

---

## Transportation Committee

---

### HB 1098

**Brief Description:** Concerning county local roads.

**Sponsors:** Representatives Low, Barkis, Paul, Nance and Timmons.

#### Brief Summary of Bill

- Creates the county local road trust account (Account), and directs the County Road Administration Board to adopt rules regarding the allocation of funds in the Account.
- Establishes minimum criteria for project selection and the types of projects that can be funded from the Account.
- Requires counties to work with the Washington State Department of Transportation, cities, or towns on certain projects, and requires matching fund requirements to be established after further study.
- Limits the eligibility for Account funds to either counties with populations under 8,000 or counties that have not diverted county road levy funds to other purposes, except for certain specified expenditures.
- Allows for reservation of funds for future phases of approved projects, provides a limited exemption from the requirement that all Account funded projects are included in a county's six-year plan, and allows for increases to amounts allocated to projects under certain circumstances.

**Hearing Date:** 1/22/25

**Staff:** David Munnecke (786-7315).

**Background:**

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

As of 2023 the county road system in Washington contained 78,726 lane miles, of which 48,917 lane miles are local roads. Local roads are those roads which are not classified as either arterials or collectors.

The County Road Administration Board (CRAB) is a nine-member board composed of six county commissioners or councilmembers and three county engineers. Among its responsibilities, the CRAB establishes and maintains standards of good practice, to guide and ensure consistency and professional management of county road departments. The CRAB also administers the Rural Arterial Program, the County Arterial Preservation Program, and the County Ferry Capital Improvement Program.

During the 2023-2025 fiscal biennium, the CRAB conducted a Grant Effectiveness Study, to analyze if current CRAB grants were meeting the needs of the counties. One recommendation from this study was to establish a new grant program for the preservation and improvement of county local access roads and short-span bridges.

### **Summary of Bill:**

The county local road trust account (Account) is created as an appropriated account in the motor vehicle fund. All moneys deposited in the motor vehicle fund to be credited to the Account are required to be expended for either the preservation and improvement of county local roads, which are defined as county roads that are not federally classified as an arterial or collector road, or the expenses of the board associated with the administration of the County Road Local Access Preservation Program.

The CRAB is required to adopt rules to implement the allocation of funds in the Account. The CRAB must also include a status report regarding the program in its annual report to the Legislature.

The following project types may be funded by the county local road program:

- 2-R or resurfacing and restoration projects, as defined in the Washington State Department of Transportation (WSDOT) local agency guidelines (LAG) manual;
- 3-R or resurfacing, restoration, and rehabilitation projects, as defined in the LAG manual;
- reconstruction as defined in the LAG manual;
- replacement of any bridge on the national bridge inventory;
- removal of human-made or caused impediments to anadromous fish passage; and
- pedestrian facilities.

The CRAB rules to select projects funded from the Account, which must be included in the respective county's six-year plan as provided in RCW 36.81.121 before board approval of the project, must take into consideration the following criteria:

- investment in overburdened communities;
- environmental health disparities as identified in the environmental health disparities map specified in RCW 43.70.815;

- location on, or providing direct access to, a federally-recognized Indian reservation;
- sustaining the structural, safety, and operational integrity of the road;
- vehicle and pedestrian collision experience;
- access improvements to a community facility; and
- identified need in a state, regional, county, or community plan.

If a proposed county local road project is adjacent to a city or town, the city or town and county must jointly plan and include the improvement in their respective long-range plans. If a county local road project connects with and will be substantially affected by a programmed construction project on a state highway, the county must jointly plan the development of such project with the WSDOT district administrator.

Counties receiving funds from the Account must provide matching funds as established by rules adopted by the CRAB. The matching fund requirements must be established after appropriate studies by the CRAB, taking into account financial resources available to counties.

Only counties that, during the preceding 12 months, have spent all revenues collected for road purposes for such purposes, are eligible to receive funds from the Account, except:

- counties with a population of less than 8,000 are exempt from this restriction;
- counties expending revenues collected for road purposes on other governmental services after authorization from the voters of that county under RCW 84.55.050 are exempt from this restriction; and
- this restriction does not apply to any moneys diverted from the road district levy under chapter 39.89 RCW, which allows for community revitalization financing.

The CRAB may reserve funds for future phases of approved projects to be completed in the ensuing biennium. The CRAB may also provide funding to projects that are not included in a county's six-year plan, if the project is of an emergent nature that could not be anticipated.

When the CRAB approves a county local road project, it must determine the amount of Account funds to be allocated for the project. This allocation must be based upon information submitted by the county seeking approval of the project and upon such further investigation as the CRAB deems necessary. The CRAB may not allocate funds, or make payments under RCW 36.79.120 regarding Rural Arterial Trust account matching funds, to any county identified by the Governor, under RCW 36.70A.340, as failing to comply with the Growth Management Act.

The CRAB must adopt reasonable rules pursuant to which Account funds allocated to a project may be increased upon a subsequent application of the county constructing the project. The rules adopted by the CRAB must take into account, but are not limited to, the following factors:

- the financial effect of increasing the original allocation for the project upon other county local road projects either approved or requested;
- whether the project for which an additional allocation is requested can be reduced in scope while retaining a usable segment;
- whether the original cost of the project shown in the applicant's original submittal was

- based upon reasonable engineering estimates; and
- whether the requested additional allocation is to pay for an expansion in the scope of work originally approved.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2025.