

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 4, 2024

The House was called to order at 10:30 a.m. by the Speaker (Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Brighton Rodriguez and Immanuel Robertson-Stewart. The Speaker (Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Mike Chapman, 24th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Orwall presiding) recognized former House member and current Congressman Dan Newhouse in the gallery and thanked him for his service.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 1818
HOUSE BILL NO. 1867
SUBSTITUTE HOUSE BILL NO. 1892
SUBSTITUTE HOUSE BILL NO. 1919
HOUSE BILL NO. 1927
SECOND SUBSTITUTE HOUSE BILL NO. 1941
SUBSTITUTE HOUSE BILL NO. 1942
HOUSE BILL NO. 1958
HOUSE BILL NO. 1963
SUBSTITUTE HOUSE BILL NO. 1970
SUBSTITUTE HOUSE BILL NO. 1979
HOUSE BILL NO. 1982
SUBSTITUTE HOUSE BILL NO. 2012
SECOND SUBSTITUTE HOUSE BILL NO. 2014
SUBSTITUTE HOUSE BILL NO. 2025
SUBSTITUTE HOUSE BILL NO. 2097
SUBSTITUTE HOUSE BILL NO. 2102
SECOND SUBSTITUTE HOUSE BILL NO. 2112
ENGROSSED HOUSE BILL NO. 2199
HOUSE BILL NO. 2204
HOUSE BILL NO. 2246
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311
HOUSE BILL NO. 2375
HOUSE BILL NO. 2415

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The President has signed:

- HOUSE BILL NO. 1146
THIRD SUBSTITUTE HOUSE BILL NO. 1228
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608
HOUSE BILL NO. 1752
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835
HOUSE BILL NO. 1901
SUBSTITUTE HOUSE BILL NO. 1905
SUBSTITUTE HOUSE BILL NO. 1916
HOUSE BILL NO. 1917
SECOND SUBSTITUTE HOUSE BILL NO. 1929
SUBSTITUTE HOUSE BILL NO. 1939
HOUSE BILL NO. 1961
HOUSE BILL NO. 1983
SUBSTITUTE HOUSE BILL NO. 1985
SUBSTITUTE HOUSE BILL NO. 1989
SUBSTITUTE HOUSE BILL NO. 1999
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019
SUBSTITUTE HOUSE BILL NO. 2020
SUBSTITUTE HOUSE BILL NO. 2048
SUBSTITUTE HOUSE BILL NO. 2061
SUBSTITUTE HOUSE BILL NO. 2091
HOUSE BILL NO. 2110
SUBSTITUTE HOUSE BILL NO. 2127
HOUSE BILL NO. 2137
HOUSE BILL NO. 2209
SECOND SUBSTITUTE HOUSE BILL NO. 2214
SUBSTITUTE HOUSE BILL NO. 2217
HOUSE BILL NO. 2260
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303
HOUSE BILL NO. 2318
SUBSTITUTE HOUSE BILL NO. 2335
SUBSTITUTE HOUSE BILL NO. 2428
SUBSTITUTE HOUSE BILL NO. 2467
HOUSE BILL NO. 2481

and the same are herewith transmitted.

Sarah Bannister, Secretary

MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 5786
SENATE BILL NO. 5805
SENATE BILL NO. 5884
SENATE BILL NO. 5913
SUBSTITUTE SENATE BILL NO. 5917
SUBSTITUTE SENATE BILL NO. 5925
SUBSTITUTE SENATE BILL NO. 5998
SENATE BILL NO. 6027
SENATE BILL NO. 6088
SUBSTITUTE SENATE BILL NO. 6108
SUBSTITUTE SENATE BILL NO. 6140
SENATE BILL NO. 6178

SUBSTITUTE SENATE BILL NO. 6186
 SENATE BILL NO. 6222
 SUBSTITUTE SENATE BILL NO. 6227
 SUBSTITUTE SENATE BILL NO. 6269
 ENGROSSED SENATE BILL NO. 6296

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5306
 SUBSTITUTE SENATE BILL NO. 5427
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5589
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5801
 SUBSTITUTE SENATE BILL NO. 5803
 SUBSTITUTE SENATE BILL NO. 5806
 SENATE BILL NO. 5821
 SUBSTITUTE SENATE BILL NO. 5829
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5853
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5937
 SENATE BILL NO. 6079
 SUBSTITUTE SENATE BILL NO. 6192
 SENATE BILL NO. 6229
 SENATE BILL NO. 6283
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate has passed:

SENATE INITIATIVE NO. 2081
 SENATE INITIATIVE NO. 2111
 SENATE INITIATIVE NO. 2113

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 1, 2024

HI 2081

Prime Sponsor, Representative People of the State of Washington: Concerning parental rights relating to their children's public school education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; ; Bergquist; Couture; Eslick; McClintock; Nance; Ortiz-Self; Steele; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representative Pollet.

March 1, 2024

HI 2111

Prime Sponsor, Representative People of the State of Washington: Concerning taxes on personal income. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Jacobsen, Assistant Ranking Minority Member; Barnard; Springer; Walen; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Street, Vice Chair; Chopp; Ramel; Santos; and Thai.

March 1, 2024

HI 2113

Prime Sponsor, Representative People of the State of Washington: Concerning vehicular pursuits by peace officers. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; ; Davis; Fosse and Graham.

MINORITY recommendation: Do not pass. Signed by Representatives Simmons, Vice Chair; and Farivar.

There being no objection, the bills listed on the day's committee reports under the fifth order of business under suspension of the rules were placed on the third reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6100, by Senate Committee on Ways & Means (originally sponsored by Robinson and Nguyen)

Making expenditures from the budget stabilization account for declared catastrophic events.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Gregerson spoke in favor of the passage of the bill.

Representative Corry spoke against the passage of the bill.

MOTION

*****ERROR - JournalEntryId: 49597, StampTemplateId: 275, StampTemplateName: Voter Excused, Unable to fetch excusing Member*****

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6100.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6100, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, error, Chopp, error, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Hackney, error, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Connors, Corry, Couture, Dent, Dye, Eslick, error, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Steele, Stokesbary, Walsh, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE SENATE BILL NO. 6100, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1054, with the following amendment(s): 1054 AMS LAW S4910.2

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 64.32 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, an association of apartment owners may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy an apartment.

NEW SECTION. Sec. 2. A new section is added to chapter 64.34 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

NEW SECTION. Sec. 3. A new section is added to chapter 64.38 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a homeowners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a lot.

NEW SECTION. Sec. 4. A new section is added to chapter 64.90 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

NEW SECTION. Sec. 5. If chapter . . . (Engrossed Substitute Senate Bill No. 5796), Laws of 2024 is enacted by June 30, 2024, sections 1 through 3 of this act expire January 1, 2028."

On page 1, line 3 of the title, after "persons;" strike the remainder of the title and insert "adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and providing a contingent expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1054 and advanced the bill, as amended by the Senate, to final passage.

Representative Walen spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1054, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1054, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman,

Gregerson, Hackney, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, error, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, error, Jacobsen, Klicker, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh and Waters

Excused: Representative Chandler

HOUSE BILL NO. 1054, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1105, with the following amendment(s): 1105-S AMS SGE S5310.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 42.30 RCW to read as follows:

(1) A public agency that is required by state law to solicit public comment for a statutorily specified period of time, and is required by state law to provide notice that it is soliciting public comment, must specify the first and last date and time by which written public comment may be submitted.

(2) An agency that provides a notice that violates this section is subject to the same fines under the same procedures as other violations of this chapter are subject to under RCW 42.30.120."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "requiring public agencies to provide notice for public comment that includes the first and last date and time by which such public comment must be submitted; and adding a new section to chapter 42.30 RCW."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1105 and advanced the bill, as amended by the Senate, to final passage.

Representatives Kloba and Cheney spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1105, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1226, with the following amendment(s): 1226 AMS AWNP S5074.3

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that as Washington's growing population accesses limited natural resources, there is a need to increase compliance, and provide education, on appropriate gear, seasons, and species take limits.

(2) The legislature further finds that previously unregulated species are under increased recreational harvest. Recreational licensing is an appropriate mechanism to educate the public and preserve opportunity in the future.

(3) The legislature further finds that eulachon, also known as Pacific smelt and Columbia river smelt, are listed as a threatened species under the endangered species act and licensing requirements are needed to provide angler education and allow for better regulation and monitoring to prevent them from becoming endangered.

(4) The legislature also finds that licensing for carp will aid in enforcement of illegal fishing where people fishing for regulated species without a required license have claimed to be fishing for carp, thereby negatively affecting the fisheries of other regulated species.

(5) The legislature further finds that licensing for crawfish will provide the public with education that enables them to distinguish between native and invasive crawfish species, facilitating the removal of invasive crawfish.

Sec. 2. RCW 77.32.010 and 2019 c 290 s 3 are each amended to read as follows:

(1) Except as otherwise provided in this chapter or department rule, a recreational license issued by the director is required to hunt, fish, or take wildlife or seaweed. A ~~((recreational fishing or shellfish license is not required for carp, freshwater smelt, and crawfish, and a))~~ hunting license is not required for bullfrogs.

(2) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 79A.80.040 is required to park or operate a motor vehicle on a recreation site or lands, as defined in RCW 79A.80.010.

(3) The commission may, by rule, indicate that a fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirements in subsection (1) of this section on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and that a Colville Tribes tribal member identification card shall satisfy the license requirements in subsection (1) of this section on all waters of Lake Rufus Woods.

(4) A recreational fishing license is not required to fish for carp in Moses Lake or Vancouver Lake.

On page 1, line 2 of the title, after "carp;" strike the remainder of the title and insert "amending RCW 77.32.010; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1226 and advanced the bill, as amended by the Senate, to final passage.

Representative error spoke in favor of the passage of the bill.

Representatives Orcutt and Abbarno spoke against the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1226, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1226, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, error, Cheney, error, Connors, Corry, Couture, Dent, Dye, Eslick, error, Graham, Griffey, error, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1226, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1241, with the following amendment(s): 1241-S AMS ENGR S4527.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.46.020 and 2023 c 102 s 16 are each amended to read as follows:

(1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony if any of the following apply: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person; (iii) the person harasses a criminal justice participant or election official who is performing his or her official duties at the time the threat is made; or (iv) the person harasses a criminal justice participant or election official because of an action taken or decision made by the criminal justice participant or election official during the performance of his or her official duties. For the purposes of (b)(iii) and (iv) of this subsection, the fear from the threat must be a fear that a reasonable criminal justice participant or election official would have under all the circumstances. Threatening words do not constitute harassment if it is apparent to the criminal justice participant or election official that the person does not have the

present and future ability to carry out the threat.

(3) Any criminal justice participant or election official who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any ~~((family members))~~ person residing with him or her, shall be eligible for the address confidentiality program created under RCW 40.24.030.

(4) For purposes of this section, a criminal justice participant includes any (a) federal, state, or local law enforcement agency employee; (b) federal, state, or local prosecuting attorney or deputy prosecuting attorney; (c) staff member of any adult corrections institution or local adult detention facility; (d) staff member of any juvenile corrections institution or local juvenile detention facility; (e) community corrections officer, probation, or parole officer; (f) member of the indeterminate sentence review board; (g) advocate from a crime victim/witness program; or (h) defense attorney.

(5) For the purposes of this section, an election official includes any staff member of the office of the secretary of state or staff member of a county auditor's office, regardless of whether the member is employed on a temporary or part-time basis, whose duties relate to voter registration or the processing of votes as provided in Title 29A RCW.

(6) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

Sec. 2. RCW 40.24.030 and 2023 c 462 s 501 and 2023 c 193 s 18 are each reenacted and amended to read as follows:

(1)(a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an ~~((incapacitated person))~~ individual subject to guardianship as defined in RCW 11.130.010, (b) any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b)(iii) or (iv), and any person residing with such person ~~((+))~~, (c) any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b)(iii) or (iv) and any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b)(iii) or (iv), and any person residing with such person, and (d) any protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, and any family members residing with such person, may apply to the secretary of state to have an address designated by the secretary of state serve as the person's address or the address of the minor or incapacitated person. The secretary of state shall approve an application if it is filed in the manner and

on the form prescribed by the secretary of state and if it contains:

(i) A sworn statement, under penalty of perjury, by the applicant that the applicant has good reason to believe (A) that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, trafficking, or stalking and that the applicant fears for the applicant's safety or the applicant's children's safety, or the safety of the minor or incapacitated person on whose behalf the application is made; (B) that the applicant, as an election official as described in RCW 9A.46.020 or 9A.90.120, is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b)(iii) or (iv); (C) that the applicant, as a criminal justice participant as defined in RCW 9A.46.020, is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b)(iii) or (iv), or that the applicant, as a criminal justice participant as defined in RCW 9A.90.120 is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b)(iii) or (iv); or (D) that the applicant, as a protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, is a target for threats or harassment prohibited under RCW 9A.90.120 or 9A.46.020;

(ii) If applicable, a sworn statement, under penalty of perjury, by the applicant, that the applicant has reason to believe they are a victim of (A) domestic violence, sexual assault, or stalking perpetrated by an employee of a law enforcement agency, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b)(iii) or (iv) or 9A.46.020(2)(b)(iii) or (iv), or (C) threats or harassment as described in (a)(i)(D) of this subsection;

(iii) A designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of mail;

(iv) The residential address and any telephone number where the applicant can be contacted by the secretary of state, which shall not be disclosed because disclosure will increase the risk of (A) domestic violence, sexual assault, trafficking, or stalking, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b)(iii) or (iv) or 9A.46.020(2)(b)(iii) or (iv), or (C) threats or harassment as described in (a)(i)(D) of this subsection;

(v) The signature of the applicant and of any individual or representative of any office designated in writing under RCW 40.24.080 who assisted in the preparation of the application, and the date on which the applicant signed the application.

(2) Applications shall be filed with the office of the secretary of state.

(3) Upon filing a properly completed application, the secretary of state shall certify the applicant as a program participant. Applicants shall be certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date. The secretary

of state shall by rule establish a renewal procedure.

(4)(a) During the application process, the secretary of state shall provide each applicant a form to direct the department of licensing to change the address of registration for vehicles or vessels solely or jointly registered to the applicant and the address associated with the applicant's driver's license or identicard to the applicant's address as designated by the secretary of state upon certification in the program. The directive to the department of licensing is only valid if signed by the applicant. The directive may only include information required by the department of licensing to verify the applicant's identity and ownership information for vehicles and vessels. This information is limited to the:

(i) Applicant's full legal name;
(ii) Applicant's Washington driver's license or identicard number;
(iii) Applicant's date of birth;
(iv) Vehicle identification number and license plate number for each vehicle solely or jointly registered to the applicant; and
(v) Hull identification number or vessel document number and vessel decal number for each vessel solely or jointly registered to the applicant.

(b) Upon certification of the applicants, the secretary of state shall transmit completed and signed directives to the department of licensing.

(c) Within 30 days of receiving a completed and signed directive, the department of licensing shall update the applicant's address on registration and licensing records.

(d) Applicants are not required to sign the directive to the department of licensing to be certified as a program participant.

(5) A person who knowingly provides false or incorrect information upon making an application or falsely attests in an application that disclosure of the applicant's address would endanger (a) the applicant's safety or the safety of the applicant's children or the minor or incapacitated person on whose behalf the application is made, (b) the safety of any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b)(iii) or (iv), (c) the safety of any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b)(iii) or (iv) or of any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b)(iii) or (iv), or (d) the safety of any person as described in subsection (1)(a)(i)(D) of this section who is a target for threats or harassment, or any family members residing with such person, shall be punished under RCW 40.16.030 or other applicable statutes.

NEW SECTION. Sec. 3. 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.

On page 1, line 1 of the title, after "harassment;" strike the remainder of the title and insert "amending RCW 9A.46.020; reenacting and amending RCW 40.24.030; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1241 and advanced the bill, as amended by the Senate, to final passage.

Representatives Leavitt and Mosbrucker spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1241, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1241, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Gregerson, Griffey, Hackney, error, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, error, Graham, Jacobsen, McEntire, Orcutt, Schmidt, Volz and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1241, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1903, with the following amendment(s): 1903-S AMS MCCU S5566.1; 1903-S AMS MCCU S5564.1

On page 2, line 5, after "\$1,000." insert "If multiple firearms are lost or stolen in a single event, the owner or person who was lawfully in possession of the firearms at the time of loss or theft who fails to report the event shall be subject to a single monetary penalty."

On page 2, after line 5, insert the following:

"(4) The duly constituted licensing authority of any city, town, or political subdivision of this state, upon issuing a firearm dealer's license in accordance with RCW 9.41.110, shall issue the dealer signage the dealer must post in a conspicuous place at each point-of-sale that states in block letters not less than one inch in height: "FAILURE TO KEEP FIREARMS IN SECURE GUN STORAGE, OR SECURED WITH A TRIGGER LOCK OR SIMILAR DEVICE THAT IS DESIGNED TO PREVENT THE UNAUTHORIZED USE OR DISCHARGE OF THE FIREARM MAY SUBJECT YOU TO CRIMINAL PENALTIES.

FAILURE TO REPORT THE LOSS OR THEFT OF A FIREARM MAY SUBJECT YOU TO A CIVIL PENALTY UP TO \$1,000."

and the same are herewith transmitted.

Sarah Bannister, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1903 and advanced the bill, as amended by the Senate, to final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1903, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1903, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, error, Cheney, error, Connors, Corry, Couture, Dent, Dye, Eslick, error, Graham, Griffey, error, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1903, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, with the following amendment(s): 1957-S.E AMS HLTC S5061.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.43.047 and 2018 c 14 s 1 are each amended to read as follows:

(1) A nongrandfathered health plan issued on or after ((June 7, 2018))the effective date of this section, must, at a minimum, provide coverage for the ((same))following preventive services ((required to be covered under 42 U.S.C. Sec. 300gg-13 (2016) and any federal rules or guidance in effect on December 31, 2016, implementing 42 U.S.C. Sec. 300gg-13))as the recommendations or guidelines existed on January 8, 2024:

(a) Evidence-based items or services that have a rating of A or B in the current recommendations of the United States preventive services task force with respect to the enrollee;

(b) Immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention with respect to the enrollee. For purposes of this subsection, a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention is considered in effect after the recommendation has been adopted by the director of the centers for disease control and prevention, and a recommendation is considered to be for routine use if the recommendation is listed on the immunization schedules of the centers for disease control and prevention;

(c) With respect to infants, children, and adolescents, evidence-informed preventive care and screenings provided for in comprehensive guidelines supported by the health resources and services administration; and

(d) With respect to women, additional preventive care and screenings that are not listed with a rating of A or B by the United States preventive services task force but that are provided for in comprehensive guidelines supported by the health resources and services administration.

(2) ((The))A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section consistent with federal rules and guidance related to coverage of preventive services in effect on January 8, 2024.

(3) A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section for plan years that begin on or after the date that is one year after the date the recommendation or guideline is issued.

(4) A nongrandfathered health plan is no longer required to provide coverage for particular items or services specified in the recommendations or guidelines described in subsection (1) of this section if such a recommendation or guideline is revised by the recommending entities described in subsection (1) of this section to no longer include the preventive item or service as defined in subsection (1) of this section.

(5) Annually, a health carrier shall determine whether any additional items or services must be covered without cost-sharing requirements or whether any items or services are no longer required to be covered as provided in subsections (2) and (3) of this section. The carrier's determination must be included in its health plan filings submitted to the commissioner.

(6)(a) Except as provided in (b) of this subsection, the health plan may not impose cost-sharing requirements for the preventive services required to be covered under subsection (1) of this section when the services are provided by an in-network provider. If a plan does not have in its network a provider who can provide an item or service described in subsection (1) of this section, the plan must cover the item or service when performed by an out-of-network provider and may not impose cost sharing with respect to the item or service.

((3)) (b) If any portion of 42 U.S.C. Sec. 300gg-13 is found invalid, for a health plan offered as a qualifying health plan for a health savings account, the carrier may apply cost sharing to coverage of the services that have been invalidated only at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under internal revenue service laws and regulations.

(7) A carrier may use reasonable medical management techniques to determine the frequency, method, treatment, or setting for an item or service described in subsection (1) of this section to the extent not specified in the relevant recommendation or guideline, federal rules and guidance related to the coverage of preventive services in effect on January 8, 2024, and any rules adopted by the insurance commissioner.

(8) The insurance commissioner shall enforce this section consistent with federal rules (~~, guidance, and case law in effect on December 31, 2016, applicable to 42 U.S.C. 300gg-13 (2016)~~) and guidance in effect on January 8, 2024.

(9) The insurance commissioner may adopt rules necessary to implement this section, consistent with federal statutes, rules, and guidance in effect on January 8, 2024. The insurance commissioner may also adopt rules related to any future preventive services recommendations and guidelines issued by the United States preventive services task force, the advisory committee on immunization practices of the centers for disease control and prevention, and the health resources and services administration or related federal rules or guidance."

On page 1, line 2 of the title, after "sharing;" strike the remainder of the title and insert "and amending RCW 48.43.047."

and the same is herewith transmitted.

Sarah Bannister, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO.

1957 and advanced the bill, as amended by the Senate, to final passage.

Representatives error and Schmick spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1957, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1957, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, with the following amendment(s): 1998-S.E AMS SALO S5291.1

On page 4, line 28, after "for" strike "utility connections" and insert "sewer connections, unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold"

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998 and advanced the bill, as amended by the Senate, to final passage.

Representatives Gregerson and Barkis spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1998, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1998, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, with the following amendment(s): 2115-S.E AMS HLTC S5101.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 69.41.050 and 2003 c 53 s 325 are each amended to read as follows:

(1) To every box, bottle, jar, tube, or other container of a legend drug, which is dispensed by a practitioner authorized to prescribe legend drugs, there shall be affixed a label bearing the name of the prescriber, complete directions for use, the name of the drug either by the brand or generic name and strength per unit dose, name of patient and date: PROVIDED, That the practitioner may omit the name and dosage of the drug if he or she determines that his or her patient should not have this information and that, if the drug dispensed is a trial sample in its original package and which is labeled in accordance with federal law or regulation, there need be set forth additionally only the name of the issuing practitioner and the name of the patient.

(2)(a) Notwithstanding subsection (1) of this section, at a prescriber's request, the prescription label for abortion medications may include the prescribing and dispensing health care facility name instead of the name of the practitioner.

(b) For the purposes of this subsection, "abortion medications" means substances used in the course of medical treatment intended to induce the termination of a pregnancy including, but not limited to, mifepristone.

(3) A violation of this section is a misdemeanor."

On page 1, line 2 of the title, after "abortion;" strike the remainder of the

title and insert "and amending RCW 69.41.050."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115 and advanced the bill, as amended by the Senate, to final passage.

Representative Thai spoke in favor of the passage of the bill.

Representative Caldier spoke against the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2115, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2115, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, error, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, error, Kloba, Leavitt, Lekanoff, Macri, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, error, Connors, Corry, Couture, Dent, Dye, Eslick, error, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2295, with the following amendment(s): 2295-S AMS HLTC S5102.1

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** (1) The legislature finds that:

(a) "Hospital at home" is a service that provides safe and effective care, improves outcomes, and benefits patients. It was developed by Johns Hopkins healthcare solutions and has been used by the veteran's health administration and medical centers in the United States and around the world;

(b) Washington hospitals began offering this service following the launch of the

centers for medicare and medicaid services acute hospital care at-home program in response to the COVID-19 pandemic. Since that time, participating Washington patients have experienced fewer readmissions and shorter treatment periods and report high rates of satisfaction;

(c) Authorizing the continuation of this service would benefit patients in Washington, a state with one of the lowest number of beds per patient population in the country and a track record of providing high quality inpatient care; and

(d) Immediate authorization of this service is necessary to preserve continuity of care and provision of services without disruption.

(2) It is the intent of the legislature to authorize acute care hospitals licensed under this chapter to continue providing hospital at-home services and direct the department to adopt rules including those services among those that may be offered by such hospitals.

NEW SECTION. **Sec. 2.** A new section is added to chapter 70.41 RCW to read as follows:

(1) Hospitals subject to this chapter may provide hospital at-home services if they have an active federal program waiver prior to when the department adopts rules pursuant to this section. Hospitals that have an active federal program waiver and intend to operate hospital at-home services within Washington state shall notify the department within 30 days of receiving the waiver.

(2)(a) The department shall adopt rules by December 31, 2025, to implement this act and add hospital at-home services to those services that may be provided by an acute care hospital licensed under this chapter. The rules shall establish standards for the operation of a hospital at-home program. In establishing the initial standards, the department shall consider the provisions of the federal program and endeavor to make the standards substantially similar. The standards may not include requirements that would make a hospital ineligible for or preclude a hospital from complying with the requirements of the federal program. The department may adopt additional standards to promote safe care and treatment of patients as needed.

(b) In the event that the federal program expires before the department establishes rules, hospitals shall continue to follow federal program requirements that were in effect as of the date of the federal program's expiration and the department shall enforce such requirements until the department adopts rules.

(c) Once rules are established, hospitals that intend to offer or continue offering hospital at-home services shall apply to the department for approval to add hospital at-home services as a hospital service line. Hospitals that have secured a federal program waiver prior to rule adoption may provide hospital at-home services while applying for approval. The department shall approve a hospital to provide hospital at-home services if the application is consistent with the standards established in

rule. RCW 43.70.115 and chapter 34.05 RCW govern notice and adjudicative proceedings related to denial of an application. The department may set a one-time application fee in rule. The application fees charged shall not exceed the actual cost of staff time to review. The administration of the program must be covered by licensing fees set by the department under the authority of RCW 70.41.100 and 43.70.250.

(3) Hospital at-home services are not subject to chapter 70.126 or 70.127 RCW.

(4) Hospital at-home services do not count as an increase in the number of the hospital's licensed beds and are not subject to chapter 70.38 RCW.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Hospital at-home services" means acute care services provided by a licensed acute care hospital to a patient outside of the hospital's licensed facility and within a home or any location determined by the patient receiving the service.

(b) "Federal program" means the acute hospital care at-home program established by the federal centers for medicare and medicaid services under 42 U.S.C. Sec. 1320b-5 and extended by 42 U.S.C. Sec. 1395cc-7, or any successor program.

NEW SECTION. **Sec. 3.** A new section is added to chapter 70.126 RCW to read as follows:

This chapter does not apply to hospital at-home services provided by an acute care hospital licensed under chapter 70.41 RCW.

Sec. 4. RCW 70.127.040 and 2020 c 258 s 2 are each amended to read as follows:

The following are not subject to regulation for the purposes of this chapter:

(1) A family member providing home health, hospice, or home care services;

(2) A person who provides only meal services in an individual's permanent or temporary residence;

(3) An individual providing home care through a direct agreement with a recipient of care in an individual's permanent or temporary residence;

(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

(5) A person who provides services through a contract with a licensed agency;

(6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(7) Facilities and institutions, including but not limited to nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, adult family homes under chapter 70.128 RCW, assisted living facilities under chapter 18.20 RCW, developmental disability residential programs under chapter 71A.12 RCW, other entities licensed under chapter 71.12 RCW, or other licensed facilities and institutions, only when providing services

to persons residing within the facility or institution;

(8) Local and combined city-county health departments providing services under chapters 70.05 and 70.08 RCW;

(9) An individual providing care to ill individuals, individuals with disabilities, or vulnerable individuals through a contract with the department of social and health services;

(10) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(11) In-home assessments of an ill individual, an individual with a disability, or a vulnerable individual that does not result in regular ongoing care at home;

(12) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious denomination and the bona fide religious beliefs genuinely held by such adherents;

(13) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(14) A person providing case management services. For the purposes of this subsection, "case management" means the assessment, coordination, authorization, planning, training, and monitoring of home health, hospice, and home care, and does not include the direct provision of care to an individual;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

(16) A volunteer hospice complying with the requirements of RCW 70.127.050;

(17) A person who provides home care services without compensation;

(18) Nursing homes that provide telephone or web-based transitional care management services; ~~(and)~~

(19) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416; and

(20) Hospital at-home services provided by a hospital pursuant to section 2 of this act.

Sec. 5. RCW 70.38.111 and 2021 c 277 s 1 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty

thousand individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization; if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4) (d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or

disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in subsection (1)(c) of this section which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in subsection (1)(c) of this section unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of subsection (1)(a)(i) of this section, and (ii) with respect to such facility, meets the requirements of subsection (1)(a)(ii) or (iii) of this section or the requirements of subsection (1)(b)(i) and (ii) of this section.

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such offering is not exempt under the provisions of this section or RCW 70.38.105(7).

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that

no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least thirty days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous

operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter.

(9)(a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

(i) Give notice of its intent to preserve conversion options to the department of health no later than thirty days after the effective date of the license reduction; and

(ii) Give notice to the department of health and to the department of social and health services of the intent to convert beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ninety days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this

section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b) (ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2) (a) and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10)(a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ten continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than forty patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments and increase capacity of hospitals to serve individuals on ninety-day or one hundred eighty-day commitment orders, for the period of time from May 5, 2017, through June 30, 2023:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services. A certificate of need exemption under this subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a psychiatric hospital licensed as an establishment under chapter 71.12 RCW that will have no more than sixteen beds and provide treatment to adults on ninety or one hundred eighty-day involuntary commitment orders, as described in RCW 70.38.260(4).

(12)(a) An ambulatory surgical facility is exempt from all certificate of need requirements if the facility:

(i) Is an individual or group practice and, if the facility is a group practice, the privilege of using the facility is not extended to physicians outside the group practice;

(ii) Operated or received approval to operate, prior to January 19, 2018; and

(iii) Was exempt from certificate of need requirements prior to January 19, 2018, because the facility either:

(A) Was determined to be exempt from certificate of need requirements pursuant to a determination of reviewability issued by the department; or

(B) Was a single-specialty endoscopy center in existence prior to January 14, 2003, when the department determined that endoscopy procedures were surgeries for purposes of certificate of need.

(b) The exemption under this subsection:

(i) Applies regardless of future changes of ownership, corporate structure, or affiliations of the individual or group practice as long as the use of the facility remains limited to physicians in the group practice; and

(ii) Does not apply to changes in services, specialties, or number of operating rooms.

(13) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416 is not subject to certificate of need review under this chapter.

(14) Hospital at-home services, as defined in section 2 of this act, are not subject to certificate of need review under this chapter.

NEW SECTION. Sec. 6. 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."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2295 and advanced the bill, as amended by the Senate, to final passage.

Representatives error and Hutchins spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2295, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2295, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2295, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, with the following amendment(s): 2321-S.E AMS HANS S5453.1

On page 14, line 14, after "(b)" insert "Areas designated as sole-source aquifers by the United States environmental protection agency on islands in the Puget Sound;

(c) "

Reletter the remaining subsections consecutively and correct any internal references accordingly.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321 and advanced the bill, as amended by the Senate, to final passage.

Representatives error and Barkis spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2321, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2321, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, error, Cheney, Chopp, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dye, McEntire, Schmick and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2382, with the following amendment(s): 2382-S AMS ENGR S5177.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature intends to extend survivor death benefits under the industrial insurance act for the surviving dependents of transportation network company drivers when certain conditions are met. The legislature recognizes the devastating impact that such a death has on the surviving family members.

(2) By the enactment of section 2 of this act, the legislature honors the memory of transportation network company drivers who have died while working in Washington in recent years, including Cherno Ceasay, who

died in 2020, Mohamed Kediye, who died in 2022, Mohamadou Kabba and Amare Geda, who died in 2023, and Abdikadir Gedi Shariif, who died in 2024.

NEW SECTION. **Sec. 2.** A new section is added to chapter 51.32 RCW to read as follows:

(1) In addition to the coverage provided in RCW 51.16.250, death benefits shall be payable in accordance with RCW 51.32.050 when a transportation network company driver's death results from an injury occurring while the driver is:

(a) Logged onto the transportation network company's digital network as available for work;

(b) Physically inside the transportation network company driver's vehicle or within the immediate proximity of the transportation network company driver's vehicle; and

(c) Not otherwise covered by this title.

(2) As applicable, for the purposes of this section, the definitions in RCW 49.46.300 apply.

(3) For the purposes of this section, the applicable statute of limitations begins upon the driver's death.

(4) The department may adopt rules to implement this section.

Sec. 3. RCW 51.16.250 and 2022 c 281 s 11 are each amended to read as follows:

(1) Beginning January 1, 2023, the department shall assess premiums for transportation network companies, as defined in RCW 49.46.300, in accordance with RCW 51.16.035 and this section, for workers' compensation coverage applicable to drivers, as defined in RCW 49.46.300, while the driver is engaged in passenger platform time and dispatch platform time, as those terms are defined in RCW 49.46.300.

(2) For the purposes of calculating the premium for drivers under subsection (1) of this section, the department shall multiply the total number of hours spent by drivers in passenger platform time and dispatch platform time on the transportation network company's driver platform by the rates established for taxicab companies. The department may subsequently adjust premiums in accordance with department rules.

(3) For a death that is covered under section 2 of this act, the cost of the benefits must be included in the consideration of rate increases for the risk class and not attributed to a single transportation network company. Such cost shall not be included in the calculation of any individual transportation network company's experience modification factor.

(4) Transportation network companies, not qualifying as a self-insurer, shall insure with the state and shall, on or before the last day of January, April, July, and October of each year thereafter, furnish the department with a true and accurate statement of the hours for which drivers, as defined in RCW 49.46.300, were engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform during the preceding calendar quarter and the total

amount paid to such drivers engaged in passenger platform time on the transportation network company's driver platform during the preceding calendar quarter, and shall pay its premium based on the total passenger platform time and dispatch platform time to the appropriate fund. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter. The sufficiency of such statement shall be subject to the approval of the director: PROVIDED, That the director may in his or her discretion and for the effective administration of this title require a transportation network company in individual instances to furnish a supplementary report containing the name of each individual driver, his or her hours engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform, and his or her compensation: PROVIDED FURTHER, That the department may promulgate rules and regulations in accordance with chapter 34.05 RCW to establish other reporting periods and payment due dates in lieu of reports and payments following each calendar quarter, and may also establish terms and conditions for payment of premiums and assessments based on estimated passenger platform time and dispatch platform time on the transportation network company's driver platform, with such payments being subject to approval as to sufficiency of the estimated passenger platform time and dispatch platform time on the transportation network company's driver platform by the department, and also subject to appropriate periodic adjustments made by the department based on actual passenger platform time and dispatch platform time on the transportation network company's driver platform.

~~((4+))~~(5) The department may adopt rules to carry out the purposes of this section, including rules providing for alternative reporting requirements.

~~((5+))~~(6) This section does not apply to any worker who is not a driver, and who is employed by the transportation network company. For those workers the processes for determining coverage, calculating premiums, reporting requirements, reporting periods, and payment due dates are subject to the provisions of this title that apply generally to employers and workers.

NEW SECTION. **Sec. 4.** (1) The department of labor and industries shall conduct or contract out for a study using administrative and other available data and report to the legislature by July 1, 2029. The study shall include, but not be limited to: The number and frequency of transportation network company drivers filing claims with the department of labor and industries who are victims of crime while connected to work through a transportation network company's digital network; whether those claims were accepted or denied; and if denied, the reason for the denial. The study shall not include remote workers working from their homes.

(2) This section expires December 31, 2029."

On page 1, line 2 of the title, after "companies;" strike the remainder of the title and insert "amending RCW 51.16.250; adding a new section to chapter 51.32 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2382 and advanced the bill, as amended by the Senate, to final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2382, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2382, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, error, Cheney, error, Connors, Corry, Couture, Dent, Dye, Eslick, error, Graham, Griffey, error, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2382, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE INITIATIVE NO. 2113, by People of the State of Washington

Concerning vehicular pursuits by peace officers.

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Goodman, Abbarno, Sandlin, Chambers, Barnard, Griffey, Donaghy, Corry, Jacobsen, Orcutt, Low, Barkis, Graham, error, Cheney, Schmidt, Ybarra, Connors, error, Hutchins, Couture, Dent, Klicker, Maycumber and Mosbrucker spoke in favor of the passage of the bill.

Representatives Entenman and Farivar spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2113.

ROLL CALL

The Clerk called the roll on the final passage of House Initiative No. 2113, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, error, Cheney, error, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Fey, Fosse, error, Goodman, Graham, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ortiz-Self, error, Paul, Peterson, Ramel, error, Reeves, error, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, error, Berry, Chopp, Entenman, Farivar, Fitzgibbon, Gregerson, Macri, Mena, Morgan, Ormsby, Pollet, Reed, Ryu, Santos, Senn, Simmons, Street and Thai

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2113, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Initiative No. 2113.

Representative Doglio, 22nd District

THIRD READING

HOUSE INITIATIVE NO. 2081, by People of the State of Washington

Concerning parental rights relating to their children's public school education.

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Santos, Jacobsen, Abbarno, Chambers, error, Graham, Ortiz-Self, Caldier, Barnard, Stonier, error, Volz, Couture and Callan spoke in favor of the passage of the bill.

Representative Macri spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2081.

ROLL CALL

The Clerk called the roll on the final passage of House Initiative No. 2081, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, error, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, error, Cheney, error, Connors, Corry, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, error, Reeves, error, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Berry, Chopp, Cortes, Farivar, Fosse, Macri, Mena, Morgan, Pollet, Ramel, Reed, Ryu, Simmons and Walen

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2081, having received the necessary constitutional majority, was declared passed.

HOUSE INITIATIVE NO. 2111, by People of the State of Washington

Concerning taxes on personal income.

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Berg and Orcutt spoke in favor of the passage of the bill.

Representative Street spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2111.

ROLL CALL

The Clerk called the roll on the final passage of House Initiative No. 2111, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, error, Cheney, error, Connors, Corry, Couture, Dent, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, error, Goodman, Graham, Griffey, Hackney, error, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ortiz-Self, error, Paul, Peterson, Ramel, error, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, error, Berry, Chopp, Cortes, Davis, Doglio, Farivar, Fitzgibbon, Fosse, Gregerson,

Kloba, Macri, Mena, Morgan, Ormsby, Pollet, Reed, Santos, Street and Thai

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2111, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

- SUBSTITUTE HOUSE BILL NO. 1818
- HOUSE BILL NO. 1867
- SUBSTITUTE HOUSE BILL NO. 1892
- SUBSTITUTE HOUSE BILL NO. 1919
- HOUSE BILL NO. 1927
- SECOND SUBSTITUTE HOUSE BILL NO. 1941
- SUBSTITUTE HOUSE BILL NO. 1942
- HOUSE BILL NO. 1958
- HOUSE BILL NO. 1963
- SUBSTITUTE HOUSE BILL NO. 1970
- SUBSTITUTE HOUSE BILL NO. 1979
- HOUSE BILL NO. 1982
- SUBSTITUTE HOUSE BILL NO. 2012
- SECOND SUBSTITUTE HOUSE BILL NO. 2014
- SUBSTITUTE HOUSE BILL NO. 2025
- SUBSTITUTE HOUSE BILL NO. 2097
- SUBSTITUTE HOUSE BILL NO. 2102
- SECOND SUBSTITUTE HOUSE BILL NO. 2112
- ENGROSSED HOUSE BILL NO. 2199
- HOUSE BILL NO. 2204
- HOUSE BILL NO. 2246
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311
- HOUSE BILL NO. 2375
- HOUSE BILL NO. 2415
- SUBSTITUTE SENATE BILL NO. 5306
- SENATE BILL NO. 5419
- SUBSTITUTE SENATE BILL NO. 5427
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5589
- SUBSTITUTE SENATE BILL NO. 5652
- SUBSTITUTE SENATE BILL NO. 5667
- SUBSTITUTE SENATE BILL NO. 5786
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5788
- SENATE BILL NO. 5792
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5801
- SUBSTITUTE SENATE BILL NO. 5803
- SENATE BILL NO. 5805
- SUBSTITUTE SENATE BILL NO. 5806
- SUBSTITUTE SENATE BILL NO. 5812
- ENGROSSED SENATE BILL NO. 5816
- SENATE BILL NO. 5821
- SUBSTITUTE SENATE BILL NO. 5829
- SENATE BILL NO. 5852
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853
- SENATE BILL NO. 5884
- SENATE BILL NO. 5913
- SUBSTITUTE SENATE BILL NO. 5917
- SUBSTITUTE SENATE BILL NO. 5919
- SUBSTITUTE SENATE BILL NO. 5925
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937
- SENATE BILL NO. 5938
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955
- SUBSTITUTE SENATE BILL NO. 5998
- SENATE BILL NO. 6027
- SENATE BILL NO. 6079
- SENATE BILL NO. 6080
- SENATE BILL NO. 6088
- ENGROSSED SENATE BILL NO. 6089
- SUBSTITUTE SENATE BILL NO. 6108
- SUBSTITUTE SENATE BILL NO. 6121
- SUBSTITUTE SENATE BILL NO. 6125

- SUBSTITUTE SENATE BILL NO. 6140
- SENATE BILL NO. 6173
- SENATE BILL NO. 6178
- SUBSTITUTE SENATE BILL NO. 6186
- SUBSTITUTE SENATE BILL NO. 6192
- SENATE BILL NO. 6215
- SENATE BILL NO. 6222
- SUBSTITUTE SENATE BILL NO. 6227
- SENATE BILL NO. 6229
- SUBSTITUTE SENATE BILL NO. 6269
- SENATE BILL NO. 6283
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6291
- ENGROSSED SENATE BILL NO. 6296
- ENGROSSED SENATE JOINT MEMORIAL NO. 8005
- SENATE JOINT MEMORIAL NO. 8007
- SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009

The Speaker called upon Representative Orwall to preside.

THIRD READING

MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1915, with the following amendment(s): 1915-S AMS ENGR S5552.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that acquiring and applying a basic knowledge of personal finance is critical to the economic well-being of all adults. Without this knowledge, persons are much less well equipped to navigate the complicated financial issues of modern life, including household budgets, consumer debt, loan applications and obligations, and successful retirement planning.

(2) The legislature also recognizes that it has taken meaningful steps to support financial education instruction in public schools, including establishing the financial education public-private partnership in 2004, adopting financial education learning standards in 2015, and providing funds in 2022 for financial education professional development for certificated staff.

(3) In recognition of the relevance and importance of personal finance knowledge, the ongoing efforts of the financial education public-private partnership, and the ability of public schools to teach or continue teaching financial education instruction, the legislature intends to ensure that all Washington students are provided financial education instruction. Therefore, the legislature intends to make financial education instruction a required component of public education while maximizing flexibility for school districts to implement the instruction in a manner that recognizes their local circumstances.

Sec. 2. RCW 28A.300.468 and 2015 c 211 s 4 are each amended to read as follows:
 ((41)) After consulting with the financial education public-private partnership, the office of the

superintendent of public instruction shall make available to all school districts a list of instructional materials that align with the financial education learning standards ((integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d)).

~~(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students who successfully complete financial education courses)~~ adopted in RCW 28A.300.469.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.230 RCW to read as follows:

(1)(a) Beginning in or before the 2027-28 school year, each school district that operates a high school shall provide all high school students with access to no less than one-half credit of financial education instruction.

(b) The content and instruction required by this subsection (1) may be provided in stand-alone courses or embedded into other courses and subject areas.

(c) Instruction provided in accordance with this subsection (1) must conform with the state financial education learning standards adopted in RCW 28A.300.469.

(2)(a) By December 15, 2025, school districts shall submit to the state board of education and the financial education public-private partnership established in RCW 28A.300.450:

(i) A list of the financial education instruction courses implemented for students during or prior to the 2024-25 school year; and

(ii) A description of the school district actions and other considerations necessary to implement this section.

(b) The financial education public-private partnership shall analyze the information provided under (a) of this subsection and create a statewide implementation plan for the requirements of this section. The plan, which must be submitted to the office of the superintendent of public instruction, the state board of education, and, in accordance with RCW 43.01.036, the appropriate committees of the legislature by September 30, 2026, may include recommendations for additional funding for grants to integrate financial literacy education into professional development for certificated staff and other school district resources in accordance with submissions provided under (a) of this subsection.

(3) Beginning no later than the 2027-28 school year, school districts shall publicize the offering of financial

education instruction to students and their parents or legal guardians.

(4)(a) The state board of education shall review and monitor financial education offerings to ensure school district compliance with the requirements of subsection (1)(a) of this section. The reviews and monitoring required by this subsection (4) may be conducted concurrently with other oversight and monitoring conducted by the state board of education.

(b) The state board of education, in accordance with RCW 43.01.036, shall provide a summary of the information collected under this subsection (4) for school years 2027-28 and 2028-29 to the appropriate committees of the legislature by January 10, 2030.

(5) 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 to the same extent as it applies to school districts.

NEW SECTION. Sec. 4. Section 2 of this act takes effect August 31, 2027."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a Conference on SUBSTITUTE HOUSE BILL NO. 1915. The Speaker (Orwall presiding) appointed the following members as Conferees: Representatives Rude, Santos and Stonier.

MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, with the following amendment(s): 2134-S.E AMS ENGR S5501.E

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2023 c 472 s 105 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF AGRICULTURE
Motor Vehicle Account—State Appropriation.
((\$1,462,000))

\$1,473,000

Sec. 102. 2023 c 472 s 108 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Carbon Emissions Reduction Account—State

Appropriation.	\$5,000,000
Electric Vehicle Account—State Appropriation	\$220,000
Multimodal Transportation Account—State Appropriation.	\$300,000
TOTAL APPROPRIATION.	\$5,520,000

The ~~((appropriation))~~ appropriations in this section ~~((is))~~ 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 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes are eligible to apply for grant funds for the purchase of or conversion to electric boats and motors.

(3)(a) \$300,000 of the multimodal transportation account—state appropriation is provided solely to the department, in collaboration with the interagency electric vehicle coordinating council, appropriate state and local agencies, climate and environmental justice organizations, consumer and ratepayer advocates, industry representatives, labor representatives, consumer-owned electric utilities, investor-owned electric utilities, and building owners and operators, to develop legislative recommendations regarding:

(i) Maximum timelines for electric vehicle supply equipment project permitting and interconnection;

(ii) Necessary reporting requirements for electric utilities on transportation electrification efforts;

(iii) Requirements for consumer information on electric vehicle supply equipment;

(iv) Extending right-to-charge policies to tenants and homeowners outside of common interest communities;

(v) Reliability standards for both publicly funded and publicly available electric vehicle supply equipment; and

(vi) Other policies to implement recommendations on improving electric vehicle supply equipment availability and use in the transportation electrification strategy under RCW 43.392.040.

(b) The department, in collaboration with the entities listed under (a) of this subsection, must also evaluate the best method to develop a comprehensive and publicly available inventory of all electric

vehicle supply equipment in Washington, to include, but not be limited to:

(i) Reporting requirements for electric vehicle supply equipment providers, owners, and operators or any other entities necessary to develop and implement the inventory;

(ii) Rules necessary to determine required information, such as counts of operational electric vehicle supply equipment and ports, electrical power, utilization, reliability data, and other nonproprietary data, and a reporting process for collecting such data for the inventory; and

(iii) Identifying data that may be classified as confidential and a means for protecting such data, including data aggregation and the consideration of using a third-party entity to receive and secure data.

(c) The department must provide a report to the appropriate committees of the legislature on initial recommendations described under (a) of this subsection and the evaluation results under (b) of this subsection by December 31, 2024, and a final report with all remaining recommendations by June 30, 2025.

Sec. 103. 2023 c 472 s 109 (uncodified) is amended to read as follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation. (((\$3,574,000))

\$3,577,000

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

(1) 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, 2023, 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.

(2) \$232,000 of the pilotage account—state appropriation is for a temporary environmental planner position to support rule making to fulfill the requirements of chapter 289, Laws of 2019.

Sec. 104. 2023 c 472 s 111 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Motor Vehicle Account—State Appropriation. \$1,470,000

Multimodal Transportation Account—State Appropriation. (((\$5,000,000))

\$5,060,000

TOTAL APPROPRIATION. \$6,530,000

The ~~((appropriation))~~ appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) \$5,000,000 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) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington center for real estate research, in collaboration with the Puget Sound regional council, 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.

(b) The review must be based on 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 also include the following elements in a report that enables comparison of transit-oriented development conditions on a city-by-city basis:

(i) A summary of zoned density, floor area ratio, height or bulk limitations, parking requirements, impact fees, and other relevant development constraints or requirements, fees, charges, or conditions that apply to transit-oriented development within the jurisdiction;

(ii) A summary and analysis of any local or state housing tax, charge or fee rates, exactions and incentives, affordable housing requirements, and antidisplacement strategies that apply to transit-oriented development; and

(iii) Recommendations on strategies to increase the supply and affordability of transit-oriented development.

(c) The review must apply to areas within the following distances of a major transit stop:

(i) One-half mile radius of an entrance to a train station with a stop on a light

rail system, a commuter rail stop, or a stop on rail or fixed guideway system; and

(ii) One-quarter mile radius of a stop on a fixed route bus system that is funded in part or in full by the United States department of transportation funding for bus rapid transit.

(d) The center must seek input from a broad range of stakeholders with expertise in transit-oriented development, including nonprofit and for-profit developers of affordable housing, developers of market-rate and workforce housing, local governments, the Washington housing finance commission, and other stakeholders as determined by the center.

(e) The center must provide its review and a preliminary report to the appropriate committees of the legislature by December 31, 2024, and a final report, updated to reflect any intervening comprehensive plan revisions, by June 30, 2025.

(3) (a) \$1,470,000 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 & 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. 105. 2023 c 472 s 114 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Carbon Emissions Reduction Account—State
Appropriation. \$6,000,000

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

(1) \$6,000,000 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 allow for the collection of usage data and~~) 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.

(2) The department must report when and where the equipment was installed(~~(usage data at each charging station,)~~) 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).

(3) 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 (~~(of this act)~~), chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

(4) 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.

NEW SECTION. **Sec. 106.** A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE
Ignition Interlock Device Revolving Account—State
Appropriation. \$400,000

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

limitations: \$400,000 of the ignition interlock device revolving account—state appropriation is provided solely for an evaluation of compliance and results associated with the state's ignition interlock device requirements. The evaluation must include, but is not limited to, the following: (1) An assessment of the compliance rates for individuals with a legal requirement to have an ignition interlock device installed on their vehicle; (2) a review of impediments or barriers to individual compliance with ignition interlock device installation and use requirements; (3) an examination of state and local agency performance in monitoring and enforcing ignition interlock device requirements; and (4) prioritized recommendations of potential procedural, policy, or statutory changes, including additional fiscal resources to state or local agencies, which will improve ignition interlock device compliance rates. The office of financial management shall place the amount provided in this section in unallotted status until the joint legislative and audit review committee indicates that the evaluation can be completed within its workplan for the 2023-2025 fiscal biennium. If the evaluation cannot be initiated in the 2023-2025 fiscal biennium, the joint legislative and audit review committee must prioritize the evaluation of compliance and results associated with the state's ignition interlock device requirements in its workplan for the 2025-2027 fiscal biennium. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature before making a decision to allot these funds.

NEW SECTION. **Sec. 107.** A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
Model Toxics Control Capital Account—State
Appropriation. \$15,715,000

The appropriation in this section is subject to the following conditions and limitations: \$15,715,000 of the model toxics control capital account—state appropriation is provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emissions vehicles and for the necessary fueling infrastructure needed for zero emissions 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.

NEW SECTION. **Sec. 108.** A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY
Multimodal Transportation Account—State
Appropriation. \$140,000

The appropriation in this section is subject to the following conditions and limitations: \$140,000 of the multimodal transportation account—state appropriation is provided solely for the Western Washington University center for economic and business research to conduct an economic study focused on multiple economic activities surrounding the Washington state ferry system. Specifically, the study must analyze the direct economic impacts of Washington state ferry system spending, along with peer-reviewed, estimated ranges for economic activities supported by the ferry fleets' movement of passengers and freight as it relates to tourism, labor, and commerce. The department must collaborate with the university regarding the analysis by making administrative data, including financial and ridership data, available to the university. The university must submit a report summarizing the analysis to the office of the governor and the transportation committees of the legislature by December 31, 2024.

NEW SECTION. **Sec. 109.** A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR WASHINGTON STATE UNIVERSITY
 Highway Safety Account—State Appropriation. \$150,000
 Multimodal Transportation Account—State Appropriation. \$100,000
TOTAL APPROPRIATION..... \$250,000

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the highway safety account—state appropriation is provided solely to convene a work group that includes, but is not limited to, the attorney general's office, the department of transportation, Washington state patrol, and the Washington traffic safety commission, to develop recommended legislation, by December 1, 2024, regarding the use of sobriety checkpoints in DUI enforcement. The work group must review the legal findings and holdings by the Washington supreme court in *City of Seattle v. Mesiani* and evaluate previous legislation from Washington and other states, as well as federal case law, authorizing the use of sobriety checkpoints.

NEW SECTION. **Sec. 110.** A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE EVERGREEN STATE COLLEGE
 Aeronautics Account—State Appropriation. \$188,000

The appropriation in this section is subject to the following conditions and limitations: \$188,000 of the aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent, nonpartisan 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 to avoid 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.

Sec. 111. 2023 c 472 s 110 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR
 State Patrol Highway Account—State Appropriation. \$750,000

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).

(End of part)

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2023 c 472 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION
 Highway Safety Account—State Appropriation. ((\$5,252,000)) \$8,841,000
 Highway Safety Account—Federal Appropriation ((\$27,735,000)) \$35,744,000
 Highway Safety Account—Private/Local Appropriation. \$60,000
 Cooper Jones Active Transportation Safety Account—
 State Appropriation. ((\$636,000)) \$836,000
 School Zone Safety Account—State Appropriation. \$850,000
TOTAL APPROPRIATION..... ((\$34,533,000)) \$46,331,000

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 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) ~~(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:~~

~~(a) The number of warnings and infractions issued to first-time violators under the pilot program;~~

~~(b) 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~~

~~(c) The frequency with which warnings and infractions are issued on weekdays versus weekend days.~~

~~(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.

~~((47))~~ (6) 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)) (6) 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)) (6); 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.

(7) \$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.

(8) \$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.

(9) \$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.

(10) \$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, indigenous knowledge-informed

tribal traffic safety support, expanded enforcement training, and additional traffic enforcement equipment. Funding is also provided for the commission to administer and provide oversight of these activities. By June 30, 2025, the commission must provide a report to the transportation committees of the legislature on these funded activities and any outcome information.

Sec. 202. 2023 c 472 s 202 (uncodified) is amended to read as follows:
FOR THE COUNTY ROAD ADMINISTRATION BOARD
 Rural Arterial Trust Account—State Appropriation. ((\$2,405,000))
\$1,766,000
 Motor Vehicle Account—State Appropriation. (((\$3,005,000))
\$3,373,000
 County Arterial Preservation Account—State Appropriation. ((\$1,808,000))
\$1,840,000
TOTAL APPROPRIATION..... **(\$7,218,000)**
\$6,979,000

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 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. 203. 2023 c 472 s 203 (uncodified) is amended to read as follows:
FOR THE TRANSPORTATION IMPROVEMENT BOARD
 Transportation Improvement Account—State Appropriation. ((\$4,798,000))
\$4,820,000

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 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. 204. 2023 c 472 s 204 (uncodified) is amended to read as follows:
FOR THE JOINT TRANSPORTATION COMMITTEE
 Carbon Emissions Reduction Account—State Appropriation. \$3,000,000
 Multimodal Transportation Account—State Appropriation. ((\$125,000))
\$602,000
 Motor Vehicle Account—State Appropriation. (((\$4,270,000))
\$6,050,000
TOTAL APPROPRIATION..... **(\$7,395,000)**
\$9,652,000

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.

~~((4))~~ (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 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.

~~((5))~~ (4) (a) \$2,000,000 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 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.

~~((6))~~ (5) \$125,000 of the motor vehicle account—state appropriation and \$125,000 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.

~~((7))~~ (6) \$1,000,000 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.

~~((+9-))~~ (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(~~((11) of this act))~~ (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 ~~((a final))~~ an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025.

(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, ~~((federally recognized tribes and))~~ 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.

~~((+9-))~~ (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) \$300,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to review the composition of boards of Washington transit agencies. As part of the assessment, the review must survey current governance structures identifying unique or innovative models, and best practices currently being deployed. Working with agencies and key stakeholders, the study must develop a list of options for transit agencies to consider for increasing

representation or engagement from transit riders, labor, and other underrepresented community groups identified through the process. A report of preliminary findings must be submitted to the transportation committees of the legislature by December 15, 2024. A final report is due to the transportation committees of the legislature by June 30, 2025, including any recommended revisions to current statutes that are necessary to implement any identified options.

(10)(a) \$400,000 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. The study must also include recommendations on any changes to current practices and statutory requirements.

(b) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, and women and minority-owned business communities.

(c) 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, and within the funding provided in this subsection, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs.

(d) 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.

(11)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a study and make recommendations on opportunities for streamlining current Washington state department of transportation project permitting practices to accelerate project delivery. The study should:

(i) Identify the types of permits required for projects by local, state, and federal agencies for various project types across the state;

(ii) Conduct a case study of at least six recently completed projects that are geographically distributed across the state, and a mix of projects that were either completed in a timely manner or faced delays; and

(iii) Review and recommend practices for streamlining the permitting processes with local, state, and federal agencies that would result in accelerating project delivery.

(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(12)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a study and make recommendations on opportunities for innovative project delivery practices that could be utilized to accelerate project delivery. The study should evaluate practices utilized around the country and evaluate 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 bundling bridge, culvert, or other groups of projects into single procurement packages.

(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(13) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract for a staffing and performance review and audit of the field operations bureau of the Washington state patrol.

(a) The contractor must be assisted by, consult with, and seek guidance from the Washington state patrol as the contractor deems appropriate to conduct its work. The contractor must review relevant previous recommendations made by the joint legislative and audit review committee and evaluate compliance and improvements made from those prior recommendations.

(b) The fact finding phase of the work may include a review of and findings on: (i) The field operations bureau staffing levels to meet the current traffic safety needs statewide and by regions; (ii) whether the proportion of the agency's budget dedicated to the field operations bureau to meet its core traffic safety functions are proportionally weighed against its nonfield operations bureau needs and funding level; (iii) whether the agency's current staffing deployment or allocation methods are being driven by need based on speeding violations, driving under the influence behaviors, collisions, car accidents, reckless driving, and other appropriate metrics; (iv) methods and documentation used in evaluating trooper and field operation bureau productivity; (v) the agency's policy and procedure manuals in comparison to state law enforcement agency best practices and current standards; and (vi) whether the agency is using the most effective use of its available tools to reduce turnover, maximize new cadet and lateral recruitment, and achieve full field operations bureau authorized staffing levels.

(c) The contractor must conduct its own independent review and develop recommendations on staffing levels for the field operations bureau, trooper staffing allocation informed by the appropriate metrics, response availability for priority calls, overall response time, performance

measures that are related to outputs or outcomes that can be affected by the agency, and the necessary ongoing reporting and monitoring of those performance measures targeted at traffic safety.

(d) The contractor must provide at least two presentations to the joint transportation committee before presenting its final report and recommendations by December 1, 2025.

(14)(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) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xii) 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.

Sec. 205. 2023 c 472 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation.
 (\$3,029,000)

\$3,039,000

Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.
 \$150,000

Multimodal Transportation Account—State Appropriation. \$200,000

State Route Number 520 Corridor Account—State Appropriation. (~~\$288,000~~)
 \$413,000

Tacoma Narrows Toll Bridge Account—State Appropriation. \$179,000

Alaskan Way Viaduct Replacement Project Account—State Appropriation. \$167,000

**TOTAL APPROPRIATION.....(~~\$4,013,000~~)
 \$4,148,000**

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 transportations 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) \$125,000 of the state route number 520 corridor account—state appropriation is provided solely for the commission, in consultation with the department of transportation, to initiate a public outreach campaign regarding the potential for implementing segment tolling on the state route number 520 corridor. By July 1, 2025, the commission shall submit a status report to the transportation committees of the legislature regarding the outreach.

Sec. 206. 2023 c 472 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Multimodal Transportation Account—State	
Appropriation.	\$400,000
Freight Mobility Investment Account—State	
Appropriation.	(\$1,591,000)
	<u>\$1,596,000</u>
TOTAL APPROPRIATION.	(\$1,991,000)
	<u>\$1,996,000</u>

The appropriations in this section are 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 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.

(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 ((2023-2))2024-2 ALL PROJECTS, as developed on ((April 21, 2023))February 20, 2024.

(3) \$731,000 of the freight mobility investment account—state appropriation is provided solely for the implementation of chapter 167, Laws of 2023 (freight mobility priorities). If chapter 167, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(4) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the board, in consultation with the department of transportation, to develop an implementation plan for specific truck parking solutions. It is the intent of the legislature for the board to identify specific sites to increase truck parking capacity in the near term, as well as to recommend other steps that can be taken in the 2024 and 2025 legislative sessions to increase truck parking capacity. The board must provide a status report that includes funding recommendations for the 2024 legislative session to the transportation committees of the legislature by December 1, 2023, and a final report that includes detailed findings on additional

specific sites and specific actions recommended to expand truck parking capacity in the near term to the transportation committees of the legislature by December 1, 2024.

Sec. 207. 2023 c 472 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.	(\$610,711,000)
	<u>\$626,400,000</u>
State Patrol Highway Account—Federal Appropriation.	(\$20,340,000)
	<u>\$19,359,000</u>
State Patrol Highway Account—Private/Local Appropriation.	\$4,594,000
Highway Safety Account—State Appropriation. ((\$1,447,000))	
	<u>\$1,736,000</u>
Ignition Interlock Device Revolving Account—State Appropriation.	(\$1,959,000)
	<u>\$2,209,000</u>
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.	(\$642,669,000)
	<u>\$657,916,000</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 (~~of this act~~), 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 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.

((~~4~~)) (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.

~~((+7))~~ (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.

~~((+8))~~ (7) (a) ~~(\$2,608,000)~~ \$2,243,000 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.

~~((+9))~~ (8) \$3,896,000 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.

~~((+10))~~ (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).

~~((11) \$4,732,000))~~ (10) \$3,226,000 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.

~~((12))~~ (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.

~~((13))~~ (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.

~~((14))~~ (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.

~~((15))~~ (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.

~~((16))~~ (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) \$1,905,000 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 of the state patrol highway account—state appropriation is provided solely for replacing one aging Cessna aircraft. This funding was provided in the 2023-2025 omnibus transportation appropriations act. It is the intent of the legislature to fund an additional 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 (Substitute Senate Bill No. 6146), Laws of 2024 (tribal warrants). If chapter (Substitute Senate Bill No. 6146), 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.

Sec. 208. 2023 c 472 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING	
Driver Licensing Technology Support Account—State	
Appropriation.	\$1,743,000
Marine Fuel Tax Refund Account—State	
Appropriation.	\$34,000
Motorcycle Safety Education Account—State	
Appropriation.	((5,299,000))
	\$5,321,000
Limited Fish and Wildlife Account—State	
Appropriation.	((765,000))
	\$769,000
Highway Safety Account—State Appropriation.	
((277,256,000))	
	\$282,392,000
Highway Safety Account—Federal Appropriation	
.	\$2,371,000
Motor Vehicle Account—State Appropriation.	
((98,824,000))	
	\$101,981,000

Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
Ignition Interlock Device Revolving Account—State Appropriation.	(\$6,401,000) <u>\$6,417,000</u>
Department of Licensing Services Account—State Appropriation.	(\$8,972,000) <u>\$9,128,000</u>
License Plate Technology Account—State Appropriation.	(\$4,204,000) <u>\$4,657,000</u>
Abandoned Recreational Vehicle Account—State Appropriation.	\$3,091,000
Limousine Carriers Account—State Appropriation.	\$126,000
Electric Vehicle Account—State Appropriation.	\$443,000
DOL Technology Improvement & Data Management Account—State Appropriation.	\$944,000
Agency Financial Transaction Account—State Appropriation.	\$16,998,000
Move Ahead WA Flexible Account—State Appropriation.	\$2,096,000
TOTAL APPROPRIATION.	(\$430,903,000) <u>\$439,847,000</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 prorated and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 (~~of this act~~), 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 ~~(of this act)~~, 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.

~~((41))~~ (10) \$3,082,000 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.

~~((42))~~ (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) ~~(or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse))~~. If ~~((neither) chapter 35, Laws of 2023 (or chapter . . . (House Bill No. 1448), Laws of 2023 are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((43))~~ (12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of ~~(chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or)~~ chapter 57, Laws of 2023 (streamlining CDL issuance). If ~~((neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or)~~ chapter 57, Laws of 2023 ~~((are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((44))~~ (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.

~~((45))~~ (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.

~~((46))~~ (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.

~~((47))~~ (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.

~~((48))~~ (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.

~~((22))~~ (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.

~~((23))~~ (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.

~~((24))~~ (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) ~~((of this act))~~, 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.

(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) ~~((of this act))~~, chapter 472, Laws of 2023 is terminated.

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

~~((25))~~ (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.

~~((26))~~ (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.

~~((27))~~ (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 identocard 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.

~~((28) \$2,000,000)~~ (24) \$2,500,000 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 for additional contracts in fiscal year 2025 with organizations providing driver's license assistance and other related support services in other parts of the state. By December 1st of each year, the department must submit information on the contracted ~~((provider))~~ providers, including: The annual budget of the contracted ~~((provider))~~ providers in the preceding year; information regarding private and other governmental support for the activities of the ~~((provider))~~ 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 provider in King county and organizations receiving funds within 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.

~~((30))~~ (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.

~~((32))~~ (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.

~~((34))~~ (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) \$1,564,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 (enhancing prorate and fuel tax collections). If chapter . . . (Engrossed House Bill No. 1964), 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 . . . (Senate Bill No. 5800), Laws of 2024 (improving access to department of licensing issued documents). If chapter . . . (Senate Bill No. 5800), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$294,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 (impaired driving). If chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(32) \$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 vehicle licensing offices 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 vehicle licensing offices and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to vehicle licensing offices; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, vehicle licensing offices, financial institutions, vehicle dealers, and insurance companies.

(33) \$8,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$572,000 of the highway safety account—state appropriation, \$193,000 of the motor vehicle account—state appropriation, \$7,000 of the ignition interlock device revolving account—state appropriation, and \$9,000 of the department of licensing services account—state appropriation are provided solely for the department 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 fiscal year 2022 accountability audit report no. 1032793.

(34) \$75,000 of the highway safety account—state appropriation is provided solely for the department, in conjunction with development of its comprehensive implementation plan to expand driver training education requirements for driver's license purposes to persons age 18 through 24, due to the legislature by October 1, 2024, pursuant to chapter 445, Laws of 2023, to analyze inclusion of a mandatory driver's education refresher course consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure. The department must consider related policies regarding appropriate subsidies to help pay for the refresher course and course appropriateness for intermediate license holders. The department must include this analysis in the plan due by October 1, 2024, or, alternatively, as an appendix to the plan or in a separate report due to the legislature by March 1, 2025.

(35) \$38,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 (speed safety cameras). If chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$28,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 (Mount St. Helens license plate). If chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 209.	2023 c 472 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.	((58,854,000))
	\$62,913,000
State Route Number 520 Civil Penalties	
Account—State	
Appropriation.	\$4,178,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	((30,729,000))
	\$34,398,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation.	((20,701,000))
	\$22,542,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
((23,756,000))	
	\$25,524,000
TOTAL APPROPRIATION.	((138,218,000))
	\$149,555,000

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 \$12,484,000 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) \$314,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$734,000 of the state route number 520 corridor account—state appropriation, \$315,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$413,000 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 \$16,460,000 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 segment tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding the anticipation of segment tolling on the state route number 520 corridor.

Sec. 210. 2023 c 472 s 210 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State
Appropriation. \$1,494,000
Motor Vehicle Account—State Appropriation.
(((\$122,240,000))

\$122,725,000

Puget Sound Ferry Operations Account—State
Appropriation. \$307,000

Multimodal Transportation Account—State
Appropriation. (((\$2,986,000))
\$2,988,000

Transportation 2003 Account (Nickel Account)
—State

Appropriation. \$1,488,000
TOTAL APPROPRIATION. (((\$128,515,000))
\$129,002,000

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

~~((1))~~ \$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.

~~((2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.)~~

Sec. 211. 2023 c 472 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.
(((\$39,987,000))

\$40,354,000

Move Ahead WA Account—State Appropriation.
\$2,532,000

State Route Number 520 Corridor Account—
State
Appropriation. \$34,000
TOTAL APPROPRIATION. (((\$42,553,000))
\$42,920,000

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

~~((2)(a)(i))~~ (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))~~ (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))~~ (b) Detailed information on any increased capital and other implementation costs under each scenario;

((C)) (c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

((D)) (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)) (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.

((ii)) (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) ((i)) Conducting the detailed space study under ((a)) subsection (1) of this ((subsection)) section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

((ii)) (c) In addition to the reporting requirement under ((a)) subsection (1) of this ((subsection)) 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. 212. 2023 c 472 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Motor Vehicle Account—State Appropriation. \$700,000

Move Ahead WA Account—State Appropriation. \$20,000,000

Multimodal Transportation Account—State Appropriation. \$433,000

TOTAL APPROPRIATION. ((~~\$20,433,000~~))
\$21,133,000

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

(1) 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, 2024, 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:

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

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

(c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2) (a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

Sec. 213. 2023 c 472 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation. ((~~\$13,979,000~~))

\$14,572,000

Aeronautics Account—Federal Appropriation. ((~~\$3,650,000~~))

\$5,579,000

Aeronautics Account—Private/Local Appropriation. \$60,000

TOTAL APPROPRIATION. ((~~\$17,689,000~~))
\$20,211,000

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

(1) \$2,000,000 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 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), to support the work of the department and the commercial aviation work group including, but not limited to, conducting meaningful community engagement with overburdened and vulnerable populations to address the state's transportation needs and the environmental justice impact of aviation on communities. ((If chapter 463, Laws of 2023 is not enacted by June 30, 2023, the amount in this subsection lapses.))

Sec. 214. 2023 c 472 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.
(((\$64,470,000))

	<u>\$65,155,000</u>
Motor Vehicle Account—Federal Appropriation	
.....	\$500,000
Multimodal Transportation Account—State	
Appropriation.....	(((\$851,000))
	<u>\$1,351,000</u>
Move Ahead WA Flexible Account—State	
Appropriation.....	\$572,000
TOTAL APPROPRIATION.....	(((\$66,393,000))
	<u>\$67,578,000</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) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(5))~~ (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) The LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, 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.

~~((+6))~~(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). If chapter 169, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(6) (a) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. The legislature finds that the following sections of public roadway owned by the department are no longer necessary for the state highway system:

- (i) That segment of 267th Street NW located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW, serving parcel numbers: 32042600202300, 32042600102200, 32042600100600, 32042600100700, 32042600100400, 32042600100800, and 32042600102300;

- (ii) That segment of Tester Road located adjacent to the south side of state route number 532;

(iii) That segment of 91st Ave SE located adjacent to the south side of state route number 522 in the vicinity of the intersection with 212th Street SE;

(iv) That segment of Bostian Road including as it turns and becomes 224th Street SE located on the south side of state route number 522 in the vicinity of 87th Ave SE;

(v) That segment of W. Bostian Road located on the north side of state route number 522; and

(vi) That segment of 268th Street NW located south of state route number 532.

(b) Therefore, pursuant to RCW 36.75.090, the department shall certify that these roadways are no longer needed by the state and convey the roadways to the county for continued use as public highways for motor vehicle use. Additionally, in consideration of the value of maintenance services provided by the county on the roadway comprising 267th Street NW during the time of department ownership, the department shall grant temporary access permits, for those properties abutting the conveyed segment of 267th Street NW, to use 19th Avenue NW for access to state route number 532, upon such terms and conditions as the department deems appropriate. The temporary access permits may be terminated when the conveyed segment of 267th Street NW is extended out to intersect with Sunday Lake Road, or when an alternate access route is established connecting to Sunday Lake Road.

(7)(a) \$500,000 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.

Sec. 215. 2023 c 472 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation.	
(((\$694,000))	\$1,074,000
Electric Vehicle Account—State Appropriation	
..... (((\$4,746,000))	\$8,746,000
Multimodal Transportation Account—State	
Appropriation.....	\$4,400,000
Multimodal Transportation Account—Federal	
Appropriation.....	\$25,000,000
Carbon Emissions Reduction Account—State	
Appropriation..... (((\$164,600,000))	\$123,300,000
TOTAL APPROPRIATION..... (((\$199,440,000))	\$162,520,000

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 (~~emissions~~) 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 collocated 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 collocated 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.

~~((45))~~(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.

~~((6))~~ (4) \$1,200,000 of the multimodal transportation account—state appropriation and \$2,000,000 of the carbon emissions reduction (~~(emissions)~~) 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.

~~((7) \$120,000,000)~~ (5) \$58,700,000 of the carbon emissions reduction account—state appropriation is provided solely for implementation of zero-emission commercial vehicle 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 is for the department to administer an early action grant program to provide expedited funding ~~((to zero-emission commercial vehicle infrastructure demonstration projects))~~ 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 ~~((a third-party administrator))~~ the department of ecology to implement the early action grant program.

(b) The office of financial management shall place the remaining ~~(((\$100,000,000))~~ \$38,700,000 in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act)),~~ chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((8))~~ (6) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hydrogen refueling infrastructure investments. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act)),~~ chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature

prior to making a decision to allot these funds.

~~((9))~~ (7) \$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.

~~((10))~~ (8) \$2,500,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission cargo handling equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 ~~((of this act)),~~ chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((11))~~ (9) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for clean off-road equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 ~~((of this act)),~~ chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((12))~~ (10) \$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.

(11) Beginning January 1, 2025, \$20,000,000 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 in disadvantaged and overburdened communities. The department, in consultation with the interagency electric vehicle coordinating council, must 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).

(12) \$370,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 (public-private partnerships). If chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 216. 2023 c 472 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation. ((~~\$535,033,000~~))

	<u>\$544,847,000</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. ((\$4,838,000))	<u>\$4,841,000</u>
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. ((\$609,832,000))	<u>\$620,749,000</u>

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) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(4))~~ (a) ((~~\$7,000,000~~)) \$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.

~~((+5))~~ (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 ~~((+4))~~ (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.

~~((6))~~(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 ~~((4))~~(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.

~~((7))~~(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 ~~((4))~~(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.

~~((8))~~(7) \$1,500,000 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. 217. 2023 c 472 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
OPERATING**

Highway Safety Fund—State Appropriation.	
((3,529,000))	<u>\$7,529,000</u>
Motor Vehicle Account—State Appropriation.	
((85,466,000))	<u>\$87,535,000</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....	<u>((100,879,000))</u>
	<u>\$106,948,000</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(~~((24) of this act))~~ (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(~~((24) of this act))~~ (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.

~~((47))~~ (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). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((48))~~ (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.

~~((49))~~ (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.

~~((411))~~ (9) (a) \$5,000,000 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 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) \$4,000,000 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 between 10 to 20 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 technologies on state highways in no more than three testing locations, with at least one location on each side of the Cascade mountains. The goals of the automated highway speed safety camera pilot program are to test existing speed camera technology, determine the impact on speeding behavior in testing locations, and compile public response to the use of traffic safety cameras on highways. The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program including, but not limited to: Selection of technology; placement of cameras in high speed, collision, or fatality locations; establishment of public notification and warning signs before entering into an area with a speed safety camera; outreach and public engagement in the program development and site selection process; and a process to collect and report data including rates of speed before, during, and after the presence of speed safety cameras and public response to cameras. The Washington state patrol is responsible for selecting testing locations and must use accident reports, including department and traffic safety commission

crash data as needed, to identify high speed and high collision areas. Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates, and the ticketing of violators is prohibited during the pilot program. The department may notify drivers of their rates of speed. The department shall provide a pilot program progress report to the governor and transportation committees of the legislature by September 30, 2024, to include public input to safety cameras, evaluation of technologies, and changes in speeding behavior.

Sec. 218. 2023 c 472 s 218 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAM S**

Motor Vehicle Account—State Appropriation. ((\$62,639,000))	\$63,494,000
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.	\$510,000
Multimodal Transportation Account—State Appropriation.	\$22,323,000
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.	((\$92,749,000) \$93,604,000)

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 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 (~~of this act~~), chapter 472, Laws of 2023.

~~((4))~~ (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). If chapter 230, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

Sec. 219. 2023 c 472 s 219 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND RESEARCH—
PROGRAM T**

Carbon Emissions Reduction Account—State Appropriation.	((\$3,000,000) \$4,000,000)
Motor Vehicle Account—State Appropriation. ((\$32,089,000))	\$32,687,000
Motor Vehicle Account—Federal Appropriation	((\$31,412,000) \$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.	(\$2,414,000)
	<u>\$3,214,000</u>
Multimodal Transportation Account—Federal	
Appropriation.	\$2,809,000
Multimodal Transportation Account—Private/ Local	
Appropriation.	\$100,000
TOTAL APPROPRIATION.	(\$84,146,000)
	<u>\$86,659,000</u>

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.

~~((3))~~ (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.

~~((4))~~ (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 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.

~~((5) \$400,000)~~ (4) \$700,000 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 to the Seattle city council, state department of transportation, and the transportation committees of the legislature by ~~((December 1, 2024))~~ June 30, 2025.

~~((6))~~ (5) \$2,557,000 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), and is subject to the conditions, limitations, and review requirements in section 701 ~~((of this act))~~, chapter 472, Laws of 2023.

~~((7))~~ (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.

~~((8) \$627,000)~~ (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.

~~((9))~~ (8) (a) \$11,922,000 of the move ahead WA flexible account—~~((federal))~~ 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.

~~((10))~~(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.

~~((13))~~(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) \$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.

(12) \$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.

(13)(a) \$500,000 of the motor vehicle account—state appropriation is provided solely for planning and preliminary engineering necessary to complete cost estimates and structure designs associated with construction of wildlife crossings at the top two statewide priority locations to enhance habitat connectivity.

(b) The department shall submit a report to the appropriate committees of the legislature by December 1, 2024, including at a minimum:

(i) Identification of statewide priority locations for habitat connectivity;

(ii) The basis for the determination of the locations included on the identification list; and

(iii) Estimates of costs necessary to complete remaining design, permitting, right-of-way acquisition, and construction of wildlife crossing structures at the locations identified.

(c) The legislature intends to use the information collected to consider the allocation of fund matching in future biennia for federal grants to construct wildlife crossings at the statewide priority locations.

(14) \$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 section, 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.

(15) 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. 220. 2023 c 472 s 220 (unmodified) 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.	(((\$29,000))
	\$56,000
Motor Vehicle Account—State Appropriation. (((\$105,197,000))	
	\$110,703,000
Puget Sound Ferry Operations Account—State Appropriation.	\$244,000
State Route Number 520 Corridor Account—State Appropriation.	\$69,000
Connecting Washington Account—State Appropriation.	(((\$233,000))
	\$452,000
Multimodal Transportation Account—State Appropriation.	(((\$5,585,000))
	\$6,315,000
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. (((\$40,000))	
	\$43,000

TOTAL APPROPRIATION..... ~~(\$111,479,000)~~
\$117,964,000

\$125,737,000

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.

(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. 221. 2023 c 472 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

Carbon Emissions Reduction Account—State
Appropriation. ~~(\$500,000)~~
\$10,500,000

Climate Transit Programs Account—State
Appropriation. ~~(\$406,287,000)~~
\$410,545,000

State Vehicle Parking Account—State
Appropriation. \$784,000

Regional Mobility Grant Program Account—
State
Appropriation. ~~(\$115,060,000)~~
\$126,275,000

Rural Mobility Grant Program Account—State
Appropriation. ~~(\$32,774,000)~~
\$33,077,000

Multimodal Transportation Account—State
Appropriation. ~~(\$118,255,000)~~

Multimodal Transportation Account—Federal
Appropriation. \$4,374,000

Multimodal Transportation Account—Private/
Local
Appropriation. \$100,000

TOTAL APPROPRIATION..... ~~(\$678,134,000)~~
\$711,392,000

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

(1) ~~(\$64,354,000)~~ \$64,906,000 of the multimodal transportation account—state appropriation and ~~(\$78,100,000)~~ \$78,325,000 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 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 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) ~~(\$1,656,000)~~ \$2,208,000 of the multimodal transportation account—state appropriation ~~(is) 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) ~~(\$32,774,000)~~ \$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) ~~(\$11,382,000)~~ \$11,598,000 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, ~~(\$1,092,000))~~ \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) ~~(\$37,382,000))~~ \$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 ~~((2023-2))2024-2~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Program - Public Transportation Program (V).

(5) (a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2023-2))2024-2~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, 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) ~~(\$11,914,000))~~ \$16,318,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ~~((2023-2))2024-2~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024. 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 of the multimodal transportation account—state appropriation and \$39,400,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document ~~((2023-2))2024-2~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, 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) ~~(\$4,407,000)~~ \$5,950,000 of the multimodal transportation account—state appropriation ~~(is) 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 ~~((2023-2))2024-2~~ ALL PROJECTS as developed ~~((April 21, 2023))February 20, 2024~~, Program - Public Transportation Program (V).

(11) ~~(\$10,000,000)~~ \$10,167,000 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 ~~((to be administered as part of the department's consolidated 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, ~~((2023))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, ~~(\$5,038,000)~~ \$10,167,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ~~((2023-2))2024-2~~ ALL PROJECTS as developed ~~((April 21, 2023))February 20, 2024~~. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

(12) ~~(\$188,900,000)~~ \$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.

(13) \$38,000,000 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.

(14) \$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.

(15) \$46,587,000 of the climate transit programs account—state appropriation is

provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2023-2))2024-2~~ ALL PROJECTS as developed ~~((April 21, 2023))February 20, 2024~~, Move Ahead WA - Transit Projects.

(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.

(16) ~~(\$580,000)~~ \$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 provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(17) \$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.

~~((19))~~ (18) \$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.

~~((20))~~ (19) (a) \$400,000 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.

~~((21))~~ (20) \$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.

(21) 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.

(22) Beginning January 1, 2025, \$2,000,000 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 fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

(23) Beginning January 1, 2025, \$1,200,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to continue research on level of and access to transit service. The department shall define levels and types of demand-response service and measure access to these services within the state. The department shall also collect data and develop systems to achieve more accurate and precise analysis of disparities in access to transit service focusing on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department must also establish a financial model to fund transit at a statewide standard that is calibrated for geography, population density, and financial constraints of the existing transit agencies across the state. The department shall submit a report to the transportation committees of the legislature

and the office of financial management by June 30, 2025.

(24) Beginning January 1, 2025, \$6,800,000 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 February 20, 2024:

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

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

(c) Pierce Transit - Meridian (L2021197).

Sec. 222. 2023 c 472 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE PROGRAM X

Puget Sound Ferry Operations Account—State Appropriation.	(((\$575,986,000)) \$573,666,000
Puget Sound Ferry Operations Account—Federal Appropriation.	(((\$163,791,000)) \$198,650,000
Puget Sound Ferry Operations Account—Private/Local Appropriation.	\$121,000
TOTAL APPROPRIATION.	(((\$739,898,000)) \$772,437,000

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) ~~(((\$90,014,000))~~\$97,060,000 of the Puget Sound ferry operations account—federal appropriation and ~~(((\$50,067,000))~~\$51,450,000 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 ~~((of this act)), 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) ~~(\$11,842,000)~~ \$15,985,000 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; ~~(and)~~

(e) Increase human resources capacity and add a workforce ombuds; and

(f) Hire additional dispatch staff.

(8) \$988,000 of the Puget Sound ferry operations account—state appropriation is provided solely for expansion of the wiper to oiler program to develop engine room workforce.

(9) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

(10)(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.

~~((9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia. Funds must be held in unallotted status pending completion of the assessment referenced in subsection (12) of this section.~~

~~(10))~~ (11) \$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) \$1,000,000)~~ (12) \$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))~~ (13) \$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) \$2,100,000)~~ (14) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

~~((14) \$9,000,000)~~ (15) \$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))~~ (16) \$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))~~ (17) \$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))~~ (18) \$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))~~ (19) (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 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))~~ (20) \$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))~~ (21) 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; ~~(and)~~

(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.

(22) \$10,000,000 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.

(23) (a) \$600,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate the feasibility of passenger-only ferry service to support existing ferry service routes in the San Juan Islands. The department must contract with a third-party entity to:

(i) Prioritize evaluating options and provide recommendations for a San Juan county interisland passenger-only ferry to include, but not be limited to, an analysis of estimated ridership, availability of passenger-only vessels that align with existing ferry terminals or nearby dock

facilities, options and cost estimates for purchasing or leasing a ferry vessel, options for contracting with an existing passenger-only ferry service, and operating costs including labor and fuel; and

(ii) Evaluate governance structures for any viable passenger-only ferry routes and recommend entities or organizations best suited to deliver services. The analysis must include a cost-benefit analysis of public versus private operators for viable routes, and public engagement for identified areas, including the San Juan county council.

(b) A progress report is due to the governor and transportation committees of the legislature by December 31, 2024. A final report is due to the office of the governor and transportation committees of the legislature by June 30, 2025.

(24) \$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.

(25) \$2,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the temporary extension, due to extraordinary circumstances, of multiuse passes from 90 days to 120 days through June 30, 2025.

(26) \$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. 223. 2023 c 472 s 223 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State	
Appropriation.	\$2,250,000
Multimodal Transportation Account—State	
Appropriation.	(\$90,565,000)
	<u>\$85,842,000</u>
Multimodal Transportation Account—Federal	
Appropriation.	\$13,122,000
Multimodal Transportation Account—Private/ Local	
Appropriation.	\$46,000
Transportation Infrastructure Account—State	
Appropriation.	\$2,000,000
TOTAL APPROPRIATION.	(\$92,861,000)
	<u>\$103,260,000</u>

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

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature

and the office of financial management by September 1, 2023.

(2) (a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The

report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

~~((4))~~ (3) \$1,800,000 of the multimodal transportation account—state appropriation ~~((is))~~ and \$12,000,000 of the multimodal transportation account—federal appropriation are provided solely for the department ~~((to pursue federal grant opportunities))~~ 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. 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 to provide a final report to the transportation committees of the legislature by December 1, 2024.

~~((5) \$5,950,000))~~ (4) (a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for ~~((implementation of truck parking improvements recommended by the freight mobility strategic investment board in consultation with the department under section 206(4) of this act. The office of financial management must place this amount in unallotted status))~~ the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements.

(b) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements. 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 (4) (b). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity.

(5) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and

direction on developing service development plans.

(6) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(7) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. 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 funding opportunities from the programs and any corresponding state match needs.

(8) \$2,000,000 of the transportation infrastructure account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6302), Laws of 2024 (supply chain competitiveness infrastructure program). Of the amount provided in this subsection, \$1,000,000 of the transportation infrastructure account—state appropriation must be held in unallotted status pending completion of the stakeholder process and establishment of the grant and loan programs. If chapter . . . , (Substitute Senate Bill No. 6302), Laws of 2024 is not enacted by June 30, 2024, the amount in this subsection lapses.

(9) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with partners on Amtrak long distance rail service.

Sec. 224. 2023 c 472 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. (((\$13,569,000))	
	\$14,129,000
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation.	\$1,230,000
Multimodal Transportation Account—State Appropriation. (((\$1,450,000))	

\$1,500,000
TOTAL APPROPRIATION..... ~~(\$18,816,000)~~
\$19,701,000

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.

~~((5))~~ (4) (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.

~~((6))~~ ~~\$140,000 of the motor vehicle account—state appropriation is provided solely for the Pierce county ferry to eliminate fares for passengers 18 years of age and younger.~~

~~(7))~~ (5) \$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.

~~((8))~~ (6) \$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) (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) Beginning January 1, 2025, \$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.

(End of part)

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2023 c 472 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL
State Patrol Highway Account—State Appropriation. (~~(\$7,700,000)~~)
\$7,800,000

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

(1) (~~(\$7,700,000)~~)\$7,800,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) \$250,000 is for emergency repairs;

(b) \$2,000,000 is for roof replacements;

(c) \$350,000 is for fuel tank decommissioning;

(d) \$500,000 is for generator and electrical replacement;

(e) \$500,000 is for the exterior envelope of the Yakima office;

(f) \$2,000,000 is for energy efficiency projects;

(g) \$1,000,000 is for pavement surface improvements;

(h) \$300,000 is for fire alarm panel replacement;

(i) \$100,000 is for repairs at the Bellevue district office;

(j) \$200,000 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;

~~((+j))~~(k) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

~~((+k))~~(l) \$100,000 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.

(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. 302. 2023 c 472 s 302 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD
Move Ahead WA Account—State Appropriation. \$9,333,000
Rural Arterial Trust Account—State Appropriation. (~~(\$58,000,000)~~)
\$62,487,000
Motor Vehicle Account—State Appropriation. \$2,456,000
County Arterial Preservation Account—State Appropriation. \$35,500,000
TOTAL APPROPRIATION. (~~(\$105,289,000)~~)
\$109,776,000

Sec. 303. 2023 c 472 s 304 (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. (~~(\$29,173,000)~~)
\$29,810,000
Move Ahead WA Account—State Appropriation. \$12,011,000
Multimodal Transportation Account—State Appropriation. \$1,200,000
TOTAL APPROPRIATION. (~~(\$42,384,000)~~)
\$43,024,000

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 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—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. 304. 2023 c 472 s 305 (unmodified) 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
Climate Active Transportation Account—State Appropriation.	\$2,000,000
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.	(\$317,000) \$634,000
Transportation Partnership Account—State Appropriation.	(\$32,643,000) \$47,649,000
Motor Vehicle Account—State Appropriation. (\$80,524,000)	\$92,903,000
Motor Vehicle Account—Federal Appropriation	(\$445,933,000) \$497,782,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation.	(\$300,000,000) \$337,144,000
Motor Vehicle Account—Private/Local Appropriation.	(\$52,530,000) \$74,115,000
Connecting Washington Account—State Appropriation.	(\$2,143,116,000) \$1,950,666,000
Special Category C Account—State Appropriation.	(\$133,749,000) \$143,917,000
Multimodal Transportation Account—State Appropriation.	(\$5,915,000) \$10,511,000
State Route Number 520 Corridor Account—State Appropriation.	(\$400,000) \$500,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. (\$304,480,000)	\$325,464,000
Move Ahead WA Account—State Appropriation. (\$590,313,000)	\$737,961,000
Move Ahead WA Account—Federal Appropriation	(\$340,300,000)

	\$373,155,000
JUDY Transportation Future Funding Program Account—State Appropriation.	\$52,000,000
Model Toxics Control Stormwater Account—State.	\$15,000,000
TOTAL APPROPRIATION..	(\$4,593,514,000) \$4,832,695,000

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 ((2023-1))2024-1 as developed ((April 21, 2023))February 20, 2024, 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)), 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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, 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 (~~\$1,737,009,000~~)\$1,350,479,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$118,773,000 in

proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to \$32,643,000 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 allotment 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) Allotment 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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024;

(c) Allotment 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 allotment 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) ((~~\$300,000,000~~))\$337,114,000 of the coronavirus state fiscal recovery fund—federal appropriation, ((~~\$312,653,000~~))\$110,439,000 of the motor vehicle account—federal appropriation, ((~~\$427,459,000~~))\$576,827,000 of the move ahead WA account—state appropriation, and ((~~\$1,293,000~~))\$8,329,000 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) (~~(\$6,000,000 of the move ahead WA account—state appropriation)~~) \$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) (~~(The appropriation in this subsection)~~) 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) (~~(\$35,465,000)~~) \$25,067,000 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;

(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; and

(iii) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road.

(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 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). 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) (~~(\$84,500,000)~~) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and (~~(\$53,000,000)~~) \$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 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 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) ~~(\$570,842,000)~~ \$338,512,000 of the connecting Washington account—state appropriation, ~~(\$155,000)~~ \$3,109,000 of the multimodal transportation account—state appropriation, ~~(\$26,537,000)~~ \$27,201,000 of the motor vehicle account—private/local appropriation, ~~(\$200,800,000)~~ \$178,543,000 of the move ahead WA account—federal appropriation, ~~(\$68,191,000)~~ \$36,370,000 of the move ahead WA account—state appropriation, and ~~(\$6,980,000)~~ \$211,131,000 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.

(d) It is the intent of the legislature that the SR 167/SR 509 Puget Sound Gateway project (M00600R): (i) Receive its current revenue assumption of \$160,000,000 from the connecting Washington account—state in the 2027-2029 fiscal biennium; (ii) maintain the existing \$180,000,000 toll revenue assumption in the 2025-2027 fiscal biennium; (iii) reduce funding in the amount of \$160,000,000 from the Puget Sound Gateway facility account—state in the 2027-2029 fiscal biennium; and (iv) as referenced in the list in subsection (1) of this section, be updated and the LEAP totals be adjusted accordingly.

(20) \$2,213,000 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 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) (a) ~~(\$394,963,000)~~ \$409,667,000 of the connecting Washington account—state appropriation, ~~(\$400,000)~~ \$500,000 of the state route number 520 corridor account—state appropriation, and ~~(\$4,496,000)~~ \$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).

(b) Upon completion of the Montlake Phase of the West End project (~~(current anticipated contract completion of 2023)~~), the department shall sell or transfer that portion of the property not ~~(used)~~ necessary for ~~(permanent)~~ transportation ~~(improvements)~~ purposes, and shall initiate a process to convey ~~(that)~~ or transfer such portion of the surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, \$400,000 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 for noise mitigation activities.

(d) Pursuant to section 2, chapter . . . (Senate Bill No. 6316), 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) (a) \$750,000 of the transportation partnership account—state appropriation is provided solely for the state route number 520 bridge replacement and HOV (8BI1003) to implement signage for the state route number 520 interchange with Montlake Boulevard as a result of public engagement.

(b) The amounts appropriated in this subsection must be used for the following:

(i) Removal of an existing sign bridge on Montlake Boulevard, located immediately south of the Lake Washington Boulevard intersection;

(ii) Replacement of the sign bridge with a pole with mast arm structure bearing appropriate directional signs for northbound motorists, and installation of a similar, advance-notice sign pole and mast arm for northbound motorists on Montlake Blvd at 24th Avenue;

(iii) Repainting, as necessary, an existing sign bridge on the newly constructed Montlake lid with a color decided upon through a public process; and

(iv) Fabrication and installation of a third pole with mast arm structure on southbound Montlake Boulevard immediately north of the west bound state route number 520 bridge onramp with signs directing southbound motorists.

((+21-)) (23) \$450,000 of the motor vehicle account—state appropriation is 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.

((+22-)) (24) \$25,000,000 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. ((+22-500,000))

\$23,750,000 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.

((+23- \$5,000,000)) (25) \$9,593,000 of the motor vehicle account—state appropriation, ((+23- \$5,000,000)) \$552,000 of the connecting Washington account—state appropriation, and ((+23- \$5,000,000)) \$209,000 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.

(26) Prior to initiating new advertisements or requests for qualifications for projects N00900R, N52600R, M00800R, L1000199, 0BP2001, and M00600R, the department shall convene an expert review panel to review the planned procurement methods and cost estimates for these projects. The panel must consist of up to five representatives of the contracting community with expertise in multiple procurement methods. The panel shall provide recommendations on procurement methods and cost estimates to the office of financial management, the department, and the transportation committees of the legislature by July 1, 2024, for each project stated in this subsection. After the panel's recommendations have been provided, the department may initiate new advertisements and requests for qualifications incorporating the recommendations as appropriate.

(27) \$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).

(28) \$2,972,000 of the connecting Washington account—state appropriation is provided solely for the I-5/North Lewis County Interchange project (L2000204) in the 2023-2025 fiscal biennium. It is the intent of the legislature that the total amounts provided for this project on the list in subsection (1) of this section be reduced in future biennia by \$2,500,000.

Sec. 305. 2023 c 472 s 306 (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION— PRESERVATION—PROGRAM P

<u>Carbon Emissions Reduction Account—State</u>	
<u>Appropriation.</u>	<u>\$50,000,000</u>
Move Ahead WA Account—State Appropriation.	
<u>((+13,291,000))</u>	<u>\$105,219,000</u>
Recreational Vehicle Account—State	
<u>Appropriation.</u>	<u>((+793,000))</u>
	<u>\$769,000</u>
Transportation 2003 Account (Nickel Account)	
—State	
<u>Appropriation.</u>	<u>((+48,759,000))</u>
	<u>\$70,411,000</u>

Motor Vehicle Account—State Appropriation. ((\$135,073,000))	<u>\$154,960,000</u>
Motor Vehicle Account—Federal Appropriation ((\$534,350,000))	<u>\$577,602,000</u>
Motor Vehicle Account—Private/Local Appropriation. ((\$12,000,000))	<u>\$17,010,000</u>
Connecting Washington Account—State Appropriation. ((\$37,078,000))	<u>\$48,726,000</u>
State Route Number 520 Corridor Account— State Appropriation. ((\$5,481,000))	<u>\$7,434,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation. ((\$10,892,000))	<u>\$12,202,000</u>
Alaskan Way Viaduct Replacement Project Account— State Appropriation. ((\$12,000))	<u>\$1,662,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. ((\$27,026,000))	<u>\$15,183,000</u>
Transportation Partnership Account—State Appropriation. ((\$10,000,000))	<u>\$12,036,000</u>
TOTAL APPROPRIATION.	<u>(\$834,755,000)</u> <u>\$1,073,214,000</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 ((2023-1))2024-1 as developed ((~~April 21, 2023~~))February 20, 2024, 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~~)), 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 ((2023-2))2024-2 ALL PROJECTS as developed ((~~April 21, 2023~~))February 20, 2024, 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 \$10,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) \$22,000,000 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) 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) \$25,000,000 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. ((~~\$22,500,000~~)) \$23,750,000 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). ((~~Chapter 54, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~))

(11) \$154,500 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). The amount in this subsection must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

(12) Beginning January 1, 2025, \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to construct active transportation components on preservation projects (L4000057), consistent with the complete streets requirements under RCW 47.04.035. The department must provide a report that identifies the active transportation components funded with this appropriation to the transportation committees of the legislature by December 1, 2024.

(13) \$100,000,000 of the Move Ahead WA account—state appropriation is provided solely for additional preservation activities (L4000057).

Sec. 306. 2023 c 472 s 307 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL
Motor Vehicle Account—State Appropriation. ((~~\$9,738,000~~))

\$10,605,000

Motor Vehicle Account—Federal Appropriation ((~~\$5,100,000~~))
\$12,226,000
Motor Vehicle Account—Private/Local Appropriation. \$500,000
Move Ahead WA Account—State Appropriation.
\$611,000
TOTAL APPROPRIATION. ((~~\$15,338,000~~))
\$23,942,000

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

(1) ((~~\$4,918,000~~)) \$5,547,000 of the motor vehicle account—state appropriation ((~~is~~)) \$8,830,000 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. 307. 2023 c 472 s 308 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Carbon Emissions Reduction Account—State Appropriation. ((~~\$74,027,000~~))
\$335,127,000
Move Ahead WA Account—State Appropriation. ((~~\$17,114,000~~))
\$32,728,000
Puget Sound Capital Construction Account—State Appropriation. ((~~\$341,969,000~~))
\$386,196,000
Puget Sound Capital Construction Account—Federal Appropriation. ((~~\$33,698,000~~))
\$81,826,000
Puget Sound Capital Construction Account—Private/Local Appropriation ((~~\$1,081,000~~))
\$2,150,000
Transportation 2003 Account (Nickel Account)—State Appropriation. \$472,000
Transportation Partnership Account—State Appropriation. ((~~\$7,442,000~~))
\$9,705,000
Connecting Washington Account—State Appropriation. ((~~\$10,809,000~~))

\$21,883,000

Capital Vessel Replacement Account—State
 Appropriation. (~~(\$46,818,000)~~)
\$33,242,000
TOTAL APPROPRIATION. (~~(\$532,958,000)~~)
\$903,329,000

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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Washington State Ferries Capital Program (W).

(2) (~~(\$5,000,000)~~)\$24,260,000 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) (~~(\$46,818,000)~~)\$33,242,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

(4) (~~The legislature intends that funding will be provided in the 2025-2027 fiscal biennium~~)It is the intent of the legislature, that if bids and cash flow permit, the department shall pursue construction of three vessels simultaneously for the initial delivery of hybrid electric Olympic class vessels. In the event that bids are higher than the engineer's estimate, the legislature intends that the department proceed with the best value bid, or bids, for two vessels in the initial delivery.

(5) Beginning January 1, 2025, \$42,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329).

(6) \$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 design to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth-Fauntleroy route. The ((legislature intends that part of 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 ((a 144-vehicle capacity vessel))utilizing the existing hybrid electric Olympic class vessel design with a 124-vehicle capacity vessel.

((~~(5)~~))(7) \$8,032,000 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.

((~~(6)~~))(8) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 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.

((~~(7)~~))(9) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

((~~(8)~~))(10) 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.

((~~(9)~~))(11) 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.

(12) Beginning January 1, 2025, \$30,145,000 of the carbon emissions reduction account—state appropriation is provided solely for Electric Ferry - Conversion (G2000084).

(13) Beginning January 1, 2025, \$125,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).

(14) Beginning January 1, 2025, \$21,100,000 of the carbon emissions reduction account—state appropriation is provided solely for Seattle Bainbridge terminal electrification (L2021087).

(15) Beginning January 1, 2025, \$40,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hybrid vessel conversions (L1000339).

(16) Beginning January 1, 2025, \$2,855,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).

Sec. 308. 2023 c 472 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—
PROGRAM Y—CAPITAL**

Carbon Emissions Reduction Account—State Appropriation.	(\$104,300,000) \$87,800,000
Essential Rail Assistance Account—State Appropriation.	(\$676,000) \$762,000
<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$697,000</u>
<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$1,500,000</u>
Move Ahead WA Flexible Account—State Appropriation.	(\$35,000,000) \$33,500,000
<u>Multimodal Transportation Account—Private/ Local</u> Appropriation.	<u>\$12,000</u>
Transportation Infrastructure Account—State Appropriation.	(\$10,369,000) \$11,271,000
Multimodal Transportation Account—State Appropriation.	(\$63,334,000) \$101,403,000
Multimodal Transportation Account—Federal Appropriation.	(\$18,882,000) \$25,903,000
TOTAL APPROPRIATION.....	(\$232,561,000) \$262,848,000

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 (~~(2023-2)~~)2024-2 ALL PROJECTS as developed (~~April 21, 2023~~)February 20, 2024, Program - Rail Program (Y).

(2) (a) \$2,030,000 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) ~~(\$7,970,000)~~\$5,650,000 of the transportation infrastructure account—state appropriation is provided solely for new FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2023.

(c) 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) ~~(\$7,566,836)~~\$7,567,000 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.

(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.

(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.

(6) \$50,000,000 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.

(7) ~~(\$33,500,000)~~\$29,500,000 of the move ahead WA flexible account—state appropriation is 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.

(8) ~~(\$15,000,000)~~\$19,990,000 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.

(9) \$6,300,000 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.

(10) \$14,000,000 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.

(11) \$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.

(12) \$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).

(13) \$26,500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). ~~((To be eligible to receive state funds under this section, a))~~ 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 ((first)) 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. Of the amounts provided in this subsection, \$11,500,000 is for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(14) Beginning January 1, 2025, \$8,500,000 of the carbon emissions reduction account—state appropriation is provided solely for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(15) \$2,000,000 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.

~~((15))~~ (16) \$500,000 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.

(17) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for ultra high speed rail (L2021074). The legislature intends to provide \$50,000,000 for the project in the 2025-2027 fiscal biennium, and that it be changed accordingly on the LEAP transportation documents referenced in this section.

Sec. 309. 2023 c 472 s 310 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL
 Carbon Emissions Reduction Account—State
 Appropriation. ((\$21,000,000))

	\$50,162,000
Climate Active Transportation Account—State Appropriation.	(((\$157,463,000)) \$169,442,000
Freight Mobility Investment Account—State Appropriation.	(((\$21,098,000)) \$21,847,000
Freight Mobility Multimodal Account—State Appropriation.	(((\$22,728,000)) \$27,216,000
Highway Infrastructure Account—State Appropriation.	(((\$793,000)) \$1,060,000
Highway Infrastructure Account—Federal Appropriation	(((\$1,600,000)) \$1,500,000
Move Ahead WA Account—State Appropriation. (((\$106,707,000))	\$112,540,000
((Move Ahead WA Account—Federal Appropriation.	(\$10,000,000))
Move Ahead WA Flexible Account—State Appropriation.	(((\$29,000,000)) \$34,500,000
((Transportation Partnership Account—State Appropriation.	\$500,000))
Motor Vehicle Account—State Appropriation. (((\$36,785,000))	\$47,410,000
Motor Vehicle Account—Federal Appropriation	(((\$103,553,000)) \$129,698,000
Connecting Washington Account—State Appropriation.	(((\$99,032,000)) \$117,410,000
Multimodal Transportation Account—State Appropriation.	(((\$73,818,000)) \$101,552,000
TOTAL APPROPRIATION.	(\$684,077,000) \$814,337,000

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 ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Program - Local Programs Program (Z).

(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) ~~(((\$34,673,000))~~ \$47,707,000 of the multimodal transportation account—state appropriation and ~~(((\$37,563,000))~~ \$43,058,000 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) ~~(((\$19,137,000))~~ \$31,553,000 of the motor vehicle account—federal appropriation, ~~(((\$38,915,000))~~ \$45,399,000 of the climate active transportation account—state appropriation, and ~~(((\$12,844,000))~~ \$21,157,000 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) (~~(\$6,875,000)~~) \$10,906,000 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) (~~(\$36,640,000)~~) \$46,580,000 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) \$23,750,000 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 (~~(of this act)~~), 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 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, 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) (~~(\$128,400,000)~~) \$132,400,000 of the move ahead WA account—state appropriation and (~~(\$19,500,000)~~) \$25,000,000 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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, 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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, 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, \$21,000,000 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.

(8) \$39,185,000 of the climate active transportation account—state appropriation and \$3,000,000 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 ((2023-2))2024-2 ALL PROJECTS as developed ((~~April 21, 2023~~))February 20, 2024, 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 ((2023-2))2024-2 ALL PROJECTS as developed ((~~April 21, 2023~~))February 20, 2024, 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 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 of the carbon emissions reduction account—state appropriation is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) \$6,500,000 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) ((~~and the Aurora Avenue North Safety Improvements project (L4000154)~~)), as described in section 911(18) and (19) ((~~of this act~~)), chapter 472, Laws of 2023.

(14) \$200,000 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 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 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 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) (~~(\$21,098,000)~~) \$21,847,000 of the freight mobility investment account—state appropriation and (~~(\$22,728,000)~~) \$27,216,000 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 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 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) ~~(\$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)).~~

(21)) 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 allotment 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) Allotment 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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024;

(c) Allotment 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 allotment 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 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 (LXXXPF). 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, \$29,162,000 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 February 20, 2024:

(a) North Aurora Safety Improvements (L4000154);

(b) Maple Valley Pedestrian Bridge Over SR 169 (L2021093);

(c) North Broadway Pedestrian Bridge (L2021082);

(d) State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);

(e) Mountains to Sound Greenway "Bellevue Gap" (L4000152);

(f) Olympic Discovery Trail/US 101 Safety (L2021192);

(g) 72nd Ave & Washington Ave Active Transportation Components (L2021194);

(h) Bluff Trail Hood River to White Salmon (L2021199);

(i) Columbia Heights Safety Improvements (L2021195);

(j) Eustis Hunt and 216th Sidewalks (L2021083);

(k) La Center Pac. Hwy Shared Use Path (L2021196);

(l) SR 240/Aaron Dr Complete Streets Improvements (L2021193);

(m) Wallace Kneeland Blvd Active Transportation (L2021198);

(n) Wide Hollow Creek Active Transportation Improvements (L2021200);

(o) Yakima Greenway Active Transportation (L2021201); and

(p) Cowiche Canyon Trail (G2000010).

(23) It is the intent of the legislature that \$500,000 of the motor vehicle account—state appropriation be provided for the Log Yard Road Connector in a future fiscal biennium, and that \$500,000 of the motor vehicle account—state appropriation be provided for Romance Hill Connector project in a future fiscal biennium, and that the list referenced in subsection (1) of this section be updated accordingly.

(End of part)

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2023 c 472 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.	(((\$1,101,000))
	\$225,000
Connecting Washington Account—State	
Appropriation.	(((\$11,951,000))
	\$3,463,000
Special Category C Account—State	
Appropriation.	(((\$922,000))
	\$452,000
Highway Bond Retirement Account—State	
Appropriation.	(((\$1,470,291,000))
	\$1,413,786,000

Ferry Bond Retirement Account—State
 Appropriation. \$4,616,000
 Transportation Improvement Board Bond
 Retirement

Account—State Appropriation.
 ((\$10,895,000))

\$10,305,000

Nondebt-Limit Reimbursable Bond Retirement
 Account—
 State Appropriation. ((\$28,606,000))

\$28,262,000

Toll Facility Bond Retirement Account—State
 Appropriation. \$76,372,000

TOTAL APPROPRIATION... ((\$1,604,754,000))
\$1,537,481,000

Sec. 402. 2023 c 472 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. ((\$220,000))

\$47,000

((Transportation Improvement Account—State
 Appropriation. \$20,000))

Connecting Washington Account—State
 Appropriation. ((\$2,391,000))

\$686,000

Special Category C Account—State
 Appropriation. ((\$183,000))

\$89,000

TOTAL APPROPRIATION..... ((\$2,814,000))
\$822,000

Sec. 403. 2023 c 472 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. ((\$465,354,000))
\$461,954,000

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..... ((\$515,578,000))
\$512,178,000

Sec. 404. 2023 c 472 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. ((\$1,969,182,000))

\$1,955,782,000

Sec. 405. 2023 c 472 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.
 ((\$246,480,000))
\$253,180,000

Sec. 406. 2023 c 472 s 406
 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—ADMINISTRATIVE
 TRANSFERS**

(1) ((a) ~~Pilotage~~ Account—State
 Appropriation: For
 transfer to the Multimodal Transportation
 Account—State. \$200,000

(b) ~~The amount transferred in this
 subsection represents partial repayment of
 prior biennium transfers to cover self-
 insurance liability premiums.~~

(2) ~~Transportation Partnership Account
 —State
 Appropriation: For transfer to the Motor
 Vehicle~~

Account—State. \$175,000,000

((3) ~~Connecting Washington Account—
 State
 Appropriation: For transfer to the Move
 Ahead WA~~

Account—State. \$200,000,000

(4) ~~Electric Vehicle Account—State
 appropriation:
 For transfer to the Move Ahead WA Flexible~~

Account—State. \$29,200,000

((5) ~~Electric Vehicle Account—
 State
 Appropriation: For transfer to the
 Multimodal~~

Transportation Account—State. . . \$23,330,000

((6) ~~Washington State Aviation
 Account—State
 Appropriation: For transfer to the
 Aeronautics~~

Account—State. \$150,000

((7) ~~Carbon Emissions Reduction
 Account—State
 Appropriation: For transfer to the Climate
 Active~~

Transportation Account—State. . . \$178,885,000

((8) ~~Carbon Emissions Reduction
 Account—State
 Appropriation: For transfer to the Climate
 Transit~~

Programs Account—State. \$408,000,000

((9) ~~Carbon Emissions Reduction
 Account—State
 Appropriation: For transfer to the Puget
 Sound Ferry~~

Operations Account—State. \$4,200,000

((10) ~~Move Ahead WA Flexible
 Account—State
 Appropriation: For transfer to the Move
 Ahead WA~~

Account—State. \$100,000,000

((11) ~~Alaskan Way Viaduct
 Replacement Project
 Account—State Appropriation: For transfer to
 the~~

Motor Vehicle Account—State. . . \$25,000,000

((12) ~~Highway Safety Account—
 State
 Appropriation: For transfer to the State
 Patrol Highway~~

Account—State. ((\$77,000,000))

((13) ~~Partnership~~ (11) (a) Transportation

\$80,000,000

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.

~~((14)) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State. \$1,500,000~~

~~((15)) ((12)) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State. \$4,844,000~~

~~((16)) ((13)) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State. \$8,511,000~~

~~((17)) ((14)) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State. \$4,844,000~~

~~((18)) ((15)) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State. \$9,688,000~~

~~((19)) ((16)) (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.

~~((20)) ((17)) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State. \$560,000~~

~~((21)) ((18)) (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.

~~((22)) ((19)) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State. \$14,670,000~~

~~((23)) ((20)) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State. \$3,000,000~~

~~((24)) ((21)) Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle~~

Account—State. ((\$15,000,000)) \$30,000,000

Account—State. ((\$15,000,000)) \$30,000,000

~~((25)) ((22)) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State. \$8,511,000~~

~~((26)) ((23)) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State. \$11,790,000~~

~~((27)) ((24)) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. (((\$175,000,000))~~

~~((28)) ((25)) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. ((\$38,500,000))~~

~~((29)) ((26)) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State. \$27,679,000~~

~~((30)) ((27)) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State. \$12,223,000~~

~~((31)) ((28)) Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State. \$59,000,000~~

~~((32)) ((29)) (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).

~~((33)) ((30)) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State. \$543,000~~

~~((34)) ((31)) (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 ((ef this act)), chapter 472, Laws of 2023.

~~((35)) ((32)) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. \$121,828,000~~

~~((36)) ((33)) Move Ahead WA Account—State Appropriation: For transfer to the Puget Sound Ferry~~

Account—State. ((\$15,000,000)) \$30,000,000

Operations Account—State. . . . \$120,000,000
 (34) Highway Safety Account—State
Appropriation: For
transfer to the Motor Vehicle Account—State
\$1,000,000
 (35) Recreational Vehicle Account—State
Appropriation:
For transfer to the Motor Vehicle Account—
State. \$3,000,000
 (36) Motor Vehicle Account—State
Appropriation:
For transfer to the Puget Sound Ferry
Operations
Account—State. \$3,500,000
 (37) Multimodal Transportation Account—
 State
Appropriation: For transfer to the Pilotage
Account—State. \$190,000
 (38) Advance Right-Of-Way Revolving Fund
 —State
Appropriation: For transfer to the JUDY
Transportation
Future Funding Program Account—State. . . .
\$40,000,000

Sec. 407. 2023 c 472 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. ((\$194,241,000))
 \$157,240,000
 Toll Facility Bond Retirement Account—State
 Appropriation. ((\$25,372,000))
 \$26,562,000
TOTAL APPROPRIATION. . . . ((\$219,613,000))
\$183,802,000

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.

(End of part)

IMPLEMENTING PROVISIONS

Sec. 501. 2023 c 472 s 601
 (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 and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document ((2023-1)2024-1 as developed ((April 21, 2023)February 20, 2024, 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 and connecting Washington 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 or connecting Washington 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) Except for transfers made under (l) of this subsection, transfers may only be made in fiscal year 2024;

(i) The total amount of transfers under this section may not exceed \$50,000,000;

(j) Except as otherwise provided in (l) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;

(k) 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

(l) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), 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. 502. 2023 c 472 s 606 (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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

Sec. 503. 2023 c 472 s 609 (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 ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, 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.

(End of part)

MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

Sec. 601. RCW 46.68.060 and 2023 c 472 s 705 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account, the motor vehicle fund, and the state patrol highway account.

Sec. 602. RCW 46.68.300 and 2023 c 472 s 708 and 2023 c 167 s 8 are each reenacted and 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 ((approved))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 ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 603. RCW 36.79.020 and 1997 c 81 s 2 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county rural arterials and collectors, (2) the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural areas, and (3) those expenses of the board associated with the administration of the rural arterial program. During the 2023-2025 fiscal biennium, account funds may also be used for staffing and other administrative expenses related to assisting local governments individually and collectively in qualifying for additional federal funds.

Sec. 604. RCW 82.70.020 and 2015 3rd sp.s. c 44 s 413 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, ~~((2024))~~2025, 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 ~~((sixty dollars))~~\$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, 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 ~~((sixty dollars))~~ \$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 ~~((fifty))~~50 percent, but may not exceed ~~((sixty dollars))~~\$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. 605. RCW 82.70.040 and 2022 c 182 s 311 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, ~~((2024))~~2025.

Sec. 606. RCW 82.70.900 and 2023 c 374 s 18 are each amended to read as follows:

This chapter expires July 1, ~~((2024))~~2025.

NEW SECTION. Sec. 607. (1) This

section is the tax preference performance statement for section 604, chapter . . . , Laws of 2024 (section 604 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for the preferential tax treatment.

(2) The tax preference performance statement in section 413, chapter 44, Laws of 2015 3rd sp. sess. applies to the expansion of the tax preference in section 604 of this act.

Sec. 608. 2022 c 182 s 503 (unmodified) is amended to read as follows:

~~((Sections 311 and))~~Section 403 of this act ~~((expire))~~expires July 1, 2024.

Sec. 609. RCW 46.68.170 and 2013 c 306 s 705 are each amended to read as follows:

There is hereby created in the motor vehicle fund the RV account. All moneys hereafter deposited in said account shall be used by the department of transportation for the construction, maintenance, and operation of recreational vehicle sanitary disposal systems at safety rest areas in accordance with the department's highway system plan as prescribed in chapter 47.06 RCW. During the ~~((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the RV account to the motor vehicle fund such amounts as reflect the excess fund balance of the RV account to accomplish the purposes identified in this section))~~2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the RV account to the motor vehicle fund.

Sec. 610. RCW 47.12.244 and 2013 c 306 s 714 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of (~~ten million dollars~~) \$10,000,000 from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

~~During the ((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right-of-way revolving fund to the motor vehicle account [fund] amounts as reflect the excess fund balance of the advance right-of-way revolving fund) 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the advance right-of-way revolving fund to the JUDY transportation future funding program account.~~

NEW SECTION. Sec. 611. A new section is added to 2023 c 472 (uncodified) to read as follows:

(1) The transportation carbon emissions reduction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account are intended to affect reductions in transportation sector carbon emissions through a variety of carbon reducing investments. Such investments may include, but are not limited to: Transportation alternatives to single occupancy passenger vehicles; reductions in single occupancy passenger vehicle miles traveled; reductions in per mile emissions in vehicles, including through the funding of alternative fuel infrastructure and incentive programs; and emissions reduction programs for freight transportation, including motor vehicles and rail, as well as for ferries and other maritime and port activities. Expenditures from the account may be made only for transportation carbon emissions reducing purposes and may not be made for highway purposes authorized under the 18th Amendment of the Washington state Constitution, other than as specified in this section, and must be made in accordance with subsection (2) of this section. It is the legislature's intent that expenditures from the account used to reduce carbon emissions be made with the goal of achieving equity for communities that historically have been omitted or adversely impacted by past transportation policies and practices.

(2) Appropriations in an omnibus transportation appropriations act from the transportation carbon emissions reduction account must be made exclusively to fund the following activities:

- (i) Active transportation;
- (ii) Transit programs and projects;
- (iii) Alternative fuel and electrification;
- (iv) Ferries; and
- (v) Rail.

(3) Unspent appropriations in the 2023-2025 omnibus transportation appropriations act, chapter 472, Laws of 2023, and chapter . . . , Laws of 2024 (this act), which are appropriated from the carbon emissions reduction account before January 1, 2025, must thereafter be paid from the transportation carbon emissions reduction account as if they were appropriated from that account.

(4) Any appropriations from the carbon emissions reduction account beginning January 1, 2025, must lapse.

(5) Any residual balance of funds remaining in the carbon emissions reduction account on or after December 5, 2024, must be transferred by the state treasurer to the transportation carbon emissions reduction account created in this section.

(6) This section expires July 1, 2025.

NEW SECTION. Sec. 612. Section 611 of this act takes effect only if the carbon emissions reduction account is abolished on or after December 5, 2024.

(End of part)

MISCELLANEOUS

NEW SECTION. Sec. 701. 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. 702. Except for section 611 of this act, 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."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 46.68.060, 36.79.020, 82.70.020, 82.70.040, 82.70.900, 46.68.170, and 47.12.244; amending 2023 c 472 ss 105, 108, 109, 111, 114, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, and 609 (uncodified); amending 2022 c 182 s 503 (uncodified); reenacting and amending RCW 46.68.300; adding new sections to 2023 c 472 (uncodified); creating a new section; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing expiration dates; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134 and asked the Senate for a conference thereon. The Speaker (Orwall presiding) appointed Representatives Barikis, Fey and Paul as conferees.

There being no objection, the House will immediately reconsider the motion on SUBSTITUTE HOUSE BILL NO. 1915.

MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1915, with the following amendment(s): 1915-S AMS ENGR S5552.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that acquiring and applying a basic knowledge of personal finance is critical to the economic well-being of all adults. Without this knowledge, persons are much less well equipped to navigate the complicated financial issues of modern life, including household budgets, consumer debt, loan applications and obligations, and successful retirement planning.

(2) The legislature also recognizes that it has taken meaningful steps to support financial education instruction in public schools, including establishing the financial education public-private partnership in 2004, adopting financial education learning standards in 2015, and providing funds in 2022 for financial education professional development for certificated staff.

(3) In recognition of the relevance and importance of personal finance knowledge, the ongoing efforts of the financial education public-private partnership, and the ability of public schools to teach or continue teaching financial education instruction, the legislature intends to ensure that all Washington students are provided financial education instruction. Therefore, the legislature intends to make financial education instruction a required component of public education while maximizing flexibility for school districts to implement the instruction in a manner that recognizes their local circumstances.

Sec. 2. RCW 28A.300.468 and 2015 c 211 s 4 are each amended to read as follows:

~~((1))~~ After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of instructional materials that align with the financial education learning standards ~~((integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d)).~~

~~(2) School districts shall provide all students in grades nine through twelve the~~

~~opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students who successfully complete financial education courses)) adopted in RCW 28A.300.469.~~

NEW SECTION. Sec. 3. A new section is added to chapter 28A.230 RCW to read as follows:

(1) (a) Beginning in or before the 2027-28 school year, each school district that operates a high school shall provide all high school students with access to no less than one-half credit of financial education instruction.

(b) The content and instruction required by this subsection (1) may be provided in stand-alone courses or embedded into other courses and subject areas.

(c) Instruction provided in accordance with this subsection (1) must conform with the state financial education learning standards adopted in RCW 28A.300.469.

(2) (a) By December 15, 2025, school districts shall submit to the state board of education and the financial education public-private partnership established in RCW 28A.300.450:

(i) A list of the financial education instruction courses implemented for students during or prior to the 2024-25 school year; and

(ii) A description of the school district actions and other considerations necessary to implement this section.

(b) The financial education public-private partnership shall analyze the information provided under (a) of this subsection and create a statewide implementation plan for the requirements of this section. The plan, which must be submitted to the office of the superintendent of public instruction, the state board of education, and, in accordance with RCW 43.01.036, the appropriate committees of the legislature by September 30, 2026, may include recommendations for additional funding for grants to integrate financial literacy education into professional development for certificated staff and other school district resources in accordance with submissions provided under (a) of this subsection.

(3) Beginning no later than the 2027-28 school year, school districts shall publicize the offering of financial education instruction to students and their parents or legal guardians.

(4) (a) The state board of education shall review and monitor financial education offerings to ensure school district compliance with the requirements of subsection (1) (a) of this section. The reviews and monitoring required by this subsection (4) may be conducted concurrently

with other oversight and monitoring conducted by the state board of education.

(b) The state board of education, in accordance with RCW 43.01.036, shall provide a summary of the information collected under this subsection (4) for school years 2027-28 and 2028-29 to the appropriate committees of the legislature by January 10, 2030.

(5) 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 to the same extent as it applies to school districts.

NEW SECTION. **Sec. 4.** Section 2 of this act takes effect August 31, 2027."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1915 and asked the Senate for a conference thereon. The Speaker (Orwall presiding) appointed Representatives Rude, Santos and Stonier as conferees.

There being no objection, the House adjourned until 10:30 a.m., Tuesday, March 5, 2024, the 58th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

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