



## Washington State Transportation Commission

Olympia Meeting Summary  
January 14 & 15 2020

Vice-Chair Roy Jennings opened the meeting at 9:00 am with introductions by Commissioners. Commissioners Litt, Batra, and Restucci did not attend.

### **Commission Business**

Commissioner Tortorelli moved and Commissioner Serebrin seconded the motion approving the December 17 & 18, 2019 meeting summary. The motion was approved unanimously.

**ACTION: Meeting summary approved unanimously.**

Commissioner Reports:

- Commissioner Tortorelli reported that the Spokane Regional Transportation Council is having a training session for new members
- Commissioner Debbie Young attended several ferry meetings, including a San Juan's FAC meeting
- Commissioner Jennings attended an I-5 bridge meeting. Attended RUC and tolling subcommittee calls

Reema Griffith apprised the Commission of the proposal to name a portion of US 97 in Klickitat County the WW II Veteran's Memorial Highway. The proponents will be coming to the February Commission meeting.

The Road Usage Charge (RUC) Report was transmitted to the Legislature and Federal Highway Administration (FHWA). Next week the RUC Report will be presented to the House and Senate Transportation Committees.

### **Model Uniform Act on Automated Vehicle Operation**

After two years of drafting, in summer 2019 the Uniform Law Committee adopted the Model Uniform Act on Automated Vehicle Operation. Michele Radosevich, Davis Wright Tremain, one of the drafters of the Uniform Law, explained its scope and purpose.

States have a traditional role of addressing the rules of the road and licensing requirements. The Model Act covers:

- Deployment of Autonomous Vehicles (AVs) on roads open to the public
  - Traffic laws and enforcement
  - Vehicle registration
  - Driver licensing

- Potential conflicts with state motor vehicle laws

The Model Act doesn't cover:

- Testing of aspirational automated vehicles for the purposes of research and development;
- Remote driving, in which a human drives a vehicle while outside of or far from it;
- Vehicle features that merely assist a human driver. Even if these features brake, steer, and accelerate, they are designed with the expectation that a human driver will monitor the road

The proposal is a hybrid act to map an existing vehicle code onto automated vehicles.

- The motor vehicle code of any enacting state continues to apply
- Laws that apply to automobiles continue to apply to vehicles with automated driving systems without change, except to the extent this Act effects a change
- The principle change is an additional requirement for registration that there be someone who comes forward and takes legal responsibility for the vehicle's ability to comply with the rules of the road in the enacting jurisdiction

The National Association of Insurance Commissioners is looking at a model AV insurance code.

Who is the "driver" of an automated vehicle under automated operation?

- Under the Uniform Act, the automated driving provider (ADP) is the legal driver of an automated vehicle under automated operation
- An ADP declares itself to the state and designates the automated vehicles for which it will act as the legal driver. Once an ADP designates an automated vehicle for which it will act as the legal driver, that vehicle becomes an associated automated vehicle
- The ADP might be an automated driving system developer, a vehicle manufacturer, a data provider, a fleet operator, or another kind of market participant yet to emerge

Who gets the speeding ticket?

- If vehicle under automated operation, the automated driving provider gets the ticket
- If the automated vehicle is not under automated operation, the human driver will get the speeding ticket

The bill has been introduced by Representative Zack Hudgins as HB 2470.

### [ULC Act on Automated Vehicle Operation](#)

**Action:** None.

**Follow-Up:** None at this time.

### **2020 Work Plan**

Paul Parker briefed the Commission on responsibilities and activities scheduled for 2020 as well as studies and workgroups that the Commission will participate in or monitor. Commissioner Serebrin suggested adding climate issues to the Commission work plan.

## **Local Transportation Partners: A Look Ahead at 2020 Legislative Priorities**

Counties, cities, transit and ports all shared legislative priorities with the Commission.

Jane Wall, Washington State Association of Counties (WSAC) said that counties estimate they have 3,000 culverts in the 14-county case area. WSAC is contracting with the Department of Fish and Wildlife (DFW) to inventory county culverts. DFW estimates there could be 10,000 barriers statewide.

Other issues:

- Repercussions of I-976. No county had levied a Transportation Benefit District fee; therefore, counties had no revenue loss. Counties will feel cuts to transit and the multimodal account. County Road Administration Board (CRAB) and Transportation Improvement Board (TIB) receive a piece of the Electric Vehicle (EV) fee
- Counties continue to seek a federal funds swap; we are making incremental progress

Chris Herman, Washington Public Ports Association (WPPA), reported that transportation is the Ports' top priority.

- Emphasized the need to increased transportation funding
- WPPA supports a budget proviso to develop State Environmental Protection Act (SEPA) guidance on greenhouse gas (GHG) emissions
- Supports an independent Freight Mobility Strategic Investment Board (FMSIB) and proposed reforms to fund freight programs faster
- Funding tools:
  - Increased funding for Community Economic Revitalization Board
  - Restoration of Local Revitalization Funding and a constitutional amendment to allow Tax Increment Financing (TIF)
  - Broadband access and connectivity
  - WPPA supports federal funds swap
  - Supports WSDOT effort to come into compliance with Federal Aviation Administration (FAA) requirements for expenditure of aviation fuel tax

Justin Leighton, Washington State Transit Association (WSTA), said that WSTA's focus is the impacts of I-976. The Governor's budget cuts about \$36 million of transit grants. Other issues:

- Increase transit agency ability to manage Park-and-Ride lots
- Protect the efficiency and effectiveness of bus operations in congested corridors

Logan Bahr, Association of Washington Cities (AWC), reported that cities are spending about \$1 billion less for transportation maintenance and preservation costs than is needed. To meet these ever-expanding needs, the state must maintain existing and create new transportation specific revenue options for cities. The state must also develop a statewide transportation package that includes increased resources for city transportation needs.

HB 2362, sponsored by Representative Bill Ramos, expands city transportation funding options:

- Allows council manic establishment of TBD sales tax for 20 years
- Allows a 2% city utility tax for transportation
- Allows city gas tax

AWC also supports a watershed approach on culvert replacement. TIF is a top priority and supports fully funding Public Works Trust Fund.

Commissioner Tortorelli noted that some counties currently eligible for .09 sales tax revenue for economic development will no longer be eligible. There is some interest in expanding the authority and restricting the expenditures.

Commissioner Serebrin asked if WPPA is aware of concern about airport impacts on communities. WPPA staff said it hears it specific to Sea-Tac Airport. There is a University of Washington study underway and Representative Mike Pellicciotti has a bill creating a secondary zone to allow fund expenditures beyond current FAA-defined zone. WPPA also is championing electric aircraft.

**Action:** None.

**Follow-Up:** None at this time.

### **2020 Legislative Report**

Paul Parker provided an overview of the 2020 Legislative schedule, and anticipated issues that may arise, including transportation items of interest to the Commission.

### **Update on Revenue Performance of Tolled Facilities**

WSDOT's Toll Division briefed the Commission on the performance of current and projected tolling revenue to meet financial requirements for the state's toll facilities. Current SR 520 toll rates appear to meet all financial requirements. There is no apparent need to change SR 520 rates. The refunding of SR 520 triple-pledge bonds will lower debt service costs beginning with FY 2021, improving coverage and the overall financial picture.

The Office of the State Treasurer will verify the sufficiency findings in February. November 2019 net toll revenue projections also will be finalized in February.

Stantec's November 2019 Traffic and Gross Toll Revenue Potential Forecast was adjusted to FY 2020 through FY 2056. Overall, the toll transaction forecast is essentially unchanged.

- Transactions are 0.1% higher over the forecast period vs. prior forecast
- Larger +/-% changes occur in the current decade due to revisions in the near-term construction schedule and changes in associated construction closures
- The traffic forecasts reflect a shift from Pay by Mail users to *GoodToGo!* Users, especially Pay by Plate users
- Reflects recent trends in actual customer payment methods and revisions in how transactions with unreadable plates inform the forecasts by payment type
- Gross toll revenue potential is 0.5% lower over the forecast horizon. The shift from Pay by Mail users to lower *GoodToGo!* toll rates reduced revenue even though total forecasted toll transactions have not declined

The 2018 Legislature passed SHB 2990, which declares legislative intent to maintain current toll rates on the Tacoma Narrows Bridge (TNB) through FY 2022, and limit the increase in 2022 and thereafter to 25 cents. Up to \$85 million could be loaned from the motor vehicle fund. Repayment begins after debt service is fully paid.

Assuming these transfers occur, no TNB rate-setting is needed until 2021 for tolls in FY 2022.

- Due to ten days of snowy weather, traffic in February 2019 was 13.6% below forecast
- Despite that, total annual toll transactions were in line with the forecast:
  - FY 2019 toll transactions were 15.5 million, 0.5% below forecast
  - Total reported adjusted gross toll revenue was 1.4% above the forecast, up by \$1.2 million
- Year-end, one-time account adjustments in June increased the adjusted gross revenue

#### TNB Cost Highlights:

- \$1.6M toll lane system costs are advanced from 2021-23 biennium to 2019-21 biennium
  - Overall lane system project costs are slightly reduced by \$200K
- Next Customer Service Center (CSC) re-procurement project previously planned for the late 2020's timeframe are removed from TNB's expenditure plan
- FY 2021 Toll operation costs increase slightly from last year's estimate (\$130K/year)
- Facility maintenance costs increased slightly, less than \$35,000 per year on average

#### Fund Balance:

- The ending fund balance in FY 2021 is expected to be \$11.84M
- The lowest three-month rolling average fund balance is \$1.1M below the \$10 million Sufficient Minimum Balance (SMB) requirement. However, \$1.2M of facility R&R costs will likely be cancelled. Assuming that occurs, the SMB would remain above the \$10M requirement through the whole 2019-21 biennium
- After removing the \$12.5M loan transfer impact, the FY 2021 ending fund balance in the updated financial plan is estimated to be \$189K higher than last year's plan projected
- Long-term fund balance also improves, benefiting from the removal of the next round of CSC system replacement costs, now scheduled to go-live in FY 2030

[TNB Financial Plan Update](#)  
[SR 520 Net Toll Revenue Update](#)

**Action:** None.

**Follow-Up:** None at this time.

#### **2020 Tacoma Narrows Bridge Loan Report**

SHB 2990 was enacted in 2018, establishing legislative intent to provide up to \$85 million in loans for the TNB Account. Loans are meant to keep TNB toll rates at no more than \$0.25 above current levels until debt service, deferred sales tax, and loans are repaid (about FY 2032).

In 2019, the Legislature appropriated \$12.543 million to the TNB Account as a loan for the 2019-21 biennium, an amount \$2.36 million less than recommended in the 2019 TNB Loan Report. Legislature assumed less system-wide costs paid by TNB tolls for the 2019-21 biennium.

The 2020 TNB Loan Report assesses whether the \$12.5 million loan for the 2019-21 biennium remains adequate. It assumes:

- \$0.25 rate increase on July 1, 2021 (FY 2022) with related cost and revenue impacts.
- Compliance with Commission’s TNB Sufficient Minimum Balance policy.

Analysis assumptions are based primarily on WSDOT’s 2020 TNB Financial Plan. Differences from the Financial Plan include:

- \$1.2 million lower facility repair & replacement costs for 2019-21 biennium than the financial plan (*Source: WSDOT*).
- Assumed higher impact on potential revenues from exemptions than the financial plan by \$30,000 -\$49,000 per year.

The fund balance projects to fall slightly below Commission’s \$10 million SMB requirement at end of FY 2021. However, Commission staff recommends no rate-setting action to address the SMB in 2019-21 biennium.

Loans for future biennia (FY 2022 -FY 2030) now project to be about \$6.9 million less than 2019 Loan Report. Including the 2019-21 biennium, total loans now project to about \$72.6 million, or about \$12.4 million less than authorized in SB 2990.

[TNB 2020 Loan Report Summary](#)

**Action:** None.

**Follow-Up:** None at this time.

**Transit Integration Report**

Gil Cerise, Transportation Planning Program Manager, Puget Sound Regional Council, reported how nine transit agencies in the Puget Sound Region coordinate to provide multi-modal connections consistent with the Puget Sound Regional Council’s Regional Transportation Plan.

The PSRC plan calls for all public transit investments to:

- Be integrated into one, easy-to-use network
- Make regional and local destinations convenient to get to and accessible to everyone

This vision relies upon coordination and integration among transit agencies.

Investments coming on-line will expand the system significantly over the next several years:

- In 2020: Southworth-Downtown Seattle Passenger-Only Ferry
- In 2021:
  - Link light rail extended to Northgate
  - RapidRide G Bus Rapid Transit (BRT) on Madison Street corridor
  - RapidRide H BRT connecting Burien to Downtown Seattle
- In 2022:
  - Link light rail extended to Hilltop neighborhood
  - Pacific Avenue/SR 7 BRT
- In 2023:
  - Link light rail crosses Lake Washington to Bellevue and Overlake
  - Swift BRT Orange line Edmonds CC to Mill Creek
  - RapidRide I BRT connecting Auburn-Kent-Renton

- In 2024:
  - Link light rail extended to Lynnwood
  - SR-522/NE 145<sup>th</sup> Street Stride BRT
  - Link light rail extended to Downtown Redmond
  - RapidRide J BRT on Eastlake corridor
  - RapidRide R BRT on Rainier corridor
  - I-405 Stride BRT: Lynnwood-Bellevue-Burien
  - Link light rail extended to Federal Way
- Customer Operational Improvements:
  - Customers can seamlessly use transit provided by 8 different agencies
  - One Regional Card for All (ORCA) LIFT and ORCA Youth provide discounted rates for eligible customers
  - Targeted outreach has distributed over 20,000 cards to youth in King, Snohomish, and Pierce counties
  - Beyond the Borders (Pierce County special needs provider)
    - Provides more than 15,000 annual boarding's outside of Pierce Transit's service area boundary. Boundary Expansion Project connects to their final destination within the Pierce Transit service district

There are challenges to improving system performance:

- Park and Ride space shortage
- High Occupancy Vehicle (HOV) Lane enforcement
- Transit-only lane enforcement

An additional opportunity for integration is improving eastbound ferry connections to transit.

### [Transit Integration Report](#)

**Action:** None.

**Follow-Up:** None at this time

### **Secretary's Report**

There have been frequent pass closures in the last few days. SR 206 also was closed.

Budget is at the forefront. Many projects are on pause. It is now up to the Legislature to resolve the shortfall caused by the initiative.

Aging workforce and succession planning is a growing concern.

### **State Transportation Partners: A Look Ahead at 2020 Legislative Priorities**

Alyson Cummings introduced herself and said safety is WSDOT's top priority. It is continuing ahead with fish passage projects. Travis Snell reported that the agency request legislation will codify that the WSDOT aviation branch is the coordinator for search and rescue.

Ashley Probart, TIB Executive Director, reported on TIB budget:

- Motor Vehicle Fund (Gas Tax) contributes \$234.4 million and funds
  - Urban Arterial Program and Urban Sidewalk Program
  - Arterial Preservation Program

- Small City Arterial Program, Small City Sidewalk Program, and Small City Preservation Program
- Relight Washington Program
- Multimodal Fund contributes \$14.67 million and funds Complete Streets
- I-976 Impacts to TIB:
  - Direct: Electric Vehicle Fee (about \$740,000 this biennium)
  - Direct: Complete Streets Funding: \$14.67M/biennium
    - 2019-2021: 49 cities/1 county have received @\$10M
  - Indirect impact to partnership funding. The Inslee/WSDOT project list has direct impact on several TIB projects

Walt Olsen, Deputy Director, County Road Administration Board (CRAB) reported on CRAB grant programs:

- Rural Arterial Program \$52.0 million
- County Arterial Preservation Program \$38.8 million
  - Equivalent to a 13-year preservation cycle
  - \$3 million Transportation Partnership Act and \$4.8 million Motor Vehicle Act revenue is at risk due to I-976
- County Ferry Capital Improvement Program
  - New Guemes Island Ferry will be an electric vessel

CRAB developed new software, GIS-Mo, in conjunction ESRI. It is now in testing and will be available next year. CRAB request to Legislature is to not reduce our funding. Gas tax distribution over the last 20 years has been static, but demand has increased tremendously.

Ashley Probart, pinch-hit for Brian Ziegler to give highlights of FMSIB projects and demonstrate its value for economy, efficiency, and leverage.

FMSIB Funding:

- \$29M per biennium:
  - \$12M per biennium dedicated to freight
- Uncodified:
  - \$17M per biennium from Connecting Washington

2020 Priorities

- Keep FMSIB an independent state agency
- Conduct a 2020 Call for Projects
- Limit effects of I-976 reductions (FMSIB already contributed 50% reduction)
- Governor's Supplemental Budget proposal eliminates the Limited Examination and Appointment Program (LEAP) list requirement

[Transportation Improvement Board](#)  
[County Road Administration Board](#)  
[Freight Mobility Strategic Investment Board](#)



**Action:** None.

**Follow-Up:** None at this time.

### **Electric Aircraft Study**

WSDOT's aviation division has begun a legislatively-directed study to evaluate the potential for using electric aircraft in passenger air service. David Fleckenstein, Director, Aviation Division, Washington State Department of Transportation, reported that it is an exciting time for aviation with new aircraft technologies emerging.

- Unmanned Aircraft Systems (UAS) markets and use cases continue to evolve and mature
- Electric propulsion in Washington provides new opportunities for manufacturing, education, commerce and the environment
- New technologies, and lessons from UAS development, are setting the stage for new modes of transportation by air
- Certification, capital investments and infrastructure are key considerations

The Electric Aircraft Working Group met three times to discuss electric aircraft technology for regional transportation and submitted its first report to the Legislature in May 2019.

#### High Level Findings:

- Small electric aircraft are already flying in service as training and recreational aircraft
- Battery technology is very heavy and low energy density. Initial aircraft may be hybrid-electric. As battery technology improves more fully electric aircraft will emerge
- Battery technology could be replaced by other sources such as hydrogen fuel cells
- Aircraft will initially be smaller, carrying 9-15 passengers
  - Could be operated as an on demand air services or as a scheduled charter flight
  - Utilizing non-primary airports

#### Regional Airline Operations Initial Findings

- Great potential for increased access to air transportation around the state and region
- The new aircraft will be able to operate out of airports with 3000 feet or more of runway
  - 70 out of 135 total airports in Washington state have at least 3000 feet of runway
  - Currently 60 of those lack commercial air service and many are in rural areas
- Lower operational cost opens up new markets and service locations
- Infrastructure will have to be developed in parallel with technology
  - Great potential for future greenhouse gas emission reductions given WA's use of hydroelectric power to recharge batteries
- Manufacturers are working to ensure minimal workforce retraining

The first commercial flight using an all-electric airplane took place on December 10, 2019 by Harbour Air powered by a magniX electric motor. magniX plans to begin flight testing on a Cessna 208 Caravan electric conversion in Quarter 1 2020. Eviation, magniX, AeroTEC will be flight testing the Eviation Alice at Grant County International Airport in 2020.

The Electric Aircraft Working Group will pursue more topics on urban air mobility as Phase II of the working group progresses. Phase II will include a deep dive into the following topics:

- Infrastructure
- Education and Workforce Development
- Demand for Regional Air Service
- Timeline for Electric Aircraft Introduction
- Beta Test for Electric Aircraft Infrastructure at WA Airports

### [Electric Aircraft Working Group](#)

**Action:** None.

**Follow-Up:** None at this time.

### **Update on Commercial aviation Coordinating Commission**

With enactment of SSB 5370, the 2019 Legislature established a Commercial Aviation Coordinating Commission (CACC) to develop recommendations to meet Washington State's critical aviation system capacity needs. In addition to recommending a new primary commercial aviation facility, the Coordinating Commission will recommend additional ways to accommodate capacity needs at other facilities.

David Fleckenstein, Director, Aviation Division, Washington State Department of Transportation, chairs this effort. The CACC's task is to recommend a short list of no more than six airports by January 1, 2021; identify the top two airports by September 1, 2021, and identify the single preferred location by January 1, 2022, by sixty percent majority vote. Research for each potential site must include the feasibility of constructing a commercial aviation facility in that location and its potential environmental, community, and economic impacts.

### Guiding Principles

1. Environmental responsibility: defined as the responsible interaction with the environment to avoid depletion or degradation of natural resources and allow for long-term environmental quality. The practice of environmental sustainability helps to ensure that the needs of today's population are met without jeopardizing the ability of future generations to meet their needs
2. Economic feasibility: defined as the degree to which the economic advantages of something to be made, done, or achieved are greater than the economic costs. Can we fund it
3. Social equity: defined as fair access to opportunity, livelihood and the full participation in the political and cultural life of a community
4. Public benefit: is defined as benefiting the greater good, or the broader public, over an individual entity or group

### Airport Site Selection Factors

- Available Land: A supplemental airport would require 1,000-2,000 acres, and a replacement, or more likely, a SeaTac-equivalent sized airport could require as much as 4,600 acres

- Existing Facilities: Runway length, available land on one or both ends of the runway, adequate space to add a runway
- Environmental Constraints: Known concerns or protections for habitat and species, wetlands, weather patterns and similar topics
- Proximity to Population Centers: Travel time calculations that demonstrate good access for citizens
- Airport Sponsor: Governance; Local government commitment for both development and operation, and liaison with the public, local governments, industry and others

Demand is increasing for commercial service, air cargo and general aviation. The fastest aviation growth region is Puget Sound (King, Pierce, Snohomish, Kitsap, Thurston counties). Some aspects of aviation in the region are nearing capacity and the capacity gap is expected to grow.

- Commercial Aircraft Operations (take-offs and landings)
- Passenger Enplanements
- Air Cargo sorting facility square footage
- Air Cargo aircraft parking
- General Aviation storage (hangars)

In 2018, SeaTac had 24,024,908 enplanements. By 2050, an additional 22 to 27 million enplanements are projected, a future gap the equivalent of SeaTac demand today. Should the region build another SeaTac-size airport? Will this one airport fulfill the capacity gap? Do we plan to meet forecasted demand?

Strategies to consider:

- One very large SeaTac-size airport
- One or more existing airports, expanded and improved to provide commercial and freight service. (Paine Field is currently limited to 25 flights a day.)
- Expanding air service and air cargo capabilities to more locations across the state

### [Commercial Aviation Coordinating Commission](#)

**Action:** None.

**Follow-Up:** None at this time.

**Next Meeting February 19 & 20, 2020**

**TRANSPORTATION COMMISSION**

ABSENT  
JERRY LITT, Chair

ROY JENNINGS, Vice-Chair

ABSENT  
SHIV BATRA, Member

ABSENT  
JAMES A. RESTUCCI, Member

HESTER SEREBRIN, Member

JOE TORTORELLI, Member

DEBBIE YOUNG, Member

ATTEST:

REEMA GRIFFITH, Executive Director

DATE OF APPROVAL