

FROM: County Road Administration Bd
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 24
Emergency rules

relating to (Name of rules or description of subject matter)

Annual Certification of each county's reasonable compliance with provisions of law relating to county road administration and with the Standards of Good Practice as formulated and adopted by the Board.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4868 ① filed with the code reviser on 9-23-74 ② were regularly adopted as permanent rules of this agency at Yakima, Washington ③ on 10-18-74 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 10-18-74 ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and _____ are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 30 day of October 1974



County Road Admin Bd
(AGENCY)
Ernest Seiler
By
Administrative Engineer
Title

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
- ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
- ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:

RCW 34.04.040. Leave this space blank except in such special cases.
[FORM CR-2: Rev. 9/21/74]

COUNTY ROAD ADMINISTRATION BOARD

REGULATION NO. 24

REGULATION OF THE COUNTY ROAD ADMINISTRATION BOARD
ESTABLISHING A STANDARD OF GOOD PRACTICE REGARDING
AN ANNUAL CERTIFICATION BY EACH COUNTY.

WHEREAS, Chapter 120, Laws of 1965, First Extraordinary Session, created the County Road Administration Board to formulate and adopt uniform and general practices relating to the administration of county roads for the several counties of the state, and

WHEREAS, the Board deems it to be a standard of good practice that all counties certify to the Board as to their compliance with all laws and standards of good practice relating to county road administration. Now, therefore,

BE IT ESTABLISHED BY THE COUNTY ROAD ADMINISTRATION BOARD:

Section 1. The standard of good practice regarding annual certification of each county's compliance with existing laws and standards of good practice, which is designated WAC 136-04, attached hereto, be and the same is hereby adopted and established for the county road departments in the several counties of the State of Washington.

Section 2. The standard as adopted hereby shall become effective immediately and shall be adhered to by all counties in the state.

Established and adopted by the Board this 18 day of October, 1974, at a hearing held pursuant to notice given as required by law.


THOMAS M. FORSYTHE

WAC 136-04

ANNUAL CERTIFICATION

WAC 136-04-010 PURPOSE. The County Road Administration Board hereinafter referred to as "the Board", is required to transmit to the state Treasurer Certificates of Good Practice on behalf of the counties which during the preceeding calendar year have reasonably complied with provisions of law relating to county road administration and with the Standards of Good Practice as formulated and adopted by the Board. This Standard of Good Practice sets forth a procedure to be followed annually by the counties intended to inform the Board of the level of their compliance with pertinent laws and regulations.

WAC 136-04-020 INQUIRY BY THE BOARD. The county road administration engineer shall formulate a questionnaire for use by the counties designed to demonstrate to the Board their level of compliance with pertinent laws and regulations. The proposed questionnaire shall be reviewed and approved by the Board at its January meeting each year and may be revised and modified from year to year to reflect changes in statutory and regulatory requirements. The approved questionnaire shall be distributed to all counties no later than January 31 each year.

WAC 136-04-030 RESPONSE BY THE COUNTY. The county engineer shall complete the questionnaire, certify as to its accuracy, have it approved by the chairman of the board of county commissioners, and shall return it to the Board no later than March 15.

WAC 136-04-040 REVIEW BY THE BOARD. The county road administration engineer shall receive the completed questionnaires and prepare a report for the Board regarding the level of each county's compliance with pertinent laws and regulations. The Board shall review the engineer's report at its meeting in April of each year.

WAC 136-04-050 CERTIFICATE OF GOOD PRACTICE. The Board shall transmit a Certificate of Good Practice to the state Treasurer prior to May 1st of each year on behalf of those counties found to be in reasonable compliance with provisions of law relating to county road administration and with the Standards of Good Practice as formulated and adopted by the Board.

WAC 136-04-060 CONDITIONAL CERTIFICATE OF GOOD PRACTICE. Whenever the Board finds that a county has failed to be in reasonable compliance with provisions of law or Standards of Good Practice, the Board may transmit to the state Treasurer on behalf of such county a Conditional Certificate of Good Practice. Any such conditional certificate shall be issued subject to terms and conditions as deemed by the Board to be appropriate, and a copy thereof shall be sent to the board of county commissioners of the county on whose behalf it was issued. One of the conditions of such conditional certificate shall be a review by the Board at a subsequent meeting of the situation which caused its issuance.

WAC 136-04-070 REVIEW OF CONDITIONAL CERTIFICATES. At a designated subsequent meeting, the Board shall receive a report from the county road administration engineer pursuant to each conditional certificate. The Board shall issue a Certificate of Good Practice upon finding that the county has complied or is diligently attempting to comply with the terms and conditions of the conditional certificate. If the Board finds that the county has not satisfied or diligently attempted to satisfy the terms and conditions of the conditional certificate, it may (a) continue such conditional certificate for further review, or (b) cancel such certificate.

WAC 136-04-080 NOTICE OF PENDING CANCELLATION. The Board shall not consider cancellation of certificate for any county unless written notice of hearing thereon shall have been given to the chairman of the board of county commissioners at least two weeks prior to the Board meeting at which such cancellation is to be considered. Such notice shall include an invitation for representation by the county at the hearing on such possible cancellation.

WAC 136-04-090 HEARING ON CANCELLATION OF CERTIFICATE. At the time appointed for the hearing, the Board shall receive a report from the county road administration engineer detailing those terms and conditions of the conditional certificate which the county has allegedly failed to meet. The Board shall provide opportunity for presentation of written and/or oral testimony on behalf of the county and may thereupon (a) continue such conditional certificate for further review, or (b) cancel such certificate.

WAC 136-04-100 CANCELLATION OF CERTIFICATE, Upon cancellation of a conditional certificate by the Board, notice thereof shall be given to the state Treasurer and to the board of county commissioners of the affected county. The hearing shall be continued to subsequent Board meetings until such time as the Board finds that the county has complied or is diligently attempting to comply with the terms and conditions of the conditional certificate. Pursuant to each such continued hearing, the Board may (a) issue a certificate of good practice, (b) issue a conditional certificate, or (c) continue the hearing to another subsequent Board meeting for further consideration.