



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: County Road Administrative Board Administrative Order 81

- Permanent Rule
 Emergency Rule

(1) Date of adoption: October 5, 1990

(2) Purpose: Provides permanent rules for the implementation and administration of the county arterial preservation program as authorized by Chapter 42, Laws of 1990.

(3) Citation of existing rules affected by this order:

Repealed: None
Amended: None
Suspended: None

(4) Authority for adoption:

Statute: RCW 36.78.070 and Chapter 42, Laws of 1990
Other Authority: n/a

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR WSR 90-17-124 on 8/21/90 (date).

Describe any changes other than editing from proposed to adopted version:
Expanded project programming requirement to include all county arterial preservation work; restricted program funding eligibility to direct resurfacing costs.

(5.2) EMERGENCY RULE ONLY

Pursuant to 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:

(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 | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____* | <input type="checkbox"/> Later (specify) _____ |

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

NOV 06 1990

TIME: 2:04
FILE NO: 90-22-082

NAME (TYPE OR PRINT)

Vern E. Wagar

SIGNATURE
Vern E. Wagar

Executive Director

DATE
11/6/90

Chapter 136-300 WAC

GENERAL ADMINISTRATION PROCEDURES

NEW SECTION

WAC 136-300-010 PURPOSE AND AUTHORITY. Section 103(4), chapter 42, Laws of 1990 (the act), provides that the county road administration board (CRABoard) shall administer the county arterial preservation program (CAPP) and the county arterial preservation account (CAPA) established by this act. This chapter describes the manner in which the CRABoard will implement the several provisions of the act.

NEW SECTION

WAC 136-300-020 ADOPTION OF RULES. The CRABoard shall adopt rules in accordance with the provisions of the act for purposes of administering the CAPP regarding the following:

- (1) Distribution of county arterial preservation account (CAPA) funds.
- (2) Pavement management systems.
- (3) Preparation of annual county arterial preservation programs.
- (4) Allowable activities for CAPA funding.
- (5) Accounting and audit provisions.
- (6) Annual CAPP report.

NEW SECTION

WAC 136-300-030 DELEGATION OF AUTHORITY. In order to assure effective and timely administration of the CAPP the CRABoard may, by resolution, delegate specific administrative authorities to its executive director.

NEW SECTION

WAC 136-300-040 STAFF SERVICES AND FACILITIES. The CRABoard shall arrange for all necessary staff services and facilities necessary for the efficient administration of the county arterial preservation program. The costs of such services and facilities as well as all other lawful expenses of the CRABoard that are attributable to CAPP shall be paid from the county arterial preservation account in the motor vehicle fund.

Chapter 136-310 WAC

DISTRIBUTION OF COUNTY ARTERIAL PRESERVATION ACCOUNT FUNDS

NEW SECTION

WAC 136-310-010 CERTIFICATION OF COUNTY ARTERIAL MILEAGE. (1) Classification. The act specifies that expenditure of CAPA funds is restricted to paved arterials in the unincorporated area of each county. Arterials are defined as being those county roads:

(a) In urban areas, classified as arterials (Federal Functional Classes 12, 13, 14, 15, and 16) or classified as collectors (Federal Functional Class 17);

(b) In rural areas, classified as major collectors (Federal Functional Class 07) or minor collectors (Federal Functional Class 08).

Paved roads are defined as those roads which, at the time of CAPA allocation determination, are hard-surfaced through the application of a bituminous surface treatment (BST), asphaltic concrete pavement (ACP), or portland cement concrete (PCC). Brick or block surfaces shall also be considered as paved.

(2) Source of information. The master county road log as maintained by the CRABoard in accordance with chapter 136-60 WAC shall be the source of official paved road mileages to be used for CAPA distribution.

NEW SECTION

WAC 136-310-020 ESTABLISHMENT OF ALLOCATION PERCENTAGES. At its first regular meeting after July 1 of each year, the CRABoard shall establish the next calendar year's allocation percentages for the individual counties based on information contained in the most recently certified master county road log. Each county's allocation percentage shall be computed by the CRABoard as its percentage of paved arterial lane miles of the total paved county arterial lane miles in the state.

NEW SECTION

WAC 136-310-030 NOTICE TO COUNTIES. Upon their establishment, the CRABoard shall notify the county legislative authority and the county road engineer of each county of the respective county's CAPA allocation percentage and the latest estimate of the amount of CAPA funds to be allocated during the next calendar year.

NEW SECTION

WAC 136-310-040 DISTRIBUTION TO COUNTIES. Distribution of allocated CAPA funds shall be done monthly by the state treasurer. The state treasurer shall use the allocation percentages provided by the CRABoard as computed under the provisions of WAC 136-310-020.

NEW SECTION

WAC 136-310-050 ELIGIBILITY. Beginning May 1, 1990, all arterial preservation work and related activities done shall be eligible for CAPA funding provided that:

(1) The county road engineer submits the description of the pavement management system as required in chapter 136-320 WAC; and

(2) The county road engineer submits the annual CAPA program as required in chapter 136-325 WAC; and

(3) The work is in conformance with the allowable activities as specified in chapter 136-330 WAC.

Chapter 136-320 WAC

PAVEMENT MANAGEMENT SYSTEMS

NEW SECTION

WAC 136-320-010 DEFINITION. A pavement management system (PMS) is a systematic method used to preserve and maintain paved road systems by analyzing pavement life cycles, determining when and what kind of pavement preservation work is necessary and most cost effective, and budgeting funds accordingly to prevent major road deterioration. A key element of a PMS is the capacity to plan pavement preservation work based upon a predictive pavement deterioration model or process.

NEW SECTION

WAC 139-320-020 APPLICATION. A county's pavement management system shall be applied to the pavement preservation and rehabilitation activities of all county paved arterials. Application to the local access system, although desirable, shall not be required to receive CAPA funds.

NEW SECTION

WAC 139-320-030 SUBMITTALS BY COUNTIES. In order for a county to be eligible for CAPA funds the county road engineer must submit a description of the county's current pavement management system. Work done prior to the submittal of the pavement management system description shall not be eligible for CAPA funding. The description must contain sufficient information, including specific policies and/or procedures, to evaluate the adequacy of the following items:

(1) System definition. The PMS must assure that all paved arterial lane miles are included for analysis and that system changes, additions, and deletions are periodically incorporated into the system definition. This shall also include a system of maintaining a historical record of all resurfacing and/or rehabilitation work on all paved arterials.

(2) Condition rating criteria. The PMS must contain specific descriptions of how pavement condition is determined, the frequency of the determination, and the threshold(s) at which the various preservation actions should be programmed. Condition determination, frequency, and thresholds may vary depending upon pavement type and operational characteristics of road groups.

(3) Annual prioritization. The PMS must contain specific description of the county's method for the advance determination of which paved arterial road segments will receive priority in the annual expenditure for pavement preservation and rehabilitation regardless of the source of the funds. This item shall also include discussion of how local access roads are included in the prioritization process.

(4) Advance programming. The PMS must contain specific description of the county's procedures to estimate future pavement preservation and reconstruction needs on at least an annual basis so as to prevent major arterial road deterioration.

NEW SECTION

WAC 136-320-040 EVALUATION. Upon receipt of a county's pavement management system description, the executive director shall evaluate it as to its adequacy in meeting the requirements. The executive director shall notify the county road engineer of the evaluation.

NEW SECTION

WAC 136-320-050 MODIFICATIONS. Subsequent to the initial submittal of a county's pavement management system description, the county road engineer shall notify the executive director, in writing, of any substantive changes in the county's PMS process. All changes will be evaluated by the executive director in the same manner as the original evaluation and notification provided to the county road engineer.

NEW SECTION

WAC 136-320-060 ANNUAL REVIEW. In conjunction with the annual determination of CAPA allocations as set forth in chapter 136-310 WAC, the executive director shall review the status of each county's pavement management system and report his findings to the CRABoard. The review shall consider the original description submittal, any subsequent modifications and a staff evaluation of the adequacy of implementation. The staff evaluation shall be drafted and a copy sent to the respective county engineer not less than two weeks prior to the CRABoard's annual CAPA allocation meeting.

NEW SECTION

WAC 136-320-070 STANDARDIZATION. (1) Distress methodology. In order to achieve uniformity in pavement condition determination for analysis and reporting purposes, the CRABoard shall adopt one or more standard pavement distress identification and analysis methodologies. Upon adoption, the standard or standards shall be provided to each county. Each county shall utilize the adopted standard/standards or an acceptable alternate.

(2) Alternate methodologies. Any county which utilizes pavement condition or distress data different from a CRAB standard shall either modify its PMS process to accommodate the standard or shall demonstrate to the satisfaction of the CRABoard the equivalency of county's method to the CRAB standard. The county shall be responsible for providing any research documents, conversion equations, or other technical support such that the county's pavement condition data can be correctly converted to the CRAB standard.

(3) Retention of CAPA eligibility. No county shall be eligible for CAPA funds that have not met the requirements of subsections (1) and (2) of this section within three years of CRAB's promulgation of standards.

NEW SECTION

WAC 136-320-080 CRAB ASSISTANCE. To enable each county to meet its eligibility requirements, CRAB will update its existing WSC2-PMS micro-computer software so that it is fully integrated with the county road log through the county road information system (CRIS). Upon completion, CRAB will make the updated software and appropriate training available to counties on request. CRAB shall also provide, on request, administrative and technical assistance related to defining, developing, operating, managing, and utilizing current pavement management technology.

Chapter 136-325 WAC

ANNUAL COUNTY ARTERIAL PRESERVATION PROGRAMS

NEW SECTION

WAC 136-325-010 COORDINATION WITH ANNUAL ROAD PROGRAM. Each county road engineer shall, in conjunction with the county's annual road construction program as required by RCW 36.81.130 and chapter 136-16 WAC, prepare an annual county arterial preservation program (CAPP). Appropriate forms will be provided by CRAB.

NEW SECTION

WAC 136-325-020 CONTENTS. The county's annual CAPP shall consist of a list of all proposed county arterial preservation projects and activities for the ensuing year. In order to evaluate the relative ability of CAPA funds to meet the county's total arterial pavement preservation needs, the annual CAPP shall identify those projects for which CAPA funding is available.

NEW SECTION

WAC 136-325-030 SUBMITTAL TO CRAB. The county road engineer shall submit the proposed CAPP to CRAB along with the county's annual road program and budget in accordance with chapter 136-16 WAC.

Chapter 136-330 WAC

ALLOWABLE ACTIVITIES

NEW SECTION

WAC 136-330-010 PAVEMENT MANAGEMENT SYSTEM DEVELOPMENT. To promote and assist the implementation of comprehensive, computer-based pavement management systems meeting the requirements of chapter 136-320 WAC, CAPA funds may be used for the following activities:

(1) Acquisition of computer hardware and software that may be necessary to operate a computer-based pavement management system.

(2) Pavement management system training not otherwise provided by CRAB. This can include software usage, pavement condition surveying, and other specialized training directly related to the operation and maintenance of a computer-based pavement management system.

(3) Payment for related services such as data entry, pavement condition surveys, and rental of specialized PMS-related equipment such as road raters.

Acquisition of equipment other than computer hardware as described in subsection (1) of this section is not eligible.

NEW SECTION

WAC 136-330-020 ALLOWABLE ACTIVITIES. Except as described in WAC 136-330-010 and 136-330-040, or unless otherwise approved by the CRABoard, CAPA funding shall be limited to the direct and attributable indirect costs associated with paved surface preservation and rehabilitation activities on existing roadways only. Activities which are allowable for CAPA funding include the following:

(1) Nonstructural resurfacing projects. These include thin asphalt concrete overlays (one-inch or less); bituminous seal coats (single and double); slurry seals, sand seals, and fog seals; associated tack coats, paving fabrics, and preleveling; and associated surface grinding and planing.

(2) Structural resurfacing projects. These include thick asphalt concrete overlays (greater than one-inch); portland cement concrete overlays; associated tack coats, paving fabrics, and preleveling; associated surface grinding and planing; and hot/cold bituminous road mixes.

(3) Associated activities. These include crack sealing (bituminous and portland cement pavements); full-depth, structural patching done in preparation for structural or nonstructural overlays or seals; portland cement pavement joint reconstruction, undersealing, panel jacking and panel replacement; and other related activities as they are directly attributable to nonstructural and structural resurfacing projects.

NEW SECTION

WAC 136-330-030 MINIMUM ROAD WIDTHS. For all CAPA-funded projects which involve structural resurfacing, the existing road must meet the following minimum width standards:

SHOULDERED ROADWAY SECTIONS

<u>Current ADT</u>	<u>Minimum widths (feet)</u>	
	<u>Lane Width</u>	<u>Shoulder Width</u>
0 to 100	9	2
101 to 400	10	2
401 to 4000	10	2
over 4000	11	4

CURBED ROADWAY SECTIONS

<u>Current ADT</u>	<u>Minimum Lane Width (feet)</u>	
	<u>Two way Undivided</u>	<u>One way & Two way Divided</u>
all	10	9

All roadways less than the above standards for which a county proposes to perform structural resurfacing must be widened with other than CAPA funds.

NEW SECTION

WAC 136-330-040 PARTICIPATION WITH OTHER FUNDS. CAPA funds may also be used to fund resurfacing work associated with the reconstruction and/or widening of existing paved arterials. This participation is limited as follows:

(1) The present roadway is a paved county arterial as defined by WAC 136-310-010;

(2) The county's approved pavement management system has identified the existing pavement as requiring resurfacing within two years of the expected reconstruction/widening project completion date;

(3) The reconstruction/widening project will bring the roadway to at least the lane and shoulder width standards and non-CAPA funding requirements of WAC 136-330-030;

(4) The CAPA participation will be limited to the resurfacing portion of the project as described in WAC 136-330-020.

Chapter 136-340 WAC

ACCOUNTING AND AUDIT PROVISIONS

NEW SECTION

WAC 136-340-010 ACCOUNTING REQUIREMENTS. (1) Deposits. Upon receipt of CAPA funds from the state treasurer, each county shall deposit them in a separate BARS revenue account within the county road fund or in a fund separate from the county road fund. The county engineer shall evaluate the capabilities of the county road fund accounting system and select the method of deposit and related accounting.

(2) Expenditures. Expenditures of these funds shall be solely for CAPA-eligible work and must be separately identified within each county's road fund expenditure reporting system.

NEW SECTION

WAC 136-340-020 AUDIT PROVISIONS. CAPP audits may be conducted by the state auditor's office and will normally be conducted in conjunction with the audits required by RCW 43.09.260 and 36.80.080. Special audits of specific CAPP activities or projects may be accomplished at the request of the CRABoard. The costs of such special audits shall be the responsibility of the CRABoard.

NEW SECTION

WAC 136-340-030 SCOPE OF AUDITS. The audit of any CAP project or activity shall include but not be limited to the review of the county's compliance with (1) the provisions of the act and (2) the rules in Title 136 WAC regarding implementation and administration of the act, with detailed review of the application of CAPA funds and the various reporting requirements. The audit shall also include a review of the financial accounting and reporting of all CAPA funds.

NEW SECTION

WAC 136-340-040 NONCOMPLIANCE AND QUESTIONED COSTS. If the audit of a CAP activity or project reveals any area of noncompliance and/or questioned costs, then such exceptions shall be subject to comment by the examiner within the audit report.

NEW SECTION

WAC 136-340-050 POST-AUDIT PENALTY. In the event an exception has been noted within the audit report it shall be the duty of the

CRABoard to evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended CAPA funds and/or withdrawal or denial of the certificate of good practice of the county in question as provided in chapter 136-04 WAC.

Chapter 136-350 WAC

ANNUAL REPORTING OF PAVEMENT PRESERVATION ACTIVITIES

NEW SECTION

WAC 136-350-010 ANNUAL REPORT FORM. The CRABoard shall prepare and distribute to all counties standard reporting forms for use by the county engineer to annually summarize the pavement preservation activities, both CAPA and non-CAPA funded, in their county. For all CAPA-funded work, the report will require a specific listing of roads improved including a definition of work scope and the amount of CAPA funds expended.

NEW SECTION

WAC 136-350-020 SUBMITTAL OF ANNUAL REPORT. At any time prior to April 1 of the year following, the county engineer shall, in conjunction with the annual construction report as required by WAC 136-16-050, submit an annual summary of pavement preservation activities on the entire paved road system. This report shall be on the approved forms or in an equivalent format.