

# Chapter 136-300 WAC

## ADMINISTRATION OF THE COUNTY ARTERIAL PRESERVATION PROGRAM

### WAC

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**WAC 136-300-010 Purpose and authority.** RCW 46.68.090 (2)(i) provides that the county road administration board shall administer the county arterial preservation program (CAPP) and the county arterial preservation account (CAPA) established by this statute. This chapter describes the manner in which the county road administration board will implement the several provisions of the statute.

[Statutory Authority: Chapter 36.78 RCW. WSR 13-16-105, § 136-300-010, filed 8/7/13, effective 9/7/13. Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-300-010, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. WSR 96-17-013, § 136-300-010, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.070 and 1990 c 42. WSR 90-22-082 (Order 81), § 136-300-010, filed 11/6/90, effective 12/7/90.]

**WAC 136-300-020 Adoption of rules.** The county road administration board shall adopt rules in accordance with the provisions of the statute for purposes of administering the CAPP regarding the following:

- (1) Distribution of (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.

[Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-300-020, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. WSR 96-17-013, § 136-300-020, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.070 and 1990 c 42. WSR 90-22-082 (Order 81), § 136-300-020, filed 11/6/90, effective 12/7/90.]

**WAC 136-300-030 Delegation of authority.** In order to assure effective and timely administration of the CAPP the county road administration board may, by resolution, delegate specific administrative authorities to its executive director.

[Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-300-030, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 1990 c 42. WSR 90-22-082 (Order 81), § 136-300-030, filed 11/6/90, effective 12/7/90.]

**WAC 136-300-040 Staff services and facilities.** The county road administration board shall arrange for all necessary staff services and facilities necessary for the efficient

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administration of the county arterial preservation program. The costs of such services and facilities as well as all other lawful expenses of the county road administration board that are attributable to CAPP shall be paid from the county arterial preservation account in the motor vehicle fund.

[Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-300-040, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 1990 c 42. WSR 90-22-082 (Order 81), § 136-300-040, filed 11/6/90, effective 12/7/90.]

**WAC 136-300-050 Distribution of CAPA funds.** (1) Certification of county arterial mileage.

(a) Classification. The 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:

- (i) In urban areas, classified within the federal functional classification system as arterials or collectors;
- (ii) In rural areas, classified within the federal functional classification system as arterials, major collectors, or minor collectors.

(b) 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.

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

(2) Establishment of allocation percentages. At its first regular meeting after July 1 of each year, the county road administration board 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 county road administration board as its percentage of paved arterial lane miles of the total statewide paved county arterial lane miles.

(3) Notice to counties. Upon their establishment, the county road administration board shall notify the county legislative authority and the county engineer of each county of the respective county's CAPA allocation percentage and the latest estimate of the amount of CAPA funds to be allocated during the next calendar year.

(4) Distribution to counties. Distribution of allocated CAPA funds shall be done monthly by the state treasurer. The state treasurer shall use the allocation percentages provided by the county road administration board as computed under the provisions of subsection (2) of this section.

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(5) Eligibility. All arterial preservation work and related activities, and maintenance management done by each county shall be eligible for CAPA funding provided that:

(a) The county is determined to be in compliance with the pavement management system requirements as set forth in chapter 136-70 WAC; and

(b) The county engineer submits the annual CAPA program as required in WAC 136-300-060; and

(c) The work is in conformance with the allowable activities as specified in WAC 136-300-070.

[Statutory Authority: Chapter 36.79 RCW. WSR 06-11-067, § 136-300-050, filed 5/12/06, effective 6/12/06; WSR 99-01-021, § 136-300-050, filed 12/7/98, effective 1/7/99.]

**WAC 136-300-060 Annual county arterial preservation programs.** Each county engineer shall, in conjunction with the county's annual road construction program as required by RCW 36.81.130 and chapter 136-16 WAC, prepare an annual county arterial preservation program. Appropriate forms will be provided by the county road administration board.

The county's annual arterial preservation program shall consist of a list of all proposed county arterial preservation projects and activities as well as total planned expenditure of CAPA and non-CAPA funds for maintenance management for the ensuing year. In order to evaluate the relative ability of CAPA funds to meet the county's total arterial pavement preservation needs, the annual county arterial preservation program shall identify those projects for which CAPA funding is available.

The county engineer shall submit the proposed county arterial preservation program to the county road administration board along with the county's annual road program and budget in accordance with chapter 136-16 WAC.

[Statutory Authority: Chapter 36.79 RCW. WSR 06-11-067, § 136-300-060, filed 5/12/06, effective 6/12/06; WSR 99-01-021, § 136-300-060, filed 12/7/98, effective 1/7/99.]

**WAC 136-300-070 Allowable activities within CAPP.** For all CAPA-funded projects that involve structural resurfacing, the existing road must meet the following minimum width standards:

Shouldered roadway sections:

Current ADT	Lane width	Shoulder width
0 to 100	9 feet	2 feet
101 to 400	10 feet	2 feet
401 to 4000	10 feet	2 feet
Over 4000	11 feet	4 feet

Curbed roadway sections (minimum lane width):

Current ADT	Two-way undivided	One-way & two-way divided
All	10 feet	9 feet

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

Use of county arterial preservation account funds shall be limited to the following three groups of activities:

(1) Implementation of computerized systems to include:

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

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

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

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

(2) Direct and attributable indirect costs associated with paved surface preservation and rehabilitation activities on existing roadways, and maintenance management activities related to all county arterials, including the following:

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

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

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

(d) Maintenance management activities. These include creating maintenance management reports and training in maintenance management per the requirements listed in chapter 136-11 WAC.

(3) Resurfacing work associated with the reconstruction and/or widening of existing paved arterials. This participation is limited as follows:

(a) The present roadway is a paved county arterial as defined by WAC 136-300-050;

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

(c) The reconstruction/widening project will bring the roadway to at least the lane and shoulder width standards and non-CAPA funding requirements of this section;

(d) The CAPA participation will be limited to the resurfacing portion of the project as described in this section.

[Statutory Authority: Chapter 36.79 RCW. WSR 06-11-067, § 136-300-070, filed 5/12/06, effective 6/12/06; WSR 99-01-021, § 136-300-070, filed 12/7/98, effective 1/7/99.]

**WAC 136-300-080 Accounting and audit provisions.****(1) Accounting requirements:**

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

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

(2) Audit provisions. 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 county road administration board. The costs of such special audits shall be the responsibility of the county road administration board.

(3) Scope of audits. The audit of any CAPP project or activity shall include, but not be limited to, the review of the county's compliance with:

(a) The provisions of the enabling legislation; and

(b) The rules in Title 136 WAC regarding implementation and administration, 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.

(4) Noncompliance, questioned costs, and post-audit penalty. If the audit of a 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. In the event an exception has been noted within the audit report, it shall be the duty of the county road administration board to evaluate the noted discrepancy. Discrepancies may be cause for the county road administration board to order the payback of any CAPA funds that have been expended on ineligible activities and/or withdrawal or denial of the certificate of good practice of the county in question as provided in chapter 136-04 WAC.

[Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-300-080, filed 12/7/98, effective 1/7/99.]

**WAC 136-300-090 Submittal of annual report.** The county road administration board shall prepare and distribute to all counties standard reporting forms for use by the county engineer to annually summarize the pavement preservation and maintenance management activities, both CAPA and non-CAPA funded, in his or her county. For all CAPA-funded work, the report will require a specific listing of roads improved including a definition of scope of work and the amount of CAPA funds expended, as well as a listing of the county's share of CAPA funds used for maintenance management.

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

[Statutory Authority: Chapter 36.79 RCW. WSR 06-11-067, § 136-300-090, filed 5/12/06, effective 6/12/06; WSR 99-01-021, § 136-300-090, filed 12/7/98, effective 1/7/99.]