



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/23/95)

Agency: County Road Administration Board

- Permanent Rule
Emergency Rule
Expedited Repeal

(1) Date of adoption: July 12, 1996

(2) Purpose: Language clarification, updating of references, deletion of unnecessary sections.

(3) Citation of existing rules affected by this order:
Repealed: WAC 136-161-100 (RP)
Amended: Title 136 WAC
Suspended:

(4) Statutory authority for adoption:
Other authority: RCW 36.78.070, 36.79.060

PERMANENT RULE ONLY
Adopted under notice filed as WSR 96.11.052 on 5-9-96 (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:
NA

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 of effectiveness of rule?
Yes No If Yes, explain:

(6) Effective date of rule:
Permanent Rules Emergency Rules
31 days after filing Immediately
Other (specify) * 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) Eric A. Berger
SIGNATURE
TITLE: Executive Director

DATE 8-6-96

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILE

AUG 12 1996

TIME 11:55
MSR 96-17-013

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted* state statutes:	New _____	Amended _____	Repealed _____

*(current calendar year)

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended _____ Repealed _____

The number of sections adopted on the agency's own initiative:

New _____ Amended 1 _____ Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New _____	Amended _____	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New _____	Amended _____	Repealed _____

Chapter 136-01 WAC

~~((STANDARD OF GOOD PRACTICE—))~~ ORGANIZATION AND OPERATION OF
COUNTY ROAD ADMINISTRATION BOARD

AMENDATORY SECTION (Amending Order 86, filed 6/10/92, effective 7/11/92)

WAC 136-01-010 Purpose and membership. The county road administration board is a nine member board, organized under the provision of RCW 36.78.010 through 36.78.110 for the purpose of establishing and administering:

- (1) Standards of good practice for county road administration within the counties of the state;
- (2) The rural arterial program established by chapter 36.79 RCW; ~~((and))~~
- (3) The county arterial preservation program established by RCW 46.68.095(4); and
- (4) The ferry capital improvement program established by RCW 47.56.725(4).

Chapter 136-02 WAC

IMPLEMENTATION OF (~~SEPA AND CEP GUIDELINES~~) STATE ENVIRONMENTAL
POLICY ACT

AMENDATORY SECTION (Amending Order 30, filed 8/3/76)

WAC 136-02-010 Purpose. This chapter is promulgated pursuant to the directions of chapter 43.21C RCW (SEPA) and chapter (~~197-10~~) 197-11 WAC (~~(~~CEP~~ guidelines interpreting and implementing SEPA)~~) (SEPA rules). The adoption of this chapter is deemed to be in compliance with the requirements of chapter 43.21C RCW and chapter (~~197-10~~) 197-11 WAC.

AMENDATORY SECTION (Amending Order 30, filed 8/3/76)

WAC 136-02-020 Statement of exempt activities. The county road administration board has reviewed its authorized activities and found them all to be exempt under chapter 43.21C RCW and (~~CEP guidelines~~) SEPA rules, WAC (~~197-10-170 (4), (7), (8), (11), (12), and (17))~~) 197-11-800 (13), (15), (18), (19) and (20). This statement is adopted in accordance with (~~WAC 197-10-800(4)~~) RCW 43.21C.135 (1) (a).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 136-02-030 Implementation of SEPA and CEP guidelines.

Chapter 136-04 WAC

ANNUAL CERTIFICATION OF GOOD PRACTICE

AMENDATORY SECTION (Amending Order 31, filed 12/16/77)

WAC 136-04-010 Purpose. The county road administration board, hereinafter referred to as the ((~~board~~)) CRABoard, is authorized by RCW 36.78.090 through 36.78.100 to transmit to the state treasurer certificates of good practice, hereinafter referred to as certificates, on behalf of the counties which during the preceding calendar year have reasonably complied with provisions of law relating to county road administration and with the standards of good practice as formulated and adopted by the ((~~board~~)) CRABoard or to issue conditional certificates. This ((~~standard of good practice~~)) section sets forth ((a)) the procedure to be followed by the ((~~board~~)) CRABoard in the issuance and revocation of such certificates.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-020 Inquiry by the ((~~board~~)) CRABoard. The ((~~county road administration engineer~~)) executive director shall formulate a questionnaire for use by the counties designed to demonstrate to the ((~~board~~)) CRABoard each county's level of compliance with pertinent laws and regulations. The proposed questionnaire shall be reviewed and approved by the ((~~board~~)) CRABoard at its first meeting of each calendar year and may be revised and modified from year to year to reflect changes in statutory and regulatory requirements. The approved questionnaire shall be distributed to all counties no later than fifteen days after said meeting.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-030 Response by the county. Each county engineer shall complete the questionnaire, certify as to its accuracy, have it approved by the county legislative authority or the county

executive, and shall return it to the ((be d)) executive director no later than April ((10)) 1st.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-040 Review by the ((board)) CRABoard. The ((~~county road administration engineer~~)) executive director shall receive the completed questionnaires and prepare a report for the ((board)) CRABoard regarding the level of each county's compliance with pertinent laws and regulations. The ((board)) CRABoard shall review the ((~~engineer's~~)) executive director's report at its second regular meeting of each calendar year.

AMENDATORY SECTION (Amending Order 31, filed 12/16/77)

WAC 136-04-050 Certificate of good practice. The ((board)) CRABoard shall transmit a certificate to the state treasurer prior to May 1st of each year on behalf of those counties found to be in reasonable compliance with provisions of law relating to county road administration and with the standards of good practice as formulated and adopted by the ((board)) CRABoard.

AMENDATORY SECTION (Amending Order 31, filed 12/16/77)

WAC 136-04-055 Revocation of certificate of good practice. Whenever the ((board)) CRABoard finds that after issuance of a certificate a county fails to meet the requirements of such certification, the ((board)) CRABoard may revoke the previously issued certificate, or substitute a conditional certificate therefor, in the manner provided in WAC 136-04-080 and 136-04-090.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-060 Conditional certificate of good practice. Whenever the ((board)) CRABoard finds that a county has failed to be in reasonable compliance with provisions of law or standards of good practice, the ((board)) CRABoard may transmit to the state treasurer on behalf of such county a conditional certificate, in the manner provided in WAC 136-04-080 and 136-04-090. Any such

conditional certificate shall be issued subject to terms and conditions as deemed by the ((board)) CRABoard to be appropriate, and will authorize continued distribution to such county of all or a designated portion of its share of motor vehicle fuel taxes. A copy of such conditional certificate shall be sent to the legislative authority of the county on whose behalf it was issued. One of the conditions of such conditional certificate shall be a review by the ((board)) CRABoard at a subsequent meeting of the situation which caused its issuance.

AMENDATORY SECTION (Amending Order 31, filed 12/16/77)

WAC 136-04-070 Review of conditional certificates. At a designated subsequent meeting, the ((board)) CRABoard shall receive a report from the ((~~county road administration engineer~~)) executive director pursuant to each conditional certificate. The ((board)) CRABoard shall issue a certificate upon finding that the county has complied or is diligently attempting to comply with the terms and conditions of the conditional certificate. If the ((board)) CRABoard finds that the county has not satisfied or diligently attempted to satisfy the terms and conditions of the conditional certificate, it may, in the manner provided in WAC 136-04-080 and 136-04-090:

- ((a)) (1) Continue such conditional certificate for further review;
- ((b)) (2) Modify such conditional certificate; or
- ((c)) (3) Revoke such conditional certificate.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-080 Notice of pending revocation or substitution. The ((board)) CRABoard shall not consider revocation of a certificate or substitution of a conditional certificate or adverse modification of a conditional certificate for any county unless written notice of hearing thereon shall have been given to the legislative authority or county executive at least two weeks prior to the ((board)) CRABoard meeting at which such revocation, substitution or modification is to be considered. Such notice shall include an invitation for representation by the county at such hearing.

AMENDATORY SECTION (Amending Order 72, issued 3/21/90, effective 4/21/90)

WAC 136-04-090 Hearing on revocation or substitution. At the time appointed for the hearing, the ~~((board))~~ CRABoard shall receive a report from the ~~((county road administration engineer))~~ executive director detailing those laws or regulations with which the county is not in reasonable compliance, or those terms and conditions of the conditional certificate which the county has failed to meet. The ~~((board))~~ CRABoard shall provide opportunity for presentation of written and/or oral testimony on behalf of the county and may thereupon:

- ~~((a))~~ (1) Continue or modify a conditional certificate;
- ~~((b))~~ (2) Substitute a conditional certificate for a certificate; or
- ~~((c))~~ (3) Revoke either the certificate or conditional certificate.

AMENDATORY SECTION (Amending Order 72, filed 3/21/90, effective 4/21/90)

WAC 136-04-100 Revocation of certificate. Upon revocation of a certificate or a conditional certificate by the ~~((board))~~ CRABoard, notice thereof shall be given to the state treasurer and to the legislative authority or county executive of the affected county. If any certificate is revoked without a conditional certificate being substituted therefore, the ~~((board))~~ CRABoard shall review the affected county's(ies') compliance with pertinent laws and regulations at each subsequent regularly scheduled ~~((board))~~ meeting until such time as the ~~((board))~~ CRABoard finds that the county has reasonably complied or is diligently attempting to comply with such laws and regulations.

NEW SECTION

WAC 136-04-110 Effect of noncompliance with standards of good practice. Failure of a county to receive and maintain a certificate of good practice or a conditional certificate of good practice will, upon notification to the state treasurer by the CRABoard, result in the withholding from the county of a part of or its entire share of motor vehicle fuel tax distributable pursuant to RCW 46.68.120.

Chapter 136-10 WAC

DUTIES OF COUNTY ROAD ENGINEER-- ((COMMISSIONERS)) COUNTY
LEGISLATIVE AUTHORITY

AMENDATORY SECTION (Amending Order 73, filed 3/21/90, effective 4/21/90)

WAC 136-10-020 Duties of 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 legislative authority shall have the duty to develop written policies regarding county road department operation for the information and guidance of the county road engineer.

AMENDATORY SECTION (Amending Order 73, filed 3/21/90, effective 4/21/90)

WAC 136-10-030 Duties of the county road engineer. The various duties and responsibilities of the county road engineer are set forth in chapter 36.80 RCW. In addition to these specifically defined duties the county road engineer shall be guided by written policies regarding county road department operation as promulgated by the county legislative authority.

AMENDATORY SECTION (Amending Order 37, filed 1/24/80)

WAC 136-11-010 Purpose. The laws of the state of Washington specify in RCW 36.80.030 that the county road engineer shall have supervision, under the direction of the county legislative authority, of maintaining all county roads of the county. The purpose of ~~((this standard of good practice))~~ maintenance management is to recognize that the majority of road maintenance activities can be planned, scheduled and accomplished in a predetermined manner which will result in improved economics of operation, public safety and welfare, and preservation of investment of county roads: *Provided, however,* That ~~((this standard of good practice))~~ maintenance management shall not be mandatory and shall not be considered in the issuance of certificates of good practice.

AMENDATORY SECTION (Amending Order 37, filed 1/24/80)

WAC 136-11-020 Goal. This ~~((standard of good practice))~~ chapter is intended to encourage each county road engineer to apply basic management principles to road maintenance activities and to set forth specific goals and objectives relative to the results to be achieved.

AMENDATORY SECTION (Amending Order 37, filed 1/24/80)

WAC 136-11-030 Objectives. For the guidance and information of the county road engineer developing a maintenance management program the following objectives merit serious consideration:

(1) To provide, annually, opportunities for key personnel to receive initial training or refresher training in the principles of maintenance management.

(2) To develop countywide maintenance standards or levels of service for each major maintenance activity.

(3) To develop standards of performance for individuals and work crews setting forth both the quality and quantity of results anticipated.

(4) To prepare an annual maintenance program for adoption coincident with the annual budget and construction program which is to identify resource requirements in terms of manpower, equipment and materials, and the costs of each.

(5) To schedule, on an annual basis, major maintenance activities based on available budgeted maintenance funds so as to achieve an optimum balance of resources in the available time.

(6) To develop, and annually update, a long range equipment replacement program encompassing all major road department equipment so as to meet the equipment demands of the maintenance program.

(7) To establish an information reporting system capable of compiling data needed to allow comparison of actual performance with established performance standards and budgetary constraints.

(8) To discuss, at least biennially, with appropriate supervisory personnel the data regarding utilization of manpower, equipment and materials so as to assure the lowest attainable unit cost for each maintenance activity.

(9) To provide adequate information to all maintenance personnel regarding goals and objectives of the county's maintenance management program.

(10) To explore and evaluate new techniques, products, equipment and ideas which show promise of significantly improving performance or decreasing cost in any segment of the maintenance management effort.

Chapter 136-12 WAC

STANDARD ((S)) OF GOOD PRACTICE--VACANCY IN POSITION OF COUNTY
ROAD ENGINEER

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

WAC 136-12-010 Purpose. The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county road engineer in each county. This chapter specifies that he shall be employed full time: *Provided*, That in ~~((eighth and ninth class counties))~~ counties with a population of less than eight thousand he may be employed on a part-time basis and may be the county engineer of another county; that he shall be a registered and licensed professional civil engineer under the laws of this state; that he shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he shall certify to the legislative authority all bills with respect to county roads; that he shall keep complete public records of all road department activities; that he shall prepare plans and specifications for all construction work on the county road system. Since it is unavoidable that vacancies will occur from time to time in the position of county road engineer, the following policy has been formulated to cover an interim period.

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

WAC 136-12-070 County engineer in ~~((eighth and ninth class))~~ counties with a population of less than eight thousand. When the legislative authority of ~~((an eighth or ninth class county))~~ a county with a population of less than eight thousand chooses to employ a county road engineer on a part-time basis the terms of such employment shall be set forth in a contract adopted by resolution of the legislative authority. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of such resolution and contract shall be forwarded to the office of the county road administration board.

When the legislative authority chooses to contract with another county for services such contract shall be approved by

resolution of th legislative authoritie Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of the contract and both resolutions shall be forwarded to the office of the county road administration board. Any such contract shall be in accordance with the procedures of the Interlocal Cooperation Act, chapter 39.34 RCW.

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

WAC 136-12-080 Assistant county engineer in (~~eighth and ninth class~~) counties with a population of less than eight thousand. When a legislative authority of (~~an eighth or ninth class county~~) a county with a population of less than eight thousand chooses to employ a licensed professional civil engineer on a part-time basis or contract with another county for the services of its licensed professional civil engineer, it shall designate by resolution a full-time employee as assistant county engineer. In such cases, the designated assistant county engineer shall perform the day to day supervision of the road department under the county engineer in accordance with policies established by the legislative authority.

AMENDATORY SECTION (Amending Order 75, filed 3/21/90, effective 4/21/90)

WAC 136-14-030 ((Technique-)) Process. Each county engineer will be required to develop a priority programming ((~~technique~~)) process tailored to meet the overall roadway system development policy determined by his legislative authority. Items to be included and considered in the technique for roads shall include, but need not be limited to the following:

- (1) Traffic volumes;
- (2) Roadway condition;
- (3) Geometrics;
- (4) Matters of significant local importance.

The manner in which these various items are treated may vary from county to county. ((A number of acceptable priority programming techniques have been developed and may be used in whole or in part as a county technique.

~~Examples are:~~

- ~~1. Advance road programs manual—National Association of County Engineers.~~
- ~~2. Administrative guide to priority programming for county roads—Automotive Safety Foundation, 1962.~~
- ~~3. Priority array for urban arterials—Transportation improvement board.~~
- ~~4. A study of the road system of Benton County—WSU, 1969.)~~

Bridge priorities shall be established in accordance with WAC 136-20-060. Accident records may be considered where their use will make a legitimate contribution. A description of the priority programming technique to be used shall be submitted by each county engineer to the county road administration board.

The county road administration board, upon request, will provide assistance to counties in the development, evaluation or modification of their priority programming process in order to meet the requirements of this rule.

AMENDATORY SECTION (Amending Order 75, filed 3/21/90, effective 4/21/90)

WAC 136-14-040 Application of ((~~technique~~)) process. The ((~~technique~~)) priority programming process for roads shall be applied by the county engineer to all potential arterial projects in the county, and to local access road projects if directed by the legislative authority. The resulting priority array shall be updated not later than June 1 of each odd-numbered year and shall be consulted together with bridge priorities by the legislative authority and county engineer during the preparation of the proposed six-year transportation program as described in chapter 136-15 WAC.

AMENDATORY SECTION (Amending Order 75, filed 3/21/90, effective 4/21/90)

WAC 136-14-050 Certification. In order to assure that priority arrays were available and were consulted during the preparation of the proposed six-year transportation program each year, the resolution of adoption of such program by each legislative authority shall include assurances to this effect. A copy of the adopting resolution shall be forwarded to the county road administration board together with the six-year transportation program.

AMENDATORY SECTION (Amending Order 75, filed 3/21/90, effective 4/21/90)

WAC 136-14-060 Inventory records. Each priority programming (~~technique~~) process will be based, at least in part, on existing road conditions. It is required, therefore, that in each county an adequate road inventory system be maintained. The inventory system shall be updated no later than May 1 of each year to reflect work done and (~~for~~) improvements made during the previous year (~~τ~~) in accordance with requirements of chapter 136-60 WAC.

Chapter 136-15 WAC

PROCEDURES FOR PREPARATION OF SIX-YEAR (~~ROAD~~) TRANSPORTATION PROGRAMS

AMENDATORY SECTION (Amending Order 68, filed 7/25/88)

WAC 136-15-010 Purpose. The laws of the state of Washington (RCW 36.81.121) require the preparation and annual updating of a six-year comprehensive (~~road~~) transportation program. The program shall be adopted by the county legislative authority before July 1 of each year and shall include all anticipated road and bridge construction projects, capital ferry expenditures, paths and trails projects and any other specified capital outlays for the following six-year period. The purpose of this chapter is to implement these statutory requirements with assurance that the program is based on a realistic assessment of available funding during the program period.

AMENDATORY SECTION (Amending Order 68, filed 7/25/88)

WAC 136-15-020 Contents of six-year program. Each adopted (~~six-year~~) program shall designate the six-year time period included, the name of the county, the (~~OFM-assigned~~) county number as assigned by the state office of financial management, the date(s) of the public hearing held to provide public input to the program, the date of the adoption by the legislative authority and the adopting resolution number. The adopted (~~six-year~~) program for submittal to CRAB shall consist of two parts:

- (1) A road fund revenue and expenditure analysis for the six-year time period; and
- (2) A program listing of specific projects.

Chapter 136-16 WAC

~~((PROCEDURES FOR THE ANNUAL ROAD PROGRAMMING FOR COUNTY ROAD PROJECTS))~~ STANDARD OF GOOD PRACTICE--ANNUAL ROAD PROGRAM, CONSTRUCTION REPORT, AND DAY LABOR LIMITS

AMENDATORY SECTION (Amending Order 76, filed 3/21/90, effective 4/21/90)

WAC 136-16-010 Submission of recommended annual road program. As provided for in RCW 36.81.130, the county road engineer shall submit a recommended annual road program, hereinafter referred to as the annual program, to the county legislative authority on the first meeting in July or at such other time as may be specified pursuant to RCW 36.40.071. The annual program shall include recommendations for all road and bridge construction projects and all road equipment purchases for the ensuing year. The legislative authority shall consider the recommended program and make any revisions deemed necessary.

AMENDATORY SECTION (Amending Order 38, filed 7/22/80)

WAC 136-16-020 Contents of annual program. The adopted annual program shall include, but not be limited to:

(1) A line item for estimated preliminary engineering costs ~~((7))~~;

(2) A line item for estimated right of way acquisition costs; and

(3) A listing of all proposed construction ~~((work))~~ projects for the year ~~((giving))~~ including a ~~((very))~~ brief description of the work, the name, number and functional classification of the road, an estimate of the total cost of each project, including construction engineering but excluding preliminary engineering and right of way acquisition, and a notation as to whether construction work on each project is to be done by contract or day labor or both.

When a project involves both contract and day labor work the estimate shall be divided to show the estimated cost of each type of work. The sum of all construction costs shall be approximately equal to the amount included in the road fund construction budget for construction work. All construction projects shall be shown, regardless of funding source, including ~~((any))~~ all projects previously authorized and under way on which expenditures are anticipated during the program year. Projects previously

authorized on which construction work is contemplated within the program year shall also be listed showing the estimated costs of work during the program year. In all cases, the total amount of proposed day labor construction costs, including construction administration and engineering, shall not exceed the day labor limit as computed in WAC 136-16-022.

AMENDATORY SECTION (Amending Order 76, filed 3/21/90, effective 4/21/90)

WAC 136-16-022 Day labor limit. The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner:

(1) When the sum of all construction costs is in excess of four million dollars the day labor limit is eight hundred thousand dollars or fifteen percent of said sum, whichever is greater.

(2) When the sum of all construction costs is in excess of one million five hundred thousand dollars and less than four million dollars the day labor limit is five hundred twenty five thousand dollars or twenty percent of said sum, whichever is greater.

(3) When the sum of all construction costs is in excess of five hundred thousand dollars and less than one million five hundred thousand dollars the day labor limit is two hundred and fifty thousand dollars or thirty-five percent of said sum, whichever is greater.

(4) When the sum of all construction costs is less than five hundred thousand dollars the day labor limit shall be two hundred and fifty thousand dollars, unless the legislative authority, by resolution, elects the alternate procedure. When such alternate procedure is chosen, an individual project limit of thirty-five thousand dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

AMENDATORY SECTION (Amending Regulation 2, filed 12/13/67)

WAC 136-16-030 Requirements of listing equipment. The annual program shall also include a list of all major road equipment purchases contemplated for the year, together with the estimated costs thereof. The total estimated cost of all equipment listed shall be approximately equal to the amount budgeted for equipment

purchase in the annual equipment rental an revolving fund budget. The equipment list may include an item for miscellaneous minor equipment in any amount up to 10% of the estimated total cost. The list may also include a list of alternate or additional items of equipment (~~(totaling)~~) totaling up to 15% of the basic list cost to allow for unforeseen conditions.

AMENDATORY SECTION (Amending Order 76, filed 3/21/90, effective 4/21/90)

WAC 136-16-042 Modification of program. The adopted (~~(final)~~) annual program may not be changed, revised or increased except by unanimous vote of the members of the legislative authority who are present when the vote is taken. Such modifications shall be by resolution of the legislative authority listing each changed, revised or added project. A copy of each such resolution shall be forwarded to the county road administration board within thirty-days of its adoption.

AMENDATORY SECTION (Amending Order 76, filed 3/21/90, effective 4/21/90)

WAC 136-16-050 Annual construction report. At any time prior to April 1 of the year following the annual program year, the county road engineer shall submit an annual construction report to the county road administration board in accordance with forms and instructions provided by the county road administration board. The construction report shall show actual expenditures for all construction work including construction administration and engineering done during the previous budget year. Upon receipt of each county's annual construction report, the day labor limit as described in WAC 136-16-022 will again be calculated based upon the actual accomplishments as set forth in the annual construction report. A county which exceeds the day labor limit as computed as part of the annual program or as computed as part of the annual construction report shall be in violation of this standard of good practice.

Chapter 136-18 WAC

~~((ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS))~~ STANDARD OF GOOD PRACTICE--DAY LABOR CONSTRUCTION

AMENDATORY SECTION (Amending Order 39, filed 10/29/80)

WAC 136-18-010 Purpose. ~~((The laws of the state of Washington [(RCW 36.77.065)] provide that))~~ RCW 36.77.065 provides for the construction ((en)) and improvement of county roads ((may be done)) by contract (([,]) and/or day labor[.]), by day labor or a combination of day labor and contract. The purpose of this standard of good practice is to assure that all day labor construction work is accomplished within statutory limitations.

AMENDATORY SECTION (Amending Order 39, filed 10/29/80)

WAC 136-18-020 Definitions. For purposes of implementing ~~((the))~~ statutory requirements ~~((of RCW))~~ relative to day labor construction work, the following definitions shall apply:

(1) Construction - the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.

(2) Day labor construction - construction work performed by personnel carried on the county payroll using county owned, leased or rented equipment.

(3) Authorization date - the date that construction is authorized.

(4) Start of construction - the date that construction work commences.

~~(([(5)]))~~ (5) End of construction - the date that construction work is completed~~(([.]))~~.

~~(([(6)]))~~ (6) Completion date - the date on which a county road project is closed in the accounting records~~(([.]))~~.

~~(([(7)]))~~ (7) Estimated construction costs - the county engineer's estimate of the cost of contemplated construction work, not including preliminary engineering and right of way acquisition costs~~(([.]))~~.

~~(([(8)]))~~ (8) Estimated project costs - the county engineer's estimate of the cost of engineering, right of way acquisition, and construction~~(([.]))~~.

~~(([(9)]))~~ (9) True and complete construction costs - the accounting record of all construction costs attributed to a county

road project from the authorization date to the completion date(~~([.])~~).

~~(([10]))~~ (10) True and complete project costs - the accounting record of all engineering, right of way acquisition, and construction costs attributed to a county road project from the authorization date to the completion date(~~([.])~~).

~~(([11]))~~ (11) Day labor county road project - day labor construction authorized by action of the county legislative authority in those counties where a cumulative dollar limit applies to all day labor construction.

~~(([12]))~~ (12) Special day labor county road project - day labor construction which will result in a facility with independent utility, authorized by action of the county legislative authority in those counties where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-five thousand dollars including labor, equipment and materials on any one project. ~~((The following types of construction will normally have sufficient independent utility to constitute separate projects within the meaning of RCW 36.77.065[:])~~

~~Type I[.]~~ ~~Roadway construction~~ a project which includes units of work or classes of work such as clearing, grading, drainage, base, gravel surfacing, traffic and pedestrian services (except street lighting and electrical traffic control devices), roadside development and ancillary operations.

~~Type II[.]~~ High type surfacing a project which includes units of work or classes of work such as surfaces of light bituminous, road mix, ~~[travel]~~ ~~[gravel]~~ plant mix[,], pug mill mix, hot plant mix and concrete.

~~Type III[.]~~ Structures bridges over 20 feet in length, tunnels[,], sea walls, irrigation canals, and livestock crossings[.]

~~Type IV[.]~~ Street lighting and electrical traffic control devices[.])

AMENDATORY SECTION (Amending Order 39, filed 10/29/80)

WAC 136-18-030 ~~(([Authorization of projects.]])~~ **Authorization of day labor projects.** Every proposed day labor county road project and special day labor county road project shall be a part of the county's annual construction program as defined in RCW 36.81.130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the county legislative authority at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said authority. The resolution shall include ~~((a) [a])~~:

(1) A brief description of the project(~~(, (b))~~);

(2) A vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single

vicinity map showing the location of all projects may be included with the resolution adopting the annual program(~~(e)~~);

(3) Identification of the project in terms of the officially adopted annual program(~~(d)~~);

(4) The county road engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering; and

(5) Construction plans as shall be necessary and sufficient.

AMENDATORY SECTION (Amending Order 35, filed 1/3/79)

WAC 136-18-060 Day labor project records. All day labor and special day labor project cost records shall be kept in the manner prescribed by the BARS manual. Records of quantities shall be kept in a manner consistent with original project estimates. The project records shall contain, but shall not be limited to, the following: (~~(a)~~)

(1) Dated authorizing resolution(~~(b)~~);

(2) Vicinity map showing project location and limits(~~(e)~~);

(3) County road engineer's estimate(~~(d)~~);

(4) Affidavit of preconstruction publication required by RCW 36.77.070(~~(e)~~);

(5) Documentation of start and end of construction dates(~~(f)~~);

(6) Affidavit of post-construction publication showing true and complete project cost as required by RCW 36.77.070.

AMENDATORY SECTION (Amending Order 39, filed 10/29/80)

WAC 136-18-070 ((Records)) Special day labor project reporting to CRAB. Each county engineer shall submit to CRAB a copy of each resolution authorizing a special day labor county road project whose estimated construction cost exceeds 75 percent of the day labor limit. Upon completion of each of these projects, or no later than March 1 of the succeeding year, the county engineer shall furnish to CRAB a copy of the record of true and complete construction costs. On any project where true and complete construction costs have exceeded the statutory day labor limit, the county engineer shall also provide to CRAB an explanation of the circumstances resulting in such over-expenditure.

WAC 136-18-080 Review of day labor compliance by CRAB. The ~~((CRAB engineer))~~ executive director of the county road administration board shall have authority to investigate cases of apparent violations of day labor limits and ~~((shall))~~, for special day labor projects, prepare a listing of all ~~((special day labor))~~ such projects for which actual expenditures have exceeded the statutory day labor limit during the previous calendar year for review by the county road administration board at its ~~((quarterly))~~ second regular meeting ~~((in April))~~ of each calendar year.

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-090 Action on day labor compliance by CRAB. Determination by the county road administration board that a violation of RCW ~~((36.77.060))~~ 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county. ~~((Immediate notification of the board's findings shall be given to the highway commission for further possible action pursuant to RCW 47.08.100.))~~

Chapter 136-20 WAC

STANDARD OF GOOD PRACTICE--INSPECTION OF BRIDGES ON COUNTY ROADS

AMENDATORY SECTION (Amending Order 83, filed 10/23/91, effective 11/23/91)

WAC 136-20-020 Inventory. Each county road engineer shall have available in his office a complete inventory of all bridges on the county road system. The inventory shall list the location of each bridge by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the state of Washington inventory of bridges and structures (SWIBS) data base system as maintained by the Washington state department of transportation (WSDOT) shall be submitted to the WSDOT (~~local programs~~) TransAid Service Center bridge engineer on appropriate (~~forms~~) media furnished or otherwise approved by the WSDOT.

AMENDATORY SECTION (Amending Order 83, filed 10/23/91, effective 11/23/91)

WAC 136-20-030 Inspection. Each county road engineer shall be responsible for all routine and special inspections of all bridges on the county road system in accordance with the National Bridge Inspection Standards (NBIS) as promulgated and periodically revised by the WSDOT (~~local programs~~) TransAid Service Center office. The county road engineer shall note the date of all inspections and any changes since the previous inspection on the SWIBS form and submit all such forms to the WSDOT (~~local programs~~) TransAid Service Center bridge engineer within ninety days of each inspection.

AMENDATORY SECTION (Amending Order 83, filed 10/23/91, effective 11/23/91)

WAC 136-20-040 Certification. Prior to April 1 of each calendar year, WSDOT assistant secretary for (~~local programs~~) the TransAid Service Center will provide (~~CRAB~~) the following to the CRABBoard:

(1) A listing on a county-by-county basis of all county bridges which have not had a regular SWIBS inspection report submitted within the previous thirty months; and

(2) A listing on a county-by-county basis of all county bridges which have not had a required special inspection report submitted within six months after the required inspection date; and

(3) A listing of all counties which are not in compliance with the requirements of the National Bridge Inspection Standards and the status of efforts toward achieving such compliance.

Any county which is not in compliance with the NBIS or has a bridge or bridges on any of the above listings shall be assumed to be not in compliance with bridge inspection procedures.

AMENDATORY SECTION (Amending Order 36, filed 1/3/79)

WAC 136-20-050 Failure to comply. Failure of a county to be shown in compliance with required bridge inspection procedures may be cause for the county road administration board to withhold a certificate of good practice on behalf of that county in accordance with the procedures of chapter 136-04 WAC.

AMENDATORY SECTION (Amending Order 83, filed 10/23/91, effective 11/23/91)

WAC 136-20-060 Engineer's report. Each county road engineer shall furnish the county legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to said authority and shall be consulted during the preparation of the proposed six-year transportation program revision. The resume shall include the county road engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six-year transportation program shall include assurances to the effect that the county road engineer's report with respect to deficient bridges was available to said authority during the preparation of the program.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 136-24-010 Budget and accounting system.

AMENDATORY SECTION (Amending Order 79, filed 8/16/90, effective 9/16/90)

WAC 136-28-010 Purpose. The National Highway Safety Act of 1966 requires that all states, in cooperation with their various local governments, collect, compile and make reports to the National Highway Safety Bureau of Accident Statistics in each state. In order to implement this requirement the county road administration board has acted to coordinate the activities of the county road engineers and the state patrol. Each county road engineer is (~~now requested~~) to cooperate in this effort by following the procedure outlined below.

AMENDATORY SECTION (Amending Order 79, filed 8/16/90, effective 9/16/90)

WAC 136-28-020 Procedure. The state patrol collects accident reports from all law enforcement agencies and receives accident reports from individual drivers. Periodically, the state patrol will send or deliver to the county engineer's office in each county reports concerning accidents occurring on county roads in that county.

The county engineer will analyze each report and indicate within the appropriate spaces on the report the county number, the county road number, the milepoint and, if applicable, the road number of the intersecting county road at which the accident occurred. The county engineer shall also indicate in the appropriate space as to whether the location is rural or urban.

The coded reports will be returned to the records section of the state patrol within two weeks of receipt.

Should the county engineer determine any accident report location is not on a road contained within the latest county road log, he/she shall return the accident report, uncoded, with a transmittal letter indicating to the best of his/her knowledge the appropriate jurisdiction such as private road, state highway, city street, other state agency, federal agency, etc.

AMENDATORY SECTION (Amending Order 79, filed 8/16/90, effective 9/16/90)

WAC 136-28-030 Coding detail. (1) The county number shall be that particular number assigned to each county by the state office of financial management for county identification purposes.

(2) The county road number shall be the particular five-digit number, including both leading and trailing zeros if applicable, assigned to each county road according to the county's latest county road log. No local names or numbers or (~~FAS numbers~~) other nomenclature shall be used in coding.

(3) The milepoint shall be determined as accurately as practicable from a comparison of information on the accident report with the latest county road log.

(4) Accidents at an intersection with a state highway will be coded by the state department of transportation.

(5) To ensure uniformity, accidents at the intersection of any two county roads shall be coded to a road in the following priority order:

- (a) The road with the higher functional class;
- (b) The road that is the through route;
- (c) The road with the lowest road number.

(6) Accidents on roads and/or intersections with dual city-county or county-county responsibilities shall be coded in general accordance with the procedures outlined herein based on a mutual understanding between the several jurisdictions involved.

AMENDATORY SECTION (Amending Order 84, filed 10/23/91, effective 11/23/91)

WAC 136-40-030 Adoption and submittal. Each county legislative authority shall formally adopt (~~(, no later than December 31, 1992,)~~) a utility policy regarding accommodation of utilities on county road rights of way that includes all the requirements enumerated in WAC 136-40-020. A copy of such utility policy, including all updates, amendments and modifications as they may from time to time become necessary, shall be forwarded to the county road administration board (~~(by January 31, 1993)~~) within thirty days of adoption.

AMENDATORY SECTION (Amending Order 80, filed 11/6/90, effective 12/7/90)

WAC 136-40-040 (~~(Existing policies.)~~) Conflicts with state and federal requirements. (~~(Counties with existing utility policies shall not be required to meet the requirements of WAC 136-40-030 unless the existing utility policy (1) has not been formally adopted by the county legislative authority, and/or (2) is not in substantial conformance with the content requirements of WAC 136-40-020.)~~) Nothing in this section shall eliminate or modify any requirements, procedures, or authorities of the Washington state department of transportation, the Washington utilities and transportation commission, the Federal Highway Administration or any other state or federal agency.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 136-40-050 Updates, amendments, and modifications.

WAC 136-40-060 Conflicts with state and federal requirements.

Chapter 136-60 WAC

STANDARD OF GOOD PRACTICE--MAINTENANCE OF COUNTY ROAD LOGS

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

WAC 136-60-010 Purpose. (~~Section 1(2) chapter 120, Laws of 1985,~~) RCW 46.68.124(2) provides that the county road administration board (CRABoard) shall maintain the county road log for the purpose of computing estimated county road replacement costs and estimated annual maintenance costs for county fuel tax allocations. It further provides that each county shall submit changes, corrections and deletions (i.e., "updates") to the CRABoard which in turn are subject to validation prior to inclusion in the road log maintained by the CRABoard. This WAC chapter describes the manner in which the CRABoard will administer this responsibility.

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

WAC 136-60-030 Submittal of annual updates. Each county shall be responsible for maintaining current information regarding its road log and, no later than May 1 of each year, submit an updated road log (~~as of January 1~~) for its complete road system with all data elements as of December 31st of the preceding year. This annual update must be on the computer-readable medium written in the computer data base program format as prescribed by the CRABoard. All updates involving changes in control fields must include supporting documentation as required in WAC 136-60-050.

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

WAC 136-60-060 Utilization of common computer data base. Each county shall utilize a common computer data base for the maintenance and updating of its county road log. This data base shall be prescribed by the CRABoard and each county shall be responsible for the purchase and installation of the requisite software on its own (~~IBM or IBM compatible~~) DOS-compatible microcomputer.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-100-010 Purpose. (~~(Section 19(5), chapter 49, Laws of 1983 1st ex. sess. (the act),~~) RCW 36.79.060 provides that the county road administration board (CRABoard) shall administer the rural arterial program (RAP) established by chapter 36.79 RCW. This chapter describes the manner in which the CRABoard will implement the several provisions of (~~(the act)~~) chapter 36.79 RCW.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-100-020 Adoption of rules. The CRABoard shall adopt rules (~~(in accordance with the provisions of the act)~~) for purposes of administering the RAP regarding the following:

(1) Apportionment of rural arterial trust account (RATA) funds to regions.

(2) RAP projects in the six-year program.

(3) Regional prioritization of RAP projects.

(4) Preparation of RAP budget and program.

(5) Eligibility for RATA funds.

(6) Allocation of RATA funds to approved RAP projects.

(7) CRAB/County contract.

(8) Processing of vouchers.

(9) Audit responsibilities.

(10) Functional classification.

(11) Design standards for RAP projects.

(12) Matching requirements.

(13) Joint county RAP/Rural UAB projects.

(14) Emergent projects.

(15) Reports to the legislature.

(16) Other matters deemed necessary by the CRABoard.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-100-030 Major collectors and minor collectors. The (~~(act)~~) statute specifies that rural arterials classified as major collectors and rural arterials classified as minor collectors shall be eligible for RATA funding. In developing project priorities and in approving RAP projects the CRABoard shall prioritize all prospectus applications to determine the priority rating of each proposed project in each region in relation to all other proposed projects in each region (~~(without regard to their classification as major and minor collectors)~~).

WAC 136-100-040 Delegation of authority. In order to assure effective and timely administration of the RAP, the CRABoard may delegate authority in specific matters to its executive director. Delegation may be relative to signing of contracts, approval of RAP project vouchers, approval of change of scope of a project and other matters as may be determined by the CRABoard.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-110-010 Purpose. (~~(Sections 4 and 5, chapter 49, Laws of 1983 1st ex. sess.)~~) RCW 36.79.030 and 36.79.040 provides that rural arterial trust account (RATA) funds available for expenditure by the CRABoard shall be apportioned to the five regions for expenditure upon county arterials in rural areas in the following manner:

(1) One-third in the ratio which the land area of the rural areas of each region bears to the total land area of all rural areas of the state;

(2) Two-thirds in the ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state.

This chapter describes how this statutory language will be implemented by the CRABoard.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-110-030 Computation of road mileage ratio. The ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state shall be computed from information shown in the county road log maintained by the (~~secretary of transportation~~) CRABoard as of July 1 (~~(, 1985 and each two years thereafter)~~) of each odd-numbered year.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-110-040 Apportionment percentages established. At the first CRABoard meeting of each biennium the CRABoard shall establish apportionment percentages for the five RAP regions based on the computations described in WAC 136-110-010 (~~(and)~~) through 136-110-030. The apportionments so established shall remain in effect for the remainder of the biennium.

WAC 136-110-050 Apportionment to regions. The apportionment percentages established in accordance with WAC 136-110-040 shall be used once each quarter by the (~~board~~) CRABoard to apportion funds credited to the rural arterial trust account (RATA) to the five regions. The funds so apportioned shall be allocated as described in chapter 136-160 WAC by the CRABoard to counties for construction of approved rural arterial projects.

Chapter 136-120 WAC

RAP PROJECTS IN THE SIX-YEAR TRANSPORTATION PROGRAM

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-120-010 Purpose. (~~Sections 8 and 10, chapter 49, Laws of 1983 ex. sess.,~~) RCW 36.79.080 and 36.79.090 require that counties list prospective RAP projects in their respective six-year transportation programs and that the CRABoard review such programs. This WAC chapter describes the manner in which the CRABoard will implement these provisions in its administration of the RAP program.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-120-020 Six-year program adoption. (~~The~~) Each county's six-year transportation program shall be prepared and adopted in accordance with RCW 36.81.121, and one copy forwarded to the CRAB office no later than August 1st of each year.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-120-030 RAP projects in six-year program. (~~The~~) Each county's six-year transportation program in each even-numbered year shall include all projects for which the county may request RATA funds during the succeeding biennium. Project cost estimates for prospective RAP projects shall be considered preliminary(~~r~~) and subject to revision until a project application is submitted.

Chapter 136-130 WAC

REGIONAL PRIORITIZATION OF RAP PROJECTS ((TO BE APPROVED IN
1984))

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-130-010 Purpose. ((Sections 8 and 10, chapter 49, Laws of 1983 1st ex. sess.)) RCW 36.79.080 and 36.79.090 provide that the CRABoard shall determine the priority of specific improvement projects based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account, but not limited to, the following five factors:

- (1) Its structural ability to carry loads upon it;
- (2) Its capacity to move traffic at reasonable speeds;
- (3) Its adequacy of alignment and related geometrics;
- (4) Its accident experience; and
- (5) Its fatal accident experience.

This chapter describes how this statutory language will be implemented by the CRABoard.

AMENDATORY SECTION (Amending WSR 94-10-022, filed 4/27/94, effective 5/28/94)

WAC 136-130-040 Project prioritization in northwest region (NWR). Each county in the NWR may submit projects requesting RATA funds not to exceed ((five hundred thousand dollars)) \$500,000 per project and ((fifty percent)) 50% of the regional allocation total. No bridge replacement projects will be funded. Each project shall be rated in accordance with the NWR RAP rating procedures. NWR RAP rating points shall be assigned on the basis of ((forty)) 40 points for structural condition, ((forty)) 40 points for geometrics, ((ten)) 10 points for traffic volume ((and ten)), 10 points for traffic accidents and ((five)) 5 points for any project on a major collector (07). Prioritization of NWR projects shall be on the basis of total NWR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 66, filed 10/15/87)

WAC 136-150-010 Purpose. (~~Language in section 14, chapter 49, Laws of 1983 [1st] ex. sess.)~~ RCW 36.79.140 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)~~ with a population of 5,000 or more but less than 8,000 shall be exempt from this requirement. This ~~([WAC])~~ chapter describes how this statutory language will be implemented by the CRABoard ~~(beginning with the 1988 county budget year)~~.

AMENDATORY SECTION (Amending Order 66, filed 10/15/87)

WAC 136-150-020 Implementing the eligibility requirement. (~~[The CRABoard will approve RAP projects, and allocate RATA funds to projects, only in eligible counties.]~~) The CRABoard will ascertain the amount of the total road levy fixed in each county and the amount diverted, if any, for any services to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. The CRABoard will compare the amount actually spent each year for traffic law enforcement with the amount diverted to determine whether or not the county is eligible to receive RATA funds.

AMENDATORY SECTION (Amending Order 66, filed 10/15/87)

WAC 136-150-022 Ascertaining the expenditures for traffic law enforcement. In those counties where diverted road levy has been budgeted for traffic law enforcement, and which have a RAP project awaiting approval by the CRABoard, the county sheriff will be required to submit a certification showing the actual expenditure for traffic law enforcement in the previous budget year, provided that counties ~~(of the 7th class)~~ with a population of 5,000 or more but less than 8,000 shall be exempt from this requirement.

WAC 136-150-023 Identifying eligible counties. Counties eligible to receive RATA funds shall be:

(1) Those in which there has been no diversion of the county road levy (~~(7)~~);

(2) Those in which the actual expenditures for traffic law enforcement have been equal to, or greater than, the amount of diverted road levy budgeted for traffic law enforcement (~~(7 and)~~);

(3) Those (~~(of the 7th class)~~) with a population of 5,000 or more but less than 8,000; and

(4) Those expending revenues collected for road purposes only on other governmental services after authorization from the voters of that county under RCW 84.55.050.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

WAC 136-161-060 RAP program cycle--Total project rating and priority array. CRAB staff will review all final prospectuses and ensure that:

- (1) All necessary information is included;
- (2) The project is from the pool of preliminary prospectuses;
- (3) The project is eligible for RATA funding;
- (4) The project is on the current, adopted six-year transportation program;
- (5) The project schedule indicates that the construction of the project will begin not later than six years from the date of project approval by the CRABoard; and
- (6) The total project priority rating is mathematically correct and the visual rating scores determined during the CRAB field review are included.

After CRAB staff review, all accepted final prospectuses within each region will be placed in a declining total project rating array in accordance with procedures specified in chapter 136-130 WAC. After review by the CRABoard at its next regular meeting, the priority array for each region will be provided to each county in the region. These arrays will be preliminary only and will be provided to the counties to assist them in their internal budgeting and programming. No notations as to whether a particular project will or will not be funded will be included.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

WAC 136-161-070 RAP program cycle--Selection and approval of projects for RATA funding. (1) At its last regular meeting before the beginning of each biennium, the (~~CRABoard~~) CRABoard will select projects and allocate anticipated RATA funds to projects in each region. The preliminary priority arrays as developed in WAC 136-161-060 will be updated to exclude any county which is ineligible under chapter 136-150 WAC, and projects will be selected from these arrays. Selections will be made in each region in declining priority rank order, provided that:

- (a) No county shall be allocated RATA funds in excess of its regional county limit as specified in WAC 136-161-080(~~(7)~~); and
- (b) Any projects which were partially funded in the prior biennium shall, unless otherwise requested by the county, be fully funded before new projects are selected. Ties in total rating points will be broken by the CRABoard in favor of the county having the lesser total amount of previously allocated RATA funds.

(2) The state-wide net amount of RATA funds available for allocation to projects in the project program period will be based

on the most recent state fuel tax revenue forecast prepared quarterly by the department of transportation, less estimated administrative costs, and less any amounts set aside for emergent projects as described in WAC 136-161-100. The total amount of RATA funds available for allocation to projects in a region (i.e., "forecasted regional apportionment amount") will be based on the regional apportionment percentages of the statewide net amount as determined in chapter 136-110 WAC.

(3) For the biennium beginning July 1, 1995, the project program period will be the next four state fiscal years (1996, 1997, 1998 and 1999, beginning July 1, 1995, and ending June 30, 1999). For the biennium beginning July 1, 1997, the project program period will begin July 1, 1999 and end June 30, 2001. For each biennium thereafter, the project program period will be two years in length, beginning and ending two years later than the preceding project program period.

(4) The RATA amounts allocated to projects in the first year of the biennium are limited to 90% of the net amount estimated to be available to each region for the project program period, with the remaining 10% allocated at such time as deemed appropriate by the CRABoard.

(5) Acceptance of the RATA allocation for a project by the full execution of a CRAB/county contract as described in chapter 136-170 WAC constitutes agreement to complete the project in compliance with the scope, design and project limits in the final prospectus. All material changes to the scope, design or project limits must be approved by the CRABoard prior to the commencement of construction.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 136-161-100 Use of RATA funds for emergent projects.

AMENDATORY SECTION (Amending WSR 94-16-112, filed 8/2/94, effective 9/2/94)

WAC 136-170-010 Purpose. RCW 36.79.050 and 36.79.060 provide for CRABoard administration of the rural arterial program (RAP). This chapter describes the individual project contract between the CRABoard and a county (~~(++)~~)[CRAB/county contract(~~(++)~~)] to be used to administer each approved RAP project.

AMENDATORY SECTION (Amending WSR 94-16-112, filed 8/2/94, effective 9/2/94)

WAC 136-170-030 Terms of CRAB/county contract. (1) For projects for which RATA funds are allocated before July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

(a) The contract shall be valid and binding (and the county shall be entitled to receive RATA funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing (~~(by) (to)~~) by the CRABoard.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the CRABoard when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The CRABoard will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the CRAB office, subject to the availability of RATA funds apportioned to the region; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals improper expenditure of RATA funds.

(2) For projects for which RATA funds are allocated on or after July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

(a) The contract shall be valid and binding, and the county shall be entitled to receive RATA funding in accordance with the vouchering/payment process as described in chapter 136-180 WAC, only if the contract is properly signed and returned to the CRABoard within 45 calendar days of its mailing by the CRABoard.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the CRABoard when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The CRABoard will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the CRAB office, subject to the availability of RATA funds apportioned to the region; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals improper expenditures of RATA funds.

(g) The county may be required to reimburse the RATA in the event of early termination in accordance with the provisions of chapter 136-167 WAC.

(h) The county agrees to amend the contract in cases where:

~~((a))~~ (i) Additional RATA funds have been requested and approved under chapter 136-165 WAC;

~~((b))~~ (ii) Other relief from the original scope, design or project limits has been approved by the CRABoard under chapter 136-165 WAC; or

~~((c))~~ (iii) A project has been terminated without full RATA reimbursement under WAC 136-167-030(2).

(i) The county agrees to provide periodic project development progress reports as requested by the CRABoard.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-180-010 Purpose. (~~Section 17, chapter 49, Laws of 1983 ex. sess.~~) RCW 36.79.160 provides that counties shall submit vouchers for payment of the RATA share of the cost of work completed on each RAP project. This (~~WAC~~) chapter describes the manner in which the CRABoard will implement the provisions (~~of the act~~) related to payment of vouchers.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-180-030 Voucher approval. The county constructing each RAP project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each RAP project for the payment of the RATA share of the project cost. The (~~chairman~~) chairperson of the CRABoard or his/her designated agent(s) shall approve such vouchers for payment to the county submitting the voucher.

AMENDATORY SECTION (Amending WSR 94-10-021, filed 4/27/94, effective 5/28/94)

WAC 136-180-040 Payment of vouchers. Upon approval of each RAP project voucher by the (~~chairman~~) chairperson of the CRABoard or his/her designated agent(s), it shall be transmitted to the state treasurer for preparation of the RATA warrant. The RATA warrant will be returned to CRAB and transmitted directly to each county submitting a voucher.

AMENDATORY SECTION (Amending Order 60, filed 5/17/85)

WAC 136-190-010 Purpose. (~~Chapter 49, Laws of 1983, extraordinary session (the act),~~) RCW 36.79.060 provides that the county road administration board (CRABoard) shall administer the rural arterial program (RAP). This WAC chapter describes the provisions for audit of those RAP projects approved by the CRABoard.

Chapter 136-200 WAC

FUNCTIONAL CLASSIFICATION FOR THE RAP PROGRAM

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-200-010 Purpose. (~~Section 2, chapter 49, Laws of 1983 ex. sess.,~~) RCW 36.79.020 provides that rural arterial trust account (RATA) funds shall be expended for the construction and improvement of county major and minor collectors in rural areas. This ((WAC)) chapter describes ((that)) the manner in which the major and minor collector designations are made. The source document is entitled: *Guidelines: For Amending Urban Boundaries, Functional Classification, and/or Federal Aid Systems*, ((December 1982)) August 1990, by WSDOT, and includes all subsequent amendments.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-200-020 Functional classification. The Federal Highway Administration (FHWA) has developed a system of functional classification for highways, roads and streets which divides these facilities into groups having similar characteristics of providing mobility and/or land access. All rural roads are presently categorized into ((four)) the following functional classifications: Principal arterials, minor arterials, major and minor collectors, and local roads.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-210-010 Purpose. (~~Section 6, chapter 49, Laws of 1983 1st ex. sess.~~) RCW 36.79.060(2) provides that the CRABoard shall adopt (~~reasonable~~) reasonably uniform design standards for county major and minor collectors that meet the requirements for trucks transporting commodities. This chapter describes how this statutory requirement will be implemented by the CRABoard.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-210-020 Applicable design standards. Geometric design of all RAP projects including all bridges shall, unless otherwise approved by the CRABoard, be in accordance with the (~~local agency guidelines (LAG) manual published by the WSDOT, Division 13, Rural Area Design Standards~~) city and county design standards for the construction of urban and rural arterials and collectors as adopted November 30, 1994, in accordance with RCW 35.78.030 and 43.32.020.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-210-030 Deviations from design standards. Deviation from the specified design standards may be requested by the county engineer in responsible charge of the project when circumstances exist which would make application of adopted standards exceedingly difficult. Whenever a deviation request is to be made on a project, it shall be so noted on the project application submitted in accordance with WAC (~~136-160-020~~) 136-161-020. Request for deviation shall be made to the (~~state aid engineer in accordance with the LAG manual~~) WSDOT assistant secretary for transaid.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-210-040 Report of (~~state aid engineer~~) assistant secretary for transaid. Whenever the CRABoard meets to approve RAP projects the (~~state aid engineer~~) assistant secretary for transaid shall provide a written report on his action in response to deviation requests, if any, made on individual projects. Failure of the (~~state aid engineer~~) assistant secretary for

transaid to re t in response to a deviat i request within thirty days of receipt of such request shall be considered as approval.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-210-050 Project approval with deviation. After having received the report of the ((~~state aid engineer~~)) assistant secretary for transaid in response to deviation requests, the CRABoard shall proceed with RAP project approval in accordance with WAC ((~~136-160-050~~)) 136-161-050. Proposed projects for which the deviation request has been denied shall not be approved.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-220-010 Purpose. (~~Section 12, chapter 49, Laws of 1983 1st ex. sess.~~) RCW 36.79.120 provides that the CRABoard shall establish matching requirements for counties receiving funds from the rural arterial trust account (RATA). This chapter describes how this statutory requirement will be implemented by the CRABoard.

AMENDATORY SECTION (Amending Order 82, filed 11/6/90, effective 12/7/90)

WAC 136-220-030 Use of ((RATA funds)) other funds to match ((other)) RATA funds. A county with an approved RAP project may use ((RATA funds to match)) any ((applicable)) other funds available for such project including federal, other state, private and local funds, provided that the county will be required to use such other funds to match any RATA funds allocated to the project with a minimum of 20% ((matching)) other funds in the PSR and NWR and 10% ((matching)) other funds in the SWR, NER and SER. ((Projects involving federal highway program funds will be administered through the state aid division of WSDOT except that reimbursement of RATA funds will be through the CRABoard.))

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 136-250-010	Purpose.
WAC 136-250-020	Report of road levy revenues.
WAC 136-250-030	Report of expenditures.
WAC 136-250-040	Report of road levy expenditures.
WAC 136-250-050	Report to the legislative transportation committee.

Chapter 136-300 WAC

~~((GENERAL))~~ ADMINISTRATION (~~(PROCEDURES)~~) OF THE COUNTY ARTERIAL
PRESERVATION PROGRAM

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-300-010 Purpose and authority. (~~(Section 103(4), chapter 42, Laws of 1990 (the act),)~~) RCW 46.68.095(4) 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~~) statute. This chapter describes the manner in which the CRABoard will implement the several provisions of the (~~act~~) statute.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-300-020 Adoption of rules. The CRABoard shall adopt rules in accordance with the provisions of the (~~act~~) statute 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.

AMENDATORY SECTION (Amending WSR 94-01-116, filed 12/17/93, effective 1/17/94)

WAC 136-310-010 Certification of county arterial mileage.

(1) Classification. The ~~((act))~~ statute 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 within the federal functional classification system as arterials (~~((Federal Functional Classes 12, 13, 14, 15, and 16) or classified as))~~ or collectors (~~((Federal Functional Class 17))~~);

(b) In rural areas, classified within the federal functional classification system as arterials (~~((Federal Functional Classes 02 and 06) or 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.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

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 state-wide paved county arterial lane miles (~~((in the state))~~).

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-310-050 Eligibility.

~~((Beginning May 1, 1990,))~~ All arterial preservation work and related activities done by each county shall be eligible for CAPA funding provided that:

(1) The county ((~~road engineer submits the description of~~)) is determined to be in compliance with the pavement management system ((as required)) requirements as set forth 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 136-340 WAC

COUNTY ARTERIAL PRESERVATION PROGRAM ACCOUNTING AND AUDIT PROVISIONS

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-340-020 Audit provisions. ((CAPP)) CAPA 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.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-340-030 Scope of audits. The audit of any ((CAP)) CAPP project or activity shall include but not be limited to the review of the county's compliance with:

- (1) The provisions of the ((act)) enabling legislation; 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.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-340-040 Noncompliance and questioned costs. If the audit of a ((CAP)) CAPP 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.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

WAC 136-400-010 Purpose. (~~Section 1(4), chapter 310, Laws of 1991 (the act),~~) RCW 47.56.725(4) provides that the county road administration board (CRABoard) may evaluate requests for ferry capital improvement funds by Pierce, Skagit, Wahkiakum, and Whatcom counties, and, if approved by the board, submit said requests to the legislature for funding. This chapter describes the manner in which the CRABoard will implement the provisions of the act.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

WAC 136-400-060 Technical review committee. A technical review committee shall be created to review project applications for ferry capital improvement funds composed of the following members or their designees: Executive director of the CRABoard, WSDOT assistant secretary (~~(WSDOT local programs)~~) for transaid, a WSDOT marine division engineer, and public works department representatives from each of the four participating counties. The county representatives shall serve as ex officio, nonvoting members of the technical review committee. The technical review committee shall recommend approval of projects that have been submitted in a timely manner and that:

- (1) Meet the applicable statutes and the standards of this chapter; and
- (2) Adhere to commonly held engineering practices and cost effectiveness.

The technical review committee shall recommend an appropriate local match on a project-by-project basis based upon the availability of local matching funds. Written reports on each project recommended for approval shall be submitted to the (~~board~~) CRABoard no later than thirty days prior to its regularly (~~schedules~~) scheduled spring meeting. Technical review committee meetings shall be convened on an "as needed" basis by the executive director of the CRABoard, who shall serve as chairperson.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

WAC 136-400-100 Terms of CRAB/county contract. The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive ferry capital improvement funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing by the CRABoard.

(2) The project will be constructed in accordance with:

(a) The information furnished to the CRABoard((~~r~~)); and

(b) The plans and specifications prepared under the supervision of the county engineer.

(3) The county will notify the CRABoard when a contract has been awarded and when construction has started, and when the project has been completed.

(4) The CRABoard will reimburse counties on the basis of ((~~monthly~~)) progress vouchers received and approved on individual projects, subject to the availability of ferry capital improvement funds appropriated by the legislature.

(5) The county will reimburse the CRABoard in the event that a project post audit reveals improper expenditure of ferry capital improvement funds. Said funds will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

WAC 136-400-110 Voucher approval and payment. The CRABoard shall prepare and distribute to all counties with approved ferry capital improvement projects, voucher forms for use in requesting progress and final payments for each approved ferry capital improvement project.

The county constructing each ferry capital improvement project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each project for payment of the approved and funded share of the project cost.

The CRABoard shall approve such vouchers for payment to the county submitting the voucher. ((~~Upon approval of each ferry capital improvement voucher by the CRABoard it shall be transmitted to the department of transportation for payment to the county submitting the voucher.~~)) Ferry capital improvement fund warrants shall be transmitted directly to each county submitting a voucher. In the event that project funds remain unspent after the final project payment has been made, the unspent balance will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

WAC 136-400-120 Audit requirements. Audits of county ferry capital improvement projects may be conducted by the state auditor's office and will normally be conducted in conjunction with

the county audit required by RCW 43.09.260 and 36.80.080. Special audits of specific ferry capital improvement projects not required by these statutes may be accomplished at the request, and at the expense, of the CRABoard.

An audit of any county ferry capital improvement project shall include, but not be limited to, a review of the county's compliance with: The provisions of the ~~((act))~~ statute; and these rules. The audit shall also include a review of the financial accounting and reporting of those funds associated with and received for the ferry capital improvement project.

In the event that an exception is noted in the audit report the CRABoard shall evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended ferry capital improvement funds as provided in the CRAB/county contract (~~((WAC 136-400-110))~~). Any such funds returned by a county to the CRABoard shall be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.