

WAC 463-39-020 Applicability. The provisions of this chapter shall apply state-wide for those sources under the jurisdiction of the energy facility site evaluation council. The provisions of this chapter shall not apply to those facilities incorporated by reference in chapters 173-400 and 173-401 WAC which are not under the jurisdiction of the energy facility site evaluation council.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-020, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 79-09-006 (Order 79-1), § 463-39-020, filed 8/6/79.]

WAC 463-39-030 Additional definitions. (1) "Council" means the energy facility site evaluation council.

(2) In addition to the definitions contained in WAC 173-400-030 and 173-401-200, "ecology" and "authority" shall be synonymous with the energy facility site evaluation council unless a different meaning is plainly required by context.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-030, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 92-09-013, § 463-39-030, filed 4/2/92, effective 5/3/92; 79-09-006 (Order 79-1), § 463-39-030, filed 8/6/79.]

WAC 463-39-100 Registration. (1) The owner or operator of each stationary source subject to chapter 80.50 RCW shall register the source with the council.

Registration shall be on forms which have been adopted for use by the department of ecology within the time specified thereon.

A report of closure shall be filed with the council within ninety days after operations producing emissions permanently ceased at any source within the council's jurisdiction.

(2) The council shall ensure that the following, as it pertains to sources covered under this rule, is passed on to ecology in a timely manner for inclusion in its permit register:

(a) Public meetings or hearings on draft operating permits;

(b) Receipt of complete applications;

(c) Permit appeals;

(d) Issuance or denial of final permit, permit modifications, or renewals;

(e) Authorization for a source to operate without an operating permit by limiting its potential to emit to levels below those that would require the source to obtain an operating permit;

(f) Periodic summaries of enforcement order and changes made without revising the permit pursuant to WAC 173-401-722.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-100, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 79-09-006 (Order 79-1), § 463-39-100, filed 8/6/79.]

WAC 463-39-120 Monitoring and special report. The department of ecology or its designee shall conduct a surveillance program to monitor the quality of the ambient atmospheres to concentrations and movements of air contaminants in accordance with the requirements of chapters 173-400 and 173-401 WAC.

As a part of this program, the director of the department of ecology or an authorized representative of the director may recommend that any source under the jurisdiction of the

council conduct stack and/or ambient air monitoring, and to report the results to the council and department of ecology.

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

WAC 463-39-140 Appeals procedure. Appeals from notices of violation issued by the council will be handled via the council's appellate review procedure as provided in WAC 463-54-070 (4)(c).

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-140, filed 11/10/93, effective 12/11/93.]

Title 468 WAC

TRANSPORTATION, DEPARTMENT OF (Formerly: Highway Commission, etc.)

Chapters

- 468-16** Prequalification of contractors.
- 468-38** Vehicle size and weight—Restricted highways—Equipment.
- 468-52** Highway access management—Access control classification system and standards.
- 468-95** Manual on uniform traffic control devices for streets and highways.
- 468-300** State ferries and toll bridges.

Chapter 468-16 WAC

PREQUALIFICATION OF CONTRACTORS

WAC

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WAC 468-16-030 Definitions. The definitions set forth in this section apply throughout this chapter and have the following meanings, unless the context clearly indicates otherwise.

(1) **Above standard** - Performance ranging from standard to that meeting the lower range of superior.

(2) **Active contractor** - A contractor who has participated in department activities through maintaining required prequalification and having a history of performing department work.

(3) **Affiliate** - An associate, subordinate associate, or subsidiary firm which may involve the intermingling of funds, officers, or officials of one or more firms.

(4) **Assistant secretary for operations** - The primary representative of the secretary of transportation responsible for the highway construction program and for the qualification of contractors employed thereon.

(5) **Below standard** - Performance bordering on standard extending to the limits of inadequate.

(6) **Bidding proposal** - A form issued by the department for the submission of a contractor's bid containing spaces for entering bid amounts, authentication, and other data.

(7) **Capacity multiplier** - The number 5.0 multiplied by a firm's net worth to calculate its initial maximum bidding capacity.

(8) **Conditional qualification** - A temporary qualification status given a contractor who has received a "below standard" or "inadequate" overall rating or for other reasons which result in restrictions to a contractor's ability to bid on department work.

(9) **Contractor** - Any person, partnership, firm, corporation or joint venture who or which, in the pursuit of an independent business, undertakes, offers to undertake, or submits a bid to perform construction work for the department.

(10) **Department** - The department of transportation.

(11) **Endorser** - The district operations engineer or immediate supervisor of the construction project engineer, or project architect or, under specified conditions, the district administrator responsible for reviewing contractor's performance reports.

(12) **Inadequate** - Performance failing completely to meet the prescribed standard or requirement.

(13) **Integrity** - The quality of being of sound moral principle, uprightness, honesty, and sincerity.

(14) **Joint venture** - Two or more persons, sole proprietorships, companies, corporations, or combinations thereof, entering into an agreement for a business venture such as a construction project.

(15) **Limited work class** - A work classification given when a contractor lacks the total experience, organization, equipment, or skills required to perform the entire range of work within a work class.

(16) **Maximum capacity rating** - The total value of uncompleted prime contract work a contractor is permitted to have under contract at any time.

(17) **Performance inquiry** - A request made to a contractor's previous employers for an evaluation of the quality and manner of that contractor's performance.

(18) **Performance rating** - A numerical rating which is equal to the grand total of the evaluation elements of the prime contractor's performance report used to measure and quantify the quality of contractor performance.

(19) **Performance score** - The product of the performance rating when multiplied by a numerical factor which may be used to calculate prequalification ratings.

(20) **Prequalification** - The process of evaluating a contractor's financial status, organizational structure, experience, equipment, integrity, and other required qualifications to determine a contractor's responsibility and suitability for performing department work. This term is used interchangeably with qualification.

(21) **Prime contractor performance report** - A report prepared to evaluate the performance of a prime contractor upon completion of, or at an interim period during a department project which is used as a guide to adjust a prime contractor's qualification status.

(22) **Project estimate** - A document prepared by the department establishing the estimated value of all items of work, the total estimated value of work within each class of work, and the estimated total value of a project.

(23) **Rater** - The designated individual, normally the project engineer, responsible for evaluation of the quality and manner of performance of a contractor in the completion of a project.

(24) **Revocation of qualification** - The act by which a contractor's qualification is terminated.

(25) **Secretary** - The secretary of transportation who may delegate his or her functions under this chapter to the assistant secretary for operations or such other individual as deemed appropriate.

(26) **Standard** - The expected, acceptable quality of performance, considered to meet the demand, need or requirement.

(27) **Standard questionnaire** - The application form completed by a contractor to present information relating to the applicant's financial status, experience, organization, and equipment for the purpose of becoming qualified to perform department work.

(28) **Superior** - Preeminent performance consistently at an extremely high level.

(29) **Suspension of qualification** - The termination of a contractor's qualification for a specified period of time.

(30) **Unsatisfactory** - Below standard or inadequate performance, failing to meet requirements.

(31) **Work class** - A specific type of work within the various classifications of work, e.g., grading, draining, fencing, etc.

(32) **Work class rating** - The maximum value within a class of work which a contractor may bid upon in a single project.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-030, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-030, filed 1/28/91, effective 2/28/91.]

WAC 468-16-040 Criteria for a determination of an unsatisfactory record of performance. The following list of deficiencies may be considered cause for a determination that an unsatisfactory record of performance exists:

- (1) Failure to complete project on time; or
- (2) Continued workmanship below the level of standard; or
- (3) Failure to adhere to the plans and specifications; or

(4) Disregard for the welfare or safety of traveling public; or

(5) Inadequate supervision and control of subcontractors; or

(6) Insufficient supervision available on project site; or

(7) Inadequate coordination and planning with owner; or

(8) Inadequate procurement and delivery of supplies and materials; or

(9) Inadequate control and utilization of equipment; or

(10) An overall performance rating in the prime contractor performance report of less than standard as defined in WAC 468-16-030 and 468-16-150.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-040, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-040, filed 1/28/91, effective 2/28/91.]

WAC 468-16-050 Criteria for a determination of an unsatisfactory record of integrity and judgment. (1) The following deficiencies may be cause for a determination that an unsatisfactory record of integrity and judgment exists:

(a) Conviction of the firm or its principals of violating a federal or state antitrust law by bid-rigging, collusion, or restraint of competition between bidders; or conviction of violating any other federal or state law related to bidding or contract performance; or

(b) Knowingly concealing any deficiency in the performance of a prior contract; or

(c) Falsification of information or submission of deceptive or fraudulent statements in connection with prequalification, bidding, performance of a contract, or in legal proceedings; or

(d) Debarment of the contractor by a federal or state agency; or

(e) Willful disregard for applicable laws, rules or regulations.

(2) Only such data relating to subsection (1)(a) through (e) of this section having taken place within three years next preceding the date of the most recently submitted standard questionnaire may be used for the purpose of this section.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-050, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-050, filed 1/28/91, effective 2/28/91.]

WAC 468-16-060 Criteria for a determination of inability to comply with performance schedules. The following discrepancies may be cause for a determination of inability to comply with performance schedules:

(1) A majority of responses to inquiries made to owners of previously completed projects reveal that projects have not been completed on time; or

(2) A major portion of projects completed within the last three years for the department have not been completed on time; or

(3) When two or more consecutive performance reports are rated below standard in the area of "progress of work"; or

(4) Neglectful or willful failure to meet interim completion dates as defined in the contract.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-060, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-060, filed 1/28/91, effective 2/28/91.]

WAC 468-16-070 Criteria for a determination of the lack of necessary experience, organization, or technical qualifications. A determination of lack of necessary experience, organization, or technical qualification may be made when data has been presented which reveals:

(1) A lack of prior experience in the classes of work for which qualification is sought; or

(2) That supervisory experience of key personnel responsible for prior projects has been reported predominantly below standard or less than satisfactory on performance reports and responses to inquiries made to other project owners or agencies; or

(3) That permanent employment status of key supervisory personnel has not been of a duration of at least one year or for the duration of the project in which they have been engaged; or

(4) That previous work experience in a work class presented for qualification did not conform to plans and specifications for the project; or

(5) That work claimed by the contractor was completed by others.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-070, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-070, filed 1/28/91, effective 2/28/91.]

WAC 468-16-090 Standard questionnaire. The standard questionnaire and financial statement shall be prepared and transmitted to the secretary, Attn: Precontract administration office. The questionnaire shall include the following information:

(1) The contractor's name, address, phone number, facsimile number, and type of organization (corporation, partnership, sole proprietorship, etc.).

(2) A list of the classes of work for which the contractor seeks qualification.

(3) A statement of the ownership of the firm and, if a corporation, the name of the parent corporation, if any, and the names of any affiliated or subsidiary companies.

(4) A certificate of authority from the office of the secretary of state to do business in Washington state if the applicant is an out-of-state corporation.

(5) A list of officials within the applicant firm who are also affiliated with other firms involved in construction work as a contractor, subcontractor, supplier, or consultant; including the name of the firm and their relationship with the affiliate firm.

(6) A complete list of the highest valued contracts or subcontracts performed in whole or in part within the immediate three years preceding application. The contract amount, contract number, date of completion, class of work; and the name, mailing address, and phone number of the project owner or agency representative must be provided for those projects listed. Only that work completed by the contractor's own organization under its own supervision will be considered for prequalification purposes. A minimum of five projects must be listed.

(7) Personnel requirements.

(a) A listing of the principal officers and key employees indicating their years of experience in the classes of work for which prequalification is sought. For qualification in a class of work based on newly acquired personnel rather than the

firm's past contract experience, the newly acquired personnel must be available for future employment for the full year for which qualification is sought unless replacement personnel have been approved. The loss of such personnel during the year of qualification, will result in revocation of qualification for the class of work granted pursuant to their acquisition. The department may require resumes of such personnel as deemed proper for making its determination. The firm's performance on department contracts must be currently rated standard or better to be used for qualification purposes.

(b) A firm must have, within its own organization, qualified permanent, full time personnel having the skills and experience including, if applicable, technical or specialty licenses, for each work class for which prequalification is sought. Those firms seeking qualification for electrical work (classes 9 and 16) must provide photocopies of current Washington state electrical licenses. The skills and experience must be substantiated by education and practical experience on completed construction projects.

(c) "Its own organization" shall be construed to include only the contractor's permanent, full time employed office and site supervisory personnel as shown on the most recently submitted or amended prequalification questionnaire. Workers of the organization shall be employed and paid directly by the prime contractor. The term "its own organization," shall also include the equipment owned or rented by the contractor with or without equipment operators. Such term does not include employees or equipment of another contractor, subcontractor, assignee, or agent of the applicant contractor although they are placed on the applicant contractor's payroll.

(8) A list of all major items of equipment used to perform those classes of work for which prequalification is sought. The description, quantity, condition, present location, and age of such equipment must be shown. The schedule must show whether the equipment is owned, leased, or rented.

(9) A financial statement.

(a) For a firm showing a net worth in excess of one hundred thousand dollars, the applicant must provide, with the questionnaire, a copy of its financial statement as audited or reviewed for its last fiscal year, prepared in accordance with the standards of the American Institute of Certified Public Accountants. The statement must be prepared by an independent certified public accountant registered and licensed under the laws of any state. Balance sheets, income statements, a statement of retained earnings, supporting schedules and notes, and the opinion of the independent auditor must accompany the financial statement.

(b) Financial statements must be for the current twelve month period and must reflect a ratio of total current assets to total current liabilities of 1.0 or greater.

(10) A wholly owned subsidiary firm may file the latest consolidated financial statement of its parent corporation in lieu of a financial statement prepared solely for the subsidiary. When a consolidated financial statement is submitted, the requirements of subsection (9) of this section and WAC 468-16-140 (2)(b) must be fulfilled.

(11) The applicant shall list the following occurrences within the previous three years:

(a) Instances of having been denied qualification, or a license, or instances of having been deemed other than responsible by any public agency.

(b) Convictions for felonies listed in WAC 468-16-050.

(c) Failure to complete a contract.

(12) The standard questionnaire shall be processed as follows:

(a) The application for qualification shall be prepared on a standard questionnaire provided by the department and sworn to before a notary public or other person authorized to take oaths.

(b) A standard questionnaire will be reviewed and a written notice provided to the applicant, within thirty days of its receipt, stating whether the applicant has been prequalified or qualification has been denied. The applicant will be advised of lack of receipt of data corroborating project completion and errors or omissions in the questionnaire and a request made for additional information necessary to complete evaluation of the applicant. If the information is not provided within twenty calendar days of the request, the application will be processed, if possible, with the information available or it will be returned to the applicant without further action.

(c) When qualification is denied, the applicant shall be advised in writing by certified mail (return receipt requested) of the reasons for the denial and of the right to a hearing upon written request.

(d) Applicants not satisfied with the qualification granted may request in writing, a review of their questionnaire and qualification ratings. The request must be filed within thirty calendar days of the date of receipt of the notice of qualification and must specifically state the basis for the request.

(e) The secretary or designee shall advise the applicant of his or her decision on the reconsideration within thirty calendar days of receipt of the request.

(13) Criteria for initial qualification, renewal, and submission of supplemental data:

(a) Qualification may be established in any calendar quarter and must be renewed annually. Information submitted in the questionnaire will be used as a basis for the contractor's initial prequalification, work class ratings, and maximum capacity ratings. Qualification will be valid for the remainder of the applicant's fiscal year plus one calendar quarter as established by the date of the year-end financial statement. Prequalification will be renewed annually thereafter or at other times as designated by the department.

(b) A standard questionnaire from a contractor, not previously qualified under this chapter, must have been received by the department no less than fifteen calendar days prior to the scheduled bid opening to receive consideration for issuance of a bidding proposal for that bid opening.

(c) The department may, during the period for which the contractor has been prequalified, require the submission of a new standard questionnaire. If the questionnaire is not provided within thirty calendar days of the date of request, the notice of qualification held by the contractor will be declared invalid and the contractor will not be permitted to bid with the department until the contractor is again prequalified.

(d) A supplemental questionnaire shall be submitted when a significant change in the structure of the firm occurs,

e.g., incorporation, officers, ownership, etc., or when required by the department.

(e) If prequalification has lapsed for more than six months, the applicant will again be required to submit a fully executed standard questionnaire and financial statement.

(f) The applicant shall authorize the department to request and receive such additional information from any sources deemed necessary for the completion of the qualification process.

(g) Inquiries will be made and investigations, if necessary, will be conducted to verify the applicant's statements and to determine eligibility for qualification.

(h) The department may require a personal interview with a principal or principals of the contracting firm when considering its qualification.

(i) Qualified contractors in good standing shall be notified of impending expiration of their qualification and will be provided the necessary questionnaire forms for renewal at least forty-five days before the expiration date.

(14) Financial information supplied by, or on behalf of, a contractor for the purpose of qualification shall not be made available for public inspection and copying pursuant to RCW 42.17.310 (1)(m). The foregoing restriction shall not prohibit the department's providing such information in evidence or in pretrial discovery in any court action or administrative hearing involving the department and a contractor. Insofar as permitted by public disclosure statutes, qualification ratings shall be treated as confidential information.

(15) Qualified contractors will be provided with notices which list projects currently being advertised.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-090, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-090, filed 1/28/91, effective 2/28/91.]

WAC 468-16-100 Conditional qualification. (1) A firm may be conditionally qualified when it has been given a below standard (less than 1.0) performance score on a final performance report. A firm may also be qualified conditionally by the secretary when performance has become below standard in either "quality of work" or "progress of work" on an interim report for a current project. The district administrator may, under the foregoing condition, request in writing that a contractor be placed in conditional status. A conditionally qualified contractor will be denied bidding proposals while in that status but may receive, at the discretion of the secretary, a bidding proposal for one project.

(2) The assistant secretary for operations shall advise the contractor and the district administrator when a contractor has been placed in conditional status.

(3) Should the contractor be the low successful bidder and be awarded a contract subsequent to being placed in conditional status, the issuance of further bidding proposals will be considered only when an interim report is submitted in accordance with WAC 468-16-160 or when a final performance report is submitted in accordance with WAC 468-16-150(12) and the rating thereon is standard or better.

(4) Normally a contractor may have only one active prime contract for the department while qualified conditionally.

(5) Return to fully qualified status of a conditionally qualified contractor will be effected by:

(a) A performance rating of standard or above on contracts completed during the current prequalification year; or

(b) An interim rating of standard or above on all concurrent contracts; or

(c) A standard or above rating on the first interim report for a project awarded subsequent to conditional qualification.

(6) Should the rating continue to be less than standard, the contractor's prequalification will be suspended in accordance with WAC 468-16-180.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-100, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-100, filed 1/28/91, effective 2/28/91.]

WAC 468-16-120 Work class ratings. (1) Qualification shall be granted a contractor in one or more classes of work in which the firm has shown the capability to satisfactorily perform with its own forces under its own immediate supervision.

(2) The department's project estimate shall be the only estimate used to determine the value of the various classes of work within a project for determining a contractor's eligibility to bid that specific project. The contractor will be required to perform a specified percentage of the total work as provided for in the current issue of the *Standard Specifications*.

(3) Contractors will be given work class ratings on the basis of their financial status, performance record, previous experience, organization, and condition and suitability of equipment. Higher performance ratings result in higher work class ratings.

(4) Data provided by project owners, other than the department, to inquiries made concerning new applicants seeking qualification, shall be used to determine initial work class ratings and maximum capacity ratings. Initial work class ratings for new applicants and those of firms which have not renewed their qualification within two years, will be based on performance data provided by agencies or organizations having previously employed the applicant. Such other data as the department may have on file may also be used. Work submitted by the new contractor and verified by the department will be given an initial work class rating equal to 2.5 times the highest value of the work the contractor has completed within that work class during the past three years. If a specific portion of a work class is performed by the contractor, the prequalification for that class will be limited to that portion of the work.

(5) Work reported as less than satisfactory will not be accepted for qualification purposes, but may be included with performance reports in determining the status of the contractor's prequalification.

(6) Work class ratings previously granted will not be reduced providing the contractor has maintained a standard performance record on department work and the contractor continues to submit the required questionnaire annually. Should a significant reduction of resources occur, the contractor's work class ratings may be modified or reduced to an amount within the contractor's current capacity.

(7) A contractor's work class ratings will be reviewed annually effective on the date the renewal questionnaire has been received. Work class ratings for those contractors renewing prequalification will be reviewed for increases, decreases, and additional work classes not previously granted. In determining the annual status of the contractor's work class ratings, prime work completed for the department and the performance rating given for that work shall be weighted more heavily than work completed for other agencies.

(8) Work class ratings shall be computed by multiplying the highest value of the work class completed satisfactorily during the preceding prequalification year by a factor of 2.5 provided that the currently established work class rating is not higher. In that event, the currently established work class shall become the work class rating for the ensuing qualification year. Work class ratings will not change if the contractor has not performed in that work class during the prequalification year.

(9) Work class ratings for inactive contractors renewing prequalification will be computed annually in the same manner as for new applicants for a period not to exceed three years. Work class ratings granted within three successive renewal periods shall remain the same as for an inactive contractor if the contractor continues to submit the required questionnaire annually and the questionnaire does not reveal a significant reduction in organizational resources. When a significant reduction of resources occurs, the inactive contractor's work class ratings may be modified to an amount within the contractor's current capacity.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-120, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-120, filed 1/28/91, effective 2/28/91.]

WAC 468-16-130 Prequalification work classes. A contractor seeking prequalification under this chapter will be classified for one or more of the following listed work classes in accordance with the adequacy of the firm's equipment and plant facilities and its proven ability to perform the work class sought.

- Class 1 **Clearing, grubbing, grading & draining**
Removal of tree stumps, shrubs, modification of the ground surface by cuts and fills, excavating of earth materials, and the placement of drainage structures.
- Class 2 **Production and placing of crushed materials**
Production and placing crushed surfacing materials and gravel.
- Class 3 **Bituminous surface treatment**
Placing of crushed materials with asphaltic application.
- Class 4 **Asphalt concrete paving**
Production and placing Asphalt Concrete Plant Mix Pavement.
- Class 5 **Cement concrete paving**
Production and placing cement concrete pavement.

- Class 6 **Bridges and structures**
Construction of bridges, walls and other major structures of timber, steel, and concrete.
- Class 7 **Buildings**
Construction of buildings and related structures within the right of way and major reconstruction and remodeling of such buildings.
- Class 8 **Painting**
Painting bridges, buildings, and related structures.
- Class 9 **Traffic signals**
Installation of traffic signal and control systems.
- Class 10 **Structural tile cleaning**
Cleaning tunnels, large buildings and structures and storage tanks.
- Class 11 **Guardrail**
Construction of a rail secured to uprights and erected as a barrier between, or beside lanes of a highway.
- Class 12 **Pavement marking (excluding painting)**
Thermoplastic markings, stripes, bars, symbols, etc. Traffic buttons, lane markers, guide posts.
- Class 13 **Demolition**
Removal of timber, steel, and concrete structures and obstructions.
- Class 14 **Drilling and blasting**
Controlled blasting of rock and obstructions by means of explosives.
- Class 15 **Sewers and water mains**
Draining, pipe jacking, water systems, pumping stations, storm drainage systems, sewer rehabilitation, sewage pumping stations, pressurized lines.
- Class 16 **Illumination & general electrical**
Highway illumination, navigational lighting, wiring, junction boxes, conduit installation.
- Class 17 **Cement concrete curb and gutter**
Sidewalks, spillways, driveways, monument cases and covers, right of way markers, traffic curbs, and gutters.
- Class 18 **Asphalt concrete curb and gutter**
Sidewalks, spillways, driveways, monument cases and covers, right of way markers, traffic curbs, and gutters.
- Class 19 **Riprap and rock walls**
Mortar, rubble, and masonry walls; rock retaining walls, and placing of large broken stone on earth surfaces for protection against the action of water.
- Class 20 **Concrete structures except bridges**
Cast-in-place median barrier, prestressing, post-tensioned structures, footings, prefabricated panels and walls, retaining walls, and ramps, foundations, rock bolts, and concrete slope protection.

Class 21	Tunnels and shaft excavation Tunnel excavation, rock tunneling, and soft bore tunneling.	Class 37	Impact attenuators Installation of approved protective systems filled with sand, water, foam, or other substances which prevent errant vehicles from impacting roadside hazards.
Class 22	Piledriving Driving concrete, steel, and timber piles.	Class 38	Paint striping Painted bars, letters, symbols, and striping.
Class 23	Concrete surface treatment Exposed aggregate, fractured-fin and rope textured finishes; waterproofing concrete surfaces (clear or pigmented sealer).	Class 39	Wire mesh slope protection The installation of a zinc coated steel wire mesh anchored by wire rope and reinforced concrete posts or anchor rods. Used for dampening the effects of rolling rocks onto the highway.
Class 24	Fencing Wire and metal fencing, glare screens.	Class 40	Gabion and gabion construction Construction of walls made with containers of galvanized steel hexagonal wire mesh and filled with stone.
Class 25	Bridge deck repair Bridge expansion joint repair and modification, bridge deck resurfacing and repair.	Class 41	Not used
Class 26	Deck seal Waterproof membrane.	Class 42	Electronics—fiber optic based communications systems Design and installation of fiber optic based communication systems.
Class 27	Signing Sign structures and signs.	Class 43	Mechanical Plumbing work and the installation of heating or air conditioning units.
Class 28	Electronics Surveillance and control systems design and installation, electronics training and maintenance.	Class 44	Not used
Class 29	Slurry diaphragm and cut-off walls Slurry excavation and the construction of structural concrete walls and slurry cut-off walls.	Class 45	Not used
Class 30	Surveying Highway construction surveying.	Class 46	Concrete restoration Pavement subseal, cement concrete repair, epoxy coatings, epoxy repair, masonry repair, masonry cleaning, special coatings, epoxy injection, gunite, shotcrete grouting, pavement jacking, gunite repair, and pressure grouting.
Class 31	Water distribution and irrigation Irrigation systems and heavy duty water distribution.	Class 47	Concrete sawing, coring, and grooving Concrete sawing, concrete planing and grooving, bump grinding, joint repair, concrete coring.
Class 32	Landscaping Landscape irrigation, planting, sodding, seeding, fertilizing, mulching, herbicide application, insecticide application, weed control, mowing, liming, soil binder, topsoil.	Class 48	Dredging Excavating underwater materials.
Class 33	Engineering Work other than surveying, including engineering calculations, drawing and other related work for highway construction.	Class 49	Marine work Underwater surveillance, testing, repair, subaquatic construction.
Class 34	Erosion control Seeding, fertilizing, mulching, slope protection, topsoil application, hydro-seeding, soil stabilization, soil sampling.	Class 50	Not used
Class 35	Precast median barrier A concrete barrier that is cast and cured in other than its final position used to divide the median of two adjacent highways or temporarily placed to divert traffic in construction zones.	Class 51	Well drilling Drilling wells, installing pipe casing and pumping stations.
Class 36	Permanent tie back anchor Installation of permanent rock and soil anchors, soldier piles and timber lagging. Soldier pile tie back anchor wall construction.	Class 52	Sewage disposal Hauling and disposing liquid and solid wastes.
		Class 53	Traffic control Providing piloted traffic control, traffic control labor, and maintenance and protection of traffic.
		Class 54	Railroad construction Construction of railroad subgrade, placing of ballast, ties, and track and other items related to railroad work.

- Class 55 **Steel fabrication**
Welding of steel members, heat straightening steel.
- Class 56 **Street cleaning**
Street sweeping with self-propelled sweeping equipment.
- Class 57 **Materials transporting**
Truck hauling.
- Class 58 **Sand blasting and steam cleaning**
Steam cleaning, sand blasting, shot blasting, and water blasting.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-130, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-130, filed 1/28/91, effective 2/28/91.]

WAC 468-16-140 Maximum capacity rating. (1)

The maximum capacity rating shall be determined by multiplying the contractor's reported net worth by a factor of 5.0. The factor may be increased at a rate of 0.5 annually, provided the contractor has maintained a satisfactory performance record with the department and has completed a contract of fifty thousand dollars or more within the preceding prequalification year. The maximum factor shall be 7.5. The department may at any time decrease the rating factor if the contractor's performance becomes less than standard, however no decrease in the bidding capacity will become effective until action to appeal, as specified in these rules, has been completed.

(2) For the purpose of prequalification and establishing the maximum capacity rating, the following additional resources may be added to net worth if supported with documentation as specified:

(a) An operating line of credit - Documentation from an acceptable financial institution stating the amount of credit authorized, its expiration date, and the amount currently available. The document must be authenticated by an official authorized to execute lines of credit on behalf of the institution. Should the operating line of credit be revoked, it shall be deducted before computing a new annual maximum capacity rating.

(b) A parent firm pledge of net worth - A sworn statement from the parent firm that guarantees the performance of the subsidiary for any contracts awarded it. The document shall include a parent firm pledge in an amount such that when calculated in subsection (1) of this section will not be less than the value of uncompleted contracts of the subsidiary. An audited financial statement, as prescribed in WAC 468-16-090 (9)(a), may be requested from the parent firm when deemed appropriate.

(c) A personal pledge of net worth - A sworn statement pledging a specific amount of personal assets. The statement must be accompanied by acceptable documents that will verify the ownership and value of the assets.

(3) Resources listed above will not be accepted in lieu of a minimum net worth of fifty thousand dollars.

(4) When the value of a firm's uncompleted work for the department exceeds its maximum capacity rating, a bidding proposal shall be denied that firm.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-140, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-140, filed 1/28/91, effective 2/28/91.]

WAC 468-16-150 Prime contractor performance reports. (1) Performance reports described in this section, substantially in the format as that appearing at WAC 468-16-210, will be completed for prime contractors only for projects valued at one hundred thousand dollars or more. Each prime contractor's performance report will be classified as to the primary work class being rated. This shall be stated in Section I of the report by listing the major classes of work performed by the contractor e.g., clearing, grading, surfacing, etc.

(2) Performance will be rated under the following headings: Administration, management, and supervision; quality of work; progress of work; and equipment.

(3) The following adjectival ratings are established for performance reports:

- (a) Superior.
- (b) Above standard.
- (c) Standard.
- (d) Below standard.
- (e) Inadequate.

(4) The report shall contain a numerical section which quantifies the adjectival ratings into a total performance rating which is multiplied by .01 to obtain a performance score falling within one of the following ranges:

Superior	1.31	-	1.50
Above Standard	1.01	-	1.30
Standard	1.00		
Below Standard	.70	-	.99
Inadequate	.50	-	.69

(5) The performance score (PS) is computed by multiplying the performance rating (PR) obtained from the prime contractor's performance report by a factor (F) of .01 e.g., 129 (PR) x .01 (F) = 1.29 (PS).

(6) The annual performance score is the average of the scores, by work class, obtained from all performance reports submitted for department projects completed during the one-year period next preceding the date of expiration of the contractor's qualification.

(7) The performance report shall be used in fixing a contractor's prequalification status.

(8) The report shall contain a narrative section which verbally provides the details substantiating the numerical rating. The narrative section shall be based upon documentation prepared during the life of the project, such as the project engineer's diary, the inspector's daily report and other pertinent documents. This documentation shall constitute the major portion of the administrative record to be used for any hearings or litigation that may arise from the rating process.

(9) The performance report will be prepared and discussion held with the contractor by the project engineer. The report will include a numerical rating substantiated by a narrative report which describes the contractor's typical performance. The narrative will reference such documents as will substantiate the given numerical rating.

(10) The report will be endorsed by the district operations engineer or designated assistant who will provide a copy to the contractor.

(11) The contractor may appeal the rating to the district administrator in writing within twenty calendar days of the date the report is received by the contractor. If the report is not delivered to the contractor in person, it shall be forwarded by certified mail with a return receipt requested. The appeal must set forth the specific basis upon which it has been made.

(12) The district administrator will review all contractor performance reports after they have been endorsed and may modify the numerical or narrative rating if such is deemed appropriate. The contractor will be advised of any changes made. The district administrator will be required to make comments thereon only when the contractor's overall performance rating has been rated inadequate, below standard, or superior.

(13) Performance reports, when completed at district level, will be submitted to the secretary, Attn: Manager, precontract administration office, not later than forty-five calendar days following final completion of the project.

(14) The district administrator shall review the appeal and provide a written response to the contractor by certified mail (return receipt requested) within twenty calendar days of its receipt. A copy of the appeal and the response thereto will be forwarded to the secretary, Attn: Precontract administration office.

(15) The contractor may further appeal to the secretary in writing setting forth the specific basis for the appeal. The contractor's appeal shall be made within ten calendar days of the date of receipt of the district administrator's response. When making an appeal, the contractor may also present information in person. The secretary will consider the appeal and respond to it by certified mail within thirty calendar days of its receipt. This determination shall be the final administrative act of the department.

(16) All prime contractor performance reports shall be reviewed by the office of the secretary for completeness, objectivity, and substantiation of numerical ratings. The secretary may modify the report as deemed appropriate as a result of the review.

(17) A prime contractor performance report shall be considered a preliminary paper until all reviews and appeals have been accomplished and it shall have been stamped and initialed as having been "filed in the office of the secretary."

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-150, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-150, filed 1/28/91, effective 2/28/91.]

WAC 468-16-160 Interim reports. (1) Interim performance reports will be completed for contracts of long duration, particularly those in excess of one year and submitted to the manager, precontract administration office. They will be completed annually on the anniversary of the start date of the contract. An interim report will also be completed when a contractor's work has become less than standard and the firm has been advised in writing of such performance. The report will be used by the secretary as a basis for determining whether a contractor will be placed in conditional status.

(2) In the case of a conditionally qualified firm, an interim report shall be submitted at sixty calendar day intervals for the project being undertaken by that firm

subsequent to its being placed in conditional status. When a contractor's performance has not improved sufficiently to be removed from conditional status after two consecutive interim reports have been prepared, no further interim reports shall be made except at the written request of the contractor. The initial date of the requested report will be the date of the contractor's request.

(3) The project engineer shall submit an interim report when it becomes evident that he or she will no longer be involved in the project, providing that project has been in progress for twenty-five percent of the working days assigned the project or ninety working days whichever is less.

(4) Interim performance reports will supplement and will be made a part of the final performance report.

(5) DOT Form 421-010 is authorized.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-160, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-160, filed 1/28/91, effective 2/28/91.]

WAC 468-16-170 Refusal to issue proposal. The secretary may refuse to issue a proposal for reasons as enumerated in WAC 468-16-040 through 468-16-070, inclusive. Refusal to issue a proposal may continue in effect until the cause for the refusal has been eliminated. One or more of the following additional conditions may be considered sufficient for refusal to issue a proposal:

(1) The value of outstanding work plus the contract total of the work proposed to be bid exceeds the contractor's maximum capacity rating.

(2) Being placed in conditional status.

(3) Making false, fraudulent, or deceptive statements on the standard questionnaire, related documents, or documents prepared in the course of prosecuting the work.

(4) Debarment or suspension from participation in federal projects.

(5) Expiration of qualification.

(6) Failure to update the latest questionnaire to fairly represent the contractor's current organization and financial status.

(7) Noncompliance with equal employment opportunity (EEO), or minority and women's business enterprise (MWBE), or disadvantaged business enterprise (DBE) regulations.

(8) Bankruptcy.

(9) The existence of any conditions described in WAC 468-16-040 through 468-16-070 inclusive.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-170, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-170, filed 1/28/91, effective 2/28/91.]

WAC 468-16-180 Suspension of qualification. (1) A suspension may be ordered for cause or for a period pending the completion of investigation and any ensuing legal action for revocation of qualification.

(2) The secretary may, upon determination from reports, other documents, or through investigation that cause exists to suspend the qualification of a contractor, impose suspension upon a contractor.

(3) The secretary may suspend qualification for:

(a) Incompetency found detrimental to timely project completion or to the safety of the public or employees.

(b) Inadequate performance on one or more projects.

(c) Infractions of rules, regulations, specifications, and instructions which may adversely affect public health, welfare, and safety.

(d) Uncompleted work which might prevent the prompt completion of other work.

(e) Continual failure to comply with equal employment opportunity or women's, minority and disadvantaged business enterprise requirements.

(f) Debarment or suspension from participation in federal projects.

(g) Pending completion of debarment proceedings in federal projects.

(4) The maximum period of suspension for acts or deficiencies enumerated above are as follows:

(a) For subsection (3)(a) of this section - Three months.

(b) For subsection (3)(b), (c), (d), and (e) of this section - Six months.

(c) For subsection (3)(f) of this section - For duration of debarment or suspension by the federal or other state agency.

(d) For subsection (3)(g) of this section - Until a determination is made by the federal or other state agency.

(5) The secretary may reduce the period of suspension upon the contractor's supported request for reasons including, but not limited to:

(a) Newly discovered evidence;

(b) Elimination of causes for which the suspension was imposed.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-180, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-180, filed 1/28/91, effective 2/28/91.]

WAC 468-16-190 Revocation of qualification.

(1) The secretary, upon determination from reports, other documents, or investigation that cause exists to revoke the qualification of a contractor, may revoke the contractor's qualifications for a maximum period of two years.

(2) The secretary may revoke the qualification of a contractor upon a plea by the firm of nolo contendere, conviction, judgment, or admission for any of the following causes:

(a) Existence of any condition cited in WAC 468-16-050.

(b) Intentional falsification with intent to defraud or unauthorized destruction of project related records.

(3) Revocation of qualification may also be imposed for the following reasons:

(a) Default on a contract within three years prior to the date of application for qualification.

(b) Bankruptcy or insolvency.

(c) Breach of contract.

(d) Having been suspended two or more times within a two-year period.

(4) When qualification has been revoked, a contractor shall be required to reapply for qualification upon again reaching eligibility status.

(5) Revocation of qualification shall be final after twenty calendar days following receipt of notification thereof by certified mail unless a hearing has been requested.

(6) The secretary may reverse the decision to revoke qualifications upon the contractor's supported request for reasons including, but not limited to:

(a) Newly discovered evidence;

(b) Reversal of the conviction or judgment upon which the revocation was based; and

(c) Elimination of causes for which the revocation was imposed.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-190, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-190, filed 1/28/91, effective 2/28/91.]

WAC 468-16-200 Hearings procedure.

(1) A contracting firm which has been notified by the secretary that the department is contemplating suspending or revoking its qualification, may request in writing within twenty calendar days of the date of notification by certified mail, that a hearing be conducted. Unless the department is otherwise prohibited from contracting with the contractor, the suspension or revocation shall not become effective until the final decision of the secretary has been rendered. The hearing shall be conducted in accordance with the procedure set forth in this section.

(2) The secretary shall designate a hearing official to conduct any hearing held under this chapter. The hearing official shall furnish written notice by certified mail of a hearing to the contractor and any named affiliates at least twenty calendar days before the effective date of suspension or revocation of qualifications. The notice shall state:

(a) That suspension or revocation of qualification is being considered.

(b) The effective date of the proposed action.

(c) The facts giving cause for the proposed action.

(d) The cause or causes relied upon for proposing the action, i.e., fraud, statutory violations, etc.

(e) If suspension is proposed, the duration of the suspension.

(f) That the contractor may, within twenty calendar days of receipt of the notice, submit to the hearing official by certified mail, return receipt requested, information and argument in opposition to or in clarification of the proposed action.

(g) When the action is based on a conviction, judgment, or admission, fact-finding shall be conducted if the hearing official determines that the contractor's submission raises a genuine dispute over material facts upon which the suspension or revocation is based or whether the causes relied upon for proposing suspension or revocation exist.

(h) The time, place, and date of the hearing.

(i) The name and mailing address of the hearing official.

(j) That proposals shall not be issued nor contracts awarded to the contractor subsequent to the dispatch of the notice of hearing pending the final decision of the secretary.

(3) The hearing official may extend the date of any hearing upon request of the contractor, but the hearing shall not be extended beyond forty-five calendar days from the date of the notice. The hearing official shall schedule and conduct the hearing within thirty calendar days of the date of the notice, except when an extension is granted as provided in this subsection.

(4) In the course of the hearing, the hearing official shall:

- (a) Regulate the course and scheduling of the hearings;
- (b) Rule on offers of proof, receipt of relevant evidence, and acceptance of proof and evidence as part of the record;
- (c) Take action necessary to insure an orderly hearing; and

(d) At the conclusion of the hearing, issue written findings of fact and recommended administrative action to the secretary. The hearing officer shall deliver the entire record to the secretary.

(5) The contractor shall have the opportunity to be present and appear with counsel, submit evidence, present witnesses, and cross-examine all witnesses. A transcribed or taped record shall be made of the hearing unless the secretary and the contractor waive the transcript or taping requirement. The transcript or tape shall be made available, at cost, to the contractor and all named affiliates upon request.

In actions where it has been established by conviction, judgment or admission, or where it has been established by findings made in accordance with this chapter, that the named contractor has engaged in conduct described in WAC 468-16-050 and the sole issue before the hearing official is the appropriateness of revocation of qualification or the length of suspension of qualification to be recommended to the secretary, prior judicial or administrative decision or findings shall not be subject to collateral attack.

The secretary, after receiving the record, findings of fact, and recommendations of the hearing official shall determine the administrative action to be taken. The secretary shall notify the contractor of his determination in writing.

Upon denial, suspension or revocation of prequalification, the respondent may appeal therefrom to the superior court of Thurston County pursuant to RCW 47.28.070. If the appeal is not made within the time prescribed in that statute, the department's action shall be conclusive.

[Statutory Authority: RCW 47.01.101, 47.28.030 and 47.28.070. 93-03-020 (Order 134), § 468-16-200, filed 1/12/93, effective 2/12/93; 91-04-014 (Order 128), § 468-16-200, filed 1/28/91, effective 2/28/91.]

Chapter 468-38 WAC

VEHICLE SIZE AND WEIGHT—RESTRICTED HIGHWAYS—EQUIPMENT

WAC

468-38-075	Overlength exemptions.
468-38-280	Special equipment.
468-38-360	Building/house moves.

WAC 468-38-075 Overlength exemptions. Single trailers and/or loads not exceeding fifty-six feet in length, double trailers and/or loads not exceeding sixty-eight feet in length, nonreducible loads (including trailer) not exceeding sixty-one feet in length, and vehicles with front overhangs not exceeding four feet beyond the three foot legal limit set in RCW 46.44.034 (see also bumper criteria in RCW 46.37.517), may move by special motor vehicle permit without regard to oversize load signs (WAC 468-38-190), weekend curfew or holiday restrictions (WAC 468-38-230),

commuter traffic restrictions (WAC 468-38-235), or night-time movement restrictions (WAC 468-38-260).

A power unit having tandem drive axles pulling a single trailer and/or load not exceeding fifty-six feet or a nonreducible load not exceeding sixty-one feet is exempt from that portion of the winter road restrictions (WAC 468-38-390) prohibiting movement in areas where any of the following signs are displayed: "Traction tires advised," "approved traction tires recommended," "approved traction tires required," or "tire chains required." The signs, however, must be obeyed.

[Statutory Authority: RCW 46.44.090. 93-21-008 (Order 139), § 468-38-075, filed 10/8/93, effective 11/8/93.]

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

A retractable axle carrying weight allowed under RCW 46.44.041 shall have a manufacturers rating of at least 10,000 pounds, shall be self-steering, and shall have the capacity to be activated only from a location out of reach of the driver's compartment: *Provided*, The requirement that controls be activated only from a location out of reach of the driver's compartment shall not apply to vehicles equipped with hydraulically or pneumatically loaded lift axles that can not be activated when the vehicle is in motion. Any variable control used to adjust axle loadings by regulating air pressure or by other means must be out of reach of the driver's compartment: *And Provided Further*, The requirement that the retractable lift axle shall be self-steering does not apply to a truck/tractor where the retractable axle equipped with four tires is used to create a tandem and the distance between the drive axle and the retractable axle is no greater than 60 inches. The self-steering requirement shall also not apply to a trailing unit where the distance between a fixed axle and the retractable axle is no greater than 60 inches.

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

WAC 468-38-360 Building/house moves. The following requirements control the movement of buildings or houses that do not meet the requirements for manufactured housing or mobile homes (discussed in WAC 468-38-120).

(1) Vehicles/loads not exceeding eighty thousand pounds and sixteen feet wide may be moved on two lane highways with permit, and vehicles/loads not exceeding twenty feet wide may be moved on multiple lane highways with a median barrier or median strip, with permit. Exceptions to these limitations may be proposed to the district administrator, or designee, for review and final determination, assuming compliance with the remaining conditions contained herein.

(2) The maximum distance a structure, exceeding the above dimensions, may move is five miles. Additional

contiguous five-mile permits shall not be issued to exceed the five-mile limitation. An exemption may be granted by the district administrator, or designee, if the permittee can justify the move as in the public interest or as the avoidance of extreme hardship. Justification will generally require independent documented evidence supporting the basis for the move, to include, but not be limited to: Cost, equity, and sales data; historic significance; public benefit; or national defense.

(3) An application for move must be completed and submitted to the district administrator, or designee, at least ten working days before the scheduled move. The application (form number DOT 720-028) must show, at a minimum: The owner, the mover, proposed route - complete with traffic control plan, a physical description of the structure, arrangements for moving overhead obstacles, the number and configuration of hauling vehicles (towing unit, dollies, etc.), and any additional requirements outlined in this section.

(4) When deemed necessary a department of transportation employee shall make a visual inspection of the structure, hauling vehicles, and proposed route. This inspection shall, at a minimum, verify dimensions (to include eaves, porches, and other appurtenances that could not be removed without affecting structural integrity), check for appropriate strapping for brick/masonry, verify that all overhead obstacles have been identified, insure that dollies are not equipped with hard rubber or solid cushion rubber tires, verify the tow vehicles (a back-up vehicle may be required on site for the move) have a valid certificate of inspection from the Washington state patrol, and determine if state forces will be required for the move (state force work will be estimated and paid by the permittee in advance, with actual costs being determined and a billing/refund occurring of any adjustment at the end of the move). Necessary equipment to make the inspection, such as a ladder, will be provided on site by the owner or mover.

(5) The maximum speed shall not exceed twenty-five miles per hour. Time allotted for traffic delays shall be at district discretion, but shall not exceed five minutes. Reasonable accessibility for emergency vehicles to navigate around the load shall be maintained.

(6) Special escort car requirements may be imposed to assure the movement will be made under the safest possible conditions. Documentation must be provided that shows the escort vehicle operators and accompanying flagpersons have been certified by the department of labor and industries. Hard hats and vests will be required for all flagpersons directing/controlling traffic during the movement.

(7) The applicant shall notify the Washington state patrol forty-eight hours in advance of the scheduled move, providing the Washington state patrol with time and route. The district may require the applicant to have the Washington state patrol assist with traffic control, the cost to be borne by the permittee.

(8) Routes involving the movement of overhead traffic signals, wires, and/or mast arms must be approved by the district traffic engineer.

(9) If railroad tracks are to be crossed, the appropriate railroad company shall be notified by the applicant and a copy of the railroad's schedule for those crossings will be submitted with the traffic control plan and application.

(10) Generally loads of two hundred thousand pounds must be approved by the bridge conditions branch in

Olympia if structures are to be crossed. Per RCW 46.44.091(6), the written request must be submitted thirty days in advance of the planned move.

(11) Per WAC 468-38-050, the permittee must provide proof of insurance in the following amounts: Commercial operators shall have at least seven hundred fifty thousand dollars liability and noncommercial operators shall have at least three hundred thousand dollars liability.

[Statutory Authority: RCW 46.44.090, 93-04-071 (Order 136), § 468-38-360, filed 1/29/93, effective 3/1/93; 82-18-010 (Order 31, Resolution No. 156), § 468-38-360, filed 8/20/82. Formerly WAC 468-38-440. Statutory Authority: 1977 ex.s. c 151. 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-38-360, filed 12/20/78. Formerly WAC 252-24-363.]

Chapter 468-52 WAC

HIGHWAY ACCESS MANAGEMENT—ACCESS CONTROL CLASSIFICATION SYSTEM AND STANDARDS

WAC

468-52-010	Purpose.
468-52-020	Definitions.
468-52-030	General.
468-52-040	Access control classification system and standards.
468-52-050	Application of access control classification system standards.
468-52-060	Assignment of access control classifications to highway segments.
468-52-070	Review and modification of classifications.

WAC 468-52-010 Purpose. This chapter is adopted in accordance with chapter 47.50 RCW for the implementation of an access control classification system and standards for the regulation and control of vehicular ingress to, and egress from the state highway system.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-010, filed 1/13/93, effective 2/13/93.]

WAC 468-52-020 Definitions. For the purposes of this chapter, the following definitions of the terms shall apply unless the context clearly indicates otherwise:

"Conforming connection" means a connection that meets current department location, spacing, and design criteria.

"Connection" means approaches, driveways, turnouts, or other means of providing for the right of access to or from controlled access facilities on the state highway system.

"Connection permit" means a written authorization given by the department for a specifically designed connection to the state highway system at a specific location for a specific type and intensity of property use and specific volume of traffic for the proposed connection, based on the final stage of proposed development of the applicant's property. The actual form used for this authorization will be determined by the department.

"Controlled access facility" means a transportation facility (excluding limited access facilities as defined in chapter 47.52 RCW) to which access is regulated by the governmental entity having jurisdiction over the facility. Owners or occupants of abutting lands and other persons have a right of access to and from such facility at such points only and in such manner as may be determined by the governmental entity.

"Corner clearance" means the distance from an intersection of a public or private road to the nearest connection along a controlled access facility. This distance is measured from the closest edge of the traveled way of the intersecting road to the closest edge of the traveled way of the connection measured along the traveled way (through lanes).

"Department" means the Washington state department of transportation.

"Governmental entity" means, for the purpose of this chapter, a unit of local government or officially designated transportation authority that has the responsibility for planning, construction, operation, maintenance, or jurisdiction over transportation facilities.

"Intersection" means an at grade connection on a state highway with a road or street duly established as a public road or public street by the local governmental entity.

"Joint use connection" means a single connection point that serves as a connection to more than one property or development, including those in different ownerships or in which access rights are provided in the legal descriptions.

"Limited access facility" means a highway or street especially designed or designated for through traffic, and over, from, or to which owners or occupants of abutting land, or other persons have no right or easement, or only a limited right or easement of access, light, view, or air by reason of the fact that their property abuts upon such limited access facility, or for any other reason to accomplish the purpose of a limited access facility.

"Nonconforming connection" means a connection not meeting current department location, spacing, or design criteria.

"Permit" means written approval issued by the department, subject to conditions stated therein, authorizing construction, reconstruction, maintenance, or reclassification of a state highway connection and associated traffic control devices on or to the department's right of way.

"Permitting authority" means the department or any county, municipality, or transportation authority authorized to regulate access to their respective transportation systems.

"State highway system" means all roads, streets, and highways designated as state routes pursuant to chapter 47.17 RCW.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-020, filed 1/13/93, effective 2/13/93.]

WAC 468-52-030 General. The connection and intersection spacing distances specified in this chapter are minimums. Greater distances may be required by the department on individual permits issued in accordance with chapter 468-51 WAC to provide desirable traffic operational and safety characteristics. If greater distances are required, the department will document, as part of the response to a connection permit application pursuant to chapter 468-51 WAC, the reasons, based on traffic engineering principles, that such greater distances are required. Nonconforming permits may be issued in accordance with chapter 468-51 WAC allowing less than minimum spacing where no other reasonable access exists, or where it can be substantiated by a traffic analysis in the permit application that allowing less than the minimum spacing would not adversely affect the desired function of the state highway in accordance with the

assigned access classification, and would not adversely affect the safety or operation of the state highway.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-030, filed 1/13/93, effective 2/13/93.]

WAC 468-52-040 Access control classification system and standards. This section provides an access control classification system consisting of five classes. The functional characteristics and the access control design standards for each class are described. The classes are arranged from the most restrictive, class one, to the least restrictive, class five. This access control classification system does not include highways or portions thereof that have been established as limited access highways pursuant to chapter 47.52 RCW. For state highways that are planned for the establishment of limited access control in accordance with the *Master Plan for Limited Access Highways*, an access control classification will be assigned to each highway segment to remain in effect until such time that the facility is established as a limited access facility.

On all access classes, property access shall be located and designed to minimize interference with transit facilities and/or high occupancy vehicle (HOV) facilities on state highways where such facilities exist or where such facilities are proposed in a state, regional, metropolitan, or local transportation plan. In such cases, if reasonable access is available from the general street system, primary property access shall be provided from the general street system rather than from the state highway.

(1) Class one.

(a) Functional characteristics:

These highways have the capacity for safe and efficient high speed and/or high volume traffic movements, providing for interstate, interregional, and intercity travel needs and some intracity travel needs. Service to abutting land is subordinate to providing service to major traffic movements. Highways in this class are typically distinguished by a highly controlled, limited number of public and private connections, restrictive medians with limited median openings on multilane facilities, and infrequent traffic signals.

(b) Access control design standards:

(i) It is the intent that the design of class one highways be generally capable of achieving a posted speed limit of fifty to fifty-five mph. Spacing of intersecting streets, roads, and highways shall be planned with a minimum spacing of one mile. One-half mile spacing may be permitted, but only when no reasonable alternative access exists.

(ii) Private direct access to the state highway shall not be permitted except when the property has no other reasonable access to the general street system. The following standards will be applied when direct access must be provided:

(A) The access connection shall continue until such time that other reasonable access to a highway with a less restrictive access control classification or access to the general street system becomes available and is permitted.

(B) The minimum distance to another public or private access connection shall be one thousand three hundred twenty feet. Nonconforming connection permits may be issued to provide access to parcels whose highway frontage, topography, or location would otherwise preclude issuance

of a conforming connection permit. No more than one connection shall be provided to an individual parcel or to contiguous parcels under the same ownership.

(C) All private direct access shall be for right turns only on multilane facilities, unless special conditions warrant and are documented by a traffic analysis in the connection permit application, signed and sealed by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(D) No additional access connections to the state highway shall be provided for newly created parcels resulting from property divisions. All access for such parcels shall be provided by internal road networks. Access to the state highway will be at existing permitted connection locations or at revised connection locations, as conditions warrant.

(iii) A restrictive median shall be provided on multilane facilities to separate opposing traffic movements and to prevent unauthorized turning movements.

(2) Class two.

(a) Functional characteristics:

These highways have the capacity for medium to high speeds and medium to high volume traffic movements over medium and long distances in a safe and efficient manner, providing for interregional, intercity, and intracity travel needs. Direct access service to abutting land is subordinate to providing service to traffic movement. Highways in this class are typically distinguished by existing or planned restrictive medians, where multilane facilities are warranted, and minimum distances between public and private connections.

(b) Access control design standards:

(i) It is the intent that the design of class two highways be generally capable of achieving a posted speed limit of thirty-five to fifty mph in urbanized areas and forty-five to fifty-five mph in rural areas. Spacing of intersecting streets, roads, and highways shall be planned with a minimum spacing of one-half mile. Less than one-half mile intersection spacing may be permitted, but only when no reasonable alternative access exists. In urban areas and developing areas where higher volumes are present or growth that will require signalization is expected in the foreseeable future, it is imperative that the location of any public access be planned carefully to ensure adequate signal progression. Addition of all new connections, public or private, that may require signalization will require an engineering analysis signed and sealed by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(ii) Private direct access to the state highway system shall be permitted only when the property has no other reasonable access to the general street system or if access to the general street system would cause traffic operational conditions or safety concerns unacceptable to the local governmental entity. When direct access must be provided, the following conditions shall apply:

(A) The access connection shall continue until such time that other reasonable access to a highway with a less restrictive access control classification or acceptable access to the general street system becomes available and is permitted.

(B) The minimum distance to another public or private access connection shall be six hundred sixty feet. Nonconforming connection permits may be issued to provide access

to parcels whose highway frontage, topography, or location would otherwise preclude issuance of a conforming connection permit. No more than one connection shall be provided to an individual parcel or to contiguous parcels under the same ownership unless the highway frontage exceeds one thousand three hundred twenty feet and it can be shown that the additional access would not adversely affect the desired function of the state highway in accordance with the assigned access classification, and would not adversely affect the safety or operation of the state highway.

(C) All private direct access shall be for right turns only on multilane facilities, unless special conditions warrant and are documented by a traffic analysis in the connection permit application, signed and sealed by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(D) No additional access connections to the state highway shall be provided for newly created parcels resulting from property divisions. All access for such parcels shall be provided by internal road networks. Access to the state highway will be at existing permitted connection locations or at revised connection locations, as conditions warrant.

(iii) On multilane facilities a restrictive median shall be provided to separate opposing traffic movements and to prevent unauthorized turning movements.

(3) Class three.

(a) Functional characteristics:

These highways have the capacity for moderate travel speeds and moderate traffic volumes for medium and short travel distances providing for intercity, intracity, and intercommunity travel needs. There is a reasonable balance between direct access and mobility needs for highways in this class. This class is to be used primarily where the existing level of development of the adjoining land is less intensive than maximum buildout and where the probability of significant land use change and increased traffic demand is high. Highways in this class are typically distinguished by planned restrictive medians, where multilane facilities are warranted, and minimum distances between public and private connections. Two-way left-turn-lanes may be utilized where special conditions warrant. Development of properties with internal road networks and joint access connections are encouraged.

(b) Access control design standards:

(i) It is the intent that the design of class three highways be generally capable of achieving a posted speed limit of thirty to forty mph in urbanized areas and forty-five to fifty-five mph in rural areas. In rural areas, spacing of intersecting streets, roads, and highways shall be planned with a minimum spacing of one-half mile. Less than one-half mile intersection spacing may be permitted, but only when no reasonable alternative access exists. In urban areas and developing areas where higher volumes are present or growth that will require signalization is expected in the foreseeable future, it is imperative that the location of any public access be planned carefully to ensure adequate signal progression. Where feasible, major intersecting roadways that may ultimately require signalization shall be planned with a minimum of one-half mile spacing. Addition of all new connections, public or private, that may require signalization will require an engineering analysis signed and sealed

by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(ii) Private direct access:

(A) No more than one access shall be provided to an individual parcel or to contiguous parcels under the same ownership unless it can be shown that additional access points would not adversely affect the desired function of the state highway in accordance with the assigned access classification, and would not adversely affect the safety or operation, of the state highway.

(B) The minimum distance to another public or private access connection shall be three hundred thirty feet. Nonconforming connection permits may be issued to provide access to parcels whose highway frontage, topography, or location would otherwise preclude issuance of a conforming connection permit.

(4) Class four.

(a) Functional characteristics:

These highways have the capacity for moderate travel speeds and moderate traffic volumes for medium and short travel distances providing for intercity, intracity, and intercommunity travel needs. There is a reasonable balance between direct access and mobility needs for highways in this class. This class is to be used primarily where the existing level of development of the adjoining land is more intensive and where the probability of major land use changes is less probable than on class three highway segments. Highways in this class are typically distinguished by existing or planned nonrestrictive medians. Restrictive medians may be used as operational conditions warrant to mitigate turning, weaving, and crossing conflicts. Minimum connection spacing standards should be applied if adjoining properties are redeveloped.

(b) Access control design standards:

(i) It is the intent that the design of class four highways be generally capable of achieving a posted speed limit of thirty to thirty-five mph in urbanized areas and thirty-five to forty-five mph in rural areas. In rural areas, spacing of intersecting streets, roads, and highways shall be planned with a minimum spacing of one-half mile. Less than one-half mile intersection spacing may be permitted, but only when no reasonable alternative access exists. In urban areas and developing areas where higher volumes are present or growth that will require signalization is expected in the foreseeable future, it is imperative that the location of any public access be planned carefully to ensure adequate signal progression. Where feasible, major intersecting roadways that may ultimately require signalization shall be planned with a minimum of one-half mile spacing. Addition of all new connections, public or private, that may require signalization will require an engineering analysis signed and sealed by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(ii) Private direct access:

(A) No more than one access shall be provided to an individual parcel or to contiguous parcels under the same ownership unless it can be shown that additional access points would not adversely affect the desired function of the state highway in accordance with the assigned access classification, and would not adversely affect the safety or operation of the state highway.

(B) The minimum distance to another public or private access connection shall be two hundred fifty feet. Nonconforming connection permits may be issued to provide access to parcels whose highway frontage, topography, or location would otherwise preclude issuance of a conforming connection permit.

(5) Class five.

(a) Functional characteristics:

These highways have the capacity for moderate travel speeds and moderate traffic volumes for primarily short travel distances providing for intracity and intracommunity trips primarily for access to state highways of higher classification. Access needs may generally be higher than the need for through traffic mobility without compromising the public health, welfare, or safety. These highways will generally have nonrestrictive medians.

(b) Access control design standards:

(i) It is the intent that the design of class five highways be capable of achieving a posted speed limit of twenty-five to thirty-five mph. In rural areas, spacing of intersecting streets, roads, and highways shall be planned with a minimum spacing of one-quarter mile. Less than one-quarter mile spacing may be permitted where no reasonable alternative exists. In urban areas and developing areas where higher volumes are present or growth that will require signalization is expected in the foreseeable future, it is imperative that the location of any public access be planned carefully to ensure adequate signal progression. Where feasible, major intersecting roadways that may ultimately require signalization shall be planned with a minimum of one-quarter mile spacing. Addition of all new connections, public or private, that may require signalization will require an engineering analysis signed and sealed by a qualified professional engineer, registered in accordance with chapter 18.43 RCW.

(ii) Private direct access:

(A) No more than one access shall be provided to an individual parcel or to contiguous parcels under the same ownership unless it can be shown that additional access points would not adversely affect the desired function of the state highway in accordance with the assigned access classification, and would not adversely affect the safety or operation of the state highway.

(B) The minimum distance to another public or private access connection shall be one hundred twenty-five feet. Nonconforming connection permits may be issued to provide access to parcels whose highway frontage, topography, or location would otherwise preclude issuance of a conforming connection permit.

(6) Interim standards. The interim standards set forth in this section shall be effective for all segments of the state highway system, except where access rights have been previously acquired pursuant to chapter 47.52 RCW, until superseded by an adopted access control classification as defined in this chapter. These interim standards are mandatory for all state highways where the department is the permitting authority, and are advisory for city streets designated as state highways pursuant to chapter 47.24 RCW where incorporated cities or towns are the permitting authority. Permit applications received after adoption of this chapter, but before the classification of a highway segment

is adopted, shall be reviewed for consistency with the interim standards. After a highway segment has been classified pursuant to this chapter, the standards described for that particular class shall supersede the interim standards for the classified highway segment.

INTERIM STANDARDS		
Posted Speed	Minimum Private Connection Spacing	Minimum Public Intersection Spacing
MPH	Feet	Miles
35 or less	Rural: 250 Urban: 125	0.5
36 - 45	Rural: 330 Urban: 250	0.5
Over 45	Rural: 660 Urban: 330	1.0

(7) Corner clearance. Corner clearances for connections shall meet or exceed the minimum connection spacing requirements of the interim standards, or of the applicable access class where the highway segment has been assigned a classification. A single connection may be placed closer to the intersection, pursuant to the permit application process specified in chapter 468-51 WAC, and in accordance with the following criteria:

(a) If, due to property size, corner clearance standards of this chapter cannot be met, and where joint access meeting or exceeding the minimum corner clearance standards cannot be obtained, or is determined by the department to be not feasible because of conflicting land use or conflicting traffic volumes or operational characteristics, then the following minimum corner clearance criteria may be used:

CORNER CLEARANCE AT INTERSECTIONS		
With Restrictive Median		
Position	Access Allowed	Minimum (feet)
Approaching intersection	Right In/Right Out	115
Approaching intersection	Right In Only	75
Departing intersection	Right In/Right Out	230 *
Departing intersection	Right Out Only	100
Without Restrictive Median		
Position	Access Allowed	Minimum (feet)
Approaching intersection	Full Access	230 *
Approaching intersection	Right In Only	100
Departing intersection	Full Access	230 *
Departing intersection	Right Out Only	100

*For Access Class 5 and for speeds less than 35 MPH, 125 feet may be used.

*For Access Class 5 and for speeds less than thirty-five mph, one hundred twenty-five feet may be used.

(b) In cases where connections are permitted under the above criteria, the permit issued pursuant to chapter 468-51 WAC shall contain the following additional conditions:

(i) There shall be no more than one connection per property frontage on the state highway.

(ii) When joint or alternate access meeting or exceeding the minimum corner clearance standards becomes available, the permittee will close the permitted connection, unless the permittee shows to the department's satisfaction that such closure is not feasible.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-040, filed 1/13/93, effective 2/13/93.]

WAC 468-52-050 Application of access control classification system standards. (1) Review of permits on classified highway segments. Connection permit applications on controlled access facilities of the state highway system

received on a particular segment that has been classified in accordance with this chapter shall be reviewed subject to the requirements of this chapter pursuant to the permit application process specified in chapter 468-51 WAC.

(2) Prior approvals. Connections permitted prior to the adoption of this chapter and unpermitted connections that do not require closure in accordance with WAC 468-51-030 are not required to meet the interim standards or the standards of assigned access classifications adopted pursuant to this chapter.

(3) New permits required by chapter 468-51 WAC. All new connection permits required due to significant changes in property site use pursuant to WAC 468-51-110, or permit modification pursuant to WAC 468-51-120 shall be reviewed subject to the requirements of this chapter.

(4) Permits approved under interim standards. Connection permits issued in accordance with the interim standards in WAC 468-52-040 on a highway segment where an access classification has not been adopted shall remain in effect after adoption of an access classification on that highway segment unless a new permit is required due to changes in property site use pursuant to WAC 468-51-110 or unless permit modification, revocation, or closure of the permitted connection is required pursuant to WAC 468-51-120.

(5) Nonconforming permits. Nonconforming permits may be issued in accordance with WAC 468-51-100 for certain connections not meeting the interim standards in WAC 468-52-040 or the access classification location and spacing standards adopted for a particular highway segment.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-050, filed 1/13/93, effective 2/13/93.]

WAC 468-52-060 Assignment of access control classifications to highway segments. The assignment of an access control classification to all controlled access segments of the state highway system shall be the responsibility of the department. The process to be followed in assigning the classifications is as follows:

(1) Defining segments. The determination of the length and termini of segments shall be the responsibility of the department working in cooperation with the Regional Transportation Planning Organizations, Metropolitan Planning Organizations, and the appropriate local governmental entities.

(a) Segments of highways to be assigned to a particular access control classification shall be defined by the department in cooperation with local governments. The length and termini of segments shall take into consideration the mobility and access needs of the traveling public, the access needs of the existing and proposed land use abutting the highway segment, and the existing and desired mobility characteristics of the roadway. The number of classification changes occurring along a particular highway shall be minimized to provide highway system continuity, uniformity, and integrity to the maximum extent feasible. The segments shall not necessarily be confined by local jurisdictional boundaries. Points of transition between classifications along a particular route should be located on boundaries, or coincident with identifiable physical features.

(2) Assignment of classifications. All segments of all controlled access facilities on the state highway system shall

be assigned to one of the access control classes one through five. The assignment of a classification to a specific segment of highway shall be the responsibility of the department. The classification shall be made in cooperation with the Regional Transportation Planning Organization, Metropolitan Planning Organization, and the appropriate local governmental entities. For city streets that are designated as state highways pursuant to chapter 47.24 RCW, the department will obtain concurrence in the final class assignment from the city or town for those state highways where the city or town is the permitting authority. The assignment of a classification shall take into consideration the following factors:

- (a) Local land use plans, zoning, and land development regulations as set forth in adopted comprehensive plans;
- (b) The current and potential functional classification of the highway;
- (c) Existing and projected future traffic volumes;
- (d) Existing and projected state, local, and metropolitan planning organization transportation plans and needs including consideration of new or improved parallel facilities;
- (e) Drainage requirements;
- (f) The character of the lands adjoining the highway;
- (g) The type and volume of traffic requiring access;
- (h) Other operational aspects of access, including corridor accident history;
- (i) The availability of reasonable access to the state highway by way of county roads or city streets as an alternative to a connection to the state highway;
- (j) The cumulative effect of existing and projected connections on the state highway system's ability to provide for the safe and efficient movement of people and goods within the state.

(3) Changes in jurisdiction. When the boundaries of an incorporated city or town are revised to include a portion of a controlled access state highway resulting in a change in the permitting authority from the department to the city or town in accordance with chapter 47.24 RCW, the access classification of that portion of the state highway shall remain unchanged unless modified in accordance with WAC 468-52-070.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-060, filed 1/13/93, effective 2/13/93.]

WAC 468-52-070 Review and modification of classifications. (1) Department initiated action. The department may, at any time, initiate a review of the access control classification of any segment of any state highway. When a major change occurs in any of the factors noted in WAC 468-52-060(2), the department shall review the access classification for the specific segments of any state highway affected by the change. Prior to the initiation of any change in classification of a highway segment, the department shall notify in writing the appropriate Regional Transportation Planning Organization, Metropolitan Planning Organization, and local governmental entities. The department will consult with the RTPO, MPO, and local governmental entities and shall take into consideration, any comments or concerns received during the review process. For city streets that are designated as state highways pursuant to chapter 47.24 RCW, the department will obtain concurrence in the final

class assignment from the city or town for those state highways where the city or town is the permitting authority. The department shall notify the RTPO, MPO, and local governmental entities in writing of the final determination of the reclassification action.

(2) Requests for departmental review. A Regional Transportation Planning Organization, Metropolitan Planning Organization, or local governmental entity may request, in writing, at any time that the secretary of transportation initiate a review of the access control classification of a specific segment or segments of a state highway(s). Such written request shall identify the segment(s) of state highway for which the review is requested and shall include a specific recommendation for the reclassification of the highway segment(s) involved. Justification for the requested change shall be provided in the request taking into account the standards and criteria in WAC 468-52-040 and 468-52-060. The department will consult with the RTPO, MPO, and local governmental entities involved and shall take into consideration, any comments or concerns received during the review process. The department shall notify the RTPO, MPO, and local governmental entities in writing of the final determination of the reclassification action.

Other interested persons or organizations who wish to initiate a review of the access control classification of a specific highway segment shall do so through the local governmental entity, MPO, or RTPO.

[Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. 93-03-033 (Order 135), § 468-52-070, filed 1/13/93, effective 2/13/93.]

Chapter 468-95 WAC

MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS

WAC

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| 468-95-035 | Pavement edgelines and raised pavement markers supplementing other markings. |
| 468-95-037 | Stop line locations. |

WAC 468-95-035 Pavement edgelines and raised pavement markers supplementing other markings. Pursuant to RCW 47.36.280, the second paragraph of MUTCD Section 3B-6 is revised as follows:

Edge lines shall be used on all interstate highways, on rural multilane divided highways, on all principal arterials and minor arterials within urbanized areas, except when curb or sidewalk exists, and may be used on other classes of roads. Jurisdictions shall conform to these requirements at such time that it undertakes to renew or install permanent markings on new or existing roadways. The lines shall be white except that on the left edge of each roadway of divided streets and highways and one-way roadway in the direction of travel, they shall be yellow.

These standards shall be in effect, as provided in this section, unless the legislative authority of the local governmental body finds that special circumstances exist affecting vehicle and pedestrian safety that warrant a site-specific variance to the standard.

Pursuant to RCW 47.36.280, the second paragraph of MUTCD Section 3B-15 is revised as follows:

Raised pavement markers may also be used to supplement other markings for channelizing islands or approaches to other objects. The general use of raised pavement markers along right edge lines is strongly discouraged because they can cause steering difficulties and make bicyclists lose control of their vehicles. Raised or recessed pavement markers may be used along right edge lines on the taper in lane transition sections, on approaches to objects and within channelization at intersections. Raised or recessed pavement markers can only be used along right edge lines at other locations where an engineering study has determined the markers are essential to preserving pedestrian, bicycle and motor vehicle safety. At the initiation of the engineering study local bicycling organizations, the regional member of the state bicycling advisory committee, and the WSDOT bicycle and pedestrian program manager shall be notified of the study for review and comment. Positioning and spacing of the markers in such cases must be determined by engineering judgment taking into consideration their effect on bicycle, pedestrian, and motor vehicle safety. Other applications of raised or recessed pavement markers along right edge lines of arterials are considered to be nonconforming to this section. Cities and counties shall remove nonconforming raised pavement markings at the time that they prepare to resurface roadways, or earlier at their option.

These standards shall be in effect, as provided in this section, unless the legislative authority of the local govern

mental body finds that special circumstances exist affecting vehicle and pedestrian safety that warrant a site-specific variance to the standard.

[Statutory Authority: Chapter 34.05 RCW and RCW 47.36.030. 93-17-018 (Order 137), § 468-95-035, filed 8/10/93, effective 9/10/93.]

WAC 468-95-037 Stop line locations. The third paragraph of MUTCD Section 3B-17 is revised as follows:

Stop lines, where used, should ordinarily be placed four feet in advance of and parallel to the nearest crosswalk line. In the absence of a marked crosswalk, the stop line should be placed at the desired stopping point, in no case less than four feet from the nearest edge of the intersecting roadway.

[Statutory Authority: Chapter 34.05 RCW and RCW 47.36.030. 93-17-018 (Order 137), § 468-95-037, filed 8/10/93, effective 9/10/93.]

Chapter 468-300 WAC STATE FERRIES AND TOLL BRIDGES

WAC

468-300-010	Ferry passenger tolls.
468-300-020	Vehicle under 20', motorcycle, and stowage ferry tolls.
468-300-040	Oversize vehicle ferry tolls.
468-300-700	Preferential loading.

WAC 468-300-010 Ferry passenger tolls.

Effective 03:00 a.m. October 10, 1993

ROUTES	Full Fare	Half Fare	Frequent User Ticket Book 20 Rides ¹	Bicycle Surcharge ²
Via Passenger-Only Ferry				
*Seattle-Vision				
*Seattle-Southworth	3.30	1.65	19.80	N/C
*Seattle-Bremerton				
Via Auto Ferry				
*Fauntleroy-Southworth				
*Seattle-Bremerton				
*Seattle-Winslow	3.30	1.65	19.80	0.50
*Edmonds-Kingston				
Port Townsend-Keystone	1.65	0.85	19.80	0.25
*Fauntleroy-Vashon				
*Southworth-Vashon	2.15	1.10	12.90	0.50
*Pt. Defiance-Tahlequah				
*Mukilteo-Clinton				
*Anacortes to Lopez Shaw, Orcas or Friday Harbor	4.65	2.35	27.90	2.50
Anacortes to Sidney and Sidney to all destinations	6.05	3.05	N/A	4.00
Between Lopez, Shaw, Orcas and Friday Harbor ³	N/C	N/C	N/C	N/C
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	2.25	1.25	N/A	1.50

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

State Ferries and Toll Bridges

468-300-010

FREQUENT USER TICKETS - Shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage.

BICYCLE SURCHARGE - Is an addition to the appropriate passenger fare.

INTER-ISLAND FARES - Passenger fares included in Anacortes tolls.

HALF FARE - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

SENIOR CITIZENS - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route where passenger fares are collected.

NOTE: Half fare does not include vehicle.

DISABLED - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes disability at time of travel. In addition, those persons with disabilities who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Disability Travel Permit and such endorsement shall allow the attendant to travel free.

BUS PASSENGERS - Passengers traveling on public transit buses pay the applicable fare. Passengers traveling in private or commercial buses will be charged the half-fare rate.

MEDICARE CARD HOLDERS - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare tolls on any route upon presentation of a WSF Disability Travel Permit or a Regional Reduced Fare Permit at time of travel.

NOTE: Half-fare privilege does not include vehicle.

FERRY/TRANSIT PASS - A combination ferry-transit monthly pass may be available for a particular route when determined by Washington state ferries and a local public transit agency to be a viable fare instrument. The WSF portion of the fare is based on 21 days of passenger travel at a 50% discount.

PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

SCHOOL GROUPS - Passengers traveling in authorized school groups for institution-sponsored activities will be charged a flat rate of \$1 per walk-on group or per vehicle of students and/or advisors and staff. Walk-on groups and private vehicles require letter of authorization. Vehicles and drivers will be charged at fare applicable to vehicle size. The special school rate is \$2 on routes where one-point toll systems are in effect.

NOTE: The school group rate is not available on the Anacortes-Sidney B.C. route during the peak season.

[Statutory Authority: RCW 47.56.030 and 47.60.326. 93-18-005, § 468-300-010, filed 8/19/93, effective 9/19/93; 92-18-005, § 468-300-010, filed 8/20/92, effective 9/20/92; 91-18-022 (Order 72), § 468-300-010, filed 8/27/91, effective 9/27/91; 89-14-052 (Order 67, Resolution No. 354), § 468-300-010, filed 6/30/89; 89-04-014 (Order 66, Resolution No. 343), § 468-300-010, filed 1/23/89, effective 7/1/89; 87-12-005 (Order 61, Resolution No. 298), § 468-300-010, filed 5/21/87. Statutory Authority: RCW 47.60.290, 47.60.300 and 47.60.326. 86-24-009 (Order 59, Resolution No. 287), § 468-300-010, filed 11/21/86. Statutory Authority: RCW 47.60.326. 86-06-010 (Order 54, Resolution No. 263), § 468-300-010, filed 2/21/86; 85-11-007 (Order 44, Resolution No. 241), § 468-300-010, filed 5/3/85; 84-11-052 (Order 42, Resolution Nos. 221 and 222), § 468-300-010, filed 5/17/84; 84-10-002 (Order 41, Resolution No. 218), § 468-300-010, filed 4/20/84; 83-07-062 (Order 33, Resolution No. 175), § 468-300-010, filed 3/22/83; 82-07-063 (Order 28, Resolution No. 143), § 468-300-010, filed 3/22/82. Statutory Authority: RCW 47.60.325 and 47.56.030. 81-15-099 (Order 23, Resolution No. 117), § 468-300-010, filed 7/22/81. Statutory Authority: RCW 47.60.325. 81-08-044 (Order 17, Resolution No. 104), § 468-300-010, filed 3/31/81; 80-16-012 (Order 16, Resolution No. 90), § 468-300-010, filed 10/27/80; 80-04-104 (Order 15, Resolution No. 72), § 468-300-010, filed 4/1/80; 79-09-136 (Order 11, Resolution No. 57), § 468-300-010, filed 9/5/79; 79-04-047 (Order 6, Resolution No. 44), § 468-300-010, filed 3/27/79; 78-06-040 (Order 2, Resolution No. 21), § 468-300-010, filed 5/19/78.]

WAC 468-300-020 Vehicle under 20', motorcycle, and stowage ferry tolls.

Effective 03:00 a.m. October 10, 1993

ROUTES	Vehicle					
	Vehicle Under 20' Incl. Driver One Way	Under 20' w/ Sr. Citizen or Disabled Driver	Vehicle Under 20' Over Height Surchage	Frequent User Ticket book 20 Rides	One Way	Motorcycle/Stowage Incl. Driver Frequent User Ticket book 20 Rides
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Port Townsend-Keystone Edmonds-Kingston	5.55	4.75	3.35	88.80	2.45	39.20
*Fauntleroy-Vashon *Southworth-Vashon *Pt. Defiance-Tahlequah	7.50	6.45	4.50	60.00	3.20	25.60
Mukilteo-Clinton	3.75	3.20	2.25	60.00	1.60	25.60
10 Rides						
*Anacortes to Lopez	11.60	9.30	6.95	46.40	6.05	48.40
*Shaw, Orcas	13.85	11.55	8.30	55.40	6.50	52.00
*Friday Harbor	15.85	13.55	9.50	63.40	6.90	55.20

Anacortes to Sidney and Sidney to all destinations	26.05	23.05	15.65	N/A	10.05	N/A
Between Lopez, Shaw, Orcas and Friday Harbor@	6.50	6.50	4.00	26.00	1.75	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	13.25	12.25	8.00	N/A	4.50	N/A

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

SIZE - All vehicles up to 20' in length and under 7'6" in height shall pay the vehicle under 20' toll. Vehicles up to 20' in length but over 7'6" in height shall pay a height surcharge of 60% of the vehicle full fare. Upon presentation of a WSF Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes disability, the height surcharge will be waived for vehicles equipped with wheel chair lift or other mechanism designed to accommodate the person with disability.

FREQUENT USER TICKETS - Shall be valid only for 90 days from date of purchase after which time the ticket shall not be accepted for passage.

INTER-ISLAND FARES - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for inter-island travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.

SENIOR CITIZEN OR DISABLED DRIVER - Half fare discount applies to driver portion of the vehicle fare and only when the driver is eligible.

VANPOOLS - A commuter vanpool which carries five or more persons on a regular expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for one year valid only during the hours shown on the permit. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The \$10.00 fee shall include the driver. Remaining passengers shall pay the applicable passenger fare. Except that the minimum total paid for all passengers in the van shall not be less than four times the applicable passenger fare.

STOWAGE - Stowage carry-on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.

PEAK SEASON SURCHARGE - A 20% surcharge shall be applied effective the second Sunday in May through the second Sunday in October to all vehicles except those using frequent user tickets.

PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.

PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

[Statutory Authority: RCW 47.56.030 and 47.60.326. 93-18-005, § 468-300-020, filed 8/19/93, effective 9/19/93; 92-18-005, § 468-300-020, filed 8/20/92, effective 9/20/92; 91-18-022 (Order 72), § 468-300-020, filed 8/27/91, effective 9/27/91; 89-14-052 (Order 67, Resolution No. 354), § 468-300-020, filed 6/30/89; 89-04-014 (Order 66, Resolution No. 343), § 468-300-020, filed 1/23/89, effective 7/1/89; 87-12-005 (Order 61, Resolution No. 298), § 468-300-020, filed 5/21/87. Statutory Authority: RCW 47.60.326. 86-06-010 (Order 54, Resolution No. 263), § 468-300-020, filed 2/21/86; 85-11-007 (Order 44, Resolution No. 241), § 468-300-020, filed 5/3/85; 84-11-052 (Order 42, Resolution Nos. 221 and 222), § 468-300-020, filed 5/17/84; 84-10-002 (Order 41, Resolution No. 218), § 468-300-020, filed 4/20/84; 83-07-062 (Order 33, Resolution No. 175), § 468-300-020, filed 3/22/83; 82-07-063 (Order 28, Resolution No. 143), § 468-300-020, filed 3/22/82. Statutory Authority: RCW 47.60.325 and 47.56.030. 81-15-099 (Order 23, Resolution No. 117), § 468-300-020, filed 7/22/81. Statutory Authority: RCW 47.60.325. 81-08-044 (Order 17, Resolution No. 104), § 468-300-020, filed 3/31/81; 80-04-104 (Order 15, Resolution No. 72), § 468-300-020, filed 4/1/80; 79-09-136 (Order 11, Resolution No. 57), § 468-300-020, filed 9/5/79; 79-04-047 (Order 6, Resolution No. 44), § 468-300-020, filed 3/27/79; 78-06-040 (Order 2, Resolution No. 21), § 468-300-020, filed 5/19/78.]

WAC 468-300-040 Oversize vehicle ferry tolls.

Effective 03:00 a.m. October 10, 1993

ROUTES	Oversize Vehicle Ferry Tolls ¹						Cost Per Ft. Over 80'
	Overall Unit Length - Including Driver						
	20' To Under 30'	30' To Under 40'	40' To Under 50'	50' To Under 60'	60' To Under 70'	70' To and Include 80'	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Port Townsend-Keystone Edmonds-Kingston	13.30	17.75	24.30	29.15	38.85	44.40	0.55
*Fauntleroy-Vashon *Southworth-Vashon *Pt. Defiance-Tahlequah	18.00	24.00	34.30	39.40	52.50	60.00	0.75

State Ferries and Toll Bridges

468-300-040

Mukilteo-Clinton	9.00	12.00	16.40	19.70	26.25	30.00	0.40
*Anacortes to Lopez ²							
*Shaw, Orcas	33.25	44.30	60.60	72.70	96.95	110.80	1.40
*Friday Harbor							
Anacortes to Sidney and Sidney to all destinations	48.85	65.15	81.40	97.70	145.90	166.70	2.10
Between Lopez, Shaw, Orcas and Friday Harbor ³ @	14.00	14.00	14.00	55.00	55.00	55.00	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	24.75	33.00	41.50	49.75	74.25	84.75	1.00

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

¹OVERSIZE VEHICLES - Includes all vehicles 20 feet in length and longer regardless of type: Commercial trucks, recreational vehicles, vehicles under 20' pulling trailers, etc. Length shall include vehicle and load to its furthest extension. Overheight charge is included in oversize vehicle toll. Vehicles which are 11 feet in width or wider pay double the fare applicable to their length. Private and commercial passenger buses or other passenger vehicles pay the applicable oversize vehicle tolls. Public transit buses shall travel free upon display of an annual permit which may be purchased for \$10.

PEAK SEASON SURCHARGE - A 20% surcharge shall be applied effective the second Sunday in May through the second Sunday in October to all vehicles except those using frequent user tickets.

²STOPOVERS - Tolls collected westbound only. Oversize vehicles traveling westbound from Anacortes may purchase a single intermediate stopover ticket for \$2.50 when first purchasing the appropriate vehicle fare. The stopover is valid for a 24-hour period.

³INTER-ISLAND - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for interisland travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.

SENIOR CITIZEN DISCOUNTS - Discounts of 50% for the driver of the above vehicles shall apply. Senior citizen discount is determined by subtracting full-fare passenger rate and adding half-fare passenger rate.

PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.

DISCOUNT FROM REGULAR TOLL

Oversize vehicles making 12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 20% discount from the regular ferry tolls.

EMERGENCY TRIPS DURING NONSERVICE HOURS - While at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

BULK NEWSPAPERS - Per 100 lbs. \$2.20

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

EXPRESS SHIPMENTS - A flat handling charge of \$25.00 per parcel is charged.

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight that can easily be handled by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier

assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled at \$5.00 per parcel.

MEDICAL SUPPLIES - A flat handling charge of \$5.00 per shipment is charged.

DISCLAIMER - Under no circumstances does Washington state ferries warrant the availability of ferry service at a given date or time; nor does it warrant the availability of space on board a vessel on a given sailing.

[Statutory Authority: RCW 47.56.030 and 47.60.326. 93-18-005, § 468-300-040, filed 8/19/93, effective 9/19/93; 92-18-005, § 468-300-040, filed 8/20/92, effective 9/20/92; 91-18-022 (Order 72), § 468-300-040, filed 8/27/91, effective 9/27/91; 89-14-052 (Order 67, Resolution No. 354), § 468-300-040, filed 6/30/89; 89-04-014 (Order 66, Resolution No. 343), § 468-300-040, filed 1/23/89, effective 7/1/89; 87-12-005 (Order 61, Resolution No. 298), § 468-300-040, filed 5/21/87. Statutory Authority: RCW 47.60.290, 47.60.300 and 47.60.326. 86-24-009 (Order 59, Resolution No. 287), § 468-300-040, filed 11/21/86. Statutory Authority: RCW 47.60.326. 86-06-010 (Order 54, Resolution No. 263), § 468-300-040, filed 2/21/86; 85-11-007 (Order 44, Resolution No. 241), § 468-300-040, filed 5/3/85; 84-11-052 (Order 42, Resolution Nos. 221 and 222), § 468-300-040, filed 5/17/84; 83-07-062 (Order 33, Resolution No. 175), § 468-300-040, filed 3/22/83; 82-18-009 (Order 29, Resolution No. 153), § 468-300-040, filed 8/20/82; 82-07-063 (Order 28, Resolution No. 143), § 468-300-040, filed 3/22/82. Statutory Authority: RCW 47.60.325 and 47.56.030. 81-15-099 (Order 23, Resolution No. 117), § 468-300-040, filed 7/22/81. Statutory Authority: RCW 47.60.325. 81-08-044 (Order 17, Resolution No. 104), § 468-300-040, filed 3/31/81; 80-04-104 (Order 15, Resolution No. 72), § 468-300-040, filed 4/1/80; 79-09-136 (Order 11, Resolution No. 57), § 468-300-040, filed 9/5/79; 79-04-047 (Order 6, Resolution No. 44), § 468-300-040, filed 3/27/79; 78-06-040 (Order 2, Resolution No. 21), § 468-300-040, filed 5/19/78.]

WAC 468-300-700 Preferential loading. In order to protect public health, safety and commerce; to encourage more efficient use of the ferry system; and to reduce dependency on single occupant private automobiles:

(1) Preferential loading privileges on vessels operated by Washington state ferries, exempting vehicles from the standard first-come first-served rule, shall be granted in the order set forth below, to:

(a) Emergency vehicles involved in or returning from their particular operations, and medical personnel traveling to unscheduled emergency calls (but not when returning from such calls, and not when traveling to or from their place of employment or to or from operations or procedures, whether emergency or not, which are scheduled enough in advance to allow ferry travel without preferential loading);

(b) Vehicles transporting persons with severe illnesses or severe disabilities such that the delay in loading which would otherwise cause health risks to those persons;

(c) Public or pupil transportation vehicles owned or operated by public or private transportation operators providing transit or charter service under a certificate of public convenience and necessity issued by the utilities and transportation commission of the state of Washington or owned and operated by a local school district or private school system;

(d) Commuter vanpools which are certified in the manner set forth in WAC 468-300-020;

(e) Commuter car pools which shall consist of a minimum number of persons as determined by ferry system management; and such minimum number shall in no case be less than three; and a formal registration system may be required by ferry system management;

(f) Vehicles carrying livestock and traveling on routes where Washington state ferries is the only major access for land-based traffic, where such livestock (i) is raised for commercial purposes and is recognized by the department of agriculture, county agriculture soil and conservation service as raised on a farm; or (ii) is traveling to participate in a 4H event sanctioned by the county extension agent;

(g) Commercial vehicles traveling on routes where Washington state ferries is the only major access for land-based traffic, provided that the vehicles are carrying whole-sale perishable article(s) of commerce to be bought or sold in commercial activity or to be used in the production of other such articles;

(h) Overweight or oversize vehicles requiring transport at special times due to tidal conditions, vessel assignments, or availability of space.

(2) Such preferential loading privileges shall be subject to the following conditions:

(a) Privileges shall be granted only where physical facilities are deemed by ferry system management to be adequate to allow granting the privilege and achieving an efficient operation;

(b) Documentation outlining qualifications for preferential loading and details of travel will be required in advance from all agencies, companies, or individuals requesting such privileges;

(c) Privileges may be limited to specified time periods as determined by ferry system management;

(d) Privileges may require a minimum frequency of travel, as determined by ferry system management;

(e) Privileges may be limited to a specific number of vehicle spaces for any one sailing; and,

(f) Privileges may require arriving at the ferry terminal a specified time prior to the scheduled sailing.

(3) To obtain more information about the documentation required and conditions imposed under subsection (2) of this section, call Washington state ferries' general information number, (206) 464-6400, or a terminal on a route for which the preferential boarding right is requested.

[Statutory Authority: RCW 47.56.030 and 47.60.326. 93-18-006, § 468-300-700, filed 8/19/93, effective 9/19/93; 87-12-005 (Order 61, Resolution No. 298), § 468-300-700, filed 5/21/87. Statutory Authority: RCW 47.60.326. 86-16-011 (Order 55, Resolution No. 273), § 468-300-700, filed 7/25/86. Statutory Authority: RCW 47.60.140. 80-09-056 (Order 57), § 468-300-700, filed 7/15/80.]

Title 478 WAC

UNIVERSITY OF WASHINGTON

Chapters

478-116 Parking and traffic regulations of the University of Washington.

478-355 Small works roster.

Chapter 478-116 WAC

PARKING AND TRAFFIC REGULATIONS OF THE UNIVERSITY OF WASHINGTON

WAC

478-116-370	Recall of permits.
478-116-400	Refund conditions.
478-116-410	Repealed.
478-116-420	Repealed.
478-116-430	Repealed.
478-116-440	Citation for violation.
478-116-450	Election to pay fine or contest citation.
478-116-460	Presiding and reviewing officer.
478-116-470	Repealed.
478-116-480	Repealed.
478-116-490	Repealed.
478-116-500	Repealed.
478-116-510	Repealed.
478-116-511	Repealed.
478-116-520	Fines and penalties.
478-116-530	Repealed.
478-116-540	Enforcement of decisions of citation hearing office.
478-116-550	Registered owner responsible for illegal parking.
478-116-560	Repealed.
478-116-582	Impoundment for failure to pay fines.
478-116-586	Impoundment of abandoned vehicles.
478-116-588	Notice and redemption of impounded vehicles.
478-116-589	Election to contest impoundment.
478-116-601	Fines and penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

478-116-410	Establishment of court and appointment of judges. [Order 75-2, § 478-116-410, filed 6/4/75.] Repealed by 93-14-130, filed 7/7/93, effective 8/7/93. Statutory Authority: RCW 28B.20.130 and 28B.10.560.
478-116-420	Compensation for judges not based on fines. [Order 75-2, § 478-116-420, filed 6/4/75.] Repealed by 93-14-130, filed 7/7/93, effective 8/7/93. Statutory Authority: RCW 28B.20.130 and 28B.10.560.
478-116-430	Jurisdiction of the university parking court. [Statutory Authority: RCW 283.10.300 [28B.10.300]. 89-15-023 (Order 89-1), § 478-116-430, filed 7/13/89, effective 8/13/89; Order 75-2, § 478-116-430, filed 6/4/75.] Repealed by 93-14-130, filed 7/7/93, effective 8/7/93. Statutory Authority: RCW 28B.20.130 and 28B.10.560.
478-116-470	Procedure—Pleas at hearing. [Statutory Authority: RCW 283.10.300 [28B.10.300]. 89-15-023 (Order 89-1), § 478-116-470, filed 7/13/89, effective 8/13/89; Order 75-2, § 478-116-470, filed 6/4/75.] Repealed by 93-14-130, filed 7/7/93, effective 8/7/93. Statutory Authority: RCW 28B.20.130 and 28B.10.560.
478-116-480	Procedure—Oath or solemn affirmation. [Order 75-2, § 478-116-480, filed 6/4/75.] Repealed by 93-14-130, filed 7/7/93, effective 8/7/93. Statutory Authority: RCW 28B.20.130 and 28B.10.560.
478-116-490	Procedure—Rules of evidence. [Statutory Authority: RCW 283.10.300 [28B.10.300]. 89-15-023 (Order 89-1), § 478-116-490, filed 7/13/89, effective 8/13/89; Order 75-2, § 478-116-490, filed 6/4/75.] Repealed by 93-14-130,