

Title 136 WAC

COUNTY ROAD ADMINISTRATION BOARD

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 136-36

STANDARD OF GOOD PRACTICE--RIGHTS OF WAY ACQUISITIONS

136-36-010	Purpose. [Order 8, § 136-36-010, filed 6/12/68.] Repealed by 90-07-077 (Order 77), filed 3/21/90, effective 4/21/90. Statutory Authority: RCW 36.78.070.
136-36-020	Type of conveyance. [Order 8, § 136-36-020, filed 6/12/68.] Repealed by 90-07-077 (Order 77), filed 3/21/90, effective 4/21/90. Statutory Authority: RCW 36.78.070.
136-36-030	Supplemental agreement. [Order 8, § 136-36-030, filed 6/12/68.] Repealed by 90-07-077 (Order 77), filed 3/21/90, effective 4/21/90. Statutory Authority: RCW 36.78.070.
136-36-040	Recording and filing. [Order 8, § 136-36-040, filed 6/12/68.] Repealed by 90-07-077 (Order 77), filed 3/21/90, effective 4/21/90. Statutory Authority: RCW 36.78.070.

Chapter 136-01 WAC

STANDARD OF GOOD PRACTICE--ORGANIZATION OF

WAC

136-01-010	Purpose.
136-01-020	Appointment of administration engineer.
136-01-030	Meetings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-01-040	Correspondence. [Order 9, § 136-01-040, filed 10/22/68.] Repealed by 90-07-071 (Order 71), filed 3/21/90, effective 4/21/90. Statutory Authority: RCW 36.78.070.
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WAC 136-01-010 Purpose. The county road administration board is a nine member board, organized under the provision of RCW 36.78.010 through 36.78.110 and 46.68.120 for the purpose of establishing and administering standards of good practice for county road administration within the several counties of the state. The nine members of the board shall be appointed by

the executive committee of the Washington state association of counties, and the composition of the board shall be six members of county legislative authorities and three county engineers: *Provided*, That three members of the board shall be from Class AA, Class A, or 1st class counties, four members shall be from counties of the 2nd, 3rd, 4th or 5th class and two members shall be from counties of the following classes: 6th, 7th, 8th, or 9th class: *Provided further*, That not more than one member of the board shall be from any one county.

[Statutory Authority: RCW 36.78.070, 90-07-071 (Order 71), § 136-01-010, filed 3/21/90, effective 4/21/90; Order 9, § 136-01-010, filed 10/22/68.]

Reviser's note: Amendments have been made to RCW 36.78.010 through 36.78.110, cited in WAC 136-01-010, since the order creating this chapter was filed.

WAC 136-01-020 Appointment of administration engineer. The county road administration board shall appoint a county road administration engineer and the engineer shall be a licensed professional engineer with experience as a county engineer or as a chief assistant to a county engineer within the state of Washington and he shall serve at the pleasure of the county road administration board.

[Order 9, § 136-01-020, filed 10/22/68.]

WAC 136-01-030 Meetings. Regular public meetings of the county road administration board shall be held quarterly at the call of the chairman and the annual meeting shall be held during the first week in July of each year. Each such meeting shall be held at the offices of the county road administration board in Olympia, Washington, or at such other place in the state of Washington as designated by the board. Additional public meetings necessary to discharge the business of the board may be called from time to time by the chairman.

[Statutory Authority: RCW 36.78.070, 90-07-071 (Order 71), § 136-01-030, filed 3/21/90, effective 4/21/90; Order 9, § 136-01-030, filed 10/22/68.]

Chapter 136-02 WAC IMPLEMENTATION OF SEPA AND CEP GUIDELINES

WAC	Purpose.
136-02-010	Purpose.
136-02-020	Statement of exempt activities.
136-02-030	Implementation of SEPA and CEP guidelines.

WAC 136-02-010 Purpose. This chapter is promulgated pursuant to the directions of chapter 43.21C RCW (SEPA) and chapter 197-10 WAC (CEP) guidelines interpreting and implementing SEPA. The adoption of this chapter is deemed to be in compliance with the requirements of chapter 43.21C RCW and chapter 197-10 WAC.

[Order 30, § 136-02-010, filed 8/3/76.]

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WAC 136-02-020 Statement of exempt activities.

The board has reviewed its authorized activities and found them all to be exempt under chapter 43.21C RCW and CEP guidelines, WAC 197-10-170 (4), (7), (8), (11), (12), and (17). This statement is adopted in accordance with WAC 197-10-800(4).

[Order 30, § 136-02-020, filed 8/3/76.]

WAC 136-02-030 Implementation of SEPA and CEP guidelines. Pursuant to RCW 43.21C.120(3) and WAC 197-10-800(1) each county is required to adopt its own rules, ordinances, or resolutions governing the implementation of SEPA consistent with CEP guidelines. All "actions" of the individual counties shall be processed in accordance with such adopted rules, ordinances, or resolutions, then in accordance with WAC 197-10-900(2).

[Order 30, § 136-02-030, filed 8/3/76.]

Chapter 136-04 WAC ANNUAL CERTIFICATION

WAC	Purpose.
136-04-010	Purpose.
136-04-020	Inquiry by the board.
136-04-030	Response by the county.
136-04-040	Review by the board.
136-04-050	Certificate of good practice.
136-04-055	Revocation of certificate of good practice.
136-04-060	Conditional certificate of good practice.
136-04-070	Review of conditional certificates.
136-04-080	Notice of pending revocation or substitution.
136-04-090	Hearing on revocation or substitution.
136-04-100	Revocation of certificate.

WAC 136-04-010 Purpose. The county road administration board hereinafter referred to as the board, is authorized to transmit to the state treasurer certificates of good practice, hereinafter referred to as certificates, on behalf of the counties which during the preceding 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 or to issue conditional certificates. This standard of good practice sets forth a procedure to be followed by the board in the issuance and revocation of such certificates.

[Order 31, § 136-04-010, filed 12/16/77; Order 24, § 136-04-010, filed 10/31/74.]

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 first meeting of each calendar 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 fifteen days after said meeting.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-020, filed 3/21/90, effective 4/21/90; Order 24, § 136-04-020, filed 10/31/74.]

WAC 136-04-030 Response by the county. Each county engineer shall complete the questionnaire, certify as to its accuracy, have it approved by the county legislative authority or the county executive, and shall return it to the board no later than April 10.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-030, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 87-11-014 (Order 65), § 136-04-030, filed 5/12/87; Order 24, § 136-04-030, filed 10/31/74.]

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 second regular meeting of each calendar year.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-040, filed 3/21/90, effective 4/21/90; Order 24, § 136-04-040, filed 10/31/74.]

WAC 136-04-050 Certificate of good practice. The board shall transmit a certificate 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.

[Order 31, § 136-04-050, filed 12/16/77; Order 24, § 136-04-050, filed 10/31/74.]

WAC 136-04-055 Revocation of certificate of good practice. Whenever the board finds that after issuance of a certificate a county fails to meet the requirements of such certification, the board may revoke the previously issued certificate, or substitute a conditional certificate therefor, in the manner provided in WAC 136-04-080 and 136-04-090.

[Order 31, § 136-04-055, filed 12/16/77.]

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, in the manner provided in WAC 136-04-080 and 136-04-090. Any such conditional certificate shall be issued subject to terms and conditions as deemed by the board to be appropriate, and will authorize continued distribution to such county of all or a designated portion of its share of motor vehicle fuel taxes. A copy of such conditional certificate shall be sent to the legislative authority 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.

(1990 Ed.)

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-060, filed 3/21/90, effective 4/21/90; Order 31, § 136-04-060, filed 12/16/77; Order 24, § 136-04-060, filed 10/31/74.]

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 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, in the manner provided in WAC 136-04-080 and 136-04-090 (a) continue such conditional certificate for further review, (b) modify such conditional certificate, or (c) revoke such conditional certificate.

[Order 31, § 136-04-070, filed 12/16/77; Order 24, § 136-04-070, filed 10/31/74.]

WAC 136-04-080 Notice of pending revocation or substitution. The board shall not consider revocation of a certificate or substitution of a conditional certificate or adverse modification of a conditional certificate for any county unless written notice of hearing thereon shall have been given to the legislative authority or county executive at least two weeks prior to the board meeting at which such revocation, substitution or modification is to be considered. Such notice shall include an invitation for representation by the county at such hearing.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-080, filed 3/21/90, effective 4/21/90; Order 31, § 136-04-080, filed 12/16/77; Order 24, § 136-04-080, filed 10/31/74.]

WAC 136-04-090 Hearing on revocation or substitution. At the time appointed for the hearing, the board shall receive a report from the county road administration engineer detailing those laws or regulations with which the county is not in reasonable compliance, or those terms and conditions of the conditional certificate which the county has 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 or modify a conditional certificate (b) substitute a conditional certificate for a certificate or (c) revoke either the certificate or conditional certificate.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-090, filed 3/21/90, effective 4/21/90; Order 31, § 136-04-090, filed 12/16/77; Order 24, § 136-04-090, filed 10/31/74.]

WAC 136-04-100 Revocation of certificate. Upon revocation of a certificate or a conditional certificate by the board, notice thereof shall be given to the state treasurer and to the legislative authority or county executive of the affected county. If any certificate is revoked without a conditional certificate being substituted therefore, the board shall review the affected county's(ies') compliance with pertinent laws and regulations at each subsequent regularly scheduled board meeting until such time as the board finds that the county has reasonably

complied or is diligently attempting to comply with such laws and regulations.

[Statutory Authority: RCW 36.78.070. 90-07-072 (Order 72), § 136-04-100, filed 3/21/90, effective 4/21/90; Order 31, § 136-04-100, filed 12/16/77; Order 24, § 136-04-100, filed 10/31/74.]

Chapter 136-10 WAC DUTIES OF COUNTY ROAD ENGINEER-- COMMISSIONERS

WAC

136-10-010	Purpose.
136-10-020	Duties of county legislative authority.
136-10-030	Duties of the county road engineer.
136-10-040	Organization of county road department.
136-10-050	Written policy.
136-10-060	Forwarding of written policy.

WAC 136-10-010 Purpose. The laws of the state of Washington have established the powers and duties of the county legislative authority in relation to roads and bridges, and the qualifications and duties of the county road engineer. Their purpose is to designate the county road engineer as the chief administrative officer of the county road department. The formal relationship between the legislative authority and its county road engineer must be adequately defined to assure an efficient and productive road department operation.

[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-010, filed 3/21/90, effective 4/21/90; Order 6, § 136-10-010, filed 6/12/68.]

WAC 136-10-020 Duties of county legislative authority. Certain specific powers and duties are set forth in RCW 36.75.040, 36.75.050, 36.80.010, 36.81.121 and 36.81.130. In addition to specific statutory duties the legislative authority shall have the duty to develop written policies regarding county road department operation for the information and guidance of the engineer.

[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-020, filed 3/21/90, effective 4/21/90; Order 6, § 136-10-020, filed 6/12/68.]

WAC 136-10-030 Duties of the county road engineer. The various duties and responsibilities of the engineer are set forth in chapter 36.80 RCW. In addition to these specifically defined duties the engineer shall be guided by written policies regarding county road department operation as promulgated by the county legislative authority.

[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-030, filed 3/21/90, effective 4/21/90; Order 6, § 136-10-030, filed 6/12/68.]

WAC 136-10-040 Organization of county road department. It shall be the county road engineer's duty to organize the road department in accordance with policy of the county legislative authority into such departments, divisions, districts or units as may be necessary to meet statutory requirements and to perform such additional services as may be directed by policy of the legislative authority.

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[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-040, filed 3/21/90, effective 4/21/90; Order 6, § 136-10-040, filed 6/12/68.]

WAC 136-10-050 Written policy. In order to implement the requirements of this chapter, the county legislative authority shall develop and by resolution adopt written policy covering any matters relating to road department operation as they may see fit. Certain specific matters enumerated herein must be covered by such policy to wit:

(1) Policy regarding organization. A chart or pictorial representation showing in detail the interrelationship of all positions in the road department from the county legislative authority through all employees. The chart shall clearly show the complete line of command throughout the entire organization. Copies of such chart shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and the general public.

(2) Policy regarding personnel practices. A complete written statement of all policy relating to the personnel of the road department including but not limited to recruitment, appointment, promotion, dismissal, hours of work, overtime, annual leave, sick leave, military leave, holidays, classification, union relationship where applicable, and general work rules. Copies of such statement shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and prospective employees.

(3) Policy regarding handling of complaints. A written statement setting forth a method by which complaints from the general public related to any road department activity will be handled. The purpose is to assure that each county will have an orderly procedure to assure that citizen complaints receive prompt attention.

(4) Policy regarding approval of work for other public agencies and county departments. A written statement to supplement chapter 136-32 WAC including but not limited to the following:

(a) Statement of intent indicating whether or not the legislative authority will accept requests for work for other public agencies or other county departments.

(b) Statement indicating procedures to be followed in processing such requests in accordance with statutes and chapter 136-32 WAC.

(c) Statement indicating any delegation of authority in processing such requests.

(5) Policy regarding accommodation of utilities on county road right of way. A written statement setting forth the county's administrative, procedural, and technical requirements regarding the installation, replacement, adjustment, relocation, and maintenance of all utilities in, on, or above the county road right of way.

[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-050, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 79-01-096 (Order 33), § 136-10-050, filed 1/3/79; Order 14, § 136-10-050, filed 7/30/70, effective 1/1/71; Order 10, § 136-10-050, filed 12/10/68, effective 4/1/69.]

WAC 136-10-060 Forwarding of written policy. Each county legislative authority shall submit to the office of the county road administration board one copy of each policy required in WAC 136-10-050, and any subsequent revisions thereto, adopted pursuant to this regulation. The county road administration board shall maintain a current file of all such adopted policies of all legislative authorities.

[Statutory Authority: RCW 36.78.070. 90-07-073 (Order 73), § 136-10-060, filed 3/21/90, effective 4/21/90; Order 10, § 136-10-060, filed 12/10/68, effective 4/1/69.]

**Chapter 136-11 WAC
MAINTENANCE MANAGEMENT**

WAC

- 136-11-010 Purpose.
- 136-11-020 Goal.
- 136-11-030 Objectives.

WAC 136-11-010 Purpose. The laws of the state of Washington specify in RCW 36.80.030 that the county road engineer shall have supervision, under the direction of the county legislative authority, of maintaining all county roads of the county. The purpose of this standard of good practice is to recognize that the majority of road maintenance activities can be planned, scheduled and accomplished in a predetermined manner which will result in improved economics of operation, public safety and welfare, and preservation of investment of county roads: *Provided, however,* That this standard of good practice shall not be mandatory and shall not be considered in the issuance of certificates of good practice.

[Statutory Authority: Chapter 36.78 RCW. 80-02-105 (Order 37), § 136-11-010, filed 1/24/80.]

WAC 136-11-020 Goal. This standard of good practice is intended to encourage each county road engineer to apply basic management principles to road maintenance activities and to set forth specific goals and objectives relative to the results to be achieved.

[Statutory Authority: Chapter 36.78 RCW. 80-02-105 (Order 37), § 136-11-020, filed 1/24/80.]

WAC 136-11-030 Objectives. For the guidance and information of the engineer developing a maintenance management program the following objectives merit serious consideration:

- (1) To provide, annually, opportunities for key personnel to receive initial training or refresher training in the principles of maintenance management.
- (2) To develop countywide maintenance standards or levels of service for each major maintenance activity.
- (3) To develop standards of performance for individuals and work crews setting forth both the quality and quantity of results anticipated.
- (4) To prepare an annual maintenance program for adoption coincident with the annual budget and construction program which is to identify resource requirements in terms of manpower, equipment and materials, and the costs of each.

(5) To schedule, on an annual basis, major maintenance activities based on available budgeted maintenance funds so as to achieve an optimum balance of resources in the available time.

(6) To develop, and annually update, a long range equipment replacement program encompassing all major road department equipment so as to meet the equipment demands of the maintenance program.

(7) To establish an information reporting system capable of compiling data needed to allow comparison of actual performance with established performance standards and budgetary constraints.

(8) To discuss, at least biennially, with appropriate supervisory personnel the data regarding utilization of manpower, equipment and materials so as to assure the lowest attainable unit cost for each maintenance activity.

(9) To provide adequate information to all maintenance personnel regarding goals and objectives of the county's maintenance management program.

(10) To explore and evaluate new techniques, products, equipment and ideas which show promise of significantly improving performance or decreasing cost in any segment of the maintenance management effort.

[Statutory Authority: Chapter 36.78 RCW. 80-02-105 (Order 37), § 136-11-030, filed 1/24/80.]

**Chapter 136-12 WAC
STANDARDS OF GOOD PRACTICE--VACANCY IN
POSITION OF COUNTY ROAD ENGINEER**

WAC

- 136-12-010 Purpose.
- 136-12-020 Procedure during vacancy.
- 136-12-030 Acting county engineer.
- 136-12-060 Failure to comply with ruling.
- 136-12-070 County engineer in eighth and ninth class counties.
- 136-12-080 Assistant county engineer in eighth and ninth class counties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 136-12-040 Duties of acting county engineer. [Regulation 1, § 136-12-040, filed 12/13/67.] Repealed by Order 1, filed 7/17/68.
- 136-12-050 Construction during vacancy. [Regulation 1, § 136-12-050, filed 12/13/67.] Repealed by Order 1, filed 7/17/68.

WAC 136-12-010 Purpose. The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county road engineer in each county. This chapter specifies that he shall be employed full time: *Provided,* That in eighth and ninth class counties he may be employed on a part-time basis and may be the county engineer of another county; that he shall be a registered and licensed professional civil engineer under the laws of this state; that he shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he shall certify to the legislative authority all bills with respect to county roads; that he shall keep complete public records of all road department activities; that he shall prepare plans

and specifications for all construction work on the county road system. Since it is unavoidable that vacancies will occur from time to time in the position of county road engineer, the following policy has been formulated to cover an interim period.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-010, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-010, filed 12/26/69; Regulation 1, § 136-12-010, filed 12/13/67.]

WAC 136-12-020 Procedure during vacancy. When a vacancy occurs in the office of county road engineer due to resignation, retirement, death or for any other reason, the legislative authority shall take immediate steps to find a replacement, either by promotion from within the organization if a competent and eligible person is available, or by advertisement for, and interview of, qualified applicants. The legislative authority or county executive shall immediately notify the county road administration board of the vacancy, and of the procedure to be followed during the period of vacancy.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-020, filed 3/21/90, effective 4/21/90; Regulation 1, § 136-12-020, filed 12/13/67.]

WAC 136-12-030 Acting county engineer. If for any reason, it is impossible to employ a new county road engineer immediately, the county legislative authority shall designate, by resolution, the assistant county road engineer, or other road department employee, as the acting county road engineer for an interim period, not to exceed six months, except as provided in WAC 136-12-060. A copy of such resolution shall be forwarded to the county road administration board.

If the assistant county road engineer or other road department employee is a Washington state licensed professional civil engineer and is appointed as the acting county road engineer during the interim period, said acting county road engineer shall perform all the duties of the county road engineer as specified in chapter 36.80 RCW.

If the acting county road engineer or other road employee is not a licensed professional civil engineer, the legislative authority shall designate a licensed professional civil engineer to perform all engineering services during the interim period as required by chapter 18.43 RCW, and the acting county road engineer shall perform only those functions of the office not requiring a professional civil engineer's license.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-030, filed 3/21/90, effective 4/21/90; Order 25, § 136-12-030, filed 1/27/75; Order 1, § 136-12-030, filed 7/17/68; Regulation 1, § 136-12-030, filed 12/13/67.]

WAC 136-12-060 Failure to comply with ruling. When the county legislative authority has made final arrangements for the employment of a new county road engineer meeting the requirements of chapter 36.80 RCW the county road administration board shall be notified accordingly. If no such notification is received within six months of the beginning of the vacancy, the matter of the vacancy will be considered at the next

regular meeting of the county road administration board. The county road administration board may require that all day labor construction projects be shut down and/or that all distribution of gas tax funds to the county shall cease: *Provided however*, That it may grant reasonable extensions of the interim period in the event the affected county can give adequate proof that a diligent effort has been made to secure the services of a qualified engineer. If the vacancy continues to exist at the end of an extended interim period, the suspension of funds and cessation of day labor projects shall become mandatory. The acting county road engineer shall continue to perform the duties of the county road engineer until such time as the vacancy is filled.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-060, filed 3/21/90, effective 4/21/90; Regulation 1, § 136-12-060, filed 12/13/67.]

WAC 136-12-070 County engineer in eighth and ninth class counties. When the legislative authority of an eighth or ninth class county chooses to employ a county road engineer on a part-time basis the terms of such employment shall be set forth in a contract adopted by resolution of the legislative authority. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of such resolution and contract shall be forwarded to the office of the county road administration board.

When the legislative authority chooses to contract with another county for services such contract shall be approved by resolution of both legislative authorities. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of the contract and both resolutions shall be forwarded to the office of the county road administration board. Any such contract shall be in accordance with the procedures of the Interlocal Cooperation Act, chapter 39.34 RCW.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-070, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-070, filed 12/26/69.]

WAC 136-12-080 Assistant county engineer in eighth and ninth class counties. When a legislative authority of an eighth or ninth class county chooses to employ a licensed professional civil engineer on a part-time basis or contract with another county for the services of its licensed professional civil engineer, it shall designate by resolution a full time employee as assistant county engineer. In such cases, the designated assistant county engineer shall perform the day to day supervision of the road department under the county engineer in accordance with policies established by the legislative authority.

[Statutory Authority: RCW 36.78.080. 90-07-074 (Order 74), § 136-12-080, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-080, filed 12/26/69.]

Chapter 136-14 WAC
STANDARD OF GOOD PRACTICE--PRIORITY
PROGRAMMING

WAC

136-14-010	Purpose.
136-14-020	Application.
136-14-030	Technique.
136-14-040	Application of technique.
136-14-050	Certification.
136-14-060	Inventory records.

WAC 136-14-010 Purpose. The requirement to develop and adopt both long range and short range programs as a prerequisite to road construction is established by law. Numerous studies have shown that road construction needs far exceed available revenue. Priority programming is the development and application of techniques designed to rank any array of potential projects in order of importance to serve as a guide in assisting a county legislative authority in the formulation of road programs. Priority programming procedures for counties must be adaptable to a wide variety of situations.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-010, filed 3/21/90, effective 4/21/90; Order 16, § 136-14-010, filed 7/22/71.]

WAC 136-14-020 Application. Priority programming techniques shall be applied in the ranking of all potential projects on the arterial road system of each county. They may be applied to all arterial projects combined in a single group, or may be applied to individual functional classes of arterials and further subdivided into rural and urban systems if desired. Priority programming will not be required, but is recommended, for the local access road system.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-020, filed 3/21/90, effective 4/21/90; Order 16, § 136-14-020, filed 7/22/71.]

WAC 136-14-030 Technique. Each county engineer will be required to develop a priority programming technique tailored to meet the overall roadway system development policy determined by his legislative authority. Items to be included and considered in the technique for roads shall include, but need not be limited to the following:

- (1) Traffic volumes;
- (2) Roadway condition;
- (3) Geometrics;
- (4) Matters of significant local importance.

The manner in which these various items are treated may vary from county to county. A number of acceptable priority programming techniques have been developed and may be used in whole or in part as a county technique.

Examples are:

1. Advance road programs manual - National Association of County Engineers.
2. Administrative guide to priority programming for county roads - Automotive Safety Foundation, 1962.

3. Priority array for urban arterials - Transportation Improvement Board.

4. A study of the road system of Benton County - WSU, 1969.

Bridge priorities shall be established in accordance with WAC 136-20-060. Accident records may be considered where their use will make a legitimate contribution. A description of the priority programming technique to be used shall be submitted by each county engineer to the county road administration board.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-030, filed 3/21/90, effective 4/21/90; Order 3388, § 136-14-030, filed 4/7/72; Order 16, § 136-14-030, filed 7/22/71.]

WAC 136-14-040 Application of technique. The technique for roads shall be applied by the county engineer to all potential arterial projects in the county, and to local access road projects if directed by the legislative authority. The resulting priority array shall be updated not later than June 1 of each odd-numbered year and shall be consulted together with bridge priorities by the legislative authority and county engineer during the preparation of the proposed six year program.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-040, filed 3/21/90, effective 4/21/90; Order 25, § 136-14-040, filed 1/27/75; Order 3388, § 136-14-040, filed 4/7/72; Order 16, § 136-14-040, filed 7/22/71.]

WAC 136-14-050 Certification. In order to assure that priority arrays were available and were consulted during the preparation of the proposed six year program each year, the resolution of adoption of such program by each legislative authority shall include assurances to this effect. A copy of the adopting resolution shall be forwarded to the county road administration board together with the six year program.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-050, filed 3/21/90, effective 4/21/90; Order 25, § 136-14-050, filed 1/27/75; Order 16, § 136-14-050, filed 7/22/71.]

WAC 136-14-060 Inventory records. Each priority programming technique will be based, at least in part, on existing road conditions. It is required, therefore, that in each county an adequate road inventory system be maintained. The inventory system shall be updated no later than May 1 of each year to reflect work done and/or improvements made during the previous year, in accordance with requirements of chapter 136-60 WAC.

[Statutory Authority: RCW 36.78.070. 90-07-075 (Order 75), § 136-14-060, filed 3/21/90, effective 4/21/90; Order 16, § 136-14-060, filed 7/22/71.]

Chapter 136-15 WAC
PROCEDURES FOR PREPARATION OF SIX-YEAR
ROAD PROGRAMS

WAC

136-15-010	Purpose.
136-15-020	Contents of six-year program.
136-15-030	Road fund revenue and expenditure analysis.
136-15-040	Program listings of specific projects.
136-15-050	Adoption and submittal of six-year program.

136-15-060 Conflicts with WSDOT and TIB authority.

WAC 136-15-010 Purpose. The laws of the state of Washington (RCW 36.81.121) require the preparation and annual updating of a six-year comprehensive road program. The program shall be adopted by the county legislative authority before July 1 of each year and shall include all anticipated road and bridge construction projects, capital ferry expenditures, paths and trails projects and any other specified capital outlays for the following six-year period. The purpose of this chapter is to implement these statutory requirements with assurance that the program is based on a realistic assessment of available funding during the program period.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-010, filed 7/25/88.]

WAC 136-15-020 Contents of six-year program. Each adopted six-year program shall designate the six-year time period included, the name of the county, the OFM-assigned county number, the date(s) of the public hearing held to provide public input to the program, the date of the adoption by the legislative authority and the adopting resolution number. The adopted six-year program for submittal to CRAB shall consist of two parts: (1) A road fund revenue and expenditure analysis for the six-year time period and (2) a program listing of specific projects.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-020, filed 7/25/88.]

WAC 136-15-030 Road fund revenue and expenditure analysis. The road fund revenue and expenditure analysis shall include the county's best estimates of future road fund revenues and expenditures over each year of the six-year program period.

The anticipated revenues should include a line item for motor vehicle fuel tax, the road levy after diversion, federal transportation program grants (by program), TIB funds, RATA funds, RID funds, public works trust fund loans, state forest funds, federal forest funds, and other miscellaneous revenues.

The anticipated road fund expenditures should include line items for administration, maintenance, facilities, transfers and loan repayments, reimbursable work and miscellaneous expenditures; showing by subtraction the amount available for construction during each year of the program period.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-030, filed 7/25/88.]

WAC 136-15-040 Program listings of specific projects. This listing shall include projects having an estimated cost approximately equal to the anticipated revenues for projects during the program period, clearly identifying those projects (1) for which funding is reasonably assured; (2) for which funds are not specifically assured but are within expected levels of existing programs for the applicable year; and (3), if desired, those which are unfunded within currently anticipated resources. Because of the possibility of unforeseen future

circumstances at the time of approval of the six-year program, the above construction funding classification for any project shall not be considered final, but only an indication of the relative certainty of the various proposed projects.

It is recommended that provision be made in the program for one or more generic projects each year for improvements such as miscellaneous safety projects, new culvert and small bridge construction and other minor improvements.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-040, filed 7/25/88.]

WAC 136-15-050 Adoption and submittal of six-year program. A six-year program shall be adopted by resolution of the county legislative authority after appropriate public hearing before July 1 of each year. The resolution of adoption shall include reference to availability of a priority array as required by WAC 136-14-050, and of an engineer's bridge condition report as required by WAC 136-20-060. Within 30 days of adoption, the county legislative authority shall submit the six-year program to the county road administration board.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-050, filed 7/25/88.]

WAC 136-15-060 Conflicts with WSDOT and TIB authority. Nothing in this rule shall eliminate or modify any requirements or procedures or authorities of either the Washington state department of transportation or the transportation improvement board as codified in the Revised Code of Washington or as adopted in the Washington Administrative Code.

[Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-15-060, filed 7/25/88.]

Chapter 136-16 WAC

PROCEDURES FOR THE ANNUAL ROAD PROGRAMMING FOR COUNTY ROAD PROJECTS

WAC

136-16-010	Submission of recommended annual road program.
136-16-018	Adoption of annual program.
136-16-020	Contents of annual program.
136-16-022	Day labor limit.
136-16-025	Miscellaneous and alternate projects.
136-16-030	Requirements of listing equipment.
136-16-040	Forwarding of program.
136-16-042	Modification of program.
136-16-050	Annual construction reports.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-16-012	Projects of environmental significance. [Order 21, § 136-16-012, filed 4/19/73.] Repealed by Order 29, filed 8/3/76.
136-16-014	Projects of environmental insignificance. [Order 21, § 136-16-014, filed 4/19/73.] Repealed by Order 29, filed 8/3/76.
136-16-016	Dissemination of environmental assessment information. [Order 21, § 136-16-016, filed 4/19/73.] Repealed by Order 29, filed 8/3/76.

136-16-060 Publication of information on day labor projects. [Order 17, § 136-16-060, filed 7/22/71.] Repealed by Order 23, filed 3/11/74.

WAC 136-16-010 Submission of recommended annual road program. The county engineer shall submit a recommended annual program to the county legislative authority on the first meeting in July or at such other time as may be specified pursuant to RCW 36.40.071. The program shall include recommendations for all construction projects and all equipment purchases for the ensuing year. The legislative authority shall consider the recommended program and make any revisions deemed necessary.

[Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-010, filed 3/21/90, effective 4/21/90; Order 29, § 136-16-010, filed 8/3/76; Order 21, § 136-16-010, filed 4/19/73; Regulation 2, § 136-16-010, filed 12/13/67.]

WAC 136-16-018 Adoption of annual program. The legislative authority shall adopt a final annual program at any time prior to the adoption of the budget.

[Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-018, filed 3/21/90, effective 4/21/90; Order 29, § 136-16-018, filed 8/3/76; Order 21, § 136-16-018, filed 4/19/73.]

WAC 136-16-020 Contents of annual program. The adopted annual program shall include, but not be limited to (1) a line item for estimated preliminary engineering costs, (2) a line item for estimated right of way acquisition costs; and (3) a listing of all proposed construction work for the year giving a very brief description of the work, the name, number and functional classification of the road, an estimate of the total cost of each project, including construction engineering but excluding preliminary engineering and right of way acquisition, and a notation as to whether construction work on each project is to be done by contract or day labor or both. When a project involves both contract and day labor work the estimate shall be divided to show the estimated cost of each type of work. The sum of all construction costs shall be approximately equal to the amount included in the road fund construction budget for construction work. All construction projects shall be shown, regardless of funding source, including any projects previously authorized and under way on which expenditures are anticipated during the program year. Projects previously authorized on which construction work is contemplated shall also be listed showing the estimated costs of work during the program year.

[Statutory Authority: Chapter 36.78 RCW. 80-09-084 (Order 38), § 136-16-020, filed 7/22/80; Order 29, § 136-16-020, filed 8/3/76; Order 21, § 136-16-020, filed 4/19/73; Regulation 2, § 136-16-020, filed 12/13/67.]

WAC 136-16-022 Day labor limit. The statutory day labor limit shall be computed in the following manner:

(1) When the sum of all construction costs is in excess of four million dollars the day labor limit is eight hundred thousand dollars or fifteen percent of said sum, whichever is greater.

(2) When the sum of all construction costs is in excess of one million five hundred thousand dollars and less than four million dollars the day labor limit is five hundred twenty five thousand dollars or twenty percent of said sum, whichever is greater.

(3) When the sum of all construction costs is in excess of five hundred thousand dollars and less than one million five hundred thousand dollars the day labor limit is two hundred and fifty thousand dollars or thirty five percent of said sum, whichever is greater.

(4) When the sum of all construction costs is less than five hundred thousand dollars the day labor limit shall be two hundred and fifty thousand dollars, unless the legislative authority, by resolution, elects the alternate procedure. When such alternate procedure is chosen, an individual project limit of thirty-five thousand dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

[Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-022, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 80-16-020 (Order 40), § 136-16-022, filed 10/29/80; 80-09-084 (Order 38), § 136-16-022, filed 7/22/80.]

WAC 136-16-025 Miscellaneous and alternate projects. The adopted program may include an item for miscellaneous unspecified projects in a dollar amount not to exceed ten per cent of the total. The adopted program may also include a separate section for alternate projects which shall be listed in the same manner as required for regular program projects. No construction work shall be done on any alternate project until it has been authorized by resolution. Said resolution shall clearly identify the project as an alternate project, and shall specify which project or projects are being deferred or deleted in order that adequate funding be available for the alternate.

[Statutory Authority: Chapter 36.78 RCW. 80-09-084 (Order 38), § 136-16-025, filed 7/22/80.]

WAC 136-16-030 Requirements of listing equipment. The annual program shall also include a list of all major equipment purchases contemplated for the year, together with the estimated costs thereof. The total estimated cost of all equipment listed shall be approximately equal to the amount budgeted for equipment purchase in the annual equipment rental budget. The equipment list may include an item for miscellaneous minor equipment in any amount up to 10% of the estimated total cost. The list may also include a list of alternate or additional items of equipment totalling up to 15% of the basic list cost to allow for unforeseen conditions.

[Regulation 2, § 136-16-030, filed 12/13/67.]

WAC 136-16-040 Forwarding of program. A copy of the adopted annual program and appropriate resolution shall be forwarded to the county road administration board within 30 days of its adoption but not later than December 31 of each year.

[Order 21, § 136-16-040, filed 4/19/73; Regulation 2, § 136-16-040, filed 12/13/67.]

WAC 136-16-042 Modification of program. The adopted final program may not be changed, revised or increased except by unanimous vote of the members of the legislative authority who are present when the vote is taken. Such modifications shall be by resolution of the legislative authority listing each changed, revised or added project. A copy of each such resolution shall be forwarded to the county road administration board within thirty-days of its adoption.

[Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-042, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 80-09-084 (Order 38), § 136-16-042, filed 7/22/80; Order 29, § 136-16-042, filed 8/3/76; Order 21, § 136-16-042, filed 4/19/73.]

WAC 136-16-050 Annual construction report. At any time prior to April 1 of the year following the program year, the county engineer shall submit an annual construction report to the county road administration board. The construction report shall show actual expenditures for all construction work including construction engineering done during the previous budget year.

[Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-050, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 80-09-084 (Order 38), § 136-16-050, filed 7/22/80; Regulation 2, § 136-16-050, filed 12/13/67.]

Chapter 136-18 WAC

ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS

WAC

136-18-010	Purpose.
136-18-020	Definitions.
136-18-030	Authorization of projects.
136-18-060	Project records.
136-18-064	Preconstruction publication requirements.
136-18-070	Records to CRAB.
136-18-080	Review by CRAB.
136-18-090	Action by CRAB.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-18-040	Location of projects. [Order 27, § 136-18-040, filed 1/27/76.] Repealed by 79-01-098 (Order 35), filed 1/3/79. Statutory Authority: Chapter 36.78 RCW.
136-18-050	Construction limitations. [Statutory Authority: Chapter 36.78 RCW. 79-01-098 (Order 35), § 136-18-050, filed 1/3/79; Order 27, § 136-18-050, filed 1/27/76.] Repealed by 80-16-019 (Order 39), filed 10/29/80. Statutory Authority: Chapter 36.78 RCW.

WAC 136-18-010 Purpose. The laws of the state of Washington [(RCW 36.77.065)] provide that construction on county roads may be done by contract[,] and/or day labor[.]. The purpose of this standard of good practice is to assure that all day labor construction work is accomplished within statutory limitations.

[Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-010, filed 10/29/80; Order 27, § 136-18-010, filed 1/27/76.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-18-020 Definitions. For purposes of implementing the requirements of RCW relative to day labor construction work, the following definitions shall apply:

(1) Construction – the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.

(2) Day labor construction – construction work performed by personnel carried on the county payroll using county owned, leased or rented equipment.

(3) Authorization date – the date that construction is authorized.

(4) Start of construction – the date that construction work commences.

[(5)] End of construction – the date that construction work is completed[.]

[(6)] Completion date – the date on which a county road project is closed in the accounting records[.]

[(7)] Estimated construction costs – the county engineer's estimate of the cost of contemplated construction work, not including preliminary engineering and right of way acquisition costs[.]

[(8)] Estimated project costs – the county engineer's estimate of the cost of engineering, right of way acquisition, and construction[.]

[(9)] True and complete construction costs – the accounting record of all construction costs attributed to a county road project from the authorization date to the completion date[.]

[(10)] True and complete project costs – the accounting record of all engineering, right of way acquisition, and construction costs attributed to a county road project from the authorization date to the completion date[.]

[(11)] Day labor county road project – day labor construction authorized by action of the county legislative authority in those counties where a cumulative dollar limit applies to all day labor construction.

[(12)] Special day labor county road project – day labor construction which will result in a facility with independent utility, authorized by action of the county legislative authority in those counties where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-five thousand dollars on any one project. The following types of construction will normally have sufficient independent utility to constitute separate projects within the meaning of RCW 36.77.065[.]

Type I[.] Roadway construction – a project which includes units of work or classes of work such as clearing, grading, drainage, base, gravel surfacing, traffic and pedestrian services (except street lighting and electrical traffic control devices), roadside development and ancillary operations.

Type II[.] High type surfacing – a project which includes units of work or classes of work such as surfaces of light bituminous, road mix,

[travel] [gravel] plant mix[,] pug mill mix, hot plant mix and concrete.

Type III[.] Structures – bridges over 20 feet in length, tunnels[,] sea walls, irrigation canals, and livestock crossings[.]

Type IV[.] Street lighting and electrical traffic control devices[.]

[Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-020, filed 10/29/80; 79-01-098 (Order 35), § 136-18-020, filed 1/3/79; Order 27, § 136-18-020, filed 1/27/76.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-18-030 [Authorization of projects.] Every proposed day labor county road project and special day labor county road project shall be a part of the county's annual construction program as defined in RCW 36.81-130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the county legislative authority at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said authority. The resolution shall include (a) [a] brief description of the project, (b) a vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program, (c) identification of the project in terms of the officially adopted annual program, (d) the county road engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering and construction plans as shall be necessary and sufficient.

[Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-030, filed 10/29/80; 79-01-098 (Order 35), § 136-18-030, filed 1/3/79; Order 27, § 136-18-030, filed 1/27/76.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-18-060 Project records. All project cost records shall be kept in the manner prescribed by the BARS manual. Records of quantities shall be kept in a manner consistent with original project estimates. The project records shall contain, but shall not be limited to, the following: (a) Dated authorizing resolution, (b) vicinity map showing project location and limits, (c) county road engineer's estimate, (d) affidavit of preconstruction publication required by RCW 36.77.070, (e) documentation of start and end of construction dates, (f) affidavit of post-construction publication showing true and complete project cost.

[Statutory Authority: Chapter 36.78 RCW. 79-01-098 (Order 35), § 136-18-060, filed 1/3/79; Order 27, § 136-18-060, filed 1/27/76.]

WAC 136-18-064 Preconstruction publication requirements. The preconstruction publication required by

RCW 36.77.070 may be made at any time subsequent to the adoption of the annual road construction program by the county legislative authority, but no later than the commencement of day labor on the project or projects. The publication shall include a brief description of each project and the county engineer's estimate of each project cost showing right of way acquisition, preliminary engineering, contract work (if any) and work by day labor.

[Statutory Authority: Chapter 36.78 RCW. 85-11-054 (Order 59), § 136-18-064, filed 5/17/85.]

WAC 136-18-070 Records to CRAB. Each county engineer shall submit to CRAB a copy of each resolution authorizing a special day labor county road project whose estimated construction cost exceeds 75 percent of the day labor limit. Upon completion of each of these projects, or no later than March 1 of the succeeding year, the county engineer shall furnish to CRAB a copy of the record of true and complete construction costs. On any project where true and complete construction costs have exceeded the statutory day labor limit, the engineer shall also provide to CRAB an explanation of the circumstances resulting in such over-expenditure.

[Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-070, filed 10/29/80; 79-01-098 (Order 35), § 136-18-070, filed 1/3/79; Order 27, § 136-18-070, filed 1/27/76.]

WAC 136-18-080 Review by CRAB. The CRAB engineer shall have authority to investigate cases of apparent violations and shall prepare a listing of all special day labor projects for which actual expenditures have exceeded the statutory day labor limit during the previous calendar year for review by the county road administration board at its quarterly meeting in April.

[Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-080, filed 10/29/80; Order 27, § 136-18-080, filed 1/27/76.]

WAC 136-18-090 Action by CRAB. Determination by the county road administration board that a violation of RCW 36.77.060 has occurred shall be cause for issuance of a conditional certificate of good practice by the board on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county. Immediate notification of the board's findings shall be given to the highway commission for further possible action pursuant to RCW 47.08.100.

[Order 27, § 136-18-090, filed 1/27/76.]

Chapter 136-20 WAC

INSPECTION OF BRIDGES ON COUNTY ROADS

WAC	
136-20-010	Purpose.
136-20-020	Inventory.
136-20-030	Inspection.
136-20-040	Certification.

136-20-050 Failure to comply.
136-20-060 Engineer's report.

WAC 136-20-010 Purpose. Bridges of many kinds are an integral part of every county road system. The safety and adequacy of these bridges is of vital importance to the traveling public. A program of regular periodic inspection and reporting is necessary to fully inform each county legislative authority regarding the condition and adequacy of all bridges.

[Statutory Authority: RCW 36.78.070. 90-17-075 (Order 78), § 136-20-010, filed 8/16/90, effective 9/16/90. Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-010, filed 1/3/79; Order 11, § 136-20-010, filed 10/9/69.]

WAC 136-20-020 Inventory. Each county road engineer shall have available in his office a complete inventory of all bridges on the county road system. The inventory shall list the location of each bridge by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the SWIBS bridge inventory shall be submitted to the department of transportation state aid engineer on appropriate forms furnished by the department.

[Statutory Authority: RCW 36.78.070. 90-17-075 (Order 78), § 136-20-020, filed 8/16/90, effective 9/16/90. Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-020, filed 1/3/79; Order 11, § 136-20-020, filed 10/9/69.]

WAC 136-20-030 Inspection. Each county road engineer shall be responsible for inspection of all bridges on the county road system in accordance with the bridge inspection procedure, described in the current edition of the AASHTO manual for maintenance inspection of bridges. The county road engineer shall note the date of inspection and any changes since the previous inspection on the SWIBS form and submit all forms to the state aid engineer at a predetermined time.

[Statutory Authority: RCW 36.78.070. 90-17-075 (Order 78), § 136-20-030, filed 8/16/90, effective 9/16/90. Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-030, filed 1/3/79; Order 11, § 136-20-030, filed 10/9/69.]

WAC 136-20-040 Certification. Submission by the county road engineer of a dated SWIBS form to the state aid engineer shall be construed as certification that inspection of that bridge has been completed in accordance with the AASHTO inspection procedures. Annually, prior to April 1, the state aid engineer will provide CRAB and the engineers of the affected counties a listing of all county bridges for which no SWIBS inspection certification has been received during the previous thirty months. Any county with a bridge or bridges on this listing shall be assumed to be not in compliance with bridge inspection procedures.

[Statutory Authority: RCW 36.78.070. 90-17-075 (Order 78), § 136-20-040, filed 8/16/90, effective 9/16/90. Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-040, filed 1/3/79; Order 22, § 136-20-040, filed 4/19/73; Order 11, § 136-20-040, filed 10/9/69.]

WAC 136-20-050 Failure to comply. Failure of a county to be shown in compliance with required bridge inspection procedures may be cause for the county road administration board to withhold a certificate of good practice on behalf of that county.

[Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-050, filed 1/3/79; Order 11, § 136-20-050, filed 10/9/69.]

WAC 136-20-060 Engineer's report. Each county road engineer shall furnish the county legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to said authority no later than June 1 of each year and shall be consulted during the preparation of the proposed six year program revision. The resume shall include the engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six year program shall include assurances to the effect that the engineer's report with respect to deficient bridges was available to said authority during the preparation of the program.

[Statutory Authority: RCW 36.78.070. 90-17-075 (Order 78), § 136-20-060, filed 8/16/90, effective 9/16/90. Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-060, filed 1/3/79; Order 28, § 136-20-060, filed 5/4/76; Order 26, § 136-20-060, filed 5/6/75; Order 22, § 136-20-060, filed 4/19/73; Order 11, § 136-20-060, filed 10/9/69.]

Chapter 136-24 WAC

STANDARDS OF GOOD PRACTICE—UNIFORM BUDGET AND ACCOUNTING PROCEDURES FOR COUNTY ROAD DEPARTMENT

WAC

136-24-010 Budget and accounting system.

WAC 136-24-010 Budget and accounting system. In accordance with RCW 43.09.200, the state auditor has formulated and prescribed a uniform system of accounting and reporting for all counties. The state auditor has prescribed forms and types of records to be maintained by the county engineers as required by RCW 36.80.060 with the advice and assistance of the county road administration board.

The budgeting, accounting, reporting system for counties and cities and other local governments (BARS) shall be used for all county road department budgeting, accounting and reporting beginning with the 1973 budget and its associated accounting and reporting requirements.

[Order 20, § 136-24-010, filed 11/1/72; Regulation 3, § 136-24-010, filed 12/13/67.]

Chapter 136-28 WAC

STANDARD OF GOOD PRACTICE—COOPERATIVE PROCEDURES FOR PROCESSING OF COUNTY ROAD ACCIDENT REPORTS

WAC

136-28-010 Purpose.

136-28-020 Procedure.
136-28-030 Coding detail.

WAC 136-28-010 Purpose. The National Highway Safety Act of 1966 requires that all states, in cooperation with their various local governments, collect, compile and make reports to the National Highway Safety Bureau of accident statistics in each state. In order to implement this requirement the county road administration board has acted to coordinate the activities of the county engineers and the state patrol. Each county engineer is now requested to cooperate in this effort by following the procedure outlined below.

[Statutory Authority: RCW 36.78.070. 90-17-076 (Order 79), § 136-28-010, filed 8/16/90, effective 9/16/90; Order 5, § 136-28-010, filed 4/23/68.]

WAC 136-28-020 Procedure. The state patrol collects accident reports from all law enforcement agencies and receives accident reports from individual drivers. Periodically, the state patrol will send or deliver to the county engineer's office in each county reports concerning accidents occurring on county roads in that county.

The county engineer will analyze each report and indicate within the appropriate spaces on the report the county number, the county road number, the milepoint and, if applicable, the road number of the intersecting county road at which the accident occurred. The county engineer shall also indicate in the appropriate space as to whether the location is rural or urban.

The coded reports will be returned to the records section of the state patrol within two weeks of receipt.

Should the county engineer determine any accident report location is not on a road contained within the latest county road log, he shall return the accident report, uncoded, with a transmittal letter indicating the appropriate jurisdiction such as private road, state highway, city street, other state agency, federal agency, etc.

[Statutory Authority: RCW 36.78.070. 90-17-076 (Order 79), § 136-28-020, filed 8/16/90, effective 9/16/90; Order 5, § 136-28-020, filed 4/23/68.]

WAC 136-28-030 Coding detail. (1) The county number shall be that particular number assigned to each county by the state office of financial management for county identification purposes.

(2) The county road number shall be that particular five-digit number, including both leading and trailing zeros if applicable, assigned to each county road according to the county's latest county road log. No local names or numbers or FAS numbers shall be used in coding.

(3) The milepoint shall be determined as accurately as practicable from a comparison of information on the accident report with the latest county road log.

(4) Accidents at an intersection with a state highway will be coded by the state department of transportation.

(5) To ensure uniformity, accidents at the intersection of any two county roads shall be coded to a road in the following priority order:

(a) The road with the higher functional class;

(b) The road that is the through route;

(c) The road with the lowest road number.

(6) Accidents on roads and/or intersections with dual city-county or county-county responsibilities shall be coded in general accordance with the procedures outlined herein based on a mutual understanding between the several jurisdictions involved.

[Statutory Authority: RCW 36.78.070. 90-17-076 (Order 79), § 136-28-030, filed 8/16/90, effective 9/16/90; Order 5, § 136-28-030, filed 4/23/68.]

Chapter 136-32 WAC

STANDARD OF GOOD PRACTICE--WORK PERFORMED FOR OTHER PUBLIC AGENCIES BY THE COUNTY ROAD DEPARTMENT

WAC

136-32-010	Purpose.
136-32-020	Procedure--Public agencies.
136-32-030	Procedure--Interdepartmental.
136-32-040	Records.

WAC 136-32-010 Purpose. A county road department may perform work for other public agencies and for other county departments only as authorized by statute. The term public agency, shall include all municipal corporations and all subdivisions of government for which a county road department may legally perform services. Complete written documentation of all road fund expenditures on behalf of other public agencies and county departments, whether reimbursable or not, is necessary in order to meet statutory and audit requirements.

[Order 15, § 136-32-010, filed 7/30/70; Order 7, § 136-32-010, filed 6/12/68.]

WAC 136-32-020 Procedure--Public agencies. An appropriate written agreement approved by the legislative body of both the county and the requesting agency shall precede any work by the county road department for the agency. The terms of such agreement shall satisfy the requirements of RCW 35.77.020 et. seq., 36.75-.200 et. seq., chapter 39.34 RCW and/or any other appropriate legislative requirement. Such agreement may be for a specific item of work and/or any work during a specific period of time, or it may be a general agreement for a long time period to be supplemented by individual requests for specific items of work.

[Order 15, § 136-32-020, filed 7/30/70; Order 7, § 136-32-020, filed 6/12/68.]

WAC 136-32-030 Procedure--Interdepartmental. All work to be performed by the county road department for other departments of the county shall be done in accordance with the policy of the county legislative authority regarding approval of work for other public agencies and county departments as required under WAC 136-10-050(4).

[Statutory Authority: Chapter 36.78 RCW. 79-01-097 (Order 34), § 136-32-030, filed 1/3/79; Order 7, § 136-32-030, filed 6/12/68.]

WAC 136-32-040 Records. The county engineer shall maintain appropriate records of all agreements for work requested by other public agencies and of all approved interdepartmental requests. He shall keep complete fiscal records of all such work in the same manner as prescribed for normal road department activity.

[Order 7, § 136-32-040, filed 6/12/68.]

Chapter 136-40 WAC

STANDARDS OF GOOD PRACTICE-- ACCOMMODATION OF UTILITIES ON COUNTY ROADS

WAC

136-40-010	Purpose.
136-40-020	Contents.
136-40-030	Adoption and submittal.
136-40-040	Existing policies.
136-40-050	Updates, amendments, and modifications.
136-40-060	Conflicts with state and federal requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-40-044	General considerations—Location standards. [Order 18, § 136-40-044, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-136	Design of facilities—Drainage facility codes. [Order 18, § 136-40-136, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-048	General considerations—Road purpose utilities. [Order 18, § 136-40-048, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-140	Design of facilities—Utility tunnel or bridge. [Order 18, § 136-40-140, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-052	General considerations—Accommodation where prior right. [Order 18, § 136-40-052, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-200	Construction permits and franchises—General. [Order 18, § 136-40-200, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-100	Design of facilities—Responsibility. [Order 18, § 136-40-100, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-204	Construction permits and franchises—Application requirements. [Order 18, § 136-40-204, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-104	Design of facilities—Planning. [Order 18, § 136-40-104, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-208	Construction permits and franchises—Permit requirements. [Order 18, § 136-40-208, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-108	Design of facilities—Standards. [Order 18, § 136-40-108, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-212	Construction permits and franchises—Environmental protection. [Order 18, § 136-40-212, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-112	Design of facilities—Appearance. [Order 18, § 136-40-112, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-300	Pipelines—Location. [Order 18, § 136-40-300, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-116	Design of facilities—Materials. [Order 18, § 136-40-116, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-304	Pipelines—Installation. [Order 18, § 136-40-304, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-120	Design of facilities—Power and communication codes. [Order 18, § 136-40-120, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-308	Pipelines—Cover. [Order 18, § 136-40-308, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-124	Design of facilities—Water line codes. [Order 18, § 136-40-124, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-312	Pipelines—Encasement. [Order 18, § 136-40-312, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-128	Design of facilities—Pressure pipeline codes. [Order 18, § 136-40-128, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.	136-40-316	Pipelines—Uncased carriers. [Order 18, § 136-40-316, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
136-40-132	Design of facilities—Sewer line codes. [Order 18, § 136-40-132, filed 7/22/71.] Repealed by 90-22-081	136-40-320	Pipelines—Appurtenances. [Order 18, § 136-40-320, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
		136-40-324	Pipelines—Adjustment of existing facilities. [Order 18, § 136-40-324, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
		136-40-400	Overhead power and communication lines—Type of construction. [Order 18, § 136-40-400, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
		136-40-404	Overhead power and communication lines—Vertical clearance. [Order 18, § 136-40-404, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
		136-40-408	Overhead power and communication lines—Horizontal clearance. [Order 18, § 136-40-408, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
		136-40-412	Overhead power and communication lines—Irregular right of way. [Order 18, § 136-40-412, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed

- 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-416 Overhead power and communication lines—Aesthetic considerations. [Order 18, § 136-40-416, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-500 Underground power and communication lines—General. [Order 18, § 136-40-500, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-504 Underground power and communication lines—Design. [Order 18, § 136-40-504, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-508 Underground power and communication lines—Manholes. [Order 18, § 136-40-508, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-512 Underground power and communication lines—Scenic areas. [Order 18, § 136-40-512, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-600 Installations on bridges—General. [Order 18, § 136-40-600, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-604 Installations on bridges—Location. [Order 18, § 136-40-604, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-608 Installations on bridges—Clearance. [Order 18, § 136-40-608, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-612 Installations on bridges—Mounting. [Order 18, § 136-40-612, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-616 Installations on bridges—Power and communication lines. [Order 18, § 136-40-616, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-620 Installations on bridges—Beyond abutments. [Order 18, § 136-40-620, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-624 Installations on bridges—Responsibility. [Order 18, § 136-40-624, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-700 All utilities—Drainage. [Order 18, § 136-40-700, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-704 All utilities—Restoration. [Order 18, § 136-40-704, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-708 All utilities—Vegetation. [Order 18, § 136-40-708, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-712 All utilities—Debris. [Order 18, § 136-40-712, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-800 Public safety—Traffic control. [Order 18, § 136-40-800, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-804 Public safety—Open excavation. [Order 18, § 136-40-804, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-808 Public safety—Maintenance. [Order 18, § 136-40-808, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.
- 136-40-812 Public safety—Emergencies. [Order 18, § 136-40-812, filed 7/22/71.] Repealed by 90-22-081 (Order 80), filed 11/6/90, effective 12/7/90. Statutory Authority: RCW 36.78.070.

WAC 136-40-010 Purpose. In order to effectively administer its authority to:

- (1) Grant utility franchises and permits on county roads as provided in chapter 36.55 RCW;
- (2) Exercise overall responsibility for county roads and bridges as provided in chapter 36.75 RCW; and
- (3) Exercise its police power; each county legislative authority shall adopt a generally applicable written policy ("utility policy") to provide administrative, procedural, and technical guidance for the installation, replacement, adjustment, relocation, and maintenance of all above and below ground utilities and other transmission or transport facilities located within all county road rights of way.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-010, filed 11/6/90, effective 12/7/90; Order 18, § 136-40-010, filed 7/22/71.]

WAC 136-40-020 Contents. Each utility policy shall, at a minimum:

- (1) Address all public and private utilities and other transmission or transport facilities which are installed, replaced, adjusted, relocated and/or maintained within the county road right of way pursuant to franchises, permits, and/or exemptions from the permit process including but not limited to electric power, telephone, television, telegraph, communication, water, gas, all petroleum products, steam, chemicals, sewage, drainage, and irrigation;
- (2) Include general standards and requirements for the location, design, and construction of each utility;
- (3) Incorporate a written permit process for all utility work not exempted by the provisions of the utility policy, and specify exemptions from such permit process, if any;
- (4) Include specific requirements for underground utilities which shall include location and alignment, depth of burial and cover, encasement, marking, appurtenances and related installation procedures;
- (5) Include specific requirements for above ground utilities which shall include location and alignment and vertical clearances;
- (6) Include specific requirements for all utilities which shall include aesthetic/scenic considerations, installations on roadway bridges and structures, site restoration and cleanup, traffic control and public safety, and both normal and emergency repairs.

The county road administration board shall, upon request, provide any county a copy of a model utility policy. The model utility policy will meet the minimum requirements of this chapter and may be amended as necessary to meet the specific needs of a county.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-020, filed 11/6/90, effective 12/7/90; Order 18, § 136-40-020, filed 7/22/71.]

WAC 136-40-030 Adoption and submittal. Each county legislative authority shall formally adopt, no later than December 31, 1991, 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.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-030, filed 11/6/90, effective 12/7/90; Order 18, § 136-40-030, filed 7/22/71.]

WAC 136-40-040 Existing policies. Counties with existing utility policies shall not be required to meet the requirements of WAC 136-40-030 unless the existing utility policy (1) has not been formally adopted by the county legislative authority, and/or (2) is not in substantial conformance with the content requirements of WAC 136-40-020.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-040, filed 11/6/90, effective 12/7/90; Order 18, § 136-40-040, filed 7/22/71.]

WAC 136-40-050 Updates, amendments, and modifications. Should any existing, adopted utility policy be updated, amended or otherwise modified, said action shall be formally accomplished by the county legislative authority. A copy of the officially adopted updated, amended, or modified utility policy shall be forwarded to the county road administration board within thirty days of such adoption.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-050, filed 11/6/90, effective 12/7/90.]

WAC 136-40-060 Conflicts with state and federal requirements. Nothing in this section shall eliminate or modify any requirements, procedures, or authorities of the Washington state department of transportation, the Washington utilities and transportation commission, the Federal Highway Administration or any other state or federal agency.

[Statutory Authority: RCW 36.78.070. 90-22-081 (Order 80), § 136-40-060, filed 11/6/90, effective 12/7/90.]

Chapter 136-60 WAC

MAINTENANCE OF COUNTY ROAD LOGS

WAC

- 136-60-010 Purpose.
- 136-60-020 Definitions.
- 136-60-030 Submittal of annual updates.
- 136-60-040 Validation of annual updates.
- 136-60-050 Validation requirements for control fields.
- 136-60-060 Utilization of common computer data base.

WAC 136-60-010 Purpose. Section 1(2) chapter 120, Laws of 1985, provides that the county road administration board (CRABoard) shall maintain the

county road log for the purpose of computing estimated county road replacement costs and estimated annual maintenance costs for county fuel tax allocations. It further provides that each county shall submit changes, corrections and deletions (i.e., "updates") to the CRABoard which in turn are subject to validation prior to inclusion in the road log maintained by the CRABoard. This WAC chapter describes the manner in which the CRABoard will administer this responsibility.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-010, filed 11/19/86.]

WAC 136-60-020 Definitions. For purposes of implementing procedures for updating, validating and maintaining the county road log, the following definitions shall apply:

(1) County road log – the listing, by county, of all roads under county jurisdiction including their description, length, milepost identification, functional class, surface type, traffic volume, and other administrative and physical inventory items that may be included.

(2) Computer data base (CDB) – the computer data base software by which the county road log data is updated and maintained by all counties and the CRABoard.

(3) Updates – periodic changes to the county road log involving any or all of the included data elements

(4) Control fields – those fields within the county road log for which all updates need to be verified by the CRABoard prior to inclusion in the master county road log. Control fields are only those utilized for the computation of gas tax allocations in accordance with RCW 46.68.120.

(5) Master county road log – the combination of all county road logs as kept by the CRABoard containing all updates (including validation of control fields) as of July 1 of each year.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-020, filed 11/19/86.]

WAC 136-60-030 Submittal of annual updates. Each county shall be responsible for maintaining current information regarding its road log and, no later than May 1 of each year, submit an updated road log as of *January 1* for its complete road system. This annual update must be on the computer-readable medium written in the computer data base program format as prescribed by the CRABoard. All updates involving changes in control fields must include supporting documentation as required in WAC 136-60-050.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-030, filed 11/19/86.]

WAC 136-60-040 Validation of annual updates. All control field updates will be subject to review, approval and acceptance (i.e., "validation") by the CRABoard. This process will involve reviewing the submitted documentation and conducting spot-checks as may be necessary. All such updates which are reviewed, approved and accepted by July 1 of each year will be entered into the master county road log. Noncontrol field updates will be

entered into the master county road log file without review. The master county road log as of July 1 of each year will be utilized by the CRABoard for general informational purposes and, on each odd-numbered year, for computation of motor vehicle fuel tax allocations to the counties.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-040, filed 11/19/86.]

WAC 136-60-050 Validation requirements for control fields. Each update of a road log segment that involves a change in a control field (including additions or deletions of road segments) will be validated by the CRABoard. Documentation necessary to support the following control field changes is as follows:

Functional class – notice of FHWA approval from WSDOT.

Pavement type – statement signed by county engineer with list of pavement type changes. A suitable scale map showing the limits of the change(s) must also be included.

Responsible agency – see requirements under "Addition of mileage" and "Deletion of mileage".

Addition of mileage – statement signed by county engineer describing the circumstances of the addition. For example, additions can occur through commissioner approval of new plat, construction/reconstruction on new alignment, or a change in jurisdiction. Appropriate map(s) showing the changes must also be included.

Deletion of mileage – statement signed by county engineer describing the circumstances of the deletion. For example, deletions can occur through vacations or a change in jurisdiction. Appropriate map(s) showing the changes must also be included.

Traffic volume – statement signed by county engineer with list of segments affected by change in traffic volume. A statement is required **only** if it involves road segments with urban classification and with an ACP or PCC surface type and it involves a volume change crossing the 5000 ADT value.

All maps furnished in support of control field changes will be forwarded by the CRABoard to WSDOT for future map base updates.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-050, filed 11/19/86.]

WAC 136-60-060 Utilization of common computer data base. Each county shall utilize a common computer data base for the maintenance and updating of its county road log. This data base shall be prescribed by the CRABoard and each county shall be responsible for the purchase and installation of the requisite software on its own IBM or IBM-compatible microcomputer.

[Statutory Authority: Chapter 36.78 RCW. 86-23-050 (Order 64-P), § 136-60-060, filed 11/19/86.]

Chapter 136-100 WAC ADMINISTRATION OF THE RURAL ARTERIAL PROGRAM

WAC

136-100-010	Purpose.
136-100-020	Adoption of rules.
136-100-030	Major collectors and minor collectors.
136-100-040	Delegation of authority.

WAC 136-100-010 Purpose. Section 19(5), chapter 49, Laws of 1983 1st ex. sess. (the act), provides that the county road administration board (CRABoard) shall administer the rural arterial program (RAP) established by chapter 36.79 RCW. This chapter describes the manner in which the CRABoard will implement the several provisions of the act.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-100-010, filed 7/30/84.]

WAC 136-100-020 Adoption of rules. The CRABoard shall adopt rules in accordance with the provisions of the act for purposes of administering the RAP regarding the following:

- (1) Apportionment of rural arterial trust account (RATA) funds to regions.
- (2) RAP projects in the six year program.
- (3) Regional prioritization of RAP projects.
- (4) Preparation of RAP budget and program.
- (5) Eligibility for RATA funds.
- (6) Allocation of RATA funds to approved RAP projects.
- (7) CRAB/County contract.
- (8) Processing of vouchers.
- (9) Audit responsibilities.
- (10) Functional classification.
- (11) Design standards for RAP projects.
- (12) Matching requirements.
- (13) Joint county RAP/Rural UAB projects.
- (14) Emergent projects.
- (15) Reports to the legislature.
- (16) Other matters deemed necessary by the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-100-020, filed 7/30/84.]

WAC 136-100-030 Major collectors and minor collectors. The act specifies that rural arterials classified as major 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 without regard to their classification as major and minor collectors.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-100-030, filed 7/30/84.]

WAC 136-100-040 Delegation of authority. In order to assure effective and timely administration of the RAP, the CRABoard may delegate authority in specific

matters to its director. Delegation may be relative to signing of contracts, approval of RAP project vouchers, approval of change of scope of a project and other matters as may be determined by the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-100-040, filed 7/30/84.]

Chapter 136-110 WAC

APPORTIONMENT OF RURAL ARTERIAL TRUST ACCOUNT FUNDS TO REGIONS

WAC

- 136-110-010 Purpose.
- 136-110-020 Computation of land area ratio.
- 136-110-030 Computation of road mileage ratio.
- 136-110-040 Apportionment percentages established.
- 136-110-050 Apportionment to regions.

WAC 136-110-010 Purpose. Sections 4 and 5, chapter 49, Laws of 1983 1st ex. sess. 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 collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state.

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

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-110-010, filed 7/30/84.]

WAC 136-110-020 Computation of land area ratio. The rural land areas of each region, and the ratio which they bear to the total rural land area of the state are shown as follows:

<u>REGION</u>	<u>RURAL LAND AREA SQ. MILE</u>	<u>% OF TOTAL RURAL LAND AREA</u>
Puget Sound	5,005	7.71
Northwest	8,069	12.43
Northeast	26,711	41.14
Southeast	14,748	22.72
Southwest	<u>10,387</u>	<u>16.00</u>
TOTAL	64,920	100.00

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-110-020, filed 7/30/84.]

WAC 136-110-030 Computation of road mileage ratio. The ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state shall be computed from information shown in the county road log maintained by the secretary of transportation as of July 1, 1985 and each two years thereafter.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-110-030, filed 7/30/84.]

WAC 136-110-040 Apportionment percentages established. At the first CRABoard meeting of each biennium the CRABoard shall establish apportionment percentages for the five RAP regions based on the computations described in WAC 136-110-010 and 136-110-030. The apportionments so established shall remain in effect for the remainder of the biennium.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-110-040, filed 7/30/84.]

WAC 136-110-050 Apportionment to regions. The apportionment percentages established in accordance with WAC 136-110-040 shall be used once each quarter by the board to apportion funds credited to the rural arterial trust account (RATA) to the five regions. The funds so apportioned shall be allocated as described in chapter 136-160 WAC by the CRABoard to counties for construction of approved rural arterial projects.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-110-050, filed 7/30/84.]

Chapter 136-120 WAC

RAP PROJECTS IN THE SIX-YEAR PROGRAM

WAC

- 136-120-010 Purpose.
- 136-120-020 Six-year program adoption.
- 136-120-030 RAP projects in six-year program.

WAC 136-120-010 Purpose. Sections 8 and 10, chapter 49, Laws of 1983 ex. sess., require that counties list prospective RAP projects in their respective six-year programs and that the CRABoard review such programs. This WAC chapter describes the manner in which the CRABoard will implement these provisions in its administration of the RAP program.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-120-010, filed 7/30/84.]

WAC 136-120-020 Six-year program adoption. The county's six-year program shall be prepared and adopted in accordance with RCW 36.81.121, and one copy forwarded to the CRAB office no later than August 1st of each year.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-120-020, filed 7/30/84.]

WAC 136-120-030 RAP projects in six-year program. The county's six-year program in each even-numbered year shall include all projects for which the county may request RATA funds during the succeeding biennium. Project cost estimates for RAP projects shall be considered preliminary, and subject to revision until a project application is submitted.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-120-030, filed 7/30/84.]

Chapter 136-130 WAC
REGIONAL PRIORITIZATION OF RAP PROJECTS
TO BE APPROVED IN 1984

WAC

136-130-010	Purpose.
136-130-020	Priorities by region.
136-130-030	Project prioritization in Puget Sound region (PSR).
136-130-040	Project prioritization in northwest region (NWR).
136-130-050	Project prioritization in northeast region (NER).
136-130-060	Project prioritization in southeast region (SER).
136-130-070	Project prioritization in southwest region (SWR).
136-130-080	Limitation on rating points.

WAC 136-130-010 Purpose. Sections 8 and 10, chapter 49, Laws of 1983 1st ex. sess. provide that the CRABoard shall determine the priority of specific improvement projects based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account, but not limited to, the following five factors:

- (1) Its structural ability to carry loads upon it;
- (2) Its capacity to move traffic at reasonable speeds;
- (3) Its adequacy of alignment and related geometrics;
- (4) Its accident experience; and
- (5) Its fatal accident experience.

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

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-130-010, filed 7/30/84.]

WAC 136-130-020 Priorities by region. The CRABoard has determined that the interests of the counties in the several regions will be best served by encouraging development of a distinct project priority rating system for each region. These rating systems, described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070, shall be used in the prioritization of proposed projects requesting RATA funds submitted by counties in the respective regions. Detailed procedures for implementing the regional rating systems are published by the CRABoard in a pamphlet entitled: *Procedures for Priority Rating of Proposed RAP Project (RAP Rating Procedures)*.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-130-020, filed 7/30/84.]

WAC 136-130-030 Project prioritization in Puget Sound region (PSR). Each county in the PSR may submit projects requesting RATA funds not to exceed \$400,000 per project. Each project shall be rated in accordance with the PSR RAP rating procedures. PSR RAP rating points shall be assigned on the basis of 50 points for traffic volume, 50 points for accident history, 45 points for structural condition, 45 points for geometric condition, and 10 points for special use and need. Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-030, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 86-06-005 (Order 61), §

136-130-030, filed 2/20/86; 84-16-065 (Order 56), § 136-130-030, filed 7/30/84.]

WAC 136-130-040 Project prioritization in northwest region (NWR). Each county in the NWR may submit projects requesting RATA funds not to exceed five hundred thousand dollars per project and forty percent of the regional allocation total. No bridge replacement projects will be funded. Each project shall be rated in accordance with the NWR RAP rating procedures. NWR RAP rating points shall be assigned on the basis of forty points for structural condition, forty points for geometrics, ten points for traffic volume and ten points for traffic accidents and five points for any project on a major collector (07). Prioritization of NWR projects shall be on the basis of total NWR RAP rating points shown on the project worksheet and the prospectus form of the project application.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-040, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-130-040, filed 7/30/84.]

WAC 136-130-050 Project prioritization in northeast region (NER). Each county in the NER may submit projects requesting RATA funds not to exceed 30% of the NER biennial apportionment. Each project shall be rated in accordance with the NER RAP rating procedures. The NER biennial apportionment shall be divided into the following categories at the percentages shown, provided sufficient projects are submitted for prioritization in each category:

- Category 1 - 10% for bridge projects where RATA funds are used as a match for federal bridge replacement funds;
- Category 2 - 45% for reconstruction of rural collectors; and
- Category 3 - 45% for resurfacing, restoration, rehabilitation (3R) type projects of rural collectors.

In the event that no projects or an insufficient number of projects are submitted in any of the above categories to utilize the RATA funds set aside for the category, all remaining funds in that category or categories shall be divided among the remaining categories as the CRABoard deems appropriate. The intent is to divide all available funds into categories having a sufficient number of submitted projects to fully utilize the funds available at each allocation during the biennium.

Bridge projects may be submitted requesting RATA funds under one of the following conditions:

1. Bridges must be approved for federal bridge replacement funding and RATA funds shall be used only as a match for such federal funding. Bridges will be ranked for RATA funding using the WSDOT priority list and may be added to the NER Category 1 priority array at any time during the biennium upon approval of the Bridge for Federal—Bridge Replacement funding.

2. A stand-alone bridge project may be submitted as an ordinary RAP project provided that its priority rating has been computed by the bridge rating method in the

NER RAP rating procedures. Such projects shall not be considered for funding from the bridge reserve described above.

3. A RAP project may include a bridge when the cost of the bridge does not exceed 20% of the total project cost.

NER RAP rating points for reconstruction projects, 3R projects or non-federal bridge replacement projects shall be assigned on the basis of 100 points for a condition rating and 50 points for a service rating. The priority rating equals two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing 100 by the condition rating. Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the appropriate project worksheet and the prospectus form of the project application.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-050, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-12-080 (Order 69), § 136-130-050, filed 6/1/88; 86-21-076 (Order 63-P), § 136-130-050, filed 10/15/86; 86-06-005 (Order 61), § 136-130-050, filed 2/20/86; 84-16-065 (Order 56), § 136-130-050, filed 7/30/84.]

WAC 136-130-060 Project prioritization in south-east region (SER). Each county in the SER may submit projects requesting RATA funds not to exceed 30% per county of the SER biennial apportionment. Each project shall be rated in accordance with the SER RAP rating procedures. 10% of the SER biennial apportionment shall be reserved for stand-alone bridge projects. Whatever part of the bridge reserve that is not allocated to bridge projects shall be available for allocation to other RAP projects. SER RAP rating points shall be assigned on the basis of 40 points for structural condition, 30 points for geometrics, 20 points for traffic volume and 10 points for traffic accidents. Prioritization of SER projects shall be on the basis of total SER RAP rating points shown on the project worksheet and the prospectus form of the project application.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-060, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-130-060, filed 2/16/88; 84-16-065 (Order 56), § 136-130-060, filed 7/30/84.]

WAC 136-130-070 Project prioritization in southwest region (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed 30% of the SWR biennial apportionment. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP rating procedures. SWR RAP rating points shall be assigned on the basis of 25 points for structural condition, 25 points for road surface condition, 30 points for geometrics, 10 points for traffic volume and 10 points for traffic accidents, except that Portland cement surfaces and asphalt surfaces with cement concrete bases shall have 50 points for road surface condition and no points for structural condition. Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project

worksheets and the prospectus form of the application. (Amended 2-13-86)

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-070, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-130-070, filed 2/16/88; 86-06-005 (Order 61), § 136-130-070, filed 2/20/86; 84-16-065 (Order 56), § 136-130-070, filed 7/30/84.]

WAC 136-130-080 Limitation on rating points. In each of the project prioritization methods described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070 rating points are assigned to a variety of structural and geometric conditions. For purposes of the RAP project prospectus submitted to the CRABoard, geometric condition points shall be assigned only for those conditions which will be corrected by construction of the project.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-130-080, filed 7/30/84.]

Chapter 136-150 WAC

ELIGIBILITY FOR RURAL ARTERIAL TRUST ACCOUNT FUNDS

WAC

136-150-010	Purpose.
136-150-020	Implementing the eligibility requirement.
136-150-021	Ascertaining the road levy.
136-150-022	Ascertaining the expenditures for traffic law enforcement.
136-150-023	Identifying eligible counties.
136-150-024	Constraint on contract execution.
136-150-030	Certification required.
136-150-040	Post audit penalty.

WAC 136-150-010 Purpose. Language in section 14, chapter 49, Laws 1983 [1st] ex. sess. 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 of the 7th class shall be exempt from this requirement. This [WAC] chapter describes how this statutory language will be implemented by the CRABoard beginning with the 1988 county budget year

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-010, filed 10/15/87; 86-06-005 (Order 61), § 136-150-010, filed 2/20/86; 84-16-065 (Order 56), § 136-150-010, filed 7/30/84.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-150-020 Implementing the eligibility requirement. [The CRABoard will approve RAP projects, and allocate RATA funds to projects, only in eligible counties.] The CRABoard will ascertain the amount of the total road levy fixed in each county and the amount diverted, if any, for any services to be provided in the

unincorporated area of the county in accordance with RCW 36.33.220. The CRABoard will compare the amount actually spent each year for traffic law enforcement with the amount diverted to determine whether or not the county is eligible to receive RATA funds.

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-020, filed 10/15/87; 86-06-005 (Order 61), § 136-150-020, filed 2/20/86; 84-16-065 (Order 56), § 136-150-020, filed 7/30/84.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-150-021 **Ascertaining the road levy.** The CRABoard will request that every county legislative authority submit a certification showing the amount of the road levy fixed and the amount, if any, budgeted in accordance with RCW 36.33.220 for traffic law enforcement and/or any other purpose from diverted road levy no later than February 1st of each year.

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-021, filed 10/15/87.]

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 of the 7th class shall be exempt from this requirement.

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-022, filed 10/15/87.]

WAC 136-150-023 **Identifying eligible counties.** Counties eligible to receive RATA funds shall be those in which there has been no diversion of the county road levy, 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) and those of the 7th class.

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-023, filed 10/15/87.]

WAC 136-150-024 **Constraint on contract execution.** No CRAB/County contract shall be executed on behalf of the CRABoard unless the appropriate certifications have been submitted and unless the county has been identified as eligible to receive RATA funds.

[Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-024, filed 10/15/87; 86-06-005 (Order 61), § 136-150-024, filed 2/20/86.]

WAC 136-150-030 **Certification required.** The contract between CRAB and a county relative to a RAP project shall contain a certification, signed by the county executive or chairman of the board of county commissioners, that the county is in compliance with the provisions of this chapter.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-150-030, filed 7/30/84.]

WAC 136-150-040 **Post audit penalty.** Every RAP project shall be subject to final examination and audit by the state auditor. In the event such an examination reveals an improper certification on the part of a county relative to compliance with provisions of this chapter, the matter shall be placed on the agenda of the next CRAB meeting and may be cause for the CRABoard to withdraw or deny the certificate of good practice of that county; and/or to require that all, or part of, RATA funds received by the county be returned to the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 86-06-005 (Order 61), § 136-150-040, filed 2/20/86; 84-16-065 (Order 56), § 136-150-040, filed 7/30/84.]

Chapter 136-160 WAC

ALLOCATION OF RATA FUNDS TO APPROVED RAP PROJECTS

WAC

136-160-010	Purpose.
136-160-020	The project application.
136-160-024	Procedure for a county line project.
136-160-030	Submission of the project application.
136-160-040	Preparation and review of regional priority array.
136-160-050	Project approval and RATA fund allocation.
136-160-060	Limitation on use of RATA funds.
136-160-065	Use of RATA funds for emergent projects.

WAC 136-160-010 **Purpose.** Section 5, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall allocate the rural arterial trust account (RATA) funds apportioned to each region to counties within the region for the construction of specific rural arterial projects. This chapter describes the manner in which a county may request RATA funds for specific rural arterial projects and the manner in which the CRABoard will approve such projects and allocate RATA funds.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-160-010, filed 7/30/84.]

WAC 136-160-020 **The project application.** Each application by a county for RATA funds shall be made on a prospectus form furnished by the CRABoard. The information submitted to the CRABoard shall include the prospectus form, a vicinity map and a sketch of a typical cross section. The project application shall also include a narrative which addresses the particular deficiency which caused the project to be submitted and explains how the proposed improvement would impact or correct the deficiency.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-160-020, filed 7/30/84.]

WAC 136-160-024 **Procedure for a county line project.** Whenever a project is for the improvement of a road which continues into an adjacent county and the project terminus is within 1000 feet of the county line, the project application shall include a statement signed

by the county engineer of the adjacent county certifying that the adjacent county engineer has been made aware of the proposed project and will cooperate with the applicant county engineer to the extent necessary to achieve a mutually acceptable design compatible with the required design standards.

[Statutory Authority: Chapter 36.78 RCW. 85-11-053 (Order 58), § 136-160-024, filed 5/17/85.]

WAC 136-160-030 Submission of the project application. Project applications for projects for which RATA funds are requested for any biennium must be submitted to the CRABoard no later than September 1, of the even-numbered year immediately preceding that biennium; provided that the CRABoard may request additional project applications at any time thereafter should additional funding become available. Project applications will not be accepted for projects which are not listed in the most recently adopted six-year program.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-160-030, filed 7/30/84.]

WAC 136-160-040 Preparation and review of regional priority array. The CRABoard shall prepare and review a regional priority array for each RAP region based on the initial project prioritization in each region described in WAC 136-130-030 through 136-130-070. Projects shall be listed in the order of total RAP rating points including the RATA funds requested for each project. Ties in total RAP rating points may be broken by the CRABoard in favor of the county having the lesser amount of previously allocated RATA funds.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-160-040, filed 7/30/84.]

WAC 136-160-050 Project approval and RATA fund allocation. The CRABoard will meet as soon as feasible after the passage of each biennial budget by the Legislature to approve RAP projects and allocate RATA funds. RAP projects shall be approved by region in order of their regional priority and RATA funds shall be allocated up to a cumulative dollar amount no greater than 90% of the RATA construction appropriation included in the biennial budget; provided, however, that no county shall receive a total RATA fund allocation greater than the following amounts in the respective regions: NWR, 20% of the regional apportionment; NER, 15% of the regional apportionment; SER, 15% of the regional apportionment; and SWR, 15% of the regional apportionment. The remaining construction appropriation may be allocated to approved projects later in the biennium at a time deemed appropriate by the CRABoard.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-160-050, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-160-050, filed 2/16/88; 87-11-014 (Order 65), § 136-160-050, filed 5/12/87; 84-16-065 (Order 56), § 136-160-050, filed 7/30/84.]

WAC 136-160-060 Limitation on use of RATA funds. The RATA funds requested in the project application are intended to reimburse a county for 80% of its RAP construction costs up to the amount of the CRAB/

county contract in the PSR and NWR and 90% in the SWR, NER and SER. RATA funds may be used to reimburse a county for 80% of its RAP project preliminary engineering costs in the PSR and 90% in the NER and SER. RATA funds may be used for right-of-way acquisition in the SER only and be reimbursed at 90%.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-160-060, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-160-060, filed 7/25/88; 86-21-076 (Order 63-P), § 136-160-060, filed 10/15/86; 86-06-005 (Order 61), § 136-160-060, filed 2/20/86; 84-16-065 (Order 56), § 136-160-060, filed 7/30/84.]

WAC 136-160-065 Use of RATA funds for emergent projects. If regional RATA funds are available, the CRABoard may approve emergent RAP projects and allocate RATA funds for such projects beyond any county limit as defined in WAC 136-160-050.

[Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-160-065, filed 2/16/88.]

Chapter 136-170 WAC

EXECUTION OF A CRAB COUNTY CONTRACT FOR A RAP PROJECT

WAC

136-170-010	Purpose.
136-170-020	Notification of counties.
136-170-030	Terms of CRAB/county contract.

WAC 136-170-010 Purpose. Section 5, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall administer the rural arterial program (RAP). This chapter describes the individual project contract between the CRABoard and a county CRAB/county contract to be used to administer each approved RAP project.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-170-010, filed 7/30/84.]

WAC 136-170-020 Notification of counties. The CRABoard shall, within ten days of its RAP project approval meeting, notify each county having an approved project of such approval and of the amount of RATA funds allocated to each approved project. The CRABoard shall offer a contract for each such approved project setting forth the terms and conditions under which RATA funds will be provided.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-170-020, filed 7/30/84.]

WAC 136-170-030 Terms of CRAB/county contract. The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive RATA funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing by the CRABoard.

(2) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(3) The project will be constructed in accordance with (a) the information furnished to the CRABoard, and (b)

the plans and specifications prepared by the county engineer.

(4) The county will notify the CRABoard when a construction contract has been awarded and/or when construction has started, and when the project has been completed.

(5) The CRABoard will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the CRAB office, and subject to the availability of RATA funds apportioned to the region.

(6) The county will reimburse the RATA in the event a project postaudit reveals improper expenditure of RATA funds.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-170-030, filed 7/30/84.]

Chapter 136-180 WAC PROCESSING OF RAP VOUCHERS

WAC

136-180-010	Purpose.
136-180-020	Voucher form.
136-180-030	Voucher approval.
136-180-040	Payment of vouchers.

WAC 136-180-010 Purpose. Section 17, chapter 49, Laws of 1983 ex. sess. provides that counties shall submit vouchers for payment of the RATA share of the cost of work completed on each RAP project. This WAC chapter describes the manner in which the CRABoard will implement the provisions of the act related to payment of vouchers.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-180-010, filed 7/30/84.]

WAC 136-180-020 Voucher form. The CRABoard shall prepare and distribute to all counties with approved RAP projects, voucher forms for use in requesting progress payments and final payment for each approved RAP project.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-180-020, filed 7/30/84.]

WAC 136-180-030 Voucher approval. The county constructing each RAP project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each RAP project for the payment of the RATA share of the project cost. The chairman of the CRABoard or his designated agent(s) shall approve such vouchers for payment to the county submitting the voucher.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-180-030, filed 7/30/84.]

WAC 136-180-040 Payment of vouchers. Upon approval of each RAP project voucher by the chairman of the CRABoard or his designated agent(s), it shall be

transmitted to the department of transportation for payment to the county submitting the voucher. RATA warrants shall be transmitted directly to each county submitting a voucher.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-180-040, filed 7/30/84.]

Chapter 136-190 WAC PROVISIONS FOR AUDIT OF RAP PROJECTS

WAC

136-190-010	Purpose.
136-190-020	Audit requirements.
136-190-030	Scope of audits.
136-190-040	Noncompliance and questioned costs.
136-190-050	Post audit penalty.

WAC 136-190-010 Purpose. Chapter 49, Laws of 1983, extraordinary session (the act), provides that the county road administration board (CRABoard) shall administer the rural arterial program (RAP). This WAC chapter describes the provisions for audit of those RAP projects approved by the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 85-11-055 (Order 60), § 136-190-010, filed 5/17/85.]

WAC 136-190-020 Audit requirements. RAP project audits may be conducted by the state auditor's office and will normally be conducted in conjunction with the audits of the different counties of the state as required by RCW 43.09.260 and 36.80.080. Special audits of specific RAP projects may be accomplished at the request of the CRABoard. If a special audit is conducted outside the confines of those audits required by the above statutes, then the costs of the special audit shall be the responsibility of the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 85-11-055 (Order 60), § 136-190-020, filed 5/17/85.]

WAC 136-190-030 Scope of audits. The audit of any RAP project shall include but not be limited to the review of the county's compliance with (1) the provisions of the act and (2) the rules in Title 136 WAC regarding implementation and administration of the act, with detailed review of uses of county road taxes, application of RATA funds, and the various reporting requirements. The audit shall also include a review of the financial accounting and reporting of those funds associated with and received for the RAP project.

[Statutory Authority: Chapter 36.78 RCW. 85-11-055 (Order 60), § 136-190-030, filed 5/17/85.]

WAC 136-190-040 Noncompliance and questioned costs. If the audit of a RAP project reveals any area of noncompliance and/or questioned costs, then such exceptions shall be subject to comment by the examiner within the audit report.

[Statutory Authority: Chapter 36.78 RCW. 85-11-055 (Order 60), § 136-190-040, filed 5/17/85.]

WAC 136-190-050 Post audit penalty. In the event an exception has been noted within the audit report it shall be the duty of the CRABoard to discuss and evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended RATA funds as provided in the CRAB/county contract (WAC 136-170-030) and/or withdrawal or denial of the certificate of good practice of the county in question as provided in WAC 136-150-040.

[Statutory Authority: Chapter 36.78 RCW. 85-11-055 (Order 60), § 136-190-050, filed 5/17/85.]

Chapter 136-200 WAC FUNCTIONAL CLASSIFICATION

WAC

136-200-010	Purpose.
136-200-020	Functional classification.
136-200-030	Functional classification changes.
136-200-040	Functional classification verification.

WAC 136-200-010 Purpose. Section 2, chapter 49, Laws of 1983 ex. sess., provides that rural arterial trust account (RATA) funds shall be expended for the construction and improvement of county major and minor collectors in rural areas. This WAC chapter describes that manner in which the major and minor collector designations are made. The source document is entitled: *Guidelines: For Amending Urban Boundaries, Functional Classification, and/or Federal Aid Systems*, December 1982, by WSDOT, and includes all subsequent amendments.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-200-010, filed 7/30/84.]

WAC 136-200-020 Functional classification. The Federal Highway Administration (FHWA) has developed a system of functional classification for highways, roads and streets which divides these facilities into groups having similar characteristics of providing mobility and/or land access. All rural roads are presently categorized into four functional classifications: Principal arterials, minor arterials, major and minor collectors, and local roads.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-200-020, filed 7/30/84.]

WAC 136-200-030 Functional classification changes. Requests to change a route's functional classification are developed by the county having jurisdiction over the route. For those routes extending into another jurisdiction, i.e., a route extending into another city or county, concurrence from the other affected agency is required unless the functional classification can logically be changed at the boundary between agencies. Functional classification changes may be requested in accordance with procedures outlined in the source document described in WAC 136-200-010 through appropriate WSDOT channels.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-200-030, filed 7/30/84.]

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 collector.

[Statutory Authority: Chapter 36.78 RCW. 86-21-076 (Order 63-P), § 136-200-040, filed 10/15/86; 84-16-065 (Order 56), § 136-200-040, filed 7/30/84.]

Chapter 136-210 WAC DESIGN STANDARDS FOR RURAL ARTERIAL PROGRAM PROJECTS

WAC

136-210-010	Purpose.
136-210-020	Applicable design standards.
136-210-030	Deviations from design standards.
136-210-040	Report of state aid engineer.
136-210-050	Project approval with deviation.

WAC 136-210-010 Purpose. Section 6, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall adopt reasonable uniform design standards for county major and minor collectors that meet the requirements for trucks transporting commodities. This chapter describes how this statutory requirement will be implemented by the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-010, filed 7/30/84.]

WAC 136-210-020 Applicable design standards. Geometric design of all RAP projects shall be in accordance with the local agency guidelines (LAG) manual published by the WSDOT, Division 13, Rural Area Design Standards.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-020, filed 7/30/84.]

WAC 136-210-030 Deviations from design standards. Deviation from the specified design standards may be requested by the county engineer in responsible charge of the project when circumstances exist which would make application of adopted standards exceedingly difficult. Whenever a deviation request is to be made on a project, it shall be so noted on the project application submitted in accordance with WAC 136-160-020. Request for deviation shall be made to the state aid engineer in accordance with the LAG manual.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-030, filed 7/30/84.]

WAC 136-210-040 Report of state aid engineer. Whenever the CRABoard meets to approve RAP projects the state aid engineer shall report on his action in response to deviation requests, if any, made on individual projects. Failure of the state aid engineer to report in response to a deviation request shall be considered as approval.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-040, filed 7/30/84.]

WAC 136-210-050 Project approval with deviation. After having received the report of the state aid engineer in response to deviation requests, the CRABoard shall proceed with RAP project approval in accordance with WAC 136-160-050. Proposed projects for which the deviation request has been denied shall not be approved.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-050, filed 7/30/84.]

Chapter 136-220 WAC MATCHING REQUIREMENTS FOR RURAL ARTERIAL TRUST ACCOUNT FUNDS

WAC

136-220-010	Purpose.
136-220-020	Establishment of matching requirements.
136-220-030	Use of RATA funds to match other funds.

WAC 136-220-010 Purpose. Section 12, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall establish matching requirements for counties receiving funds from the rural arterial trust account (RATA). This chapter describes how this statutory requirement will be implemented by the CRABoard.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-220-010, filed 7/30/84.]

WAC 136-220-020 Establishment of matching requirements. Counties will be required to match RATA funds with a minimum of 20% matching funds in the PSR and NWR and 10% matching funds in the SWR, NER and SER.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-220-020, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-220-020, filed 7/25/88; 86-21-076 (Order 63-P), § 136-220-020, filed 10/15/86; 84-16-065 (Order 56), § 136-220-020, filed 7/30/84.]

WAC 136-220-030 Use of RATA funds to match other funds. A county with an approved RAP project may use RATA funds to match any applicable funds available for such project, provided that the county will be required to match any RATA funds allocated to the project with a minimum of 20% matching funds in the PSR and NWR and 10% matching funds in the SWR, NER and SER. Projects involving federal highway program funds will be administered through the state aid division of WSDOT except that reimbursement of RATA funds will be through the CRABoard.

[Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-220-030, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-16-017 (Order 68), § 136-220-030, filed 7/25/88; 86-21-076 (Order 63-P), § 136-220-030, filed 10/15/86; 84-16-065 (Order 56), § 136-220-030, filed 7/30/84.]

(1990 Ed.)

Chapter 136-250 WAC EXPENDITURE REPORTING

WAC

136-250-010	Purpose.
136-250-020	Report of road levy revenues.
136-250-030	Report of expenditures.
136-250-040	Report of road levy expenditures.
136-250-050	Report to the legislative transportation committee.

WAC 136-250-010 Purpose. Section 5, chapter 53, Laws of 1983 ex. sess., requires the CRABoard to monitor expenditures by counties of county road levy revenues and to report all expenditures of these revenues for other than road construction and maintenance purposes annually to the legislative transportation committee (LTC). This chapter describes how the CRABoard intends to implement these provisions.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-250-010, filed 7/30/84.]

WAC 136-250-020 Report of road levy revenues. Annually, subsequent to the adoption of the county budgets in accordance with RCW 36.40.080, the county legislative authority is required to fix the amount of the levies necessary to raise the amount of estimated expenditures in accordance with RCW 36.40.090. The legislative authority may budget and expend any portion of the county road property tax revenues for any service to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. Annually, no later than February 1, each county shall submit to the CRABoard a report showing the amount of the county road levy, the estimated revenues generated by such levy, the amount of such levy budgeted for road purposes, and the amount or amounts budgeted for any service to be provided in the unincorporated area of the county, in accordance with RCW 36.33.220.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-250-020, filed 7/30/84.]

WAC 136-250-030 Report of expenditures. Annually each county submits a report of road fund revenues and expenditures for the preceding year to the secretary of transportation. A duplicate copy of this report shall be transmitted to the CRABoard no later than April 1 of each year.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-250-030, filed 7/30/84.]

WAC 136-250-040 Report of road levy expenditures. Annually, no later than April 1, each county shall submit to the CRABoard a report showing the amounts of the county road levy revenues actually expended during the preceding year, in accordance with RCW 36.33-220, for other than the construction, maintenance, and administration of the county road system.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-250-040, filed 7/30/84.]

WAC 136-250-050 Report to the legislative transportation committee. Annually, no later than May 1, the

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CRABoard shall submit to the legislative transportation committee a composite report on behalf of all counties showing the amounts specified in WAC 136-250-020 and 136-250-040.

[Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-250-050, filed 7/30/84.]

Chapter 136-300 WAC

GENERAL ADMINISTRATION PROCEDURES

WAC

136-300-010	Purpose and authority.
136-300-020	Adoption of rules.
136-300-030	Delegation of authority.
136-300-040	Staff services and facilities.

WAC 136-300-010 Purpose and authority. Section 103(4), chapter 42, Laws of 1990 (the act), provides that the county road administration board (CRABoard) shall administer the county arterial preservation program (CAPP) and the county arterial preservation account (CAPA) established by this act. This chapter describes the manner in which the CRABoard will implement the several provisions of the act.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-300-010, filed 11/6/90, effective 12/7/90.]

WAC 136-300-020 Adoption of rules. The CRABoard shall adopt rules in accordance with the provisions of the act for purposes of administering the CAPP regarding the following:

- (1) Distribution of county arterial preservation account (CAPA) funds.
- (2) Pavement management systems.
- (3) Preparation of annual county arterial preservation programs.
- (4) Allowable activities for CAPA funding.
- (5) Accounting and audit provisions.
- (6) Annual CAPP report.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-300-020, filed 11/6/90, effective 12/7/90.]

WAC 136-300-030 Delegation of authority. In order to assure effective and timely administration of the CAPP the CRABoard may, by resolution, delegate specific administrative authorities to its executive director.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-300-030, filed 11/6/90, effective 12/7/90.]

WAC 136-300-040 Staff services and facilities. The CRABoard shall arrange for all necessary staff services and facilities necessary for the efficient administration of the county arterial preservation program. The costs of such services and facilities as well as all other lawful expenses of the CRABoard that are attributable to CAPP shall be paid from the county arterial preservation account in the motor vehicle fund.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-300-040, filed 11/6/90, effective 12/7/90.]

Chapter 136-310 WAC

DISTRIBUTION OF COUNTY ARTERIAL PRESERVATION ACCOUNT FUNDS

WAC

136-310-010	Certification of county arterial mileage.
136-310-020	Establishment of allocation percentages.
136-310-030	Notice to counties.
136-310-040	Distribution to counties.
136-310-050	Eligibility.

WAC 136-310-010 Certification of county arterial mileage. (1) Classification. The act specifies that expenditure of CAPA funds is restricted to paved arterials in the unincorporated area of each county. Arterials are defined as being those county roads:

(a) In urban areas, classified as arterials (Federal Functional Classes 12, 13, 14, 15, and 16) or classified as collectors (Federal Functional Class 17);

(b) In rural areas, classified as major collectors (Federal Functional Class 07) or minor collectors (Federal Functional Class 08).

Paved roads are defined as those roads which, at the time of CAPA allocation determination, are hard-surfaced through the application of a bituminous surface treatment (BST), asphaltic concrete pavement (ACP), or portland cement concrete (PCC). Brick or block surfaces shall also be considered as paved.

(2) Source of information. The master county road log as maintained by the CRABoard in accordance with chapter 136-60 WAC shall be the source of official paved road mileages to be used for CAPA distribution.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-310-010, filed 11/6/90, effective 12/7/90.]

WAC 136-310-020 Establishment of allocation percentages. At its first regular meeting after July 1 of each year, the CRABoard shall establish the next calendar year's allocation percentages for the individual counties based on information contained in the most recently certified master county road log. Each county's allocation percentage shall be computed by the CRABoard as its percentage of paved arterial lane miles of the total paved county arterial lane miles in the state.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-310-020, filed 11/6/90, effective 12/7/90.]

WAC 136-310-030 Notice to counties. Upon their establishment, the CRABoard shall notify the county legislative authority and the county road engineer of each county of the respective county's CAPA allocation percentage and the latest estimate of the amount of CAPA funds to be allocated during the next calendar year.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-310-030, filed 11/6/90, effective 12/7/90.]

WAC 136-310-040 Distribution to counties. Distribution of allocated CAPA funds shall be done monthly by the state treasurer. The state treasurer shall use the allocation percentages provided by the CRABoard as computed under the provisions of WAC 136-310-020.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-310-040, filed 11/6/90, effective 12/7/90.]

WAC 136-310-050 Eligibility. Beginning May 1, 1990, all arterial preservation work and related activities done shall be eligible for CAPA funding provided that:

(1) The county road engineer submits the description of the pavement management system as required in chapter 136-320 WAC; and

(2) The county road engineer submits the annual CAPA program as required in chapter 136-325 WAC; and

(3) The work is in conformance with the allowable activities as specified in chapter 136-330 WAC.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-310-050, filed 11/6/90, effective 12/7/90.]

Chapter 136-320 WAC PAVEMENT MANAGEMENT SYSTEMS

WAC

136-320-010	Definition.
136-320-020	Application.
136-320-030	Submittals by counties.
136-320-040	Evaluation.
136-320-050	Modifications.
136-320-060	Annual review.
136-320-070	Standardization.
136-320-080	CRAB assistance.

WAC 136-320-010 Definition. A pavement management system (PMS) is a systematic method used to preserve and maintain paved road systems by analyzing pavement life cycles, determining when and what kind of pavement preservation work is necessary and most cost effective, and budgeting funds accordingly to prevent major road deterioration. A key element of a PMS is the capacity to plan pavement preservation work based upon a predictive pavement deterioration model or process.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-010, filed 11/6/90, effective 12/7/90.]

WAC 136-320-020 Application. A county's pavement management system shall be applied to the pavement preservation and rehabilitation activities of all county paved arterials. Application to the local access system, although desirable, shall not be required to receive CAPA funds.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-020, filed 11/6/90, effective 12/7/90.]

WAC 136-320-030 Submittals by counties. In order for a county to be eligible for CAPA funds the county road engineer must submit a description of the county's current pavement management system. Work done prior to the submittal of the pavement management system description shall not be eligible for CAPA funding. The description must contain sufficient information, including specific policies and/or procedures, to evaluate the adequacy of the following items:

(1) System definition. The PMS must assure that all paved arterial lane miles are included for analysis and

that system changes, additions, and deletions are periodically incorporated into the system definition. This shall also include a system of maintaining a historical record of all resurfacing and/or rehabilitation work on all paved arterials.

(2) Condition rating criteria. The PMS must contain specific descriptions of how pavement condition is determined, the frequency of the determination, and the threshold(s) at which the various preservation actions should be programmed. Condition determination, frequency, and thresholds may vary depending upon pavement type and operational characteristics of road groups.

(3) Annual prioritization. The PMS must contain specific description of the county's method for the advance determination of which paved arterial road segments will receive priority in the annual expenditure for pavement preservation and rehabilitation regardless of the source of the funds. This item shall also include discussion of how local access roads are included in the prioritization process.

(4) Advance programming. The PMS must contain specific description of the county's procedures to estimate future pavement preservation and reconstruction needs on at least an annual basis so as to prevent major arterial road deterioration.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-030, filed 11/6/90, effective 12/7/90.]

WAC 136-320-040 Evaluation. Upon receipt of a county's pavement management system description, the executive director shall evaluate it as to its adequacy in meeting the requirements. The executive director shall notify the county road engineer of the evaluation.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-040, filed 11/6/90, effective 12/7/90.]

WAC 136-320-050 Modifications. Subsequent to the initial submittal of a county's pavement management system description, the county road engineer shall notify the executive director, in writing, of any substantive changes in the county's PMS process. All changes will be evaluated by the executive director in the same manner as the original evaluation and notification provided to the county road engineer.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-050, filed 11/6/90, effective 12/7/90.]

WAC 136-320-060 Annual review. In conjunction with the annual determination of CAPA allocations as set forth in chapter 136-310 WAC, the executive director shall review the status of each county's pavement management system and report his findings to the CRABoard. The review shall consider the original description submittal, any subsequent modifications and a staff evaluation of the adequacy of implementation. The staff evaluation shall be drafted and a copy sent to the respective county engineer not less than two weeks prior to the CRABoard's annual CAPA allocation meeting.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-060, filed 11/6/90, effective 12/7/90.]

WAC 136-320-070 Standardization. (1) Distress methodology. In order to achieve uniformity in pavement condition determination for analysis and reporting purposes, the CRAB shall adopt one or more standard pavement distress identification and analysis methodologies. Upon adoption, the standard or standards shall be provided to each county. Each county shall utilize the adopted standard/standards or an acceptable alternate.

(2) Alternate methodologies. Any county which utilizes pavement condition or distress data different from a CRAB standard shall either modify its PMS process to accommodate the standard or shall demonstrate to the satisfaction of the CRAB the equivalency of county's method to the CRAB standard. The county shall be responsible for providing any research documents, conversion equations, or other technical support such that the county's pavement condition data can be correctly converted to the CRAB standard.

(3) Retention of CAPA eligibility. No county shall be eligible for CAPA funds that have not met the requirements of subsections (1) and (2) of this section within three years of CRAB's promulgation of standards.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-070, filed 11/6/90, effective 12/7/90.]

WAC 136-320-080 CRAB assistance. To enable each county to meet its eligibility requirements, CRAB will update its existing WSC2-PMS micro-computer software so that it is fully integrated with the county road log through the county road information system (CRIS). Upon completion, CRAB will make the updated software and appropriate training available to counties on request. CRAB shall also provide, on request, administrative and technical assistance related to defining, developing, operating, managing, and utilizing current pavement management technology.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-320-080, filed 11/6/90, effective 12/7/90.]

Chapter 136-325 WAC

ANNUAL COUNTY ARTERIAL PRESERVATION PROGRAMS

WAC

- 136-325-010 Coordination with annual road program.
- 136-325-020 Contents.
- 136-325-030 Submittal to CRAB.

WAC 136-325-010 Coordination with annual road program. Each county road engineer shall, in conjunction with the county's annual road construction program as required by RCW 36.81.130 and chapter 136-16 WAC, prepare an annual county arterial preservation program (CAPP). Appropriate forms will be provided by CRAB.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-325-010, filed 11/6/90, effective 12/7/90.]

WAC 136-325-020 Contents. The county's annual CAPP shall consist of a list of all proposed county arterial preservation projects and activities for the ensuing year. In order to evaluate the relative ability of CAPA funds to meet the county's total arterial pavement preservation needs, the annual CAPP shall identify those projects for which CAPA funding is available.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-325-020, filed 11/6/90, effective 12/7/90.]

WAC 136-325-030 Submittal to CRAB. The county road engineer shall submit the proposed CAPP to CRAB along with the county's annual road program and budget in accordance with chapter 136-16 WAC.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-325-030, filed 11/6/90, effective 12/7/90.]

Chapter 136-330 WAC

ALLOWABLE ACTIVITIES

WAC

- 136-330-010 Pavement management system development.
- 136-330-020 Allowable activities.
- 136-330-030 Minimum road widths.
- 136-330-040 Participation with other funds.

WAC 136-330-010 Pavement management system development. To promote and assist the implementation of comprehensive, computer-based pavement management systems meeting the requirements of chapter 136-320 WAC, CAPA funds may be used for the following activities:

(1) Acquisition of computer hardware and software that may be necessary to operate a computer-based pavement management system.

(2) Pavement management system training not otherwise provided by CRAB. This can include software usage, pavement condition surveying, and other specialized training directly related to the operation and maintenance of a computer-based pavement management system.

(3) Payment for related services such as data entry, pavement condition surveys, and rental of specialized PMS-related equipment such as road raters.

Acquisition of equipment other than computer hardware as described in subsection (1) of this section is not eligible.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-330-010, filed 11/6/90, effective 12/7/90.]

WAC 136-330-020 Allowable activities. Except as described in WAC 136-330-010 and 136-330-040, or unless otherwise approved by the CRAB, CAPA funding shall be limited to the direct and attributable indirect costs associated with paved surface preservation and rehabilitation activities on existing roadways only. Activities which are allowable for CAPA funding include the following:

(1) Nonstructural resurfacing projects. These include thin asphalt concrete overlays (one-inch or less); bituminous seal coats (single and double); slurry seals, sand

seals, and fog seals; associated tack coats, paving fabrics, and preleveling; and associated surface grinding and planing.

(2) Structural resurfacing projects. These include thick asphalt concrete overlays (greater than one-inch); portland cement concrete overlays; associated tack coats, paving fabrics, and preleveling; associated surface grinding and planing; and hot/cold bituminous road mixes.

(3) Associated activities. These include crack sealing (bituminous and portland cement pavements); full-depth, structural patching done in preparation for structural or nonstructural overlays or seals; portland cement pavement joint reconstruction, undersealing, panel jacking and panel replacement; and other related activities as they are directly attributable to nonstructural and structural resurfacing projects.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-330-020, filed 11/6/90, effective 12/7/90.]

WAC 136-330-030 Minimum road widths. For all CAPA-funded projects which involve structural resurfacing, the existing road must meet the following minimum width standards:

SHOULDERED ROADWAY SECTIONS

Current ADT	Minimum widths (feet)	
	Lane Width	Shoulder Width
0 to 100	9	2
101 to 400	10	2
401 to 4000	10	2
over 4000	11	4

CURBED ROADWAY SECTIONS

Current ADT	Minimum Lane Width (feet)	
	Two way Undivided	One way & Two way Divided
all	10	9

All roadways less than the above standards for which a county proposes to perform structural resurfacing must be widened with other than CAPA funds.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-330-030, filed 11/6/90, effective 12/7/90.]

WAC 136-330-040 Participation with other funds. CAPA funds may also be used to fund resurfacing work associated with the reconstruction and/or widening of existing paved arterials. This participation is limited as follows:

(1) The present roadway is a paved county arterial as defined by WAC 136-310-010;

(2) The county's approved pavement management system has identified the existing pavement as requiring resurfacing within two years of the expected reconstruction/widening project completion date;

(3) The reconstruction/widening project will bring the roadway to at least the lane and shoulder width standards and non-CAPA funding requirements of WAC 136-330-030;

(4) The CAPA participation will be limited to the resurfacing portion of the project as described in WAC 136-330-020.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-330-040, filed 11/6/90, effective 12/7/90.]

**Chapter 136-340 WAC
ACCOUNTING AND AUDIT PROVISIONS**

WAC

136-340-010	Accounting requirements.
136-340-020	Audit provisions.
136-340-030	Scope of audits.
136-340-040	Noncompliance and questioned costs.
136-340-050	Post-audit penalty.

WAC 136-340-010 Accounting requirements. (1) Deposits. Upon receipt of CAPA funds from the state treasurer, each county shall deposit them in a separate BARS revenue account within the county road fund or in a fund separate from the county road fund. The county engineer shall evaluate the capabilities of the county road fund accounting system and select the method of deposit and related accounting.

(2) Expenditures. Expenditures of these funds shall be solely for CAPA-eligible work and must be separately identified within each county's road fund expenditure reporting system.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-340-010, filed 11/6/90, effective 12/7/90.]

WAC 136-340-020 Audit provisions. CAPP audits may be conducted by the state auditor's office and will normally be conducted in conjunction with the audits required by RCW 43.09.260 and 36.80.080. Special audits of specific CAPP activities or projects may be accomplished at the request of the CRABoard. The costs of such special audits shall be the responsibility of the CRABoard.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-340-020, filed 11/6/90, effective 12/7/90.]

WAC 136-340-030 Scope of audits. The audit of any CAP project or activity shall include but not be limited to the review of the county's compliance with (1) the provisions of the act and (2) the rules in Title 136 WAC regarding implementation and administration of the act, with detailed review of the application of CAPA funds and the various reporting requirements. The audit shall also include a review of the financial accounting and reporting of all CAPA funds.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-340-030, filed 11/6/90, effective 12/7/90.]

WAC 136-340-040 Noncompliance and questioned costs. If the audit of a CAP activity or project reveals any area of noncompliance and/or questioned costs, then such exceptions shall be subject to comment by the examiner within the audit report.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-340-040, filed 11/6/90, effective 12/7/90.]

WAC 136-340-050 Post-audit penalty. In the event an exception has been noted within the audit report it shall be the duty of the CRABoard to evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended CAPA funds and/or withdrawal or denial of the certificate of good practice of the county in question as provided in chapter 136-04 WAC.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-340-050, filed 11/6/90, effective 12/7/90.]

Chapter 136-350 WAC
ANNUAL REPORTING OF PAVEMENT
PRESERVATION ACTIVITIES

WAC

136-350-010 Annual report form.
136-350-020 Submittal of annual report.

WAC 136-350-010 Annual report form. The CRABoard shall prepare and distribute to all counties standard reporting forms for use by the county engineer to annually summarize the pavement preservation activities, both CAPA and non-CAPA funded, in their county. For all CAPA-funded work, the report will require a specific listing of roads improved including a definition of work scope and the amount of CAPA funds expended.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-350-010, filed 11/6/90, effective 12/7/90.]

WAC 136-350-020 Submittal of annual report. At any time prior to April 1 of the year following, the county engineer shall, in conjunction with the annual construction report as required by WAC 136-16-050, submit an annual summary of pavement preservation activities on the entire paved road system. This report shall be on the approved forms or in an equivalent format.

[Statutory Authority: RCW 36.78.070 and 1990 c 42. 90-22-082 (Order 81), § 136-350-020, filed 11/6/90, effective 12/7/90.]