



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: October 31, 1997

(2) Purpose: Amending eligibility for the Rural Arterial Programs. Revises provisions of Chapter 36.79 RCW relating to Rural Arterials and Collectors.

(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Repealed: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 97-17-002 on August 6, 1997 (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: October 31, 1997 ^{KP}
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)

NAME (TYPE OR PRINT)
Eric A. Berger

SIGNATURE
[Signature]

TITLE
Executive Director

DATE
11/25/97

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED
DEC 2 1997

TIME 10:52
WSR 97-24-069 ^{Al} _{Pl}

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

WAC 136-100-030 Major collectors and minor collectors. The statute specifies that rural arterials (~~(classified as major)~~) and 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.

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

WAC 136-110-010 Purpose. 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~~) arterials and collectors in rural areas of each region bears to the total mileage of county (~~major and minor~~) arterials and collectors in all rural areas of the state.

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

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

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

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

WAC 136-150-010 Purpose. 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 with a population of (~~5,000 or more but~~) less than 8,000 shall be exempt from this requirement. This chapter describes how this statutory language will be implemented by the CRABoard.

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

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 with a population of (~~5,000 or more but~~) less than 8,000 shall be exempt from this requirement.

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

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;

(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;

(3) Those 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 96-17-013, filed 8/12/96, effective 9/12/96)

WAC 136-200-010 Purpose. 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~~) arterials and collectors in rural areas. This chapter describes the manner in which the (~~major and minor~~) rural arterial and collector designations are made. The source document is entitled: *Guidelines: For Amending Urban Boundaries, Functional Classification, and/or Federal Aid Systems*, August 1990, by WSDOT, and includes all subsequent amendments.

AMENDATORY SECTION (Amending Order 63-P, filed 10/15/86)

WAC 136-200-040 Functional classification verification. Each RAP project application submitted in accordance with WAC 136-160-020 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 (~~major or minor~~) rural arterial or collector.

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

WAC 136-210-010 Purpose. RCW 36.79.060(2) provides that the CRABoard shall adopt reasonably uniform design standards for county ((~~major and minor~~) rural arterials and collectors that meet the requirements for trucks transporting commodities. This chapter describes how this statutory requirement will be implemented by the CRABoard.