

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

COUNTY ROAD ADMINISTRATION BOARD

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 61

(1) Be it resolved by the County Road Administration Board

acting at Union, Washington
(place)

that it does adopt the annexed rules relating to:

WAC 136-130 REGARDING REGIONAL PRIORITIZATION OF RAP PROJECTS
Includes WAC 136-130-030; -050; -070

WAC 136-150 REGARDING ELIGIBILITY FOR RURAL ARTERIAL TRUST ACCOUNT FUNDS
Includes WAC 136-150-010; -020; -024; -040

WAC 136-160 REGARDING THE ALLOCATION OF RATA FUNDS TO APPROVED RAP PROJECTS
Includes WAC 136-160-060

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 86-02-025
filed with the code reviser on 12-24-85. These rules shall take effect:
 thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
 at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026¹ that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

(a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW _____ which directs that the

_____ (agency)
has authority to implement the provisions of

_____ (name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the County Road Administration Board

_____ (agency)
as authorized in RCW 36.78

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED February 13 19 86

STATE OF WASHINGTON
FILED

FEB 20 1986

By Ernest Geissler
Ernest Geissler
Director
Title

CODE REVISER'S OFFICE
WSR 86-06-005

AMENDATORY SECTION (Order 50, filed 12/9/83)

WAC 136-130-030 PROJECT PRIORITIZATION IN PUGET SOUND REGION (PSR). Each county in the PSR may submit up to three projects requesting RATA funds. Each project shall be rated in accordance with the ((NER)) PSR RAP Rating Procedures. PSR RAP rating points shall be assigned on the basis of ~~((100 points for a condition rating and 50 points for a service rating))~~ 50 points for traffic volume, 50 points for accident history, 45 points for structural condition, 45 points for geometric condition, and 10 points for special use and need. ~~((The priority rating equals two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing 100 by the condition rating.))~~ Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 50, Filed 12/9/83)

WAC 136-130-050 PROJECT PRIORITIZATION IN NORTHEAST REGION (NER). Each county in the NER may submit projects requesting RATA funds not to exceed ~~((5% per project and))~~ 30 % per county of the NER biennial apportionment. Each project shall be rated in accordance with the NER RAP Rating Procedures. A RAP project may include a bridge when its cost does not exceed 20 % of the total project cost. A stand-alone bridge project may be submitted provided that its priority rating has been computed by the same RAP rating procedures applied to all other projects, and provided further that RATA funds may be used only as a match for Federal funds. NER RAP rating points shall be assigned on the basis of 100 points for a condition rating and 50 points for a service rating. The priority rating equals two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing 100 by the condition rating. Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 50, filed 12/9/85)

WAC 136-130-070 PROJECT PRIORITIZATION IN SOUTHWEST REGION (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed \$200,000 per project and \$800,000 per county. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP Rating Procedures. SWR RAP rating points shall be assigned on the basis of 25 points for structural condition, 25 points for road surface condition, 30 points for geometrics, 10 points for traffic volume and 10 points for traffic accidents, except that portland cement surfaces shall have 50 points for road surface condition and no points for structural condition. (~~Points for surface condition will be assigned by one independent consultant retained by mutual consent of all counties in the region. Points for structural condition will be assigned based on a method of pavement and/or subgrade structural adequacy evaluation, which is mutually acceptable by the counties in the region. Project pavement structures shall be designed for a minimum design life of 10 years.~~) Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project worksheets and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 51, filed 12/9/83)

WAC 136-150-010 PURPOSE. Language in Chapter 49, Laws of 1983, Extraordinary Session, Section 14 (~~(was-intended-to-make Rural-Arterial-Trust-Account--(RATA)--funds--available--only--to those--counties--which--in--the--preceding--twelve--months--did--not expend--county--road--property--tax--revenues--for--any--purpose--other than--those--allowed--to--the--state--by--Article--II--Section--40--of--the State--Constitution--))~~ provides that only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution are eligible to receive funds from the Rural Arterial Trust Account (RATA); provided, however, that counties of the 7th class shall be exempt from this requirement. This WAC chapter describes how this statutory language will be implemented by the CRABoard (~~((during-the-Rural-Arterial-Program--(RAP)--funding--process--))~~) beginning with the 1987 RAP project approval meeting.

AMENDATORY SECTION (Amending Order 51, filed 12/9/83)

WAC 136-150-020 (~~(DETERMINING--ELIGIBILITY----Only--those counties--which--in--the--preceding--twelve--months--did--not--expend county--road--property--tax--revenues--for--any--purposes--other--than those--allowed))~~ IMPLEMENTING THE ELIGIBILITY REQUIREMENT. The CRABoard will provide to the State Auditor no later than February 1 of each year a list of those counties which have submitted projects for RATA funding during the current biennium. The State Auditor will return the list to the CRABoard no later than May 1 of each year, showing the eligible counties, which are those counties that, during the preceding county budget year, spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, Section 40, of the State Constitution (~~((shall-be-eligible-to-receive-RATA-funds--))~~) provided, however, that counties of the 7th class shall (~~((be--exempt--from--this requirement--))~~) not be included on such list. The CRABoard will approve RAP projects, and allocate RATA funds to projects, only in eligible counties.

NEW SECTION

WAC 136-150-024 CONSTRAINT ON CONTRACT EXECUTION. No CRAB/County contract shall be executed on behalf of the CRABoard until assurance is received from the State Auditor that such county's expenditure of diverted road levy, if any, was in compliance with the constraints of this chapter. The cost of any special audit needed to provide such assurance shall be the responsibility of the affected county.

AMENDATORY SECTION (Amending Order 51, filed 12/9/83)

WAC 136-150-040 POST AUDIT PENALTY. Every RAP project shall be subject to final examination and audit by the State Auditor. In the event such an examination reveals an improper certification on the part of a county relative to compliance with provisions of this chapter, the matter shall be placed on the agenda of the next CRAB meeting and may be cause for the CRABoard to withdraw or deny the Certificate of Good Practice of that county ((-)) ; and/or to require that all, or part of, RATA funds received by the county be returned to the CRABoard.

AMENDATORY SECTION (Amending Order 52, Filed 12/9/83)

WAC 136-160-060 LIMITATION ON USE OF RATA FUNDS. The RATA funds requested in the Project application are intended to reimburse a county for 80 % of its RAP project construction costs up to the amount of the CRAB/county contract in all regions. RATA funds may be used to reimburse a county for 80 % of its RAP project preliminary engineering costs (~~only~~) in the NER, PSR, and SER. RATA funds may not be used for right-of-way acquisition in any region.