

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2036**

Chapter 393, Laws of 1993

53rd Legislature  
1993 Regular Session

MULTIMODAL TRANSPORTATION PROGRAMS AND PROJECTS  
SELECTION COMMITTEE

EFFECTIVE DATE: 5/15/93

Passed by the House April 21, 1993  
Yeas 98 Nays 0

BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Passed by the Senate April 14, 1993  
Yeas 42 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved May 15, 1993

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2036** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

May 15, 1993 - 11:34 a.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2036**

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AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By** House Committee on Transportation (originally sponsored by  
Representatives R. Fisher, Locke and Johanson)

Read first time 03/08/93.

1        AN ACT Relating to multimodal transportation funding; amending RCW  
2        82.44.180 and 81.104.090; adding a new chapter to Title 47 RCW; and  
3        declaring an emergency.

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

5        **Sec. 1.** RCW 82.44.180 and 1991 c 199 s 224 are each amended to  
6        read as follows:

7        (1) The transportation fund is created in the state treasury.  
8        Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the  
9        surcharge under RCW 82.50.510 shall be deposited into the fund as  
10       provided in those sections.

11       Moneys in the fund may be spent only after appropriation.  
12       Expenditures from the fund may be used only for transportation  
13       purposes.

14       (2) There is hereby created the central Puget Sound public  
15       transportation account within the transportation fund. Moneys  
16       deposited into the account under RCW 82.44.150(2)(b) shall be  
17       ((expended)) appropriated to the department of transportation and  
18       allocated by the multimodal transportation programs and projects  
19       selection committee created in section 4 of this act to public

1 transportation projects within the (~~((three-county))~~) region from which  
2 the funds are derived, solely for:

3 (a) Planning;

4 (b) Development of capital projects;

5 (c) Development of high capacity transportation systems as defined  
6 in RCW (~~((81.104.010))~~) 81.104.015;

7 (~~((b))~~) (d) Development of high occupancy vehicle lanes and related  
8 facilities as defined in RCW 81.100.020; and

9 (~~((e))~~) (e) Public transportation system contributions required to  
10 fund projects under federal programs and those approved by the  
11 transportation improvement board.

12 (3) There is hereby created the public transportation systems  
13 account within the transportation fund. Moneys deposited into the  
14 account under RCW 82.44.150(2)(c) shall be (~~((available-to))~~)  
15 appropriated to the department of transportation and allocated by the  
16 multimodal transportation programs and projects selection committee to  
17 public transportation projects submitted by the public transportation  
18 systems from which the funds are derived, solely for:

19 (a) Planning;

20 (b) Development of capital projects;

21 (c) Development of high capacity transportation systems as defined  
22 in RCW (~~((81.104.010))~~) 81.104.015;

23 (~~((b))~~) (d) Development of high occupancy vehicle lanes and related  
24 facilities as defined in RCW 81.100.020;

25 (~~((e))~~) (e) Other public transportation system-related roadway  
26 projects on state highways, county roads, or city streets; and

27 (~~((d))~~) (f) Public transportation system contributions required to  
28 fund projects under federal programs and those approved by the  
29 transportation improvement board.

30 **Sec. 2.** RCW 81.104.090 and 1991 c 318 s 8 are each amended to read  
31 as follows:

32 The department of transportation shall be responsible for  
33 distributing amounts appropriated from the high capacity transportation  
34 account (~~((and))~~), which shall (~~((prioritize-funding-requests))~~) be  
35 allocated by the multimodal transportation programs and projects  
36 selection committee based on criteria in subsection (~~((3))~~) (2) of this  
37 section.

1       ~~((The department shall establish an advisory council of policy~~  
2 ~~and technical experts pursuant to RCW 47.01.091 to assist in the review~~  
3 ~~of requests for high capacity transportation account funds. The~~  
4 ~~council shall be comprised of one representative from each~~  
5 ~~congressional district, a designee of the governor, the executive~~  
6 ~~director or a designee of the transportation improvement board, the~~  
7 ~~director of the Washington state transportation center, and the chair~~  
8 ~~or designee of the legislative transportation committee.~~

9       ~~(2))~~ State high capacity transportation account funds may provide  
10 up to eighty percent matching assistance for high capacity  
11 transportation planning efforts.

12       ~~((+3))~~ (2) Authorizations for state funding for high capacity  
13 transportation planning projects shall be subject to the following  
14 criteria:

15       (a) Conformance with the designated regional transportation  
16 planning organization's regional transportation plan;

17       (b) Local matching funds;

18       (c) Demonstration of projected improvement in regional mobility;

19       (d) Conformance with planning requirements prescribed in RCW  
20 81.104.100, and if five hundred thousand dollars or more in state  
21 funding is requested, conformance with the requirements of RCW  
22 81.104.110; and

23       (e) Establishment, through interlocal agreements, of a joint  
24 regional policy committee as defined in RCW 81.104.030 or 81.104.040.

25       ~~((+4))~~ (3) The department of transportation shall provide general  
26 review and monitoring of the system and project planning process  
27 prescribed in RCW 81.104.100.

28       NEW SECTION. Sec. 3. There is significant state interest in  
29 assuring that viable multimodal transportation programs are available  
30 throughout the state. The legislature recognizes the need to create a  
31 mechanism to fund multimodal transportation programs and projects. The  
32 legislature further recognizes the complexities associated with current  
33 funding mechanisms and seeks to create a process that would allow for  
34 all transportation programs and projects to compete for limited  
35 resources.

36       NEW SECTION. Sec. 4. (1) There is hereby created a multimodal  
37 transportation programs and projects selection committee composed of

1 twenty-one members: (a) One member appointed by the governor; (b) the  
2 assistant secretary responsible for planning from the department of  
3 transportation, the assistant secretary responsible for program  
4 development from the department of transportation, the assistant  
5 secretary responsible for marine transportation from the department of  
6 transportation, and the assistant secretary responsible for local  
7 programs from the department of transportation; (c) one representative  
8 from a transit system in an urbanized area with a population over two  
9 hundred thousand and one representative from a rural or small urban  
10 transit system in an area with a population less than two hundred  
11 thousand; (d) one member representing the ports; (e) one member  
12 representing nonmotorized transportation; (f) one mayor or member of a  
13 city legislative authority representing cities with populations over  
14 twenty thousand and currently a member of a metropolitan planning  
15 organization board; (g) one mayor or member of a city legislative  
16 authority representing cities and currently a member of a transit  
17 board; (h) one mayor or member of a city legislative authority  
18 representing cities with populations under twenty thousand; (i) chief  
19 city engineer, public works director, or other city employee with  
20 responsibility for public works activity; (j) one city planner; (k) one  
21 county executive or member of a county legislative authority  
22 representing counties with populations over one hundred twenty-five  
23 thousand and currently a member of a metropolitan planning organization  
24 board; (l) one county executive or member of a county legislative  
25 authority representing counties and currently a member of a transit  
26 board; (m) one county executive or member of a county legislative  
27 authority representing counties with populations under one hundred  
28 twenty-five thousand; (n) one county public works director, or county  
29 engineer or executive director for the county road administration  
30 board; (o) one county planner; (p) the executive director of the  
31 transportation improvement board; and (q) one member representing  
32 special needs transportation.

33 (2) All appointments of counties, cities, transit systems, and  
34 ports shall be made by the governor from a recommendation of an  
35 individual for each position submitted from their respective state-wide  
36 associations: The Washington association of counties, the association  
37 of Washington cities, the Washington state transit association, the  
38 community transportation association of the northwest, and the  
39 Washington public ports association. The nonmotorized transportation

1 member shall be appointed by the committee, using a public selection  
2 process. To the extent possible, the committee shall be broadly  
3 diverse in its representation, particularly with regard to geographic  
4 balance.

5 (3) Initial appointments shall be made no later than July 1, 1993,  
6 except for the nonmotorized representative who shall be appointed by  
7 September 1, 1993. The terms of appointment shall be for four years  
8 except that for initial appointments, the governor shall adjust term  
9 lengths to ensure that members' terms are staggered. In case of a  
10 vacancy the appointment shall be made by the appointing authority. A  
11 vacancy shall be deemed to have occurred on the committee when any  
12 member elected to public office leaves that office or is removed  
13 therefrom for any reason or when any member employed by a political  
14 subdivision terminates such employment for whatever reason.

15 (4) The committee shall elect a chair from among its members for a  
16 two-year term.

17 NEW SECTION. **Sec. 5.** (1)(a) The multimodal transportation  
18 programs and projects selection committee is authorized and responsible  
19 for the final selection of programs and projects funded from the  
20 central Puget Sound public transportation account; public  
21 transportation systems account; high capacity transportation account;  
22 and the intermodal surface transportation and efficiency act of 1991,  
23 surface transportation program, state-wide competitive.

24 (b) The committee may establish subcommittees of the full committee  
25 as well as technical advisory committees to carry out the mandates of  
26 this chapter.

27 (2)(a) Expenses of the committee, including administrative expenses  
28 for managing the program, shall be paid from the transportation fund.

29 (b) Members of the committee shall receive no compensation for  
30 their services on the committee, but shall be reimbursed for travel  
31 expenses incurred while attending meetings of the committee or while  
32 engaged on other business of the committee when authorized by the  
33 committee in accordance with RCW 43.03.050 and 43.03.060.

34 NEW SECTION. **Sec. 6.** (1) The multimodal transportation programs  
35 and projects selection committee shall select programs and projects  
36 based on a competitive process consistent with the mandates governing

1 each account or source of funds. The competition shall be consistent  
2 with the following criteria:

3 (a) Local, regional, and state transportation plans;

4 (b) Local transit development plans; and

5 (c) Local comprehensive land use plans.

6 (2) The following criteria shall be considered by the committee in  
7 selecting programs and projects:

8 (a) Objectives of the growth management act, the high capacity  
9 transportation act, the commute trip reduction act, transportation  
10 demand management programs, federal and state air quality requirements,  
11 and federal Americans with disabilities act and related state  
12 accessibility requirements; and

13 (b) Energy efficiency issues, freight and goods movement as related  
14 to economic development, regional significance, rural isolation, the  
15 leveraging of other funds including funds administered by this  
16 committee, and safety and security issues.

17 (3) The committee shall determine the appropriate level of local  
18 match required for each program and project based on the source of  
19 funds.

20 NEW SECTION. **Sec. 7.** The department of transportation shall be  
21 responsible for providing staff support to the multimodal  
22 transportation programs and projects selection committee which shall be  
23 paid from the transportation fund and include, but not be limited to:

24 (1) Assisting the committee in determining short and long-term funding  
25 needs; (2) assisting the committee in developing a selection process  
26 that adheres to criteria set in statute and other criteria set by the  
27 committee; (3) administering grants and ensuring that contracts are  
28 executed in a timely manner; (4) distribution of funds and status of  
29 accounts; (5) staff recommendations on policy and programs as  
30 appropriate; and (6) submitting to the legislative transportation  
31 committee an initial report no later than October 15, 1993, that  
32 includes but is not limited to: A committee membership roster,  
33 schedule of committee activities for the year, an explicit list of  
34 criteria for program and project selection created by the committee,  
35 program and project grants including projected grant duration, and the  
36 proposed process and procedures to be incorporated into the Washington  
37 state administrative code. Every year thereafter an annual report

1 shall be submitted to the legislative transportation committee no later  
2 than January 1 that summarizes the activities of the committee.

3 NEW SECTION. **Sec. 8.** The multimodal transportation programs and  
4 projects selection committee shall convene no later than August 1,  
5 1993, and shall review the revenues available to the accounts under the  
6 committee's jurisdiction and adopt rules and procedures governing the  
7 program and project selection process that are consistent with state  
8 and federal requirements. The committee shall adopt procedures to be  
9 incorporated into the Washington administrative code.

10 Applicants shall submit applications for programs and projects to  
11 the committee for consideration no later than September 1, 1993.

12 The committee shall review and select applications, and award  
13 funds, based upon criteria common among fund sources or unique to each  
14 fund source, no later than November 1, 1993.

15 The committee shall be responsible for establishing subsequent  
16 annual schedules to ensure compliance with the responsibilities  
17 outlined in this chapter and with consideration to other program and  
18 project selection timelines.

19 NEW SECTION. **Sec. 9.** Sections 3 through 8 of this act shall  
20 constitute a new chapter in Title 47 RCW.

21 NEW SECTION. **Sec. 10.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and shall take  
24 effect immediately.

Passed the House April 21, 1993.

Passed the Senate April 14, 1993.

Approved by the Governor May 15, 1993.

Filed in Office of Secretary of State May 15, 1993.