ((is the private vehicle reimbursement rate in effect on September 1st of each school year)) must be included in the overall determination of the district's annual student transportation allocation. Students transported in district-owned passenger cars must be included in the corresponding basic or special passenger counts, average distance to school, and number of locations served.

(4) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the education and fiscal committees of the legislature, a report outlining the methodology and rationale used in determining the statistical coefficients for each site characteristic used to determine the allocation for the following year.

Sec. 4. RCW 28A.160.195 and 2024 c 345 s 4 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the regional transportation coordinators of the educational service districts, shall establish a minimum number of ((school bus)) student transportation vehicle categories considering the capacity and type of vehicles required by school districts in Washington. The superintendent, in consultation with the regional transportation coordinators of the educational service districts, shall establish competitive specifications for each category of ((school bus)) vehicle. The categories shall be developed to produce minimum long-range operating costs, including costs of equipment and all costs in operating the vehicles. The competitive specifications shall meet federal motor vehicle safety standards, minimum state specifications as established by rule by the superintendent, and supported options as determined by the superintendent in consultation with the regional transportation coordinators of the educational service districts. The superintendent may solicit and accept price quotes for a rear-engine category school bus that shall be reimbursed at the price of the corresponding front engine category.

(2) After establishing ((school bus)) vehicle categories and competitive specifications, the superintendent of public instruction shall solicit competitive price quotes for base ((buses)) vehicles from ((school bus)) dealers to be in effect for one year and shall establish a list of all accepted price quotes in each category obtained under this subsection. The superintendent shall also solicit price quotes for optional features and equipment.

(3)(a) The superintendent shall base the level of reimbursement to school districts and educational service districts for ((school buses)) vehicles on the lowest quote for the base ((bus)) vehicle in each category. School districts and educational service districts shall be reimbursed for ((buses)) vehicles purchased only through a lowest-price competitive bid process conducted under RCW 28A.335.190 or through the state bid process established by this section.

(b) Once the total cost of ownership of zero emission school buses is at or below the total cost of ownership of diesel school buses, as determined under the formulas adopted by rule pursuant to RCW 28A.160.260, school districts may only receive reimbursement for the purchase of zero emission school buses, unless the district has been granted an exception under RCW 28A.160.260(3). For the purposes of this subsection, "zero emission school bus" means a school bus that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor. This subsection (3)(b) applies to other vehicles used in lieu of school buses.

(4) Notwithstanding RCW 28A.335.190, school districts and educational service districts may purchase at the quoted price directly from any dealer who is on the list established under subsection (2) of this section. School districts and educational service districts may make their own selections for ((school buses)) vehicles, but shall be reimbursed at the rates determined under subsection (3) of this section and RCW 28A.160.200. District-selected options shall not be reimbursed by the state.

(5) This section does not prohibit school districts or educational service districts from conducting their own competitive bid process.

(6) As used in this section, "student transportation vehicle" and "vehicle" mean a school bus or other vehicle used in lieu of a school bus.

(7) The superintendent of public instruction may adopt rules under chapter 34.05 RCW to implement this section.

Sec. 5. RCW 28A.160.210 and 2006 c 263 s 906 are each amended to read as follows:

(1) In addition to other powers and duties, the superintendent

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of public instruction shall adopt rules governing the training and qualifications of school bus drivers. Such rules shall be designed to insure that persons will not be employed to operate school buses unless they possess such physical health and driving skills as are necessary to safely operate school buses: PROVIDED, That such rules shall insure that school bus drivers are provided a due process hearing before any certification required by such rules is canceled: PROVIDED FURTHER, That such rules shall not conflict with the authority of the department of licensing to license school bus drivers in accordance with chapter 46.25 RCW. The superintendent of public instruction may obtain a copy of the driving record, as maintained by the department of licensing, for consideration when evaluating a school bus driver's driving skills.

(2) By no later than September 1, 2026, the superintendent of public instruction shall develop rules for drivers transporting students in a Washington state patrol-inspected school vehicle other than a school bus. A driver that exclusively transports students in such a vehicle must have the appropriate driver's license for the vehicle, and may not be required to hold a commercial driver's license.

Sec. 6. RCW 46.25.010 and 2023 c 35 s 1 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) "Alcohol concentration" means:

(a) The number of grams of alcohol per one hundred milliliters of blood; or

(b) The number of grams of alcohol per two hundred ten liters of breath.

(3) "Commercial driver's license" (CDL) means a license issued to an individual under chapter 46.20 RCW that has been endorsed in accordance with the requirements of this chapter to authorize the individual to drive a class of commercial motor vehicle.

(4) The "commercial driver's license information system" (CDLIS) is the information system established pursuant to 49 U.S.C. Sec. 31309 to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

(5) "Commercial learner's permit" (CLP) means a permit issued under RCW 46.25.052 for the purposes of behind-the-wheel training.

(6) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of any towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds or more), whichever is greater; or

(b) Has a gross vehicle weight rating or gross vehicle weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater; or

(c) Is designed to transport 16 or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(e) Is a school bus regardless of weight or size.

(7) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with

the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, entry into a deferred prosecution program under chapter 10.05 RCW, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(8) "Disqualification" means a prohibition against driving a commercial motor vehicle.

(9) "Drive" means to drive, operate, or be in physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and 46.25.120, "drive" includes operation or physical control of a motor vehicle anywhere in the state.

(10) "Drugs" are those substances as defined by RCW 69.04.009, including, but not limited to, those substances defined by 49 C.F.R. Sec. 40.3.

(11) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle.

(12) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle. The GVWR of a combination or articulated vehicle, commonly referred to as the "gross combined weight rating" or GCWR, is the GVWR of the power unit plus the GVWR of the towed unit or units. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with a GVWR of less than 11,794 kilograms (26,001 pounds or less) has been structurally modified to carry a heavier load, then the actual gross weight capacity of the modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will be used as the GVWR.

(13) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. Sec. 5103 and is required to be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. Part 73.

(14) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, or any other vehicle required to be registered under the laws of this state, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(15)(a) "Nondomiciled CLP or CDL" means a permit or license, respectively, issued under RCW 46.25.054 to a person who meets one of the following criteria:

(i) Is domiciled in a foreign country as provided in 49 C.F.R. Sec. 383.23(b)(1) as it existed on October 1, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(ii) Is domiciled in another state as provided in 49 C.F.R. Sec. 383.23(b)(2) as it existed on October 1, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(b) The definition in this subsection (15) applies exclusively to the use of the term in this chapter and is not to be applied in any other chapter of the Revised Code of Washington.

(16) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service pursuant to 49 C.F.R. Secs. 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North American uniform out-of-service criteria.

(17) "Positive alcohol confirmation test" means an alcohol

confirmation test that:

(a) Has been conducted by a breath alcohol technician under 49 C.F.R. Part 40; and

(b) Indicates an alcohol concentration of 0.04 or more.

A report that a person has refused an alcohol test, under circumstances that constitute the refusal of an alcohol test under 49 C.F.R. Part 40, will be considered equivalent to a report of a positive alcohol confirmation test for the purposes of this chapter.

(18) "School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a student transportation vehicle with a seating capacity of 10 or fewer persons, including the driver, or a bus used as a common carrier.

(19) "Serious traffic violation" means:

(a) Excessive speeding, defined as fifteen miles per hour or more in excess of the posted limit;

(b) Reckless driving, as defined under state or local law;

(c) Driving while using a personal electronic device, defined as a violation of RCW 46.61.672, which includes in the activities it prohibits driving while holding a personal electronic device in either or both hands and using a hand or finger for texting, or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(d) A violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

(e) Driving a commercial motor vehicle without obtaining a commercial driver's license;

(f) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession; however, any individual who provides proof to the court by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, is not guilty of a "serious traffic violation";

(g) Driving a commercial motor vehicle without the proper class of commercial driver's license endorsement or endorsements for the specific vehicle group being operated or for the passenger or type of cargo being transported; and

(h) Any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, that the department determines by rule to be serious.

(20) "State" means a state of the United States and the District of Columbia.

(21) "Substance abuse professional" means an alcohol and drug specialist meeting the credentials, knowledge, training, and continuing education requirements of 49 C.F.R. Sec. 40.281.

(22) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

(23) "Type of driving" means one of the following:

(a) "Nonexcepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. Part 391 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or such

subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(b) "Excepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, from all or parts of the qualification requirements of 49 C.F.R. Part 391 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate in accordance with procedures provided in 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(c) "Nonexcepted intrastate," which means the CDL or CLP holder or applicant operates only in intrastate commerce and is required to obtain a medical examiner's certificate in accordance with procedures provided in 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(d) "Excepted intrastate," which means the CDL or CLP holder wishes to maintain a CDL or CLP but not operate a commercial motor vehicle without changing his or her self-certification type.

(24) "United States" means the 50 states and the District of Columbia.

(25) "Collector truck" means a vehicle that:

(a) Has current registration;

(b) Is older than 30 years old;

(c) Is a vehicle that meets the weight criteria of subsection (6) of this section;

(d) Is capable of safely operating on the highway;

(e) Is used for occasional use to and from truck conventions, auto shows, circuses, parades, displays, special excursions, and antique vehicle club meetings;

(f) Is used for the pleasure of others without compensation; and

(g) Is not used in the operations of a common or contract motor carrier and not used for commercial purposes.

(26) "Collector truck operator" means an operator of a noncommercial vehicle that is being exclusively owned and operated as a collector truck.

Sec. 7. RCW 46.25.050 and 2019 c 195 s 2 are each amended to read as follows:

(1) Drivers of commercial motor vehicles must obtain a commercial driver's license as required under this chapter. Except when driving under a commercial learner's permit and a valid driver's license and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, no person may drive a commercial motor vehicle unless the person holds and is in immediate possession of a commercial driver's license and applicable endorsements valid for the vehicle they are driving. However, this requirement does not apply to any person:

(a) Who is the operator of a farm vehicle, and the vehicle is:

(i) Controlled and operated by a farmer;

(ii) Used to transport either agricultural products, which in this section include Christmas trees and wood products harvested from private tree farms and transported by vehicles weighing no more than forty thousand pounds licensed gross vehicle weight, farm machinery, farm supplies, animal manure, animal manure compost, or any combination of those materials to or from a farm;

(iii) Not used in the operations of a common or contract motor carrier; and

(iv) Used within one hundred fifty miles of the person's farm;

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or

(b) Who is a firefighter or law enforcement officer operating emergency equipment, and:

(i) The firefighter or law enforcement officer has successfully completed a driver training course approved by the director; and

(ii) The firefighter or law enforcement officer carries a certificate attesting to the successful completion of the approved training course; or

(c) Who is operating a recreational vehicle for noncommercial purposes. As used in this section, "recreational vehicle" includes a vehicle towing a horse trailer for a noncommercial purpose; or

(d) Who is operating a commercial motor vehicle for military purposes. This exception is applicable to active duty military personnel; members of the military reserves; members of the national guard on active duty, including personnel on full-time national guard duty, personnel on part-time national guard training, and national guard military technicians (civilians who are required to wear military uniforms); and active duty United States coast guard personnel. This exception is not applicable to United States reserve technicians; or

(e) Who is a collector truck operator using the vehicle in accordance with RCW 46.25.010; or

(f) Who operates a student transportation vehicle other than a school bus as defined in RCW 46.25.010.

(2) No person may drive a commercial motor vehicle while his or her driving privilege is suspended, revoked, or canceled, while subject to disqualification, or in violation of an out-of-service order. Violations of this subsection shall be punished in the same way as violations of RCW 46.20.342(1).

(3) The department must, to the extent possible, enter into reciprocity agreements with adjoining states to allow the waivers described in subsection (1) of this section to apply to drivers holding commercial driver's licenses from those adjoining states.

NEW SECTION. Sec. 8. Sections 2 through 4 of this act take effect September 1, 2026."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Braun moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5009.

Senators Braun and Wellman spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Braun that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5009.

The motion by Senator Braun carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5009 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5009, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5009, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun,

Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5009, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 3:37 p.m., on motion of Senator Riccelli, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:52 p.m. by President Heck.

MESSAGE FROM THE HOUSE

April 10, 2025

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5303 with the following amendment(s): 5303-S.E AMH AGNR H2108.1

0.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.38.010 and 2013 2nd sp.s. c 11 s 2 are each amended to read as follows:

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

(1) "Department" means the department of ecology.

(2) "Integrated plan" means the Yakima river basin integrated water resource management plan developed through a consensus-based approach by a diverse work group of representatives of the Yakama Nation, federal, state, county, and city governments, environmental organizations, and irrigation districts, which is to be implemented consistent with congressional Yakima river basin water enhancement project enactments and for which the final programmatic environmental impact statement was made available for review through public notice published in the federal register (77 FR 12076 (2012)).

(3) "Net water savings" means the amount of water that through hydrological analysis is determined to be conserved and usable for other purposes without impairing existing water rights, reducing the ability to deliver water, or reducing the supply of water that otherwise would have been available to other water users.

(4) "Trust water right" means that portion of an existing water right, constituting net water savings, that is no longer required to be diverted for beneficial use due to the installation of a water conservation project that improves an existing system. The term "trust water right" also applies to any other water right acquired by the department under this chapter for management in the Yakima river basin trust water rights program.

(5) "Water conservation project" means any project funded to further the purposes of this chapter and that achieves physical or operational improvements of efficiency in existing systems for diversion, conveyance, or application of water under existing water rights.

(6) "Water supply facility permit and funding milestone"

means a date prior to June 30, ((2025)) 2035, when required permits have been approved, and funding has been secured to begin construction on one or more water supply facilities designed to provide at least ((two hundred fourteen thousand)) 214,000 acre feet of water to be used for instream and out-of-stream uses.

(7) "Yakima river basin water enhancement project" means a series of congressional enactments, originally initiated by the United States congress in 1979 under P.L. 96-162, with subsequent federal implementing legislation being passed in 1984 under section 109 of P.L. 98-381 to promote fish passage improvements, and in 1994 under P.L. 103-434, as amended by P.L. 105-62 in 1997 and P.L. 106-372 in 2000, to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima river basin.

Sec. 2. RCW 90.38.110 and 2013 2nd sp.s. c 11 s 10 are each amended to read as follows:

(1) Prior to the appropriation of funding for the construction of a water supply project proposed in the integrated plan with a cost of greater than ((one hundred million dollars)) \$100,000,000, the state of Washington water research center shall review, evaluate, and prepare comments on the cost-benefit analysis prepared for the project by the department and the United States bureau of reclamation.

(2) To the greatest extent possible, the center must use information from existing studies, supplemented by primary research, to measure and evaluate each project's benefits and costs.

(3) The center must measure and report the economic benefits of each project subject to subsection (1) of this section, so that it is clear the extent to which an individual project is expected to result in increases in fish populations, increases in the reliability of irrigation water during severe drought years, and improvements in municipal and domestic water supply.

(4) The center may enter into agreements with other state universities and with private consultants as needed to accomplish the scope of work.

(5) The center may consult, as necessary, with the department of ecology and the Yakima river basin water enhancement project work group.

(6) No more than ((twelve)) 12 percent of any appropriations provided for the implementation of this section may be retained for administrative overhead expenses.

(7) This section expires July 1, ((2025)) 2035.

Sec. 3. RCW 90.38.120 and 2013 2nd sp.s. c 11 s 11 are each amended to read as follows:

(1)(a) It is the intent of the legislature for the state to pay its fair share of the cost to implement the integrated plan. At least one-half of the total costs to finance the implementation of the integrated plan must be funded through federal, private, and other nonstate sources, including a significant contribution of funding from local project beneficiaries. This section applies to the total costs of the integrated plan and not to individual projects within the plan.

(b) The state's continuing support for the integrated plan shall be formally reevaluated independently by the governor and the legislature if, after December 31, 2021, and periodically thereafter, the actual funding provided through nonstate sources is less than one-half of all costs and if funding from local project beneficiaries does not comprise a significant portion of the nonstate sources.

(2) The department shall deliver, consistent with the intent of this section, a cost estimate and financing plan that addresses the total estimated cost to implement the integrated plan and analyzes various financing options. The cost estimate and financing plan must include a description of state expenditures as of September

28, 2013, incurred implementing the integrated plan and proposed state expenditures in the 2015-2017 biennium and beyond with proposed financing sources for each project.

(3) In addition, the department, with assistance from the office of the state treasurer, shall prepare supplementary chapters to the cost estimate and financing plan for the department that:

(a) Identifies and evaluates potential new state financing sources to pay for the state's contribution towards the overall costs of the Yakima integrated plan's implementation;

(b) Identifies and evaluates potential new local financing sources to pay for a significant local contribution towards the overall costs of the Yakima integrated plan's implementation;

(c) Considers the viability, and evaluates the advantages and disadvantages of various financing mechanisms such as revenue bonds, general obligation bonds, and other financing models;

(d) Identifies past, current, and anticipated future costs that will be, or are anticipated to be, paid by nonstate sources such as federal sources, private sources, and local sources; and

(e) Considers how cost overruns of projects associated with the integrated plan could affect long-term financing of the overall integrated plan and provides options for how cost overruns can be addressed.

(4) The department may, in the sole discretion of the department, contract with state universities or private consultants for any part of the cost estimate and financing plan required under this section.

(5) The initial cost estimate and financing plan required by this section must be provided to the governor and the legislature, consistent with RCW 43.01.036, by no later than December 15, 2014, for consideration in preparing the 2015-2017 biennial budget and future budgets. The cost estimate and financing plan must be updated by September 1st of each successive even-numbered year.

Sec. 4. RCW 90.38.130 and 2013 2nd sp.s. c 11 s 12 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of natural resources is authorized to purchase land to be held in the community forest trust under RCW 79.155.040 to serve the purposes of the community forest trust including the protection of Yakima river basin functioning, without complying with the requirements of RCW 79.155.030(1), 79.155.060, or 79.155.070, relating to the identification, prioritization, local commitment, and financial contribution normally prerequisite to nominating and acquiring community forest trust lands. The purchase must be reviewed and approved by the board of natural resources. In its evaluation of this acquisition pursuant to RCW 79.155.040(3), the board is relieved from considering the criteria for identifying and prioritizing land set forth in RCW 79.155.050. Once purchased, the land must be managed by the department of natural resources in consultation with the department of fish and wildlife. Any investment in the land purchase with funds belonging to the common school trust constitutes a loan from the irreducible principal of the common school trust and may only be made if first determined to be a prudent investment by the board of natural resources. An annual interest payment on the loan of nine percent must be paid, with six percent deposited into the common school construction account and three percent deposited into the real property replacement account. Interest begins to accrue on the date the land purchase is completed and is due and payable July 1st following the completion of the state fiscal year. The principal of the loan must be repaid in accordance with the provisions of subsection (3) of this section.

(2) The land purchased under this authority must be managed under a transitional postacquisition management plan during the period between the date of purchase and the water supply facility

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permit and funding milestone or until June 30, ((2025)) 2035, whichever is sooner. The plan must be consistent with RCW 79.155.080(1), provided that the lands acquired as community forest trust lands are not required to generate financial support for their management as would otherwise be required by RCW 79.155.020(2), 79.155.030(2)(d), and 79.155.080(3), and provided further that the authority granted to the department to divest of the property under RCW 79.155.080(4) does not apply to these lands. The department of natural resources must develop the transitional postacquisition management plan in consultation with the department of fish and wildlife.

(a) The plan must ensure that the land is managed in a manner that is consistent with the Yakima basin integrated plan principles for forestland acquisitions, including the following:

(i) To protect and enhance the water supply and protect the watershed;

(ii) To maintain working lands for forestry and grazing while protecting key watershed functions and aquatic habitat;

(iii) To maintain and where possible expand recreational opportunities consistent with watershed protection, for activities such as hiking, fishing, hunting, horseback riding, camping, birding, and snowmobiling;

(iv) To conserve and restore vital habitat for fish, including steelhead, spring chinook, and bull trout, and wildlife, including deer, elk, large predators, and spotted owls; and

(v) To support a strong community partnership, in which the Yakama Nation, residents, business owners, local governments, conservation groups, and others provide advice about ongoing land management.

(b) The department of natural resources, in consultation with the department of fish and wildlife, must establish the Teanaway community forest advisory committee that includes representatives from the department of ecology, the local community, land conservation organizations, the Yakama Nation, the Kittitas county commission, and local agricultural interests.

(c) By June 30, 2015, the department of natural resources must complete the transitional postacquisition management plan with a public process that involves interested stakeholders, particularly residents from Kittitas county, friends of the Teanaway, back country horsemen, off-road vehicle and snowmobile users, a representative from Kittitas field and stream, hikers and wildlife watchers, and ranchers who graze cattle.

(3) After the water supply facility permit and funding milestone or June 30, ((2025)) 2035, whichever is sooner, the land must be disposed of in the following manner:

(a) If the water supply facility permit and funding milestone conditions have been met, the land remains in the community forest trust and the transitional postacquisition management plan must be converted to a permanent postacquisition management plan with whatever updates and amendments are periodically adopted. Under these conditions, the remaining principal of any investment in the land purchased with funds belonging to the common school trust must be repaid to the real property replacement account.

(b) If the water supply facility permit and funding milestone conditions have not been met, the board of natural resources must decide between the following dispositions of the land:

(i) Deposit of the entire amount of land purchased into the ownership of the common school trust for management or disposition for the benefit of the common schools; or

(ii) Disposition under the terms of (a) of this subsection.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2025."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Warnick moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5303.

Senator Warnick spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the motion by Senator Warnick that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5303.

The motion by Senator Warnick carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5303 by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5303, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5303, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5303, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Riccelli announced a meeting of the Committee on Rules immediately after adjournment.

MOTION

At 3:57 p.m., on motion of Senator Riccelli, the Senate adjourned until 1 o'clock p.m. Friday, April 18, 2025.

JOHN LOVICK, Vice President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

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