



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: County Road Admin Board

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: January 12, 2000

(2) Purpose:
Amend Sections 136-167-020 and 136-167-030

(3) Citation of existing rules affected by this order:
Repealed:
Amended: 136-167-020 and 136-167-030
Suspended:

(4) Statutory authority for adoption:
Other authority: 36.79

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)
Adopted under notice filed as WSR 99-24-056 on November 29, 1999 (date).
Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY
Under RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY
Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules or Expedited Rule Making <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) _____*	Emergency Rules <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) _____
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*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)
Jay P. Weber

SIGNATURE
Jay P. Weber

TITLE Exec. Director **DATE** 2/1/2000

CODE REVISER USE ONLY

CODE REVISER OFFICE
STATE OF WASHINGTON

FEB 11 2000

TIME 10:36 A17

WSR 0005043 P19

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-167-020 Withdrawal of approved project before RATA reimbursement. At any time after the submittal of a final prospectus and prior to the time the first RATA reimbursement has been sent to the county, a county may withdraw a RATA funded project. Withdrawal may occur either before or after the county road administration board has allocated RATA funds to the project. The statement of withdrawal must be in writing and signed by the chair of the board of county commissioners or the county executive, as appropriate. The withdrawal shall be effective upon receipt by the county road administration board. If RATA funds have been allocated to the project and a CRAB/county contract has been executed, the contract will be voided and (~~(, at the next regular county road administration board meeting,)~~) the RATA funds will be allocated to other projects within the region.

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-167-030 Termination of approved project after RATA reimbursement. (1) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and is prepared to repay the RATA for all RATA funds received, the county shall, by means of a letter signed by the chair of the board of county commissioners or the county executive as appropriate, inform the county road administration board of its termination of the project. The letter shall state the reasons for termination and commit to repaying all RATA funds received for the project. Upon acknowledgement of such termination by the county road administration board, the county shall repay the county road administration board for all RATA funds paid to the county on that project within sixty days of such acknowledgement. (~~(Upon)~~) After receipt of the RATA repayment, the county road administration board will void the CRAB/county contract and (~~(, at the next regular county road administration board meeting,)~~) allocate the RATA funds to other projects within the region.

(2) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and does not want to be required to repay the county road administration board for all RATA funds received, a letter of request signed by the chair of the board of county commissioners or the county executive as

appropriate must be sent to the county road administration board. The request must include:

(a) An explanation of the reasons that the project will not proceed to completion;

(b) A statement of the amount of RATA funds which the county does not want to repay; and

(c) An explanation of why the county believes full repayment should not be made.

If the county road administration board grants the request, the county shall repay all RATA funds not exempted from repayment, the CRAB/county contract will be amended, and the remaining RATA funds will be allocated to other projects within the region. If the county road administration board denies the request, full repayment shall be made as provided in subsection (1) of this section.