

inants in accordance with the requirements of chapters 173-400, 173-401, 173-406, and 173-460 WAC.

As a part of this program, the director of the department of ecology or an authorized representative of the director may recommend that any source under the jurisdiction of the council conduct stack and/or ambient air monitoring, and to report the results to the council and department of ecology.

[Statutory Authority: RCW 80.50.040(1), 95-17-088, § 463-39-120, filed 8/21/95, effective 9/21/95. Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW, 93-23-035, § 463-39-120, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1), 92-09-013, § 463-39-120, filed 4/2/92, effective 5/3/92; 79-09-006 (Order 79-1), § 463-39-120, filed 8/6/79.]

Title 468 WAC

TRANSPORTATION, DEPARTMENT OF

(Formerly: Highway Commission, etc.)

Chapters

- 468-20 Dishonored checks.
- 468-32 Safety rest areas.
- 468-34 Utility lines—Franchises and permits.
- 468-38 Vehicle size and weight—Restricted highways—Equipment.
- 468-70 Motorist information signs.
- 468-95 Manual on uniform traffic control devices for streets and highways.

Chapter 468-20 WAC DISHONORED CHECKS

WAC

468-20-900 Dishonored checks.

WAC 468-20-900 Dishonored checks. Checks dishonored by nonacceptance or nonpayment; handling fee; liability for interest and collection costs; attorney's fees.

(1) Whenever a check, as defined in RCW 62A.3-104, is dishonored by either nonacceptance or nonpayment for any reason other than by a justifiable stop payment order, the department shall collect from the drawer or maker, in addition to the face amount of the check, a reasonable handling fee, per check, in an amount consistent with current commercial practices but not less than the handling fee authorized in the then current state purchase contract for dishonored check collection services.

(2) When the dishonored check and handling fee have not been paid within fifteen days of the mailing of a notice of dishonor to the drawer or maker at his or her last known address, the drawer or maker shall also be liable for the payment of interest as well as the costs of collection as authorized in statute.

(3) Should the department have to pursue collection of the check through the courts, the drawer or maker may also

be liable for reasonable attorneys' fees plus damages as authorized in statute.

[Statutory Authority: RCW 62A.3-515 [62A.3-515]. 96-01-090 (Order 159), § 468-20-900, filed 12/19/95, effective 1/19/96. Statutory Authority: RCW 62A.3-104, 91-02-007 (Order 126), § 468-20-900, filed 12/21/90, effective 1/21/91.]

Chapter 468-32 WAC SAFETY REST AREAS

WAC

468-32-010 Rest area rules.

WAC 468-32-010 Rest area rules. Pursuant to chapter 47.38 RCW, the purpose of these regulations is for the safety of the traveling public by governing the conduct and use of safety rest areas. The following restrictions apply to activities in safety rest areas:

- (1) Parking is only permitted in designated areas;
- (2) Litter containers are only for picnic and automobile litter;
- (3) Pets shall stay in designated areas and shall be on a leash at all times;
- (4) Open fires are prohibited;
- (5) Aggressive solicitation for money or goods with the intent to intimidate another person into giving money or goods is prohibited; and
- (6) Sanitary disposal systems are for dumping sanitary wastes only from recreational vehicles. Commercial vehicles are prohibited from using the sanitary disposal systems.

[Statutory Authority: Chapter 47.38 RCW, 95-07-106 (Order 150), § 468-32-010, filed 3/20/95, effective 4/20/95.]

Chapter 468-34 WAC UTILITY LINES—FRANCHISES AND PERMITS

WAC

468-34-010 Applications.
468-34-020 Costs.
468-34-050 Notice of filing.
468-34-110 Definition of terms.
468-34-170 Permits and franchises—Contents.
468-34-340 Miscellaneous.

WAC 468-34-010 Applications. Applications for franchises and permits submitted to the Washington state department of transportation shall conform with the following requirements:

- (1) Applications shall be submitted upon forms available from the department.
- (2) Applications shall include the utility facility description plus additional plans and data for CAT 1 and CAT 2 installations.
- (3) Applications shall indicate compliance with the standards as set forth in the POLICY ON ACCOMMODATION OF UTILITIES ON HIGHWAY RIGHTS OF WAY as contained in these rules and any amendments thereto.
- (4) The application shall discuss alternate possibilities, especially when a location on or across a limited access facility is considered necessary. Reasons for need to adhere

(a) Category 1 installations have considerable impact on highway facilities and the public and will require a detailed review effort by more than one department office.

(b) Category 2 installations have limited impact on highway facilities and the public and may require review by more than one department office.

(c) Category 3 installations have little or no impact on highway facilities and the public and will be reviewed only by the office processing the application.

(d) Category 4 installations are same-side service connections below a specified size (see application instructions) and are exempt from the permit/franchise process except in limited access controlled areas.

[Statutory Authority: Chapter 47.44 RCW. 95-21-037 (Order 152), § 468-34-110, filed 10/10/95, effective 11/10/95; 89-05-022 (Order 119), § 468-34-110, filed 2/10/89. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-34-110, filed 12/20/78. Formerly WAC 252-04-075.]

WAC 468-34-170 Permits and franchises—Contents. All permits or franchises shall:

(1) Incorporate all pertinent provisions of this policy as to location, construction, traffic protection, maintenance, access restriction, preservation of visual qualities, and such special conditions as the department may deem appropriate.

(2) Generally describe the facilities to be installed as to size, type, nature and extent.

(3) Contain adequate exhibits depicting:

(a) Existing or proposed location in relation to the highway.

(b) Existing or planned highway improvements.

(c) Right of way.

(d) Control of access and access points.

(4) Contain a summarization of the effects the installation will have on the aesthetics of the highway right of way and visible natural features.

(5) Specify the extent of liability and responsibilities associated with future adjustment of the utility facilities to accommodate highway improvements.

(6) Specify the effect of noncompliance with the conditions thereof.

(7) Contain terms which shall commit the holder to a pledge that performance of routine cutting and trimming work will be accomplished in such a manner that the roadside appearance will not be disfigured. When major work is involved, or damage to roadside appearance may become significant, the holder shall secure the approval of the department in advance of the work.

(8) Contain a certification of compliance with the control zone guidelines.

[Statutory Authority: Chapter 47.44 RCW. 95-21-037 (Order 152), § 468-34-170, filed 10/10/95, effective 11/10/95; 89-05-022 (Order 119), § 468-34-170, filed 2/10/89. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-34-170, filed 12/20/78. Formerly WAC 252-04-135.]

WAC 468-34-340 Miscellaneous. (1) Preservation, restoration and cleanup

(a) Disturbed areas - The size of the disturbed area shall be kept to a minimum. Restoration methods shall be in accordance with the specifications and/or special provisions of the permit or franchise. Unsatisfactory restoration work

shall be promptly redone by the utility. If necessary, restoration work that is not acceptable to the department, may be repaired by the department and billed to the utility company.

(b) Drainage - Care shall be taken in utility installations to avoid disturbing existing drainage facilities. Underground utility facilities should be backfilled with pervious material and outlets provided for entrapped water. Underdrains should be provided where necessary. No jetting or puddling shall be permitted under the roadway.

(c) Spraying, cutting and trimming of trees - The indiscriminate cutting of trees or disfiguring of any feature of scenic value shall not be permitted. The utility shall repair or replace in kind any tree or shrub removed or disfigured when such is not necessary for the utility installation.

(d) If chemical sprays are used to kill weeds and brush, they shall comply with currently applicable federal and state department of agriculture regulations and the following:

(i) A special permit issued by the department shall be required.

(ii) Brush and trees thirty inches or higher shall be close cut and treated with spray to kill the roots and stumps.

(iii) Brush shall be disposed of by chipping or removal from the right of way.

(iv) Brush and weeds thirty inches or less in height may be treated with a chemical spray. After the brush and weeds have died, they shall be immediately removed to prevent a serious fire hazard.

(v) The utility shall be responsible for any drift of the spray that contacts vegetation on private property adjacent to the highway.

(vi) Ingredients that are toxic to livestock, game animals or fowls shall not be used.

(e) Refuse and debris shall be disposed of to the satisfaction of the department.

(2) Safety and convenience

(a) Traffic controls including detours for utility construction and maintenance shall conform with currently applicable "Manual on Uniform Traffic Control Devices for Streets and Highways." All construction and maintenance operations shall be planned to keep interference with traffic to an absolute minimum. On heavily traveled highways construction operations interfering with traffic shall not be allowed during periods of peak traffic flow. Work shall be planned so that closure of intersecting streets, road approaches or other access points is held to a minimum. Adequate provisions shall be made to safeguard any open excavation to include barricades, lights, flagmen, or other protective devices as may be necessary.

(b) All utility facilities shall be kept in good state of repair both structurally and from the standpoint of appearance. The permit or franchise shall specify the maintenance operations which are permitted and the required notification to the department before any work is accomplished. Vehicle parking and the storage of materials on through roadways or ramps shall not be allowed.

(c) If emergency repairs are required, such repairs shall be undertaken and notice given immediately and approval as to the manner of repair secured as soon as possible. The utility shall confine its operations as much as possible to the

nontraveled portion of the right of way and shall exercise caution to protect the traveling public during such repairs. Flagmen, warning lights, barricades, and signs shall be employed in accordance with currently applicable *Manual on Uniform Traffic Control Devices for Streets and Highways*, and *Manual for Emergency Traffic Control for Protection of Men and Equipment*.

(d) Installations included in the Category 4 exemption require twenty-four hours notice to the department prior to construction. Vehicle parking and the storage of materials on through roadways or ramps shall not be permitted. Flagmen, warning lights, barricades, and signs shall be employed in accordance with currently applicable *Manual on Uniform Traffic Control Devices for Streets and Highways*, and *Manual for Emergency Traffic Control for Protection of Men and Equipment*.

[Statutory Authority: Chapter 47.44 RCW. 95-21-037 (Order 152), § 468-34-340, filed 10/10/95, effective 11/10/95; 89-05-022 (Order 119), § 468-34-340, filed 2/10/89. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-34-340, filed 12/20/78. Formerly WAC 252-04-295.]

Chapter 468-38 WAC

VEHICLE SIZE AND WEIGHT—RESTRICTED HIGHWAYS—EQUIPMENT

WAC

468-38-120	Oversize manufactured home transport regulations.
468-38-265	Emergency operation of tow trucks.
468-38-280	Special equipment.
468-38-405	Superload movement criteria.

WAC 468-38-120 Oversize manufactured home transport regulations. (1) The purpose of this section is to supplement the provisions of chapter 468-38 WAC as they relate to the movement of manufactured homes. Where conflicts with other sections of this chapter occur, the following rules apply.

(2) Definitions:

(a) "Manufactured home" means all trailers of the semitrailer type with hitch ball coupler designed as structures for human habitation which may have been subsequently adapted to other uses, which are capable of being towed upon the public highways and are more than thirty-six feet in length and more than eight and one-half feet in width.

(b) "Modular homes and sectional buildings" means any factory-built housing designed for human habitation which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can be towed are considered to be manufactured homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and the provisions of this chapter of the Washington Administrative Code regulating the movement of overlegal loads.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and others assisting in the transport must function as agents or employees of the permittee.

(d) A "unit" is a complete or irreducible part of an oversize manufactured home.

(3) Oversize limits: The following regulations apply to manufactured homes of semi-trailer design whose box width exceeds eight and one-half feet but does not exceed fourteen feet and whose length exceeds thirty-six feet but does not exceed seventy-five feet including tongue: *Provided*, That a unit may have a maximum of a twelve-inch eave on one side in addition to its box width: *And provided further*, That the manufactured home shall be transported with this eave on the right side in the direction of traffic.

(4) Oversize manufactured home permits may be issued as follows:

(a) Annual permits may be issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW or to transporters licensed as provided in chapter 46.76 RCW.

Annual permits shall apply only to transport of manufactured homes fourteen feet or less in height, above level ground, while being transported.

(b) Monthly permits may be issued to dealers, manufacturers, and transporters under the same conditions as annual permits except that fourteen-foot height limitations may be waived.

(c) Single trip permits may be issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

(5) The permittee must have insurance in effect while operating under the permit in the minimum amounts of one hundred thousand dollars - three hundred thousand dollars public liability and fifty thousand dollars property damage. Pilot car operators shall meet the insurance requirements of RCW 46.44.180.

(6) If an accident occurs while transporting a manufactured home under permit, the permittee shall immediately notify the nearest state patrol office if the damage is greater than two hundred fifty dollars to the manufactured home or greater than one hundred dollars to other vehicles or structures. Permission to continue the movement must be obtained from the state patrol.

(7) Dealers selling twelve to fourteen-foot wide manufactured homes must advise the prospective purchaser in writing that not all state highways are approved for the transport of twelve to fourteen-foot wide manufactured homes.

(8) Permits issued in accordance with the Uniform Mobile and Modular Home Transportation Regulations of WASHTO will be subject to those regulations and will be honored by the state of Washington if issued by other states.

(9) Manufactured homes:

(a) Overall dimensions shall not exceed those stated in the permit except for minor protrusions not to exceed two inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Manufactured homes having a single eave overhang along their length will be transported to allow for safe passing distances.

(b) The complete system of the manufactured home, including running gear assembly, shall comply with the rules and regulations adopted by the United States Department of

Housing and Urban Development (24 CFR 280 (1976) and as thereafter amended). Tires shall comply with applicable Federal Motor Carrier Safety Regulations, Title 49, chapter 111. Those manufactured homes not certified as qualifying to the minimum H.U.D. specifications shall have brakes on at least two axles and on four wheels. Units of sixty feet or more in length shall have at least three full axles, except that twelve-foot wide homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, and shall be adequate to control the manufactured home and its load. They shall be so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of twelve volts will be installed in the manufactured home to actuate electric brakes in the event of a breakaway. The minimum track width between two wheels on the same axle shall be eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging and shall be inflated to the maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of manufactured home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open side of half sections of manufactured homes shall be covered in such a way as to prevent billowing of the covering material.

(d) Furnishings or loose objects within the manufactured home shall be secured in positions to achieve proper weight and balance.

(10) Tow vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

Manufactured Home Width to be Towed	Drive Axle		Gross		
	Tire Width	Tire Rating	Curb Weight	(1) Weight	Rear Axle Rating
Over 8 1/2' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

- (1) Includes fuel and accessories prior to hook-up with manufactured home.
- (2) Not required.
- (3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of one hundred twenty inches. Cab-over engine tow vehicles shall have a minimum wheelbase of eighty-nine inches. Tow vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to manufactured home brake systems will be capable of producing rated voltage and amperage at the manufactured home brake magnets in accordance with the manufactured home brake manufacturer's specifications.

(11) Signs and flags: In addition to the requirements of WAC 468-38-190, the OVERSIZE LOAD sign will be attached horizontally on the rear of the unit with the bottom edge

between five and seven feet above the road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) Lights: In addition to provisions of WAC 468-38-170, six-inch diameter flashing amber lights with a minimum of thirty-five candle power shall be mounted at the rear of the trailing unit, on a horizontal plane, at least ten feet above the roadway surface. They shall be operated with a flashing cycle of sixty to one hundred twenty times per minute during transit. Wiring and connections shall be in good working order.

(13) Travel speeds for manufactured homes shall be as set forth in WAC 468-38-340.

(14) Manufactured homes traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two manufactured home units. All units shall maintain a minimum distance of from four hundred to five hundred feet behind any truck, truck-tractor or trailer which could impair the visibility of an overtaking vehicle.

(15) The manufactured home unit shall be operated in the right lane except when passing. On two-lane highways, units shall not pass other vehicles except when required to pass a vehicle being operated at a speed so slow as to hinder the safe flow of traffic.

(16)(a) A decal issued by the county treasurer shall be displayed on any manufactured or modular home being transported on public highways in this state. The decal is not required if one of the following conditions is met:

- (i) When a manufactured home is to enter the state;
- (ii) When a manufactured home is being moved from the manufacturer or distributor to a retail sales outlet;
- (iii) When a manufactured home is being moved from the manufacturer or distributor to a purchaser's designated location; or
- (iv) When a manufactured home is being moved between retail sales outlets.

(b) The county treasurer's decal shall be displayed on the rear of the manufactured home while in transport. It shall be issued at the same time as the tax certificate for manufactured home movement. If the tax certification is for a double-wide manufactured home, two manufactured home movement decals shall be issued.

- (c) The decal shall meet the following requirements:
 - (i) It shall be at least eight and one-half inches square.
 - (ii) It shall be printed on Appleton Radiant Florescent Bristol (weight .010) or paper of comparable quality.
 - (iii) It shall be of fluorescent orange color.
 - (iv) It shall show the make, model and serial number of the manufactured home, the date issued, the name of the transporter, the transporter's WUTC permit number if required, the department of transportation special motor vehicle permit number, and the name of the county issuing the decal.

(v) It shall display in readily legible script the expiration date of the decal, which shall be not more than fifteen days after the date the decal is issued.

(d) Manufactured home movement decals may not be transferred.

[Statutory Authority: RCW 46.44.090, 95-24-073, § 468-38-120, filed 12/4/95, effective 1/4/96; 87-20-040 (Order 62, Resolution No. 307), § 468-38-120, filed 10/1/87; 86-21-115 (Order 58, Resolution No. 286), § 468-38-

120, filed 10/21/86. Statutory Authority: RCW 46.44.170. 85-22-003 (Order 51, Resolution No. 254), § 468-38-120, filed 10/24/85. Statutory Authority: RCW 46.44.090. 83-16-018 (Order 39, Resolution No. 195), § 468-38-120, filed 7/25/83; 82-18-010 (Order 31, Resolution No. 156), § 468-38-120, filed 8/20/82. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-38-120, filed 12/20/78. Formerly WAC 252-24-150.]

WAC 468-38-265 Emergency operation of tow trucks. The permitting of overweight tow trucks that respond to emergencies shall be governed by the following procedures:

(1) Emergency situations are limited to those instances in which a vehicle is disabled on the public streets or highways, and due to the necessity for an immediate response (referred to as the "initial tow truck service" in RCW 46.44.015), the appropriate overweight permit cannot be determined until the operator arrives at the disabled vehicle.

(2) When a tow truck operator has been called to respond to an emergent situation, the operator will telephone the Ridgefield Port of Entry and request a permit to clear the obstacle. The commercial vehicle enforcement officer on duty shall consult the map "*Washington State Highways Tow Truck Restrictions: For Emergency Use Only* (as last revised)." Bridges that may be crossed by tandem axle loadings estimated by the tow truck operator may be approved for the emergency move.

(3) In requesting the permit, the operator shall state the excess weight needed, list the state route numbers required and an estimate of miles to be traveled. The operator will advise the officer of his credit card number to which the permit fee can be charged and be issued an identification or clearance number for the trip being permitted. This approval is for state routes only and gives no authorization for movement on county roads or city streets.

(4) If the map showing tow truck restrictions does not indicate that the routes can safely tolerate the weight being requested, the tow truck operator is limited to moving the vehicle off the road to the nearest place of safety. When the weight is too heavy to be moved on some bridges or highways, a request during regular working hours for a permit and a bridge analysis will be required before the load may be transported.

(5) Permits for routine movements other than emergency tow truck moves shall be requested through available DOT permits offices, agents or facsimile services.

[Statutory Authority: RCW 46.44.090. 95-24-074, § 468-38-265, filed 12/4/95, effective 1/4/96.]

WAC 468-38-280 Special equipment. Special equipment employing axle groupings other than the conventional single or tandem axle must first be approved by the department before permits will be granted authorizing the unit to operate on state highways.

A retractable axle carrying weight allowed under RCW 46.44.041 shall have a manufacturers rating of at least 10,000 pounds, and shall be self-steering: *Provided*, Any variable control, excluding a simple up and down control, used to adjust axle loadings by regulating air pressure or by other means must be out of reach of the driver's compartment: *And Provided Further*, The requirement that the

retractable lift axle shall be self-steering does not apply to a truck/tractor where the retractable axle equipped with four tires is used to create a tandem and the distance between the drive axle and the retractable axle is no greater than 60 inches. The self-steering requirement shall also not apply to a trailing unit where the distance between a fixed axle and the retractable axle is no greater than 60 inches.

[Statutory Authority: RCW 46.44.090. 95-24-075, § 468-38-280, filed 12/4/95, effective 1/4/96; 93-19-056 (Order 138), § 468-38-280, filed 9/10/93, effective 10/11/93; 85-22-002 (Order 50, Resolution No. 253), § 468-38-280, filed 10/24/85; 82-18-010 (Order 31, Resolution No. 156), § 468-38-280, filed 8/20/82. Formerly WAC 468-38-390. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-38-280, filed 12/20/78. Formerly WAC 252-24-339.]

WAC 468-38-405 Superload movement criteria. (1) Superloads are defined as loads exceeding two hundred thousand pounds gross weight, and/or loads whose dimensions exceed either sixteen feet in height or sixteen feet in width.

(2) Pursuant to RCW 46.44.091(6), loads exceeding the two hundred thousand pounds gross weight must submit a written application for special permit at least thirty days in advance of the proposed move.

(3) Application for special permit to move a load in excess of sixteen feet high or sixteen feet wide must be submitted in writing at least seven calendar days before the proposed move.

(4) As part of the superload application the applicant must submit the following information:

(a) Documentation that the move is in the public interest and that alternative methods of transport are not feasible.

(b) A schematic or photograph of the item with an explanation of why it cannot be transported in smaller pieces must be provided.

(c) A schematic of the transporting laden vehicle(s), including axle loadings, axle spacings (measured from hub centers), tire sizes, number of tires per axle, and combination vehicle/load height, length and width.

(d) A traffic control plan depicting the route and specific procedures that will be followed to control traffic flow along the route, including estimated traffic delays, lane restriction, use of escort vehicles and flag persons, movement of overhead obstacles, railroad schedules for crossings, and provisions for emergency vehicles to navigate around the load.

(5) If the department determines that the move is necessary, an analysis of structures and pavements will be performed. If, due to the size of the load, the analysis will require a significant expenditure of time by department staff, the applicant may be required to share in those costs.

(6) If structures or pavements are found to be inadequate, and an alternative route cannot be found, the application for special permit will be denied. The load will have to be reconfigured in such a manner as to resolve the inadequacies of the original application.

[Statutory Authority: RCW 46.44.090. 95-24-076, § 468-38-405, filed 12/4/95, effective 1/4/96.]

Chapter 468-70 WAC
MOTORIST INFORMATION SIGNS

WAC

468-70-070

Permits and procedure.

WAC 468-70-070 Permits and procedure. (1) No business signs will be installed on information panels prior to issuance of a permit by the department. Permits will be issued by the department in accordance with this chapter.

(2) Permit applications will be accepted at the appropriate department of transportation district office in care of the district administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application, forms for which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than fifteen feet higher than the roof of the main building, for businesses located within one mile of an interchange or intersection. (Not applicable along interstate highways if the sign is not visible to the highway.)

Pursuant to RCW 47.42.046, for on-premise signs visible along rural interstate highways the department may waive the fifteen-foot height requirement, on a case-by-case basis, where granting the waiver will not preclude another business having an on-premise sign which complies with the fifteen-foot height requirement from receiving business signs.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A standard application processing fee of one hundred dollars will accompany each application. Such fee will be returned if an application is denied or if after approval the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the secretary of transportation or his designee pursuant to chapter 34.05 RCW.

(8) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060. Prior to installation the business shall be billed and pay for the installation cost prescribed in WAC 468-70-080.

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for signs manufactured by the department are prescribed in WAC 468-70-080.

(9) Business sign annual permit, maintenance, and replacement:

(a) For a business which provides its own signs to the department, an annual permit fee of fifty dollars shall be charged.

Maintenance replacement signs shall be provided by the business, when requested by the department to replace weather worn signs. After installation the business will be billed for the installation cost as prescribed in WAC 468-70-080.

(b) For signs manufactured and maintained by the department, an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign.

(c) Annual permit renewal and maintenance fees shall be paid within thirty calendar days after the anniversary of the permit issue. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual fee within thirty calendar days after the anniversary of the permit issue will cause the permit to expire and the business signs to be removed from the specific information panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter 34.05 RCW (Administrative Procedure Act) and the rules and regulations of the department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that does exceed the height requirements set forth in the act or this chapter.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and this section.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the application must meet the requirements of any other new application.

[Statutory Authority: RCW 47.36.030, 95-23-098 (Order 153), § 468-70-070, filed 11/21/95, effective 1/1/96. Statutory Authority: Chapter 47.42 RCW and RCW 47.01.101, 91-17-012 (Order 129), § 468-70-070, filed 8/13/91, effective 9/13/91. Statutory Authority: RCW 47.42.046 and 47.42.047, 88-22-001 (Order 115), § 468-70-070, filed 10/20/88. Statutory Authority: Chapter 47.42 RCW, 87-01-054 (Order 106), § 468-70-070, filed 12/16/86; 85-17-012 (Order 96), § 468-70-070, filed 8/12/85.]

Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-70-070, filed 12/20/78. Formerly WAC 252-42-060.]

Chapter 468-95 WAC
MANUAL ON UNIFORM TRAFFIC CONTROL
DEVICES FOR STREETS AND HIGHWAYS

WAC

468-95-055 "MUTCD Part VI."
 468-95-100 Compliance dates.

WAC 468-95-055 "MUTCD Part VI." Certain portions of the 1988 Edition of the *MUTCD, Revision 3, Part VI, Standards and Guides for Traffic Controls for Street and Highway Construction, Maintenance, Utility, and Incident Management Operations*, published September 3, 1993, by the Federal Highway Administration, are amended herein.

(1) In Section 6F-1, Signs, the seventh paragraph from the section's beginning is revised to read as follows:

Guidelines for height and lateral clearance of temporary post-mounted roadside signs are shown in figure VI-5. Signs erected at the side of the road should be mounted at a height of at least 7 feet in urban areas and 5 feet in rural areas, measured from the bottom of the sign to the near edge of the pavement. The height to the bottom of a secondary sign mounted below another sign may be 1 foot less than the appropriate height specified above.

(2) Figure VI-5, Height and Lateral Location of Signs - Typical Installation.

The seven foot minimum mounting height in the illustration for a rural district is revised to a five foot minimum; and, the six foot minimum mounting height in the illustration for a rural district with advisory speed plate is revised to a four foot minimum.

(3) Table VI-3, Suggested Advance Warning Sign Spacing, in Subsections 6F-1 and 6H-3 is replaced by the following:

SIGN SPACING (1)		
Freeways & Expressways	55/65 MPH	1500' ± Or as per MUTCD
Rural Roads	45/55 MPH	500' ±
Rural Roads & Urban Arterials	35/40 MPH	350' ±
Rural Roads, Urban Streets, Residential & Business Districts	25/30 MPH	200' ± (2)

- (1) All spacings may be adjusted to accommodate interchange ramps, at-grade intersections, and driveways.
- (2) This spacing may be reduced in urban areas to fit roadway conditions.

(4) Subsection 6F-1 (b)(6), ROAD (STREET) WORK Sign (W20-1), is revised to read as follows:

The ROAD (STREET) WORK sign should be located ahead of the work space or detour, to serve as a general warning of obstructions or restrictions. It carries the legend ROAD (STREET) WORK (1,500) FT or ROAD

(STREET) WORK (1/2) MILE. It may be used in conjunction with appropriate distance legends, or with other warning signs. The word CONSTRUCTION may be used in lieu of the word WORK in the sign message, prior to July 1, 1996 for construction projects or prior to July 1, 1998 for maintenance activities.

(5) Subsection 6F-6(b), Interim Markings, is revised to read as follows:

Interim pavement markings are those that may be used until it is practical and possible to install pavement markings that meet the full MUTCD standards for pavement markings. Normally, it should not be necessary to leave interim pavement markings in place for more than 2 weeks, except on roadways being paved with bituminous surface treatment (BST) and having traffic volumes under 2,000 ADT. All interim pavement markings, including pavement markings for no-passing zones, shall conform to the requirements of sections 3A and 3B with the following exceptions:

(1) All interim broken-line pavement markings shall use the same cycle length as permanent markings and be at least 4 feet long, except that half-cycle lengths with a minimum of 2 foot stripes may be used for roadways with severe curvature (See Section 3A-6). This applies to white lane lines for traffic moving in the same direction and yellow center lines for two-lane roadways when it is safe to pass.

(2) For those interim situations of 14 calendar days or less for a two- or three-lane road, no-passing zones may be identified by using signs rather than pavement markings (See sections 3B-4, 3B-5, and 3B-6). Also, signs may be used in lieu of pavement markings on low-volume roads for longer periods, when this practice is in keeping with the state's or highway agency's policy. These signs should be placed in accordance with sections 2B-21, 2B-22, and 2C-38.

(3) The interim use of edgelines, channelizing lines, lane reduction transitions, gore markings and other longitudinal markings, and the various non-longitudinal markings (stop line, railroad crossings, crosswalks, words, symbols, etc.) should be in keeping with the state's or highway agency's policy.

(6) Subsections (1) through (5) shall become effective on January 10, 1996.

[Statutory Authority: Chapter 34.05 RCW and RCW 47.36.030. 95-23-097 (Order 154), § 468-95-055, filed 11/21/95, effective 1/10/96.]

WAC 468-95-100 Compliance dates. Through rulings approved by the Federal Highway Administrator, the 1988 edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) contains compliance dates to specific sections for application of certain traffic control devices. These compliance dates are hereby amended as follows:

Ruling #	MUTCD Section	Compliance Date
IV-59	4D-2, 4D-7, 7D-5, 7D-9	12/31/95
II-5	2D-48, 2H-1 Thru 2H-16	9/30/97
II-110	2I-1 Thru 2I-7	9/30/95

III-38	3B-5	9/30/95
IV-58	2B-37, 4B-5(4)(c), 4B-6-2	9/30/2001
	4B-6(5)(b), 4B-6(8), 4B-12, 4B-18	
II-122	2D-15, 2E-11, 2F-11	9/30/97
IV-73	4B-6-5(a), 4B-15	9/30/96
II-119	2B-44	11/30/97

[Statutory Authority: RCW 35.02.135. 95-19-029, § 474-02-010, filed 9/11/95, effective 10/12/95.]

**WAC 474-02-020 Appendix to WAC 474-02-010—
Sample intergovernmental agreement.**

INTERGOVERNMENTAL AGREEMENT

The _____ of (City/Town) has submitted a request to the Washington State Treasurer (Treasurer) to borrow _____ from the Municipal Sales and Use Tax Equalization Account pursuant to RCW 35.02.135.

The City/Town and Treasurer have entered into this agreement, by which the City, as authorized by legally sufficient resolution of its governing body, shall borrow from the municipal sales and use tax equalization account the sum stated below and shall repay said sum according to the repayment terms and conditions stated herein:

1. Amount of loan _____.

2. Interest. Interest will be charged on unpaid principal until the full amount has been paid. Interest will be calculated on the average daily loan balance and will accrue monthly. The loan shall bear interest for the duration of the loan at the closing offering yield of the then current three-year Treasury Note, as quoted by the *Wall Street Journal*, on the day prior to loan disbursement repayable as set forth in Section 3.

3. Repayment.

(A) Time of Payments.

City/Town will pay principal and interest by the Treasurer withholding moneys from the funds otherwise payable to City/Town, either from the municipal sales and use tax equalization account or from sales and use tax entitlements otherwise distributable to City/Town, so that the municipal sales and use tax equalization account is fully reimbursed over the period of the loan. Payments will be due on the last business day of each month beginning on _____. Payments will be made monthly until the City/Town has paid all of the principal and interest owed under this loan agreement. Monthly payments will be applied to interest before principal. Final payment of principal and interest owed is due on _____.

(B) Amount of City's/Town's Monthly Payments.

Each of City's/Town's monthly payments will be in the amount of _____, except for the last payment, due on _____, which will be in the amount of U.S. _____.

4. City's/Town's Right to Prepay.

City/Town has the right to make payments of principal at any time before they are due. City/Town may make a full prepayment or partial prepayments without paying any prepayment charge. Treasurer will use all of City's/Town's prepayments to reduce the amount of principal City/Town owes under this intergovernmental agreement. If City/Town makes a partial prepayment, there will be no changes in the due dates of City's/Town's monthly payments unless Treasurer agrees in writing to those changes. City's/Town's partial prepayments may reduce the amount of its monthly payments beginning with the first payment date following its partial prepayment.

**Title 474 WAC
STATE TREASURER**

Chapters

**474-02 Newly incorporated city or town—
Procedures for reimbursement of moneys
borrowed from municipal sales and use
tax equalization account.**

Chapter 474-02 WAC

**NEWLY INCORPORATED CITY OR TOWN—
PROCEDURES FOR REIMBURSEMENT OF
MONEYS BORROWED FROM MUNICIPAL SALES
AND USE TAX EQUALIZATION ACCOUNT**

WAC

474-02-010	New cities and towns—Standards for borrowing from municipal sales and use tax equalization account.
474-02-020	Appendix to WAC 474-02-010—Sample intergovernmental agreement.

WAC 474-02-010 New cities and towns—Standards for borrowing from municipal sales and use tax equalization account. (1) To borrow money from the municipal sales and use tax equalization account a new city or town must furnish a copy of the governing board's resolution establishing the official date of incorporation, declaring the population of the city or town, and stating the amount to be borrowed.

(2) Loans shall be repaid with interest, according to the terms of a loan agreement acceptable to the state treasurer, over a maximum period of three years. Each loan shall bear interest for the duration of the loan at the closing offering yield of the then current three-year treasury note, as quoted by the *Wall Street Journal*, on the day prior to loan disbursement.

(3) Loans shall be repayable by the treasurer withholding moneys from the funds otherwise payable to the borrowing city or town, either from the municipal sales and use tax equalization account or from sales and use tax entitlements otherwise distributable to the borrowing city or town, so that the municipal sales and use tax equalization account is fully reimbursed over the period of the loan. Payments are to be made monthly until the borrowing city or town has paid all of the principal and interest owed under the loan agreement.