



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

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

Agency: County Road Administration Board Administrative Order 84

- Permanent Rule  
 Emergency Rule

(1) Date of adoption: October 9, 1991

(2) Purpose: Modifies existing rule regarding accommodation of utilities on county road right-of-way by extending the due date for county policy adoption and submittal by one year.

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

Repealed:  
Amended: WAC 136-40-030  
Suspended:

(4) Authority for adoption:

Statute: RCW 36.78.070  
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 91-18-043 on August 30, 1991 (date)

Describe any changes other than editing from proposed to adopted version:

None

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes  No If yes, explain:

(6) Effective date of rule:

**Permanent Rules**

**Emergency Rules**

- 31 days after filing  
 Other (specify) \_\_\_\_\_ \*
- Immediately  
 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

OCT 23 1991

TIME: 2:46 AM

WSR 91-21-137

NAME (TYPE OR PRINT)

Vern E. Wagar

SIGNATURE

*Vern E. Wagar*

TITLE

Executive Director

DATE

10/23/91

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

WAC 136-40-030 ADOPTION AND SUBMITTAL. Each county legislative authority shall formally adopt, no later than December 31, ((1991)) 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 shall be forwarded to the county road administration board by January 31, ((1992)) 1993.