



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: County Road Administration Board

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

(1) Date of adoption: April 9, 1998

(2) Purpose:
Amending sections 130-030, 130-040, 161-080, 161-090, 200-040, 210-030, 220-020, 220-030 or WAC 136 - The Rural Arterial Program

(3) Citation of existing rules affected by this order:
Repealed:
Amended: WAC 136
Suspended:

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

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)
 Adopted under notice filed as WSR 98-06-045 on February 27, 1998 (date).
 Describe any changes other than editing from proposed to adopted version:

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

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

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

(6) Effective date of rule:

Permanent Rules or Expedited Rule Making	Emergency Rules
<input checked="" type="checkbox"/> 31 days after filing	<input type="checkbox"/> Immediately
<input type="checkbox"/> Other (specify) _____*	<input type="checkbox"/> Later (specify) _____

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

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

APR 20 1998

TIME 11:33 AM

WSR 98-09-070 PM

NAME (TYPE OR PRINT)
ERIC A. BERGER

SIGNATURE

TITLE EXECUTIVE DIRECTOR

DATE 4/15/98

AMENDATORY SECTION (Amending Order 88, filed 6/10/92, effective 7/11/92)

WAC 136-130-030 Project prioritization in Puget Sound region (PSR). Each county in the PSR may submit projects requesting RATA funds not to exceed (~~(\$500,000 per project)~~) 80% of the regional allocation total. Each project shall be rated in accordance with the PSR RAP rating procedures. The PSR biennial apportionment shall have a minimum of 25% of the regional allocation committed to projects on roads classified as major collectors (07) or minor collectors (08).

PSR RAP rating points shall be assigned on the basis of 20 points for traffic volume, 25 points for accident history, 15 points for structural condition, 25 points for geometric condition, and 15 points for special use and need. Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

WAC 136-130-040 Project prioritization in northwest region (NWR). Each county in the NWR may submit projects requesting RATA funds not to exceed \$500,000 per project and 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 40 points for structural condition, 40 points for geometrics, 10 points for traffic volume, 10 points for traffic accidents (~~and~~), 5 points for any project on a major collector (07), and 10 points for any project on a rural principle arterial (02) or a rural minor arterial (06). 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 WSR 96-17-013, filed 8/12/96, effective 9/12/96)

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 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; 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.

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

WAC 136-161-080 Limitations on allocations of RATA funds to counties. For any project program period, no county shall receive a RATA fund allocation greater than the following maximum project RATA contribution, or percentage of the forecasted regional apportionment amount:

(1) PSR: No maximum project RATA contribution (~~(is \$500,000, no)~~); 40% limit on percentage of the forecasted regional apportionment amount;

(2) NWR: Maximum project RATA contribution is \$500,000; ~~25% ((limit on percentage of the forecasted regional apportionment amount))~~;

(3) NER: No maximum project RATA contribution; 12.5%;

(4) SWR: No maximum project RATA contribution; 15%;

(5) SER: No maximum project RATA contribution; percentage varies by county as follows:

Asotin County	10%
Benton County	14%
Columbia County	11%
Franklin County	13%
Garfield County	10%
Kittitas County	13%
Klickitat County	14%
Walla Walla County	14%
Yakima County	20%

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

WAC 136-161-090 Limitations on use of RATA funds. RATA funds requested and allocated to a project are limited to 80% in the ~~((PSR and))~~ NWR, and 90% in the PSR, SWR, NER and SER, of the total eligible project development costs, which include preliminary engineering and construction costs in all regions, and right of way costs in the PSR, NWR, NER and SER. Even though additional and eligible project development costs may be incurred by a county for a specific project, the maximum amount of RATA funds for that project is limited to the amount allocated and shown in the CRAB/county contract (see chapter 136-170 WAC), unless the allocation is increased pursuant to chapter 136-165 WAC.

AMENDATORY SECTION (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

WAC 136-200-040 Functional classification verification. Each RAP project application submitted in accordance with WAC ((~~136-160-020~~) 136-161-050) shall show the functional classification of the road or roads included in the project. Prior to project approval the CRABoard shall verify that the road on which the RAP project is requested is classified as a rural arterial or collector.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

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 (~~(136-161-020)~~) 136-161-050. Request for deviation shall be made to the WSDOT assistant secretary for transaid.

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

WAC 136-220-020 Establishment of matching requirements.

Counties will be required to match RATA funds with a minimum of 20% matching funds in the ((~~PSR and~~)) NWR and 10% matching funds in the PSR, SWR, NER and SER.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

WAC 136-220-030 Use of other funds to match RATA funds.

A county with an approved RAP project may use any 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% other funds in the ((~~PSR and~~)) NWR and 10% other funds in the PSR, SWR, NER and SER.