



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: County Road Administration Board Admin. Order 73

- Permanent Rule  
 Emergency Rule

(1) Date of adoption: 1/26/90

(2) Purpose: Changes all references to 'county commissioners' to 'county legislative authority'; adds requirement of written policy regarding accommodation of utilities on county road rights of way.

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

Repealed: none  
Amended: 136-10-010, -020, -030, -040, -050, -060  
Suspended: none

(4) Authority for adoption:

Statute: RCW 36.78.070  
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 90-01-028 on 12/12/89 (date).  
Describe any changes other than editing from proposed to adopted version:  
none

(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:

- |  |  |
|--|--|
| <b>Permanent Rules</b>                                   | <b>Emergency Rules</b>                         |
| <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)

NAME (TYPE OR PRINT)

Ernest Geissler

SIGNATURE

Director

DATE  
3/21/90

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

MAR 21 1990

TIME 1:45  
WSR 90-07-073

AMENDATORY SECTION (Amending Order 6, filed 6/12/68)

WAC 136-10-010 PURPOSE. The laws of the state of Washington have established the powers and duties of the county ((commissioners)) legislative authority in relation to roads and bridges, and the qualifications and duties of the county road engineer. Their purpose is to designate the county road engineer as the chief administrative officer of the county road department. The formal relationship between the ((board-of-county-commissioners)) legislative authority and its county road engineer must be adequately defined to assure an efficient and productive road department operation.

AMENDATORY SECTION (Amending Order 6, filed 6/12/68)

WAC 136-10-020 DUTIES OF ((COMMISSIONERS)) COUNTY LEGISLATIVE AUTHORITY. Certain specific powers and duties are set forth in RCW 36.75.040, 36.75.050, 36.80.010, 36.81.121 and 36.81.130. In addition to specific statutory duties the ((commissioners,-in-their-legislative-and-management-capacity;)) legislative authority shall have the duty to develop written policies regarding county road department operation for the information and guidance of the engineer.

AMENDATORY SECTION (Amending Order 6, filed 6/12/68)

WAC 136-10-030 DUTIES OF THE COUNTY ROAD ENGINEER. The various duties and responsibilities of the engineer are set forth in chapter 36.80 RCW. In addition to these specifically defined duties the engineer shall be guided by written policies regarding county road department operation as promulgated by the ((board-of-county-commissioners)) county legislative authority.

AMENDATORY SECTION (Amending Order 6, filed 6/12/68)

WAC 136-10-040 ORGANIZATION OF COUNTY ROAD DEPARTMENT. ((In order-to-implement-various--statutory--requirements--the--county--road-engineer--shall--be--recognized-as-the-chief-administrative-officer-of-the-county-road-department,-responsible-to-the-board-of-county-commissioners-for-its-entire-operation;)) It shall be ((his)) the county road engineer's duty to organize the road department in accordance with ((board)) policy of the county legislative authority into such departments, divisions, districts or units as may be necessary to meet statutory requirements and to perform such additional services as may be directed by policy of the ((board)) legislative authority.

AMENDATORY SECTION (Amending Order 33, filed 1/3/79)

WAC 136-10-050 WRITTEN POLICY. In order to implement the requirements of this chapter, the county legislative authority shall develop and by resolution adopt written policy covering any matters relating to road department operation as they may see fit. Certain

specific matters enumerated herein must be covered by such policy(([-])) to wit:

(1) Policy regarding organization. A chart or pictorial representation showing in detail the interrelationship of all positions in the road department from the ((board-of-county-commissioners-down)) county legislative authority through all employees. The chart shall clearly show the complete line of command throughout the entire organization. Copies of such chart shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and the general public.

(2) Policy regarding personnel practices. A complete written statement of all policy relating to the personnel of the road department including but not limited to recruitment, appointment, promotion, dismissal, hours of work, overtime, annual leave, sick leave, military leave, holidays, classification, union relationship where applicable, and general work rules. Copies of such statement shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and prospective employees.

(3) Policy regarding handling of complaints. A written statement setting forth a method by which complaints from the general public related to any road department activity will be handled. The purpose is to assure that each county will have an orderly procedure to assure that citizen complaints receive prompt attention.

(4) Policy regarding approval of work for other public agencies and county departments(([-])). A written statement to supplement chapter 136-32 WAC including but not limited to the following:

(a) Statement of intent indicating whether or not the ((board)) legislative authority will accept requests for work for other public agencies or other county departments.

(b) Statement indicating procedures to be followed in processing such requests in accordance with statutes and chapter 136-32 WAC.

(c) Statement indicating any delegation of authority in processing such requests.

(5) Policy regarding accommodation of utilities on county road right of way. A written statement setting forth the county's administrative, procedural, and technical requirements regarding the installation, replacement, adjustment, relocation, and maintenance of all utilities in, on, or above the county road right of way.

#### AMENDATORY SECTION (Amending Order 10, filed 12/10/68)

WAC 136-10-060 FORWARDING OF WRITTEN POLICY. Each ((board-of-county-commissioners)) county legislative authority shall submit to the office of the county road administration board one copy of each policy required in WAC 136-10-050, and any subsequent revisions thereto, adopted pursuant to this regulation. The county road administration board shall maintain a current file of all such adopted policies of all ((boards--of--county--commissioners)) legislative authorities.