

**WAC 136-600-040 Protection of county road funds within ER&R fund.** Only county road departments are required by chapter 36.33A RCW to utilize an ER&R fund. However, a county's legislative authority may choose to allow or require other county departments and offices to participate in the ER&R program. If noncounty road entities participate in the ER&R program, the county must have a system in place to ensure the following:

(1) Identify the equity each department and office has within the ER&R fund balance and ensure one fund does not benefit at the expense of another;

(2) Distribute the direct and indirect cost of maintaining and operating facilities specific for ER&R equipment equitably among the participants;

(3) Distribute the direct and indirect cost of maintaining and operating facilities specific for ER&R material and supplies equitably among the participants;

(4) Distribute the direct and indirect cost of administering the ER&R program equitably among the participants.

[Statutory Authority: Chapters 36.78 and 36.33A RCW. WSR 22-05-017, § 136-600-040, filed 2/4/22, effective 3/7/22.]