

# Title 479 WAC

## TRANSPORTATION IMPROVEMENT BOARD

(Formerly: Urban Arterial Board)

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**Chapter 479-01 WAC**

**DESCRIPTION OF ORGANIZATION**

**WAC**

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**WAC 479-01-010 Organization of transportation improvement board.** The transportation improvement board is a twenty-one member board, organized under the provisions of chapter 269, Laws of 1995. The board administers the urban arterial trust account program, the transportation improvement account program, small city account program, city hardship assistance program, central Puget Sound public transportation account, public transportation systems account, Intermodal Surface Transportation and Efficiency Act of 1991, surface transportation program state-wide competitive, and evaluates petitions requesting any additions or deletions from the state highway system created and financed under the provisions contained therein. Nineteen members of the board are appointed by the secretary of transportation, with six being city officials, six being county officials, two representatives of public transit systems, a private sector member, a member representing the ports, a member representing nonmotorized transportation, a member representing special needs transportation and two representatives from the department of transportation. One member shall be appointed by the governor. The county road administration engineer, created by RCW 36.78.060 is an ex officio member of the board.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-010, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-010, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-010, filed 10/26/83; Order 31 (part), § 479-01-010, filed 11/8/67.]

**WAC 479-01-020 Time and place of meetings.** Regular public meetings of the board shall be held on the fourth Friday of every month or the third Friday if that Friday is a holiday. Each such regular meeting shall be held at the offices of the board in Olympia, Washington, and begin at the hour of 9:00 a.m. or at such other time and place as designated by the board.

A special meeting of the board may be called by the chairperson or by a majority of the members of the board, by delivering personally or by mail written notice to all other members of the board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which

the meeting is called and the date, hour, and place of such meeting and all provisions of chapter 42.30 RCW shall apply.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-020, filed 1/30/95, effective 3/2/95; 92-12-014, § 479-01-020, filed 5/26/92, effective 6/26/92; 90-11-035, § 479-01-020, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-020, filed 10/26/83; Order 279, § 479-01-020, filed 4/17/73; Order 31 (part), § 479-01-020, filed 11/8/67.]

**WAC 479-01-030 Address of board.** Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Executive Director, Transportation Improvement Board  
Post Office Box 40901  
Olympia, Washington 98504-0901.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-030, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-030, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-030, filed 10/26/83; Order 281, § 479-01-030, filed 5/21/73; Order 31 (part), § 479-01-030, filed 11/8/67.]

**WAC 479-01-040 Definitions.** For purposes of implementing the requirements of RCW 47.26.160 relative to the transportation improvement board, the following definitions shall apply:

- (1) Board - the transportation improvement board.
- (2) Director - the executive director of the transportation improvement board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-040, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-040, filed 5/10/90, effective 6/10/90.]

**WAC 479-01-050 Administration costs.** The board costs for necessary staff services and facilities that are attributable to the urban arterial trust account, small city account, city hardship assistance account, transportation improvement account, central Puget Sound public transportation account and public transportation systems account shall be paid in proportion to the anticipated expenditures of the programs as determined by the biennial appropriation.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-050, filed 10/30/95, effective 11/30/95.]

## Chapter 479-02 WAC

### PUBLIC ACCESS TO INFORMATION AND RECORDS

#### WAC

479-02-010	Purpose.
479-02-020	Definitions.
479-02-030	Exempted records.
479-02-050	Public records officer.
479-02-060	Public records available.
479-02-070	Requests for public records.
479-02-080	Availability for public inspection and copying of public records—Office hours.
479-02-090	Inspection and copying cost.
479-02-100	Protection of public records.
479-02-110	Denial of request.
479-02-120	Review of agency denial.
479-02-130	Records index.
479-02-140	Availability.

**WAC 479-02-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the Washington transportation improvement board with the provisions of RCW 42.17.250 through 42.17.340 dealing with public records.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-010, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-020 Definitions.** (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of fiscal form or characteristic.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing and every other means of recording sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films, magnetic punchcards, discs, drums and other documents.

(3) "Board" means the transportation improvement board.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-020, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-030 Exempted records.** In accordance with RCW 42.17.310, exemptions from public inspection and copying shall include, but not be limited to the following:

(1) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(2) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(3) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(4) Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies, except as the complainant may authorize.

(5) Test questions scoring keys, and other examination data used to administer a license, employment or academic examination.

(6) Except as provided by chapter 8.26 RCW the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(7) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request

for disclosure when disclosure would produce private gain and public loss.

(8) Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(9) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(10) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(11) The residential addresses and residential telephone numbers of the employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

(12) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(13) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for highway construction or improvement.

(14) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily unidentifiable person or persons.

(15) Responses to public records requests shall be made promptly in accordance with RCW 42.17.320.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-030, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-030, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-050 Public records officer.** The transportation improvement board public records shall be in the charge of the confidential secretary who shall be the public records officer for the board. The person so designated shall be officed in the Transportation Improvement Boards office in Olympia, Washington. The public records officer shall be responsible for implementation of the board's rules and regulations regarding release of public records, coordinating staff efforts of the board in this regard and generally ensuring compliance of the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-050, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-060 Public records available.** All public records of the board as defined in WAC 479-02-020 are deemed available for public inspection and copying pursuant to these rules, except as provided in WAC 479-02-030.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-060, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-070 Requests for public records.** Subject to the provisions of subsection (3) of this section, public records are obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

(a) The name of the person requesting the record.

(b) The time of day and calendar date on which the request was made.

(c) If the matter requested is referenced within the current index maintained by the board, a reference to the requested record as it is described in such current index.

(d) If the requested matter is not identifiable by reference to the board's current index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection or copying at the Transportation Improvement Boards office in Olympia, Washington.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the board is also a party or when such a request is made by or on behalf of an attorney for such a party the request shall be referred to the assistant attorney general assigned to the board for appropriate response.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-070, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-070, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-080 Availability for public inspection and copying of public records—Office hours.** Public records shall be available for inspection and copying during the normal business hours of the board. For the purposes of this chapter, the normal office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-080, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-090 Inspection and copying cost.** (1) No fee shall be charged for inspection of public records.

(2) The board shall impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy records; such charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying. Actual costs shall include the labor costs of staff, machine cost and paper cost necessary to provide copies of requested records.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-090, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-100 Protection of public records.** In order to implement the provisions of RCW 42.17.290, requiring agencies to enact reasonable rules to protect public records from damage or disorganization, the following rules have been adopted.

(1) Copying of public documents shall be done by the board personnel and under the supervision of said personnel,

upon the request of members of the public under the procedures set down in WAC 479-02-070.

(2) No document shall be physically removed by a member of the public from the area designated by the board for the public inspection of documents for any reason whatever.

(3) When a member of the public requests to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents which can be identified and supplied by themselves, the board shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure by RCW 42.17.310, is contained therein, and the board shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-100, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-100, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-110 Denial of request.** Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-110, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-110, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-120 Review of agency denial.** Whenever a person objects to a conclusion that a public record is exempt from disclosure, the person may request the attorney general to review the matter in accordance with RCW 42.17.325.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-120, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-120, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-130 Records index.** (1) The board has available for public inspection and copying at its offices in Olympia a current index of the following records:

(a) State legislation and proposed rules and regulations pertaining to board standards.

(b) Those statements of policy and interpretations of policy, statute and bylaws which have been adopted by the board;

(c) Minutes of board meetings;

(d) Resolutions approved by the board;

(e) TIB program guidelines;

(f) Program reports and publications;

(g) Budgets and expenditures;

(h) TIB project administration and accounting files.

(2) A system of indexing shall be as follows:

(a) The indexing system will be administered by the board's public record officer.

(b) Copies of the index shall be available for public inspection and copying in the manner provided in chapter 479-02 WAC.

(c) The public record officer shall update the index at least once a year and shall revise the index when deemed necessary by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-130, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-130, filed 6/17/91, effective 7/18/91.]

**WAC 479-02-140 Availability.** The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-140, filed 6/17/91, effective 7/18/91.]

## Chapter 479-12 WAC

### SUBMISSION OF PROPOSED URBAN ARTERIAL TRUST ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

#### WAC

479-12-005	Purpose and authority.
479-12-008	Definitions.
479-12-010	Data to be submitted on proposed projects.
479-12-020	Time and place for submission of proposed urban arterial trust account projects.

**WAC 479-12-005 Purpose and authority.** RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the urban arterial trust account program. The intent of the urban arterial trust account program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-005, filed 1/30/95, effective 3/2/95.]

**WAC 479-12-008 Definitions.** For purposes of implementing the requirements of RCW 47.26.185 relative to the urban arterial trust account, the following definitions shall apply:

(1) Board - when board is used in this chapter, it refers to the transportation improvement board.

(2) UATA - this is the abbreviation for the urban arterial trust account.

(3) Director - the executive director of the transportation improvement board.

(4) Eligible agencies - the urban arterial trust account eligible agencies are the counties with urban areas, cities within an urban area, and cities with a population of five thousand or above.

(5) Urban area - the term "urban area" as used for the UATA program refers to the portion of a county within the federal urban area boundary as designated by FHWA.

(6) Eligible projects.

(a) Improvements on federally classified arterials.

(b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.

(c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified

arterial which connects two other federally classified arterials.

(d) A project that is on the federal functional classification system and in an area that is outside of the federal urban boundary, but has definite urban characteristics as defined by local comprehensive plans.

[Statutory Authority: RCW 4.26.086, 47.26.080 and 82.44.180. 96-04-015, § 479-12-008, filed 1/29/96, effective 2/29/96. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-12-008, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-008, filed 1/30/95, effective 3/2/95.]

**WAC 479-12-010 Data to be submitted on proposed projects.** When requested by the board, applications for proposed projects shall be submitted to the board by eligible cities and counties seeking allocation of funds. The application form will be provided by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-12-010, filed 5/10/90, effective 6/10/90; Order 458, § 479-12-010, filed 9/16/77; Order 290, § 479-12-010, filed 7/23/73; Order 170, § 479-12-010, filed 3/19/71; Order 63, § 479-12-010, filed 9/10/68; Resolution No. 14, filed 10/11/67.]

**WAC 479-12-020 Time and place for submission of proposed urban arterial trust account projects.** All project prospectuses submitted by local governments shall be submitted to:

Executive Director, Transportation Improvement Board  
Post Office Box 40901  
Olympia, Washington 98504-0901

Prospectuses for predesign or design phase shall be requested by the board after:

- (1) Submitted project applications have been evaluated as to priority;
- (2) The obligation status of the urban arterial trust account and legislative appropriation authority have been reviewed and capacity to authorize additional projects determined.

Prospectuses for predesign phase or design phase shall be received by the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt is approved by the director.

Prospectuses for the construction phase shall be received by the twentieth day of the month preceding the month in which construction project authorization is proposed unless a later receipt date is approved by the director.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-020, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-12-020, filed 5/10/90, effective 6/10/90; 79-08-139 (Order 79-01, Resolution Nos. 596, 597, 598), § 479-12-020, filed 8/1/79; Order 459, § 479-12-020, filed 9/16/77; Order 290, § 479-12-020, filed 7/23/73; Order 172, § 479-12-020, filed 4/28/71; Order 94, § 479-12-020, filed 5/23/69; Order 27, § 479-12-020, filed 11/8/67; Resolution No. 7, filed 9/12/67.]

**Chapter 479-13 WAC**

**SUBMISSION OF SIX-YEAR PLANS TO TRANSPORTATION IMPROVEMENT BOARD**

**WAC**

- 479-13-010 Six-year transportation programs for urban areas.
- 479-13-011 Priority criteria for urban arterial trust account projects.
- 479-13-025 Six-year financial plan.

- 479-13-035 Value engineering study requirements.
- 479-13-070 Procedures for project approval.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 479-13-015 Project proposals by newly eligible small cities. [Order 376, § 479-13-015, filed 10/15/75.] Repealed by Order 463, filed 9/16/77.
- 479-13-020 Accelerated development urban arterial projects. [Order 188, § 479-13-020, filed 7/13/71.] Repealed by 79-08-139 (Order 79-01, Resolution Nos. 596, 597, 598), filed 8/1/79. Statutory Authority: Chapter 47.26 RCW.
- 479-13-030 1973-75 Accelerated development urban arterial projects. [Order 341, § 479-13-030, filed 10/23/74; Order 290, § 479-13-030, filed 7/23/73.] Repealed by 79-08-139 (Order 79-01, Resolution Nos. 596, 597, 598), filed 8/1/79. Statutory Authority: Chapter 47.26 RCW.
- 479-13-040 1975-77 Accelerated development urban arterial projects. [Order 369, § 479-13-040, filed 8/26/75.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
- 479-13-050 1977-79 Accelerated development urban arterial projects. [Order 464, § 479-13-050, filed 9/16/77.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
- 479-13-060 Procedures for two-phase projects. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-13-060, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-13-060, filed 10/19/87; 84-11-014 (Order 84-01, Resolution Nos. 818 and 819), § 479-13-060, filed 5/9/84; 79-08-139 (Order 79-01, Resolution Nos. 596, 597 and 598), § 479-13-060, filed 8/1/79.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.

**WAC 479-13-010 Six-year transportation programs for urban areas.** The six-year transportation programs of urban area cities and counties required, respectively, by RCW 35.77.010 and 36.81.121 must have proposed urban arterial trust account projects included prior to board approval and shall be consistent with the Growth Management Act, the state and Federal Clean Air Acts, and the Americans with Disabilities Act, where these acts are applicable.

A copy of the six-year transportation program including the proposed projects to be approved shall be submitted to the board along with a copy of the resolution of the city or county adopting such program.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-13-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-13-010, filed 5/10/90, effective 6/10/90; 84-11-014 (Order 84-01, Resolution Nos. 818 and 819), § 479-13-010, filed 5/9/84; Order 462, § 479-13-010, filed 9/16/77; Order 318, § 479-13-010, filed 4/22/74; Order 131, § 479-13-010, filed 3/10/70; Order 65, § 479-13-010, filed 9/10/68.]

**WAC 479-13-011 Priority criteria for urban arterial trust account projects.** The agencies shall evaluate their proposed urban arterial trust account projects by utilizing the following criteria which shall also be utilized by the transportation improvement board to prioritize projects.

- (1) Safety, improvements that will reduce accidents;
- (2) Mobility, improvements to increase mobility;
- (3) Structural condition of the roadway, improvements to the roadway surface;
- (4) Roadway widths, improvements to widen standard lanes and shoulders and adding sidewalks;

(5) Multimodal, improvements for a variety of transportation modes such as transit, bicycle, trucks, etc;

(6) Project cost, improvements with lower cost in relationship to traffic and length;

(7) Other, consideration given to agencies that show initiative to improve their local transportation system in various ways.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-13-011, filed 1/30/95, effective 3/2/95.]

**WAC 479-13-025 Six-year financial plan.** At the beginning of each biennium the board shall update their six-year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration projects approved by the board for the design phase where construction funding approval is pending.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-13-025, filed 1/30/95, effective 3/2/95; 87-21-068 (Order 87-01, Resolution No. 955), § 479-13-025, filed 10/19/87.]

**WAC 479-13-035 Value engineering study requirements.** Value engineering studies shall be required in accordance with the policy adopted by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-13-035, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-13-035, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-13-035, filed 10/19/87.]

**WAC 479-13-070 Procedures for project approval.** Predesign, design proposals and related construction projects authorized by the board for financial assistance from the urban arterial trust account shall be selected for authorization based upon the following factors:

The proposed project scope shall include improvement that will address or mitigate the items for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that which is necessary to address or mitigate the item in the selection process.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project shall be evaluated on the availability and source of matching funds.

(2) Construction prospectuses for projects previously approved for design and right of way funding by the board from the urban arterial trust account shall be required to be accompanied by the following information demonstrating the readiness of the project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency, that an environmental impact analysis has been conducted and an environmental impact statement including the conformity with the state and Federal Clean Air Acts or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year transportation program or the project design prospectus. An explanation and justification for such changes shall also be included.

(f) The board shall consider adjustments to the amount previously requested in accordance with the board's rule on increases in urban arterial trust account funds.

(3) Requests for authorization of funds for construction projects shall be considered in the sequence in which the projects are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence in which the related design phase proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will resubmit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-13-070, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-13-070, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-13-070, filed 10/19/87.]

## Chapter 479-16 WAC REQUIREMENTS FOR URBAN ARTERIAL PROJECT DEVELOPMENT

### WAC

479-16-010	Methods of construction.
479-16-015	Registered engineer in charge.
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479-16-045	Project plantings.
479-16-050	Acquisition of rights of way.
479-16-060	Design standards for transportation improvement board projects.
479-16-080	Apportionment of urban arterial trust account fund to regions.
479-16-085	Funding for pedestrian facilities.
479-16-098	Inclusion of bicycle facilities in transportation improvement board projects.

DISPOSITION OF SECTIONS FORMERLY  
CODIFIED IN THIS CHAPTER

- 479-16-061 Design standards for urban arterials (collector class). [Order 62, § 479-16-061, filed 7/23/68.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
- 479-16-070 Standards for functional classification of urban arterials. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-070, filed 5/10/90, effective 6/10/90; 81-04-015 (Order 81-01, Resolution Nos. 666, 667 and 668), § 479-16-070, filed 1/29/81; Order 457, § 479-16-070, filed 9/16/77; Order 249, § 479-16-070, filed 5/31/72; Order 52, § 479-16-070, filed 7/2/68.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-071 Review of functional classification plans. [Order 457, § 479-16-071, filed 9/16/77; Order 159, § 479-16-071, filed 12/14/70; Order 68, § 479-16-071, filed 9/10/68.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
- 479-16-072 Classification standards for arterials in rural incorporated areas. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-072, filed 5/10/90, effective 6/10/90; 81-04-016 (Order 81-02, Resolution No. 669), § 479-16-072, filed 1/29/81.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-090 Introduction and purpose. [Order 319, § 479-16-090, filed 4/22/74.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-091 Definitions. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-091, filed 5/10/90, effective 6/10/90; Order 319, § 479-16-091, filed 4/22/74.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-092 Conceptual approach to bikeway system designation and development. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-092, filed 5/10/90, effective 6/10/90; Order 319, § 479-16-092, filed 4/22/74.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-094 Criteria for bikeway system designation. [Order 319, § 479-16-094, filed 4/22/74.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
- 479-16-096 Design standards for bikeways. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-096, filed 5/10/90, effective 6/10/90; Order 368, § 479-16-096, filed 8/26/75; Order 319, § 479-16-096, filed 4/22/74.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.

**WAC 479-16-010 Methods of construction.** All construction, except utility and railroad relocations and adjustments and except installation of traffic control devices if accomplished by the personnel of the local governmental unit, done by cities and counties using transportation improvement board funds shall be required to be done by advertisement, competitive bid and contract.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-010, filed 1/30/95, effective 3/2/95; Order 32, § 479-16-010, filed 2/6/68.]

**WAC 479-16-015 Registered engineer in charge.** All projects using transportation improvement board funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-015, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-015, filed 5/10/90, effective

6/10/90; 80-16-013 (Order 80-02, Resolution No. 656), § 479-16-015, filed 10/27/80; Order 34, § 479-16-015, filed 2/6/68.]

**WAC 479-16-016 Certification of completed work.** Each request for payment of board funds during the construction phase shall be certified by the registered engineer in charge that the work has been completed in accordance with plans and specifications.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-016, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-016, filed 5/10/90, effective 6/10/90; Order 34, § 479-16-016, filed 2/6/68.]

**WAC 479-16-020 Standard specifications.** Either *Standard Specifications for Municipal Public Works Construction*, current edition, Washington state chapter, American Public Works Association, or *Standard Specifications for Road and Bridge Construction*, current edition, state of Washington, revised as to form to make reference to local governments, shall be included in any contract entered into by local governments using board funds.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-020, filed 5/10/90, effective 6/10/90; Order 10, § 479-16-020, filed 9/12/67.]

**WAC 479-16-030 Utility and railroad adjustments and relocations.** Utility and railroad adjustments and relocations may be performed by negotiated contract with the owner of those facilities. The administering agency shall review and approve a written statement that includes the items of work and an estimate of cost prepared by the utility or railroad for the work required as a result of the arterial improvement. Updated statements of items of work and estimates of cost may be reviewed and approved by the administering agency. All costs of utility and railroad adjustments, as finally approved by the administering agency, shall be subject to audit. If federal aid highway funds are included in the project, the negotiated contract shall include the applicable provisions of federal highway administration policies and procedures prescribed in 23 CFR 140, 23 CFR 645 and 23 CFR 646, *Federal Aid Policy Guide*.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-030, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-030, filed 5/10/90, effective 6/10/90; Order 160, § 479-16-030, filed 12/14/70; Order 28, § 479-16-030, filed 11/8/67.]

**WAC 479-16-035 Undergrounding utilities.** Board funds may be used in the actual, necessary costs of relocating utility or other service facilities resulting from an approved urban arterial project when:

(1) The local agency administering the project directly incurs such costs; or

(2) The local agency administering the project is obligated by law or by previously established and documented policies and practices for such costs.

Board funds may be used in the costs to underground service connections for street illumination and traffic signal services within the prescribed limits of the approved project.

The board funds used in the actual, necessary costs of relocating utility or other service facilities, other than service connections for street illumination and traffic signal services

within the prescribed limits of the approved project, shall be further limited as follows:

(a) Where a local agency requires that existing overhead facilities be placed underground, board funds shall be limited to the agency's actual cost thereof. The board considers this type of improvements to be aesthetic in nature as is landscaping, therefore, the cost involved in undergrounding the utility facilities, in excess of the estimated cost to relocate them overhead, will be included within the three percent allowance for landscaping costs.

(b) If utility lines or other service facilities are already underground, board funds may be used in the costs of replacing such facilities on an underground basis.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-035, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-035, filed 5/10/90, effective 6/10/90; Order 95, § 479-16-035, filed 5/23/69.]

**WAC 479-16-040 Traffic control devices.** Traffic control devices included in a participating project may be installed by the employees and with the equipment and materials of the local governmental units: *Provided*, That the basis for payment of board funds is reimbursement of the appropriate portion of actual cost of such work, subject to audit.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-040, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-040, filed 5/10/90, effective 6/10/90; Order 33, § 479-16-040, filed 2/6/68.]

**WAC 479-16-045 Project plantings.** Board funds may be used at the appropriate matching ratio in the cost of street tree plantings and the use of other plantings and supporting materials within the project right of way to a maximum of three percent of the total authorized project costs: *Provided*, That requests for increases in the authorized amount of board funds to cover street tree planting and related costs shall be considered jointly with other cost increases and approval of all such requests shall be limited to the amount authorized by WAC 479-20-037 to be approved by the director. Erosion control treatment shall not be considered a part of street tree planting costs.

The three percent limitation for street tree planting and related costs shall not affect the local government's authority to include street tree plantings and the use of other plantings or supporting materials in the arterial project in amounts that exceed the three percent limit provided they are paid for solely with funds other than board supplied funds.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-045, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-045, filed 5/10/90, effective 6/10/90; Order 233, § 479-16-045, filed 2/22/72; Order 80, § 479-16-045, filed 1/21/69.]

**WAC 479-16-050 Acquisition of rights of way.** Right of way for board funded projects shall be acquired in accordance with chapter 468-100 WAC.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-16-050, filed 5/10/90, effective 6/10/90; Order 173, § 479-16-050, filed 4/28/71; Order 17, § 479-16-050, filed 10/11/67.]

**WAC 479-16-060 Design standards for transportation improvement board projects.** All transportation

improvement board funded projects shall be prepared using currently applicable design standards.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-060, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-060, filed 5/10/90, effective 6/10/90; 81-16-066 (Order 81-03, Resolution No. 686), § 479-16-060, filed 8/4/81; Order 460, § 479-16-060, filed 9/16/77; Order 67, § 479-16-060, filed 9/10/68; Order 9, § 479-16-060, filed 9/12/67.]

**WAC 479-16-080 Apportionment of urban arterial trust account fund to regions.** Beginning 1995, every four years, the board shall determine the distribution formula to apportion unobligated arterial trust account funds to each urban region. The distribution formula shall be defined in the following manner:

(1) One-third in the ratio which the population of the urban areas of each region bears to the total population of all of the urban areas of the state as last determined by the office of financial management;

(2) One-third in the ratio the vehicle to mile ratio traveled on the classified arterial system prescribed in RCW 47.26.180, within the urban areas of each region bears to the total vehicle to mile ratio traveled on all classified urban arterial systems;

(3) One-third in the ratio which the city and county urban arterial needs within the urban areas of each region bears to the total urban arterial needs on city and county urban arterials within all urban areas of the state as last revised by the board.

The distribution of funds within each region shall be administered so as to permit complete urban arterial trust account projects in each arterial classification to be authorized and funded.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-080, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-080, filed 5/10/90, effective 6/10/90; 85-15-073 (Order 85-02, Resolution No. 886), § 479-16-080, filed 7/22/85; 81-04-015 (Order 81-01, Resolution Nos. 666, 667 and 668), § 479-16-080, filed 1/29/81; Order 457, § 479-16-080, filed 9/16/77; Order 189, § 479-16-080, filed 7/13/71; Order 75, § 479-16-080, filed 10/10/68.]

**WAC 479-16-085 Funding for pedestrian facilities.** The board may set aside a percentage of urban arterial trust account funds to be used for the improvement or construction of pedestrian facilities.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-085, filed 1/30/95, effective 3/2/95.]

**WAC 479-16-098 Inclusion of bicycle facilities in transportation improvement board projects.** If an eligible agency has a project funded by transportation improvement board funds that includes the construction of bicycle facilities, the agency shall submit their bikeway plan to the board in map form along with the agency's verification that the plan has been:

(1) Integrated with existing "user designated," as well as officially designated bikeways.

(2) Integrated with bikeways of adjacent units and levels of government.

(3) Reviewed with, and approved by, the agency's legislative body.

The total bikeway plan of the agency shall identify separately arterial bikeways, as previously defined, that



would be desired to be improved in conjunction with an arterial construction project.

The board shall notify the submitting city or county of its concurrence in the bikeway plan after such plan has been reviewed and found to be reasonable in relation to the rules adopted by the board. The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards shown in Chapter 1020 of the *Washington Department of Transportation Design Manual*.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-16-098, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-16-098, filed 5/10/90, effective 6/10/90; Order 319, § 479-16-098, filed 4/22/74.]

### Chapter 479-20 WAC

#### FINANCIAL AND PAYMENT REQUIREMENTS

##### WAC

479-20-007	Matching ratios for urban arterial trust account funds.
479-20-010	Reimbursable costs.
479-20-011	Reimbursable costs for engineering.
479-20-013	Direct costs.
479-20-016	Indirect costs.
479-20-020	Partial or progress payments for project costs.
479-20-025	Record requirements.
479-20-027	Audits of urban arterial project records.
479-20-031	Expenditure schedule of urban arterial trust account funds.
479-20-037	Procedure to request increase in board funds.
479-20-086	Review of delayed projects.
479-20-089	Recovery of urban arterial trust funds on canceled projects.
479-20-095	Identification and consideration of surplus funds on authorized urban arterial trust account projects.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-20-005	Matching ratios for cities and counties. [Order 96, § 479-20-005, filed 5/23/69.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
479-20-030	Estimate of expenditures and demand for funds. [Resolution No. 15, filed 10/11/67.] Repealed by Order 49, filed 5/6/68.
479-20-032	Updated estimates of total requested urban arterial trust fund participation. [Order 66, § 479-20-032, filed 9/10/68; Order 50, § 479-20-032, filed 5/6/68.] Repealed by Order 98, filed 7/15/69.
479-20-033	Procedure for requesting an increase in authorized amount of urban arterial trust funds. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-20-033, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-20-033, filed 10/19/87; 81-04-015 (Order 81-01, Resolution Nos. 666, 667 and 668), § 479-20-033, filed 1/29/81; 79-08-139 (Order 79-01, Resolution Nos. 596, 597 and 598), § 479-20-033, filed 8/1/79; Order 461, § 479-20-033, filed 9/16/77; Order 217, § 479-20-033, filed 1/19/72; Order 98, § 479-20-033, filed 7/15/69.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
479-20-035	Procedure when an increase in cost is indicated. [Order 66, § 479-20-035, filed 9/10/68; Order 50, § 479-20-035, filed 5/6/68.] Repealed by Order 98, filed 7/15/69.
479-20-036	Consideration of requests for an increase in authorized amount of urban arterial trust funds. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-20-036, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-20-036, filed 10/19/87; 80-16-006 (Order 80-01, Resolution No. 643), § 479-20-036, filed 10/24/80; 80-10-013 (Order 80-01, Resolution No. 643), § 479-20-036, filed 7/29/80; Order 461, § 479-20-

479-20-040	036, filed 9/16/77; Order 98, § 479-20-036, filed 7/15/69.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
479-20-045	Updated estimates of total requested urban arterial trust fund participation. [Order 50, § 479-20-040, filed 5/6/68.] Repealed by Order 66, filed 9/10/68.
479-20-050	Approval of requests for increased urban arterial trust fund participation. [Order 50, § 479-20-045, filed 5/6/68.] Repealed by Order 66, filed 9/10/68.
479-20-050	Requests for major increases in urban arterial trust fund participation. [Order 50, § 479-20-050, filed 5/6/68.] Repealed by Order 66, filed 9/10/68.
479-20-060	Annexations involving approved urban arterial projects. [Order 218, § 479-20-060, filed 1/19/72; Order 53, § 479-20-060, filed 7/2/68.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
479-20-070	Incorporations involving approved urban arterial projects. [Order 219, § 479-20-070, filed 1/19/72; Order 64, § 479-20-070, filed 9/10/68.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
479-20-075	Emergent nature urban arterial trust account projects. [Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-20-075, filed 5/10/90, effective 6/10/90; Order 171, § 479-20-075, filed 4/28/71; Order 97, § 479-20-075, filed 7/15/69.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
479-20-080	Urban arterial board approved schedule for project development. [Order 217, § 479-20-080, filed 1/19/72; Order 151, § 479-20-080, filed 7/20/70.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
479-20-083	Unacceptable reasons for delay of authorized urban arterial projects. [Statutory Authority: Chapter 47.26 RCW. 79-08-139 (Order 79-01, Resolution Nos. 596, 597 and 598), § 479-20-083, filed 8/1/79; Order 151, § 479-20-083, filed 7/20/70.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.

**WAC 479-20-007 Matching ratios for urban arterial trust account funds.** Urban arterial trust account funds for local agency arterial projects shall be matched in accordance with the following scheduled percentage of the total project cost.

City with a population from 5,000 to 9,999 or a 3rd Class county or smaller - 10% match

City with a population from 10,000 to 14,999 or a 1st or 2nd Class county - 15% match

City with a population from 15,000 and up or a Class AA county and over - 20% match

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-007, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-007, filed 5/10/90, effective 6/10/90.]

**WAC 479-20-010 Reimbursable costs.** Project costs eligible for reimbursement from the account shall be those proper and allowable costs incurred on a project after the project is authorized by the board except as provided by the following:

Reimbursement of right of way acquisition costs are eligible within the design phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the account.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-010, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-20-010, filed 10/19/87; 79-08-139 (Order 79-01, Resolution Nos. 596, 597 and 598), §

479-20-010, filed 8/1/79; Order 290, § 479-20-010, filed 7/23/73; Order 8, § 479-20-010, filed 9/10/67.]

**WAC 479-20-011 Reimbursable costs for engineering.** Design and construction engineering costs eligible for reimbursement shall be limited to twenty-five percent of the approved contract bid amount including adjustments for change orders and actual quantity amounts during construction and agency force construction. Agency costs for value engineering and other special studies and right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-011, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-011, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-20-011, filed 10/19/87.]

**WAC 479-20-013 Direct costs.** Direct costs eligible for board participation are those costs which are directly attributable to a specific project and shall include:

(1) Direct labor (engineering and/or construction) including related employee benefits:

(a) Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating unit involved) for periods of time, actively or incidentally engaged in (i) predesign engineering, (ii) design engineering, (iii) construction engineering, (iv) acquisition of rights of way, and (v) actual construction activities are considered a direct cost of construction projects. The cost of services rendered by employees generally classified as administrative are considered a direct cost only when such employees are assigned for short periods of time to perform on a full time basis the types of services described above and when similar procedures are followed for nonboard projects.

(b) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (i) F.I.C.A. (Social Security) - employer's share
- (ii) Retirement benefits
- (iii) Hospital, health, dental and other welfare insurance
- (iv) Life insurance
- (v) Industrial and medical insurance
- (vi) Vacation
- (vii) Holiday
- (viii) Sick leave
- (ix) Military leave and jury duty

Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations.

- (2) Contract engineering services
- (3) Right of way acquisition costs including:

- (a) Purchase of land and easements acquired for and devoted to the project;
- (b) Purchase of improvements;
- (c) Adjustment or reestablishment of improvements;
- (d) Salaries, expenses or fees of appraisers, negotiators or attorneys;
- (e) Removal or demolition of improvement;

(f) Other direct costs in connection with the acquisition. Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.

(4) Contract construction work, and/or capital equipment acquisition approved by the board.

(5) Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county owned equipment, at the rental rates established by the city's or county's "equipment rental and revolving fund" following the methods prescribed by the division of audit: *Provided*, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities with a population of 8,000 or less which may not use this type of fund shall be allowed the same rates as used by the department of transportation.

(6) Direct materials and supplies. The cost of materials used in projects shall be based upon methods prescribed for the "equipment rental and revolving fund" by the division of audit.

(a) An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.

(b) The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs. Any material which may be salvaged in connection with a project shall be assigned a reasonable value and considered a reduction of direct costs.

(7) Interdepartmental charges for work performed by county or city departments, other than the road or street department, for the benefit of specific construction projects shall be limited to direct costs plus an allocation of indirect costs based upon 10% of direct labor dollars, excluding employee benefits. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to nonboard projects; however, this rate shall not exceed the indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs includable in the total interdepartmental charges.

(8) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by board funds and may include, but shall not be limited to, such items as:

- (a) Telephone charges
- (b) Reproduction and photogrammetry costs
- (c) Computer usage
- (d) Printing and advertising.

[Statutory Authority: RCW 4.26.086, 47.26.080 and 82.44.180. 96-04-015, § 479-20-013, filed 1/29/96, effective 2/29/96. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-013, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-013, filed 5/10/90, effective 6/10/90; Order 250, § 479-20-013, filed 5/31/72; Order 78, § 479-20-013, filed 1/21/69.]

**WAC 479-20-016 Indirect costs.** Indirect costs incurred by a local government for common or joint objec-

tives which include an authorized board funded project, and which are not included in those direct costs set forth and defined in WAC 479-20-013, shall be eligible for board fund participation on a particular project at a rate not to exceed ten percent of direct labor costs, excluding employee benefits, expended by the local government on that project.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-016, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-016, filed 5/10/90, effective 6/10/90; Order 78, § 479-20-016, filed 1/21/69.]

**WAC 479-20-020 Partial or progress payments for project costs.** Participation and payment of board funds to counties and cities shall be governed by the following:

(1) Board participation. Board funds shall not participate in any cost which is not incurred in conformity with all applicable federal and state law and the rules, regulations and procedures as may be prescribed by the board promulgated in conformity with the statutes.

(2) Project agreements. Projects for which board funds are requested by the eligible agencies and for which the board has allocated funds will be the subject of a project agreement to be entered into by the eligible agency with the board evidencing acceptance of the conditions to payment of funds, as prescribed by laws and regulations, and the amount of funds to be obligated.

(3) Changes in project work and cost. No material change in the termini, character, or scope of the work on an approved project shall be made without prior concurrence in such changes by the board.

(4) Payments. Eligible agencies are to submit requests for payment of funds claimed to be due on approved projects. Such requests are to be on forms prescribed by the board, and shall be certified and accompanied by supporting data as may be required by the board. Requests for payment may be submitted from time to time as the work progresses and final requests shall be submitted within six months of contract completion. Payment of TIB funds shall at no time exceed the board's share of the project costs incurred to the date of the payment request.

(5) Compliance with laws and regulations. If an eligible agency has failed to comply with laws and regulations with respect to a project, payment of funds may be withheld on such projects, or approval of additional projects may be withheld until compliance or remedial action has been accomplished by the eligible agency to the satisfaction of the board.

(6) Progress payments. Progress payments for project costs shall be limited to the board's percentage share of the costs for project development incurred to the date of the payment request: *Provided*, That in all projects where the total project cost exceeds the amount of authorized board funds, there shall be imposed a limitation on progress payments in order that the percentage of board fund progress payments in relation to total progress costs as of each payment request date shall not exceed the percentage determined by dividing the total authorized amount of board funds by the most recently determined total project cost.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-020, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-020, filed 5/10/90, effective 6/10/90; Order 217, § 479-20-020, filed 1/19/72; Order 77, § 479-20-020, filed 1/21/69; Resolution No. 16, filed 10/11/67.]

**WAC 479-20-025 Record requirements.** All eligible agencies requesting payment of board funds on authorized projects shall have procedures in effect that will provide adequate assurance that payments requested are proper and accurate:

(1) Quantities of complete construction contract work shall be supported by all related source documents upon which payment to the contractor is based. These source documents shall include, but shall not be limited to, tickets for items measured on a weight or volume basis, cross section notes, inspector's diaries, engineering calculations for items measured in place, material tests, shipping invoices for steel, and all other field records normally developed by field engineers to support final quantities paid to contractors. The quantity field record should be summarized so that final pay estimates would lend themselves to comparison with supporting records.

(2) All appraisal reports, record of negotiations with grantors including a negotiator's diary indicating dates of contracts, offers made, and final acceptance by grantor, title insurance documents, transfer documents such as warranty deeds, quit claim deeds, easements, contract and sale documents, shall be maintained.

(3) Daily labor time records, equipment use records, requisitions for materials used, invoices for goods and services, and other invoices shall be maintained. Records shall also be maintained which support employee benefit percentages which are used in calculating amounts charged to construction projects.

(4) All records shall be retained in compliance with the requirements of the division of audit and until notification from the board that a project audit is complete or is not required.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-025, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-025, filed 5/10/90, effective 6/10/90; Order 79, § 479-20-025, filed 1/21/69.]

**WAC 479-20-027 Audits of urban arterial project records.** Projects shall be audited in accordance with the policy adopted by the board. Project records for each project developed through the use of board funds may be audited to determine that funds paid can be attributed to the project and supported by project records. The audit will determine if there has been compliance with the rules of the board. Projects may be audited by the board at the time of the project completion or at such additional times as may be directed by the director.

The director may, where the cumulative amount of audit exceptions is less than five hundred dollars in board funds, advise the agency that no recovery of funds is requested.

Audit exceptions which the director considers to be significant in relation to board rules or significant in amount to warrant potential recovery of funds, shall be furnished to the administering agency to allow an opportunity to respond in writing to the audit report.

After reviewing the written response, the director, shall advise the agency whether any recovery of funds is indicated.

If recovery of board funds is indicated, as determined by the director, or by the board, the agency shall be provided

ninety days from the date of the notice from the board to make repayment.

If repayment of funds by the agency is not made within ninety days from the date of the notice from the board, the subject shall be placed before the board for review and action.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-027, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-027, filed 5/10/90, effective 6/10/90; Order 321, § 479-20-027, filed 5/21/74; Order 143, § 479-20-027, filed 6/15/70.]

**WAC 479-20-031 Expenditure schedule of urban arterial trust account funds.** Each eligible agency having an approved project shall, when requested by the director, submit an updated schedule of its estimated demand for board funds to the board. This schedule shall be on forms provided by the board and shall include the estimated demand for board funds biannually until project completion.

Such estimates shall be differentiated between the design engineering, right of way and construction stages of project development.

Additional information pertaining to estimated demands for board funds by eligible agencies may be requested by the director as required to permit adequate funding of the programs.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-031, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-031, filed 5/10/90, effective 6/10/90; 79-08-139 (Order 79-01, Resolution Nos. 596, 597 and 598), § 479-20-031, filed 8/1/79; Order 49, § 479-20-031, filed 5/6/68.]

**WAC 479-20-037 Procedure to request increase in board funds.** The amount of funds approved will be based upon the amount requested in the design prospectus. This amount may be adjusted from the amount shown in the project application with adequate justification. The authorized funds and scope of work approved by the board at the design phase will be the base for comparison in the following phases.

Local agencies may request an increase in the participation of funds over the amount set forth in the design phase, at the construction phase, bid opening or contract completion of a project in accordance with the following procedures:

(1) At the construction phase all requests shall be reviewed by the director. The director shall report the findings to the board for its review, consideration and final action. The board shall not grant a request for increase at this phase if:

(a) The requested increase is to pay for an expansion of the scope of the work that is beyond the work required to accomplish the intent of the project as approved at the design phase.

(b) The granting of the request will obligate funding beyond the level acceptable to the board or will in any way adversely affect authorized funds previously approved by the board including the reserve for the following:

(i) Increases at bid opening that will not exceed ten percent of the engineers estimate multiplied by the account matching ratio.

(ii) Increases for construction overruns at the amount equal to the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one

million dollars for those projects which have been approved for the construction phase.

(2) Request for increases at bid opening shall not exceed ten percent of the engineers estimate submitted to the board at the time the construction phase was approved multiplied by the account matching ratio. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction phase of the project.

(3) Requests for increases in funds submitted to the board at contract completion shall not exceed the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction approval phase of the project.

(4) If the director or the board, as the case may be, does not approve the request of a local agency for an increase, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the authorized amount, and subject to approval by the director, reduce the scope of the project while retaining a usable and functional improvement.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-037, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-037, filed 5/10/90, effective 6/10/90; 87-21-068 (Order 87-01, Resolution No. 955), § 479-20-037, filed 10/19/87.]

**WAC 479-20-086 Review of delayed projects.** The director may contact, in writing, each local agency administering a transportation improvement board-funded project that appears to be delayed when evaluated in relation to the proposed schedule for project development. If the agency does not respond to the inquiry of the director within twenty days explaining whether the project is delayed and, if so, the reasons therefore, may be placed before the board as a candidate for cancellation as a delayed project.

The written response from the administering agency shall be reviewed to determine if the reason or reasons for the project delay is acceptable. The administrative agency will be advised by certified mail by the director if the delay is for an unacceptable reason. The letter from the director shall advise the local agency that:

(1) The project is delayed for an unacceptable reason;

(2) The local agency has a period of three months from the date of the director's letter to resolve the reason or

reasons for delay and to provide evidence to the board that the problems have been resolved. Such evidence shall, if requested by the director, include a time schedule for project development which sets forth project development dates in sufficient detail to permit monthly monitoring of project progress.

(3) If the reason or reasons for delay are not resolved within the specified time period, the project may be placed before the board as a candidate for cancellation.

The administering agency for any project placed before the board as a candidate for cancellation shall be requested to appear before the board to explain the status of the project.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-086, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-086, filed 5/10/90, effective 6/10/90; Order 217, § 479-20-086, filed 1/19/72; Order 151, § 479-20-086, filed 7/20/70.]

**WAC 479-20-089 Recovery of urban arterial trust funds on canceled projects.** Project development costs incurred by an administering local agency on behalf of an authorized project that is subsequently canceled at the request of the administering agency, or by the board, shall be eligible for participation by board funds if, in the opinion of the board, the agency has pursued the project's development in good faith with a reasonable expectation of completing the project: *Provided*, That in all projects where the total project cost exceeds the amount of authorized board funds plus local matching funds, board funds shall be recovered in sufficient amount that the percentage of nonrecovered payments in relation to total project costs to the date of cancellation or withdrawal shall not exceed the percentage determined by dividing the total authorized amount of board funds by the most recently determined total project cost.

All board funds previously paid to an administering agency on behalf of an authorized project as a result of falsification, negligence, chicanery or deliberate misrepresentation on the part of the administering agency, in the opinion of the board, shall be repaid to the appropriate account, or a repayment agreement that is acceptable to the board shall be executed between the local agency and the board, within 90 days following cancellation of the specified project by request of the administering agency or by the board.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-20-089, filed 5/10/90, effective 6/10/90; Order 217, § 479-20-089, filed 1/19/72; Order 151, § 479-20-089, filed 7/20/70.]

**WAC 479-20-095 Identification and consideration of surplus funds on authorized urban arterial trust account projects.** When requested by the director, by certified mail, each project authorized for financial assistance from the local agency shall review their project to identify probable reductions in project cost in relation to the previously authorized amount of urban arterial trust funds. The agency shall review the project to:

(1) Close the project by submitting a final request for payment and summary cost documents if all work has been completed; or

(2) Advise the board of total costs to date, remaining costs necessary to complete the project, and the amount of estimated surplus funds, if any, on the project.

Each response shall be reviewed by the director to determine whether the explanations appear reasonable and whether the agency appears to be pursuing the completion of the project at a reasonable rate. Any project where the administering agency does not appear to be pursuing the project to completion at a reasonable rate, or fails to submit a final request for payment within six months from the date that all work appears to be complete, shall be referred by the director to the board for appropriate action.

Each agency administering a project that is not considered to be developing to completion at a reasonable rate, or fails to submit a final request for payment within six months when all physical work appears to be completed, shall be notified by the director by certified mail that the project is being scheduled for a hearing before the board at a specified time and place. The agency shall be requested to provide suitable representation to such board meeting to explain the status of the authorized project, the reasons why the project has not been completed and finalized out, the amount of urban arterial trust funds estimated to be required to complete the project, and the resulting surplus in relation to previously authorized urban arterial trust funds.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-20-095, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-20-095, filed 5/10/90, effective 6/10/90; Order 356, § 479-20-095, filed 4/22/75.]

## Chapter 479-24 WAC

### RULES AND REGULATIONS PURSUANT TO STATE ENVIRONMENTAL POLICY ACT GUIDELINES

#### WAC

479-24-010	Purpose.
479-24-020	Incorporation of the SEPA guidelines adopted by the council on environmental policy.
479-24-030	Timing of the environmental review process.
479-24-040	Procedures when consulted.
479-24-050	Designation of responsible official.
479-24-070	Designation of lead agency.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-24-060	Designation of SEPA public information center. [Order 405, § 479-24-060, filed 7/16/76.] Repealed by 90-11-035, filed 5/10/90, effective 6/10/90. Statutory Authority: Chapter 47.26 RCW.
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**WAC 479-24-010 Purpose.** (1) The purpose of this chapter is to establish rules pertaining to the integration of the policies and procedures of the State Environmental Policy Act of 1971 (SEPA) into the programs, activities, and actions of the board. The rules contained herein are intended to implement and be consistent with the provisions and purposes of the SEPA guidelines (chapter 197-11 WAC).

(2) These rules are intended to establish procedures for implementing SEPA in a manner which reduces duplicative and wasteful practices, establishes effective and uniform procedures, encourages public involvement, and promotes certainty with respect to the requirements of SEPA.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-24-010, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-010, filed 7/16/76.]

**WAC 479-24-020 Incorporation of the SEPA guidelines adopted by the council on environmental policy.** (1) The provisions of chapter 197-11 WAC effective April 4, 1984, are hereby adopted by the board and are incorporated in and made a part of this chapter by reference herein, to the extent that the SEPA guidelines are applicable to the programs, activities, and actions of the board.

(2) The provisions of this chapter are intended to implement the provisions of chapter 197-11 WAC, and to be consistent therewith.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-24-020, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-020, filed 7/16/76.]

**WAC 479-24-030 Timing of the environmental review process.** (1) As provided by WAC 197-11-055, the environmental review process shall be completed before the board is irrevocably committed to a particular course of action. At the same time, the environmental review process should not be undertaken until a proposal is sufficiently definite to allow meaningful environmental analysis.

(2) The threshold determination or any required environmental documentation for the board's action of a nonproject nature shall be completed prior to official adoption of the action in question.

(3) The threshold determination or any required environmental documentation for board action of a project nature shall in all cases be completed prior to the determination to construct the project in question. While the board may tentatively affirm the choice of a particular location or design based upon completion of the draft environmental documentation, final determination to construct shall not occur until a final threshold determination has been made or a final environmental documentation has been prepared.

(4) As provided by chapter 173-420 WAC, in areas subject to a state implementation plan, no state agency or local government shall approve or fund a transportation project within or that affects a nonattainment area unless a determination has been made that the project conforms with the state implementation plan for air quality as required by the Federal Clean Air Act.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-24-030, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-24-030, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-030, filed 7/16/76.]

**WAC 479-24-040 Procedures when consulted.** (1) When requests by another agency for comments or consultation are made pursuant to provisions of WAC 197-11-502 through 197-11-570, such requests shall be referred for response to the director. The director shall obtain such information which may be necessary, and supervise the transmittal of the requested information to the lead agency within the time period specified by WAC 197-11-545.

(2) When a request for consultation is made by a local agency preparatory to a request for funding by the board of a construction project, the director shall investigate the likelihood of funding of the proposed construction project by the board and shall transmit such information to the local agency. Such transmittal shall be deemed total compliance with WAC 197-11-550.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-24-040, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-040, filed 7/16/76.]

**WAC 479-24-050 Designation of responsible official.** The responsible official shall be the director or his designee.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-24-050, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-050, filed 7/16/76.]

**WAC 479-24-070 Designation of lead agency.** Pursuant to WAC 197-11-924 and 197-11-926, the local agency proposing a particular project for funding shall be designated the lead agency.

[Statutory Authority: Chapter 47.26 RCW. 90-11-035, § 479-24-070, filed 5/10/90, effective 6/10/90; Order 405, § 479-24-070, filed 7/16/76.]

## Chapter 479-112 WAC

### SUBMISSION OF PROPOSED TRANSPORTATION IMPROVEMENT ACCOUNT (TIA) PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

#### WAC

479-112-001	Purpose and authority.
479-112-003	Transportation improvement account program intent.
479-112-0055	Definitions.
479-112-007	Designation of lead agency for transportation improvement account projects.
479-112-008	Verification of coordination with planning authority for transportation improvement account projects.
479-112-009	Planning requirements for multiagency transportation improvement account projects.
479-112-010	Application for transportation improvement account projects.
479-112-017	Local/private matching funds on transportation improvement account projects.
479-112-018	Certification of local/private matching funds for transportation improvement account projects.
479-112-020	Time and place for submission of proposed TIA projects.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-112-005	Agencies eligible for transportation improvement account funds. [Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-005, filed 6/22/89.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
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**WAC 479-112-001 Purpose and authority.** RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the transportation improvement account.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-001, filed 1/30/95, effective 3/2/95.]

**WAC 479-112-003 Transportation improvement account program intent.** The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our state-wide transportation system needs.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-003, filed 1/30/95, effective 3/2/95.]

**WAC 479-112-0055 Definitions.** For purposes of implementing the requirements of RCW 47.26.084 relative

to the transportation improvement account, the following definitions shall apply:

(1) Board - when board is used in this chapter, it refers to the transportation improvement board.

(2) Director - the executive director of the transportation improvement board.

(3) Urban area - the term "urban area" as used in this chapter refers to the portion of a county within the federal urban area boundary as designated by FHWA.

(4) Eligible agencies - the transportation improvement account eligible agencies are:

(a) Counties that have an urban area.

(b) All cities with a population of five thousand or more.

(c) Urban area transportation benefit districts.

(5) Eligible projects.

(a) Improvements on federally classified arterials.

(b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.

(c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified arterial which connects two other federally classified arterials.

(d) A project that is on the federal functional classification system and in an area that is outside of the federal urban boundary, but has definite urban characteristics as defined by local comprehensive plans.

[Statutory Authority: RCW 4.26.086, 47.26.080 and 82.44.180. 96-04-015, § 479-112-0055, filed 1/29/96, effective 2/29/96. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-112-0055, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-0055, filed 1/30/95, effective 3/2/95.]

**WAC 479-112-007 Designation of lead agency for transportation improvement account projects.** The agencies involved in a multi-agency TIA funded project shall designate one agency as the lead agency. The lead agency must be a city, county, or transportation benefit district.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-007, filed 6/22/89.]

**WAC 479-112-008 Verification of coordination with planning authority for transportation improvement account projects.** All applications for TIA funding shall be consistent with the regional transportation plan. In areas of the state where there is no regional transportation planning authority, a letter of verification shall be signed by the chair of the lead agency legislative authority.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-008, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-008, filed 6/22/89.]

**WAC 479-112-009 Planning requirements for multiagency transportation improvement account projects.** The board requires joint planning for all TIA funded multiagency projects. The lead agency shall submit documentation to the board stating that the approving authority of each agency involved in the project has indicated support for the project. In the case of projects that stop at or near a corporate boundary or could affect other transportation

agencies facilities or programs, a copy of a letter requesting review by other affected agencies shall accompany the project application.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-009, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-009, filed 6/22/89.]

**WAC 479-112-010 Application for transportation improvement account projects.** When requested by the board, applications for proposed projects shall be submitted to the board by cities, counties, and transportation benefit districts seeking allocation of funds from the TIA. The application form will be provided by the board.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-010, filed 6/22/89.]

**WAC 479-112-017 Local/private matching funds on transportation improvement account projects.** TIA funds for urban program projects authorized by the board shall be matched by an amount not less than twenty percent of the total cost of the transportation project. Matching funds will be considered to be all contributions other than those provided by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-112-017, filed 1/30/95, effective 3/2/95; 90-16-028, § 479-112-017, filed 7/23/90, effective 8/23/90; 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-017, filed 6/22/89.]

**WAC 479-112-018 Certification of local/private matching funds for transportation improvement account projects.** Within one year after board approval of an application for funding and before any TIA funds are committed to the project, each agency with an interest in the TIA project shall provide written certification to the board of the pledged percentage of local and/or private funding. Funds allocated to an applicant that does not certify funding within one year after approval may be reallocated by the board.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-018, filed 6/22/89.]

**WAC 479-112-020 Time and place for submission of proposed TIA projects.** All project prospectuses submitted by cities, counties, or transportation benefit districts for funding from the TIA will be submitted in accordance with the requirements of WAC 479-12-020.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-112-020, filed 6/22/89.]

## Chapter 479-113 WAC

### SUBMISSION OF SIX-YEAR PLANS FOR TRANSPORTATION IMPROVEMENT ACCOUNT PROJECTS

#### WAC

479-113-010	Six-year programs for transportation improvement account projects.
479-113-011	Priority criteria for transportation improvement account projects.
479-113-029	Establishing regions for transportation improvement account program.

- 479-113-031 Allocation of transportation improvement account funds to regions.
- 479-113-035 Value engineering study requirements for transportation improvement account projects.
- 479-113-070 Procedures for project phase approval for transportation improvement account projects.

**DISPOSITION OF SECTIONS FORMERLY  
CODIFIED IN THIS CHAPTER**

- 479-113-032 Contingency fund for the transportation improvement account urban program. [Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-032, filed 6/22/89.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.

**WAC 479-113-010 Six-year programs for transportation improvement account projects.** All projects should be on the six-year program, as required by RCW 35.77.010 and 36.81.121, prior to transportation improvement board approval and shall be consistent with the Growth Management Act and the state and Federal Clean Air Acts, where applicable.

A copy of the six-year transportation program and the separate supplemental section of the six-year transportation program shall be submitted to the board along with a copy of the resolution of the city or county adopting such program. The TIA project application setting forth new project proposals for the TIA funding, shall be submitted to the board on forms provided by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-010, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-010, filed 6/22/89.]

**WAC 479-113-011 Priority criteria for transportation improvement account projects.** The following criteria shall be utilized by the TIB to prioritize projects:

- (1) The percentage of agency(ies) and private matching funds.
- (2) Multimodal solutions for projects including but not limited to transit, high occupancy vehicle (HOV) lanes, ferry, high capacity transit/rail, or intermodal facility.
- (3) Economic development is encouraged.
- (4) Multiagency involvement in projects.
- (5) Mobility enhancement by betterment of service level.
- (6) Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.

(7) Other considerations demonstrating improvement of the local transportation system such as pavement management system (PMS), traffic demand management (TDM) or local transportation funding.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-011, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-011, filed 6/22/89.]

**WAC 479-113-029 Establishing regions for transportation improvement account program.** For the purpose of apportioning TIA funds to the urban program, the counties of the state are grouped within three regions of the state as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia,

Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-029, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-029, filed 6/22/89.]

**WAC 479-113-031 Allocation of transportation improvement account funds to regions.** Of the funds in the urban program, forty percent will be allocated to projects on a state-wide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and approximately thirty percent to projects in the Puget Sound region.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-031, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-031, filed 6/22/89.]

**WAC 479-113-035 Value engineering study requirements for transportation improvement account projects.** Value engineering studies shall be required in accordance with the policy adopted by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-035, filed 1/30/95, effective 3/2/95; 90-16-028, § 479-113-035, filed 7/23/90, effective 8/23/90; 89-14-005 (Order 89-2, Resolution No. 035), § 479-113-035, filed 6/22/89.]

**WAC 479-113-070 Procedures for project phase approval for transportation improvement account projects.** The procedures for project phase approvals shall be as provided for in WAC 479-13-070.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-113-070, filed 1/30/95, effective 3/2/95.]

**Chapter 479-116 WAC  
REQUIREMENTS FOR TRANSPORTATION  
IMPROVEMENT ACCOUNT PROJECT  
DEVELOPMENT**

**WAC**

- 479-116-010 Methods of construction for transportation improvement account projects.
- 479-116-015 Registered engineer in charge for transportation improvement account projects.
- 479-116-016 Certification of completed work for transportation improvement account projects.
- 479-116-020 Standard specifications for transportation improvement account projects.
- 479-116-030 Utility and railroad adjustments and relocations for transportation improvement account projects.
- 479-116-035 Undergrounding utilities on transportation improvement account projects.
- 479-116-040 Traffic control devices on transportation improvement account projects.
- 479-116-045 Project plantings on transportation improvement account projects.
- 479-116-050 Acquisition of right of way for transportation improvement account projects.



- 479-116-060 Design standards for transportation improvement account projects.  
 479-116-070 Funding for pedestrian facilities.  
 479-116-080 Inclusion of bicycle facilities in TIB projects.

**WAC 479-116-010 Methods of construction for transportation improvement account projects.** The methods of construction shall be as provided for in WAC 479-16-010.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-010, filed 1/30/95, effective 3/2/95.]

**WAC 479-116-015 Registered engineer in charge for transportation improvement account projects.** All projects using TIA funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-015, filed 6/22/89.]

**WAC 479-116-016 Certification of completed work for transportation improvement account projects.** Each request for payment shall be submitted in accordance with WAC 479-16-016.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-016, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-016, filed 6/22/89.]

**WAC 479-116-020 Standard specifications for transportation improvement account projects.** All TIA funded projects shall be constructed in accordance with WAC 479-16-020.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-020, filed 6/22/89.]

**WAC 479-116-030 Utility and railroad adjustments and relocations for transportation improvement account projects.** Utility and railroad adjustments and relocations on TIA funded projects shall be constructed in accordance with WAC 479-16-030.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-030, filed 6/22/89.]

**WAC 479-116-035 Undergrounding utilities on transportation improvement account projects.** TIA funds can be used to underground utilities under conditions as provided for in WAC 479-16-035.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-035, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-035, filed 6/22/89.]

**WAC 479-116-040 Traffic control devices on transportation improvement account projects.** Traffic control devices included in TIA funded projects shall be installed in conformance with WAC 479-16-040.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-040, filed 6/22/89.]

**WAC 479-116-045 Project plantings on transportation improvement account projects.** TIA funds may be

used for the cost of project plantings in accordance with WAC 479-16-045.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-045, filed 1/30/95, effective 3/2/95; 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-045, filed 6/22/89.]

**WAC 479-116-050 Acquisition of right of way for transportation improvement account projects.** Right of way for TIA funded projects shall be acquired in accordance with chapter 468-100 WAC.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-050, filed 6/22/89.]

**WAC 479-116-060 Design standards for transportation improvement account projects.** All TIA funded projects shall be prepared using currently applicable design standards.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-116-060, filed 6/22/89.]

**WAC 479-116-070 Funding for pedestrian facilities.** The board may set aside a percentage of transportation improvement account funds to be used for the improvement or construction of pedestrian facilities.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-070, filed 1/30/95, effective 3/2/95.]

**WAC 479-116-080 Inclusion of bicycle facilities in TIB projects.** If an eligible agency has a project funded by transportation improvement account funds that includes the construction of bicycle facilities, the agency shall submit their bikeway plan to the board in map form along with the agency's verification that the plan has been:

- (1) Integrated with existing "user designated," as well as officially designated bikeways.
- (2) Integrated with bikeways of adjacent units and levels of government.
- (3) Reviewed with, and approved by, the agency's legislative body.

The total bikeway plan of the agency shall identify separately arterial bikeways, as previously defined, that would be desired to be improved in conjunction with an arterial construction project.

The board shall notify the submitting city or county of its concurrence in the bikeway plan after such plan has been reviewed and found to be reasonable in relation to the rules adopted by the board.

The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards as shown in Chapter 1020 of the *Washington State Department of Transportation Design Manual*.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-116-080, filed 1/30/95, effective 3/2/95.]

**Chapter 479-120 WAC**  
**FINANCIAL AND PAYMENT REQUIREMENTS**  
**FOR TRANSPORTATION IMPROVEMENT**  
**ACCOUNT FUNDED PROJECTS**

**WAC**

479-120-010	Reimbursable costs for transportation improvement account projects.
479-120-011	Reimbursable costs for engineering for transportation improvement projects.
479-120-013	Direct costs for transportation improvement account projects.
479-120-016	Indirect costs for transportation improvement account projects.
479-120-020	Partial or progress payments for transportation improvement account project costs.
479-120-025	Record requirements for transportation improvement account projects.
479-120-027	Audits of transportation improvement account project records.
479-120-031	Expenditure schedule of transportation improvement account funds.
479-120-037	Procedure for requesting an increase in authorized amount of transportation improvement account funds.
479-120-086	Review of delayed projects for the transportation improvement account program.
479-120-089	Recovery of transportation improvement account funds on canceled projects.
479-120-095	Identification and consideration of surplus funds on authorized transportation improvement account projects.

**DISPOSITION OF SECTIONS FORMERLY**  
**CODIFIED IN THIS CHAPTER**

479-120-033	Procedure for requesting an increase in authorized amount of transportation improvement account funds. [Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-120-033, filed 6/22/89.] Repealed by 95-04-072, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW.
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**WAC 479-120-010 Reimbursable costs for transportation improvement account projects.** The reimbursable costs for transportation improvement account projects shall be in accordance with WAC 479-20-010.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-010, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-011 Reimbursable costs for engineering for transportation improvement projects.** The reimbursable costs for engineering for transportation improvement account projects shall be in accordance with WAC 479-20-011.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-011, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-013 Direct costs for transportation improvement account projects.** The direct costs eligible for reimbursement for transportation improvement account projects shall be as specified in WAC 479-20-013.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-013, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-016 Indirect costs for transportation improvement account projects.** The indirect costs eligible

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for reimbursement for transportation improvement account projects shall be as specified in WAC 479-20-016.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-016, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-020 Partial or progress payments for transportation improvement account project costs.** Participation and payment of TIA funds shall be governed by the requirements of WAC 479-20-020.

[Statutory Authority: Chapter 47.26 RCW. 89-14-005 (Order 89-2, Resolution No. 035), § 479-120-020, filed 6/22/89.]

**WAC 479-120-025 Record requirements for transportation improvement account projects.** The record requirements for transportation improvement account projects shall be as specified in WAC 479-20-025.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-025, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-027 Audits of transportation improvement account project records.** Audits for transportation improvement account projects shall be in accordance with WAC 479-20-027.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-027, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-031 Expenditure schedule of transportation improvement account funds.** The demand for transportation improvement account funds shall be submitted to the board in accordance with WAC 479-20-031.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-031, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-037 Procedure for requesting an increase in authorized amount of transportation improvement account funds.** An increase in the amount of transportation improvement account funds in a project may be requested in accordance with the provisions of WAC 479-20-037.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-037, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-086 Review of delayed projects for the transportation improvement account program.** The review of delayed transportation improvement account projects shall be in accordance with WAC 479-20-086.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-086, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-089 Recovery of transportation improvement account funds on canceled projects.** The recovery of transportation improvement account funds paid to the local agency shall be in accordance with the provisions of WAC 479-20-089.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-089, filed 1/30/95, effective 3/2/95.]

**WAC 479-120-095 Identification and consideration of surplus funds on authorized transportation improve-**

**ment account projects.** The identification and consideration of surplus funds for transportation improvement account projects shall be in accordance with WAC 479-20-095.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-120-095, filed 1/30/95, effective 3/2/95.]

**Chapter 479-210 WAC**

**ROUTE JURISDICTION TRANSFER RULES AND REGULATIONS**

**WAC**

479-210-010	Purpose and authority.
479-210-100	Definitions.
479-210-150	Criteria for rural highway routes.
479-210-200	Criteria for urban highway routes.
479-210-250	Interpretation and application of criteria to specific routes.
479-210-300	Administration costs.
479-210-350	Board review of route jurisdiction transfer requests.
479-210-400	Reports to legislative transportation committee.

**WAC 479-210-010 Purpose and authority.** Section 62, chapter 342, Laws of 1991, provides that the transportation improvement board shall utilize the criteria established in RCW 47.17.001 in evaluating petitions and to adopt rules for implementation of the process, and being a multijurisdictional body, is directed to receive and review petitions from cities, counties, or the department of transportation requesting any addition or deletion from the state highway system.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-010, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-100 Definitions.** For purposes of implementing the requirements of section 62, chapter 342, Laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

- (1) Board - When board is used in this chapter, it refers to the transportation improvement board.
- (2) Connecting link - Connecting links should provide system continuity, including needed alternate routing of regionally oriented through-traffic or access to major regional-based public facilities or traffic generators. Generally, links bypass the central business district and/or the central city and form loops and beltways.
- (3) Connection to places - Places may be considered connected if they are within approximately two miles of a state highway.
- (4) Corridor - A corridor may vary depending on the characteristics of a region and the use of the facilities. The corridor limits used by the board to analyze a state highway route will be as described by the metropolitan planning organization (MPO) or regional transportation planning organization (RTPO) for the area where the route is located.
- (5) Parallel highway route - Parallel route consideration is used to analyze alternative routes within the same corridor. Outside a corridor, a route should be considered a viable highway route if it meets the other criteria in this chapter.
- (6) Population equivalency of one thousand or more - To determine the equivalent population of a recreation area, refer to the WSDOT publication, "Guidelines for Amending

Urban Boundaries, Functional Classifications, and Federal-Aid Systems."

(7) Rural highway route - A rural highway route is the portion of a route that lies outside a federal urban area boundary.

(8) Urban highway route - An urban highway route is the portion of a route that is within a federal urban area boundary.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-150 Criteria for rural highway routes.** In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. The following criteria will be used to assess the merits of a proposed change to a rural route:

- (1) A rural highway route should be designated as a state highway if it meets any of the following criteria:
  - (a) Is designated as part of the national system of interstate and defense highways (popularly called the interstate system); or
  - (b) Is designated as part of the system of numbered United States routes; or
  - (c) Contains an international border crossing that is open twelve or more hours each day.
- (2) A rural highway route may be designated as a state highway if it is part of an integrated system of roads and:
  - (a) Carries in excess of three hundred thousand tons annually and provides primary access to a rural port or intermodal freight terminal;
  - (b) Provides a major cross-connection between existing state highways; or
  - (c) Connects places exhibiting one or more of the following characteristics:
    - (i) A population center of one thousand or greater;
    - (ii) An area or aggregation of areas having a population equivalency of one thousand or more, such as, but not limited to recreation areas, military installations, and so forth;
    - (iii) A county seat;
    - (iv) A major commercial-industrial terminal in a rural area with a population equivalency of one thousand or greater.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-150, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-200 Criteria for urban highway routes.** In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. An urban highway route that meets any of the following criteria should be designated as part of the state highway system:

- (1) Is designated as part of the interstate system;

(2) Is designated as part of the system of numbered United States routes;

(3) Is an urban extension of a rural state highway into or through an urban area and is necessary to form an integrated system of state highways;

(4) Is a principal arterial that is a connecting link between two state highways and serves regionally oriented through traffic in urbanized areas with a population of fifty thousand or greater, or is a spur that serves regionally oriented traffic in urbanized areas.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-210-200, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-250 Interpretation and application of criteria to specific routes.** These guidelines are intended to be used as a basis for interpreting and applying the criteria to specific routes.

(1) For any route wholly within one or more contiguous jurisdictions which would be proposed for transfer to the state highway system under these criteria, if local officials prefer, responsibility will remain at the local level.

(2) State highway routes maintain continuity by being composed of routes that join other state routes at both ends or to arterial routes in the states of Oregon and Idaho and the province of British Columbia.

(3) Public facilities may be considered to be served if they are within approximately two miles of a state highway.

(4) Exceptions may be made to include:

(a) Rural spurs as state highways if they meet the criteria relative to serving population centers of 1,000 or greater population or activity centers with population equivalencies or an aggregated population of 1,000 or greater;

(b) Urban spurs as state highways that provide needed access to Washington state ferry terminals, state parks, major seaports, and trunk airports; and

(c) Urban connecting links as state highways that function as needed bypass routing of regionally oriented through traffic and benefit truck routing, capacity alternative, business congestion, and geometric deficiencies.

(5) In urban and urbanized areas:

(a) Unless they are significant regional traffic generators, public facilities such as state hospitals, state correction centers, state universities, ferry terminals, and military bases do not constitute a criteria for establishment of a state highway; and

(b) There may be no more than one parallel nonaccess controlled facility in the same corridor as a freeway or limited access facility as designated by the metropolitan planning organization.

(6) When there is a choice of two or more routes between population centers, the state route designation shall normally be based on the following considerations:

(a) The ability to handle higher traffic volumes;

(b) The higher ability to accommodate further development or expansion along the existing alignment;

(c) The most direct route and the lowest travel time;

(d) The route that serves traffic with the most interstate, statewide, and interregional significance;

(e) The route that provides the optimal spacing between other state routes; and

(f) The route that best serves the comprehensive plan for community development in those areas where such a plan has been developed and adopted.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-210-250, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-300 Administration costs.** The board costs for necessary staff services and facilities that are attributable to the route jurisdiction transfer program shall be paid from the urban arterial trust account in the motor vehicle fund.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-210-300, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-350 Board review of route jurisdiction transfer requests.** The chairman will appoint a subcommittee that will review a route jurisdiction transfer request. The subcommittee should consist of at least two city, two county and one department of transportation board members.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-210-350, filed 11/19/91, effective 12/20/91.]

**WAC 479-210-400 Reports to legislative transportation committee.** In addition to the implementation report due August 1, 1991, the board shall forward to the legislative transportation committee by November 15 each year any recommended jurisdictional transfers.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-210-400, filed 11/19/91, effective 12/20/91.]

## Chapter 479-216 WAC

### REQUIREMENTS FOR ROUTE JURISDICTION TRANSFER REQUESTS

#### WAC

479-216-010	Contents of request for jurisdiction transfer.
479-216-050	Annual cutoff date for jurisdiction transfer requests.
479-216-100	Additional public testimony for consideration of jurisdiction transfer requests.
479-216-150	Notice of solicitation for public testimony.
479-216-200	Notice of preliminary finding.
479-216-250	Comment period.
479-216-300	Notice of final finding.
479-216-350	Contents of report to legislative transportation committee.

**WAC 479-216-010 Contents of request for jurisdiction transfer.** The agency initiating a route jurisdiction transfer request shall do so using forms provided by the board and utilizing the criteria specified in RCW 47.17.001, and chapter 479-210 WAC. The request shall be signed by the agencies chief executive officer.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-010, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-050 Annual cutoff date for jurisdiction transfer requests.** Prior to February 1, yearly, cities, counties or the department of transportation shall submit requests for jurisdiction transfer to the board using forms

provided by the board. The request shall be in conformance with the procedures established in this chapter.

[Statutory Authority: Chapter 47.26 RCW, 95-04-072, § 479-216-050, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-050, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-100 Additional public testimony for consideration of jurisdiction transfer requests.** At the discretion of the board, and in addition to a regularly scheduled board meeting, public testimony may be solicited relative to a specific jurisdiction transfer request. The board will record public testimony and develop summary minutes of the meeting.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-150 Notice of solicitation for public testimony.** If public testimony is solicited, the board will provide written notice to each agency involved in the transfer, legislators whose districts are impacted by the proposed route transfer and any others who have specifically requested in writing to be provided notice.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-150, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-200 Notice of preliminary finding.** The board shall prepare preliminary finding for all jurisdiction transfer requests and provide written notice to the interested parties indicated in WAC 479-216-150.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-200, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-250 Comment period.** For preliminary findings after January 1, 1992, the board will provide thirty calendar days from the date the notice is mailed for interested parties to provide written comments on the preliminary finding. The individuals giving comment must provide their name and address and the comments must address the criteria specified in RCW 47.17.001 and chapter 479-210 WAC.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-250, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-300 Notice of final finding.** At the next scheduled board meeting after the comment period, the board will prepare a final finding and recommendation for submittal to the LTC. The board will give consideration to any comments or additional information and provide written notice of the final finding to the interested parties indicated in WAC 479-216-150.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-300, filed 11/19/91, effective 12/20/91.]

**WAC 479-216-350 Contents of report to legislative transportation committee.** The contents of the report should include:

- (1) Name of agency submitting the request for transfer,
- (2) Route being considered for transfer,
- (3) A map,

- (4) Comparison against the criteria specified in RCW 47.17.001 and chapter 479-210 WAC,
- (5) Findings,
- (6) Board's recommendation, and
- (7) Supplemental information, such as:
  - (a) Summary minutes of meetings,
  - (b) Comments received,
  - (c) Board reply on the comments, and
  - (d) Other appropriate information.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-216-350, filed 11/19/91, effective 12/20/91.]

## Chapter 479-310 WAC

### CITY HARDSHIP ASSISTANCE PROGRAM RULES AND REGULATIONS

#### WAC

479-310-010	Purpose and authority.
479-310-050	Adoption of rules.
479-310-100	Funds for the city hardship assistance program.
479-310-150	Definitions.
479-310-200	Administration costs.

**WAC 479-310-010 Purpose and authority.** Section 60(3), chapter 342, Laws of 1991, provides that the transportation improvement board shall adopt reasonable rules necessary to implement the city hardship assistance program as recommended by the road jurisdiction study.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-310-010, filed 11/19/91, effective 12/20/91.]

**WAC 479-310-050 Adoption of rules.** The board is required to utilize the following criteria, established by the route jurisdiction study to adopt rules to implement the program:

- (1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in chapter 342, Laws of 1991, as determined by the board, may participate;
- (2) Cities with populations of fifteen thousand or less, as determined by the office of financial management, may participate;
- (3) The board shall develop criteria and procedures under which eligible cities may request funding for rehabilitation projects on city streets acquired under chapter 342, Laws of 1991; and
- (4) The board shall also be authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to chapter 342, Laws of 1991, that occur after January 1, 1991.

[Statutory Authority: Chapter 47.26 RCW, 95-04-072, § 479-310-050, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62, 91-23-091, § 479-310-050, filed 11/19/91, effective 12/20/91.]

**WAC 479-310-100 Funds for the city hardship assistance program.** Section 59(3), chapter 342, Laws of 1991, provides funding for the city hardship assistance program.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-310-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-310-150 Definitions.** For purposes of implementing the requirements of section 60, chapter 342, Laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

(1) Board - When board is used in this chapter, it refers to the transportation improvement board.

(2) CHAP - This is the abbreviation for the city hardship assistance program.

(3) Eligible agency - An eligible agency is a city or town that meets the requirements of section 60, chapter 342, Laws of 1991. A listing of the eligible agencies is included in WAC 479-312-010.

(4) Eligible project - An eligible project is an improvement on a section of roadway that meets the requirements of section 60, chapter 342, Laws of 1991 and the requirements specified in this chapter. A listing of the roadways eligible for CHAP funding is included in WAC 479-312-010,

(5) Extraordinary costs - The definition of extraordinary cost will vary depending on the agency and the situation involved on the eligible project. The board will take into consideration information supplied by the city or town officials when ruling on the eligibility of a proposed project.

(6) Rehabilitation - This work may include reworking or strengthening the base or subbase, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders. Rehabilitation may include acquisition of additional right of way.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-310-150, filed 11/19/91, effective 12/20/91.]

**WAC 479-310-200 Administration costs.** The board costs for necessary staff services and facilities that are attributable to the city hardship assistance program shall be paid from the city hardship assistance account in the motor vehicle fund in a prorated amount of anticipated expenditures of the city hardship assistance program in ratio to the anticipated expenditures of the other programs administered by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-310-200, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-310-200, filed 11/19/91, effective 12/20/91.]

**Chapter 479-312 WAC**

**SUBMISSION OF CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS**

**WAC**

479-312-010	Eligible agencies and streets.
479-312-050	Population requirement for eligible agencies.
479-312-100	Data to be submitted for CHAP project application.
479-312-150	Six-year transportation plan requirements.
479-312-200	Other applicable federal, state and local regulations.
479-312-250	Process and selection criteria for priority array.
479-312-300	Matching requirements for city hardship assistance program projects.

**WAC 479-312-010 Eligible agencies and streets.**  
The cities or towns eligible for city hardship assistance

program funding are: Clarkston, Old SR 128, 0.13 Miles, SR 12 to Poplar Street; Des Moines, Old SR 509, 1.46 Miles, 50 feet south of 252nd Street to Junction SR 516; Kelso, Old SR 431, 0.90 Miles, SR 5 to Cowlitz Way; Kelso, Old I-5, 1.20 Miles, north end of Coweeman River Bridge to 2,480 feet south of Haussler Road and those sections of Kelso Drive, Minor Road, Grade Street and Kelso Avenue referred to in the memorandum of understanding for this turnback, approximately 2.7 miles; Leavenworth, Old SR 209, 0.11 Miles, SR 2 to 260 feet north of Fir Street; Milton, Old SR 514, 2.46 Miles, Junction SR 99 to 50 feet west of SR 161; Napavine, Old SR 603, 0.79 Miles, 810 feet southwest of Lincoln Street to 8th Avenue West; Pomeroy, Old SR 128, 0.72 Miles, SR 12 to 2,690 feet south of Arlington Avenue; Port Orchard, Old SR 160, 2.30 Miles, Retsil Road to 160 feet west of Short Avenue; Skykomish, Old SR 2 Spur, 0.16 Miles, SR 2 to Railroad Avenue; Stanwood, Old SR 530, 1.59 Miles, 790 feet north of 86th Drive NW to 740 feet northwest of 72nd Avenue NW; Toledo, Old SR 505, 0.12 Miles, Fifth Street to 210 feet northwest of Sixth Street; Toppenish, Old SR 220, 0.27 Miles, Junction SR 22 to 630 feet east of Linden Road; Tukwila, Old SR 900, 0.10 Miles, Ryan Way South to 530 feet north of Ryan Way; Vader, Old SR 411, 0.25 Miles, 520 feet south of SR 506 to 1,840 feet south of SR 506; Washougal, Old SR 140, 0.70 Miles, SR 14 to west end of Washougal River Bridge; Winlock, Old SR 603, 0.61 Miles, Walnut Street to 160 feet south of Olequa Creek Bridge; and other cities under 20,000 population could become eligible for turnbacks approved after January 1, 1991.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-010, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-050 Population requirement for eligible agencies.** Except for cities that meet the criteria of section 60(4), chapter 342, Laws of 1991, any city which exceeds fifteen thousand population as determined by the office of financial management on or before the annual application date, will no longer be eligible for city hardship assistance program projects. Any city that became eligible for city hardship assistance program funding through section 60(4), chapter 342, Laws of 1991 will no longer be eligible for funding when its population is twenty thousand or greater.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-050, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-100 Data to be submitted for CHAP project application.** Prior to February 1, yearly, each eligible agency shall submit their proposed CHAP projects to the board on forms provided by the board. The type of work involved in the proposed projects shall be in accordance with the requirements of chapter 479-316 WAC. The application must be specific and accompanied by a detailed cost estimate.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-312-100, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-150 Six-year transportation plan requirements.** Upon board approval of a CHAP project, such project, if required by RCW 35.77.010, shall be included in the annual update of the six-year transportation program of the local agency.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-150, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-200 Other applicable federal, state and local regulations.** All CHAP projects shall comply with applicable federal, state and local laws, policies, regulations and ordinances.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-200, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-250 Process and selection criteria for priority array.** The board will use the following criteria to prioritize proposed CHAP projects:

- (1) Structural ability to carry loads (pavement condition),
- (2) Deterioration rate for the roadway,
- (3) Safety, and
- (4) Other factors:
  - (a) Relationship to other local agency projects,
  - (b) Extent of previous participation in the program, and
  - (c) Other criteria deemed appropriate by the board on a case-by-case basis.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-250, filed 11/19/91, effective 12/20/91.]

**WAC 479-312-300 Matching requirements for city hardship assistance program projects.** There will be no local agency matching requirements for CHAP funded projects.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-312-300, filed 11/19/91, effective 12/20/91.]

**Chapter 479-316 WAC**

**ALLOWABLE ACTIVITIES FOR CHAP PROJECTS**

**WAC**

479-316-010	Allowable activities.
479-316-050	Minimum roadway widths.
479-316-100	Participation with other funds.
479-316-200	Record requirements.
479-316-250	Audits of CHAP projects.
479-316-300	Project plantings on CHAP projects.

**WAC 479-316-010 Allowable activities.** Unless otherwise approved by the board, CHAP funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-010, filed 11/19/91, effective 12/20/91.]

**WAC 479-316-050 Minimum roadway widths.** CHAP funds will not participate in the cost involved with adding lanes or turn lanes. Unless specifically approved by the board, all CHAP-funded projects must be in accordance with the city and county design standards, as adopted by the

city and county design standard committee in accordance with RCW 35.78.030 and 43.32.020.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-050, filed 11/19/91, effective 12/20/91.]

**WAC 479-316-100 Participation with other funds.** CHAP funds may be used to fund rehabilitation work associated with the widening of the section of roadway but participation will be limited to the minimum standard or existing lane and shoulder widths. CHAP funds will be considered local agency funds if they are used in the urban arterial trust account or transportation improvement account programs.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-316-200 Record requirements.** Record procedures for CHAP funded projects shall be in accordance with the requirements of WAC 479-20-025.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-200, filed 11/19/91, effective 12/20/91.]

**WAC 479-316-250 Audits of CHAP projects.** Audits of CHAP funded projects will be performed in accordance with the requirements of WAC 479-20-027.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-250, filed 11/19/91, effective 12/20/91.]

**WAC 479-316-300 Project plantings on CHAP projects.** CHAP funds will not participate in cost for project plantings.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-316-300, filed 11/19/91, effective 12/20/91.]

**Chapter 479-320 WAC**

**FINANCIAL AND PAYMENT REQUIREMENTS FOR CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS**

**WAC**

479-320-050	Eligible project costs.
479-320-100	Eligible costs for engineering.
479-320-150	Procedure for requesting an increase in authorized amount of city hardship assistance program funds.
479-320-200	Partial or progress payments for city hardship assistance program costs.

**WAC 479-320-050 Eligible project costs.** Project costs eligible for reimbursement from the city hardship assistance program shall be those proper and allowable costs incurred on a project after the project is authorized by the board. Projects will be authorized in two-phases, the first phase being design and right of way and the second phase being construction.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-320-050, filed 11/19/91, effective 12/20/91.]

**WAC 479-320-100 Eligible costs for engineering.** The eligible design and construction engineering costs shall be limited to twenty-five percent of the approved contract

bid amount including adjustments for construction increases, decreases, or agency force construction. Agency costs for a value engineering study, if required, will not be included when computing the 25% limit.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-320-100, filed 11/19/91, effective 12/20/91.]

**WAC 479-320-150 Procedure for requesting an increase in authorized amount of city hardship assistance program funds.** Increases to the authorized amount of CHAP funds will be in accordance with the board policy for TIA funded projects.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-320-150, filed 11/19/91, effective 12/20/91.]

**WAC 479-320-200 Partial or progress payments for city hardship assistance program costs.** Participation and payment of CHAP funds shall be governed by the requirements of WAC 479-20-020.

[Statutory Authority: Chapter 47.26 RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-320-200, filed 11/19/91, effective 12/20/91.]

## Chapter 479-410 WAC

### SMALL CITY ACCOUNT PROGRAM RULES AND REGULATIONS

#### WAC

479-410-010	Purpose and authority.
479-410-020	Small city account program intent.
479-410-100	Funds for the small city account program.
479-410-150	Definitions.
479-410-160	Classification standards for arterials in small cities.
479-410-170	Establishing regions for small city account program.
479-410-180	Allocation of small city account funds to regions.
479-410-200	Administration costs.

**WAC 479-410-010 Purpose and authority.** RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the small city account program. The board shall develop criteria and procedures under which eligible cities may request funding for projects on city streets.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-010, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-020 Small city account program intent.** The intent of the small city account program is to preserve and improve the roadway system in a manner that is consistent with local needs.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-020, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-100 Funds for the small city account program.** RCW 47.26.084 provides funding for the small city account program.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-100, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-150 Definitions.** For purposes of implementing the requirements of RCW 47.26.160, relative to the small city account, the following definitions shall apply:

(1) Board - When board is used in this chapter, it refers to the transportation improvement board.

(2) SCA - This is the abbreviation for the small city account. The account is funded from thirteen percent of the transportation improvement account and five percent of the urban arterial trust account.

(3) Eligible agency - An eligible agency is a city or town that has a population of less than five thousand.

(4) Eligible project - An eligible project is an improvement that has been approved by the board.

(5) Rehabilitation - This work may include reworking or strengthening the base or subgrade, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-150, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-160 Classification standards for arterials in small cities.** Incorporated areas outside federal designated urban areas shall be required to identify their streets as either arterials or local access. An arterial shall be defined by at least one of the following standards:

(1) Serves as the logical extension of a county arterial into the corporate boundary; or

(2) Serves as a route connecting local (traffic) generators such as schools, medical facilities, social centers, recreational areas, commercial centers, or industrial sites within the corporate boundary; or

(3) Acts as a bypass or truck route to relieve the central core area.

Streets failing to qualify under these standards for arterials are not eligible for small city account funds.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-160, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-170 Establishing regions for small city account program.** Establishment of regions for the small city account will be in accordance with WAC 479-113-029.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-170, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-180 Allocation of small city account funds to regions.** Of the funds in the small city account, the amount allocated to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-180, filed 1/30/95, effective 3/2/95.]

**WAC 479-410-200 Administration costs.** The board costs for necessary staff services and facilities that are attributable to the small city account shall be paid from the small city account in a prorated amount of anticipated



expenditure of small city account funds in ratio to the other anticipated expenditures of funds from the other programs administered by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-410-200, filed 1/30/95, effective 3/2/95.]

**Chapter 479-412 WAC  
SUBMISSION OF SMALL CITY ACCOUNT  
PROJECTS**

**WAC**

- 479-412-020 Time and place for submission of proposed small city account projects.
- 479-412-100 Application for small city account projects.
- 479-412-150 Six-year transportation plan requirements for small city account projects.
- 479-412-200 Other applicable federal, state and local regulations.
- 479-412-250 Priority criteria for small city account projects.
- 479-412-300 Matching requirements for small city account projects.
- 479-412-310 Order of construction funding of small city account projects.

**WAC 479-412-020 Time and place for submission of proposed small city account projects.** All project prospectuses submitted for funding from the small city account will be submitted in accordance with the requirements of WAC 479-12-020.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-020, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-100 Application for small city account projects.** Prior to March 1, yearly, eligible agencies shall submit their proposed small city account projects to the board on forms provided by the board. The application must be specific and accompanied by a detailed cost estimate.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-100, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-150 Six-year transportation plan requirements for small city account projects.** Prior to the board's approval of a small city account project, it shall be included in the annual update of the six-year transportation program of the local agency.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-150, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-200 Other applicable federal, state and local regulations.** All small city account projects shall comply with applicable federal, state and local laws, policies, regulations and ordinances.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-200, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-250 Priority criteria for small city account projects.** The board will use the following criteria to prioritize proposed small city account projects:

- (1) Structural ability to carry loads (pavement condition);
- (2) Roadway width;
- (3) Safety; and

(4) Other factors: Criteria deemed appropriate by the board on a case-by-case basis.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-250, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-300 Matching requirements for small city account projects.** There will be no local agency matching requirements for cities with a population of five hundred or less. Those agencies with a population over five hundred must provide a minimum local match of five percent.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-300, filed 1/30/95, effective 3/2/95.]

**WAC 479-412-310 Order of construction funding of small city account projects.** Small city projects shall be considered in the sequence in which the project within each region are, as designed by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within region in which the related design proposals were approved. If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to proceed with the request. At that time the agency will be given priority within the appropriate region over all other request for funding submitted after their original request for construction funds.

The board, when considering approval of the construction phase of a project that was previously approved for the design phase, shall take into consideration the current balance of available funds in the account and shall not authorize the construction phase if, in the board's opinion the total funding for construction is not available.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-412-310, filed 1/30/95, effective 3/2/95.]

**Chapter 479-416 WAC  
REQUIREMENTS FOR SMALL CITY PROJECT  
DEVELOPMENT**

**WAC**

- 479-416-010 Methods of construction for small city account projects.
- 479-416-015 Registered engineer in charge for small city account projects.
- 479-416-016 Certification of completed work for small city account projects.
- 479-416-018 Design standards for small city account program projects.
- 479-416-020 Standard specifications for small city account projects.
- 479-416-030 Utility and railroad adjustments and relocations for small city account projects.
- 479-416-035 Undergrounding utilities on small city account projects.
- 479-416-040 Traffic control devices on small city account projects.
- 479-416-045 Project plantings on small city account projects.
- 479-416-050 Acquisition of right of way for small city account program projects.

**WAC 479-416-010 Methods of construction for small city account projects.** The methods of construction shall be as provided for in WAC 479-16-010.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-010, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-015 Registered engineer in charge for small city account projects.** All projects using small city account funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-015, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-016 Certification of completed work for small city account projects.** Each request for payment shall be submitted in accordance with WAC 479-16-016.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-016, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-018 Design standards for small city account program projects.** All small city account funded projects shall be prepared using currently applicable design standards.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-018, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-020 Standard specifications for small city account projects.** All small city account funded projects shall be constructed in accordance with WAC 479-16-020.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-020, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-030 Utility and railroad adjustments and relocations for small city account projects.** Utility and railroad adjustments and relocations on small city account funded projects shall be constructed in accordance with WAC 479-16-030.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-030, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-035 Undergrounding utilities on small city account projects.** Small city account funds may be used in the cost to underground utilities under conditions as provided for in WAC 479-16-035.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-035, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-040 Traffic control devices on small city account projects.** Traffic control devices included in small city account funded projects shall be installed in conformance with WAC 479-16-040.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-040, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-045 Project plantings on small city account projects.** Small city account funds may participate

in cost for project plantings in accordance with the requirements of WAC 479-16-045.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-045, filed 1/30/95, effective 3/2/95.]

**WAC 479-416-050 Acquisition of right of way for small city account program projects.** Right of way for small city account funded projects shall be acquired in accordance with chapter 468-100 WAC.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-416-050, filed 1/30/95, effective 3/2/95.]

## Chapter 479-420 WAC

### FINANCIAL AND PAYMENT REQUIREMENTS FOR SMALL CITY ACCOUNT PROJECTS

#### WAC

479-420-010	Eligible project costs for small city account projects.
479-420-011	Eligible costs for engineering for small city account projects.
479-420-013	Direct costs for small city account projects.
479-420-016	Indirect costs for small city account projects.
479-420-020	Partial or progress payments for small city account project costs.
479-420-025	Record requirements for small city account projects.
479-420-027	Audits of small city account project records.
479-420-031	Expenditure schedule of small city account funds.
479-420-037	Procedure for requesting an increase in authorized amount of transportation improvement account funds.
479-420-086	Review of delayed projects for the small city account program.
479-420-089	Recovery of small city account funds on canceled projects.
479-420-095	Identification and consideration of surplus funds on authorized small city account projects.

**WAC 479-420-010 Eligible project costs for small city account projects.** Project costs eligible for reimbursement from the small city account shall be those proper and allowable costs incurred on a project after the project is authorized by the board. Projects will be authorized in two phases, the first phase being design and the second phase being construction.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-010, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-011 Eligible costs for engineering for small city account projects.** The eligible design and construction engineering costs shall be limited to the amount approved by the board.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-011, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-013 Direct costs for small city account projects.** The direct costs eligible for reimbursements for small city account projects shall be as specified in WAC 479-20-013.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-013, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-016 Indirect costs for small city account projects.** The indirect costs eligible for reimburse-

ment for small city account projects shall be as specified in WAC 479-20-016.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-016, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-020 Partial or progress payments for small city account project costs.** Participation and payment of small city account funds shall be governed by the requirements of WAC 479-20-020.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-020, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-025 Record requirements for small city account projects.** The record requirements for small city account projects shall be as specified in WAC 479-20-025.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-025, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-027 Audits of small city account project records.** Audits for small city account projects shall be in accordance with WAC 479-20-027.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-027, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-031 Expenditure schedule of small city account funds.** The demand for small city account funds shall be submitted to the board in accordance with WAC 479-20-031.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-031, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-037 Procedure for requesting an increase in authorized amount of transportation improvement account funds.** An increase in the amount of small city account funds for a project may be requested in accordance with the provisions of WAC 479-20-037, except, where in the board's judgment at project completion, ten percent of unexpected project costs would create an undue financial burden on the agency, the board may elect to fund all or a portion of the unexpected cost.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-037, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-086 Review of delayed projects for the small city account program.** The review of delayed small city account projects shall be in accordance with WAC 479-20-086.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-086, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-089 Recovery of small city account funds on canceled projects.** The recovery of small city account funds paid to the local agency shall be in accordance with the provisions of WAC 479-20-089.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-089, filed 1/30/95, effective 3/2/95.]

**WAC 479-420-095 Identification and consideration of surplus funds on authorized small city account projects.** The identification and consideration of surplus funds for small city account projects shall be in accordance with WAC 479-20-095.

[Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-420-095, filed 1/30/95, effective 3/2/95.]

### Chapter 479-510 WAC

#### CENTRAL PUGET SOUND PUBLIC TRANSPORTATION ACCOUNT, PUBLIC TRANSPORTATION SYSTEMS ACCOUNT, AND SURFACE TRANSPORTATION PROGRAMS

##### WAC

479-510-060	Application guidelines.
479-510-076	Funding shortfall.
479-510-080	Over-programming of funds.
479-510-110	Central Puget Sound public transportation account—Eligibility.
479-510-120	Central Puget Sound public transportation account—Criteria.
479-510-210	Public transportation systems account—Eligibility.
479-510-220	Public transportation systems account—Criteria.
479-510-410	Intermodal Surface Transportation Efficiency Act, surface transportation program, state-wide competitive program account—Eligibility.
479-510-420	Intermodal Surface Transportation Efficiency Act, surface transportation program, state-wide competitive program account—Criteria.
479-510-500	Financial and payment requirements.

**WAC 479-510-060 Application guidelines.** The transportation improvement board shall prepare application guidelines for all fund accounts. At a minimum, such guidelines shall include all application forms needed and instructions on how to apply, sufficient information as to the scoring process to enable applicants to fairly compete, and a complete time schedule identifying key milestones from the opening of the application period to final project selection. Such guidelines shall be available upon request to the public records officer at least thirty days prior to the date applications are due to the transportation improvement board.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-060, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-076 Funding shortfall.** If it shall be determined by the transportation improvement board that the funding in any of the accounts will be insufficient to meet the contracted obligations identified for the selected projects, the transportation improvement board shall have discretion as to the remedial action it will take. Such actions may include, but not be limited to, termination of projects, reduction in funding to selected projects, and/or an across the board reduction in funding for all projects. Such action shall occur only after the transportation improvement board holds a public meeting during which the affected parties may testify as to impacts of such actions.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-076, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-080 Over-programming of funds.** The transportation improvement board shall select projects

based on its estimate of revenues and expenditures. The transportation improvement board may utilize the principle of over-programming when selecting projects, the degree of such over-programming to be at the discretion of the transportation improvement board for each account and application period.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-080, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-110 Central Puget Sound public transportation account—Eligibility.** (1) Eligibility to apply shall be limited to public agencies with offices in King, Kitsap, Pierce, and Snohomish counties.

(2) Projects eligible for funding from the central Puget Sound public transportation account shall be limited to public transportation projects for:

- (a) Planning;
- (b) Development of capital projects;
- (c) Development of high capacity transportation systems as defined in RCW 81.104.015;
- (d) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020; and
- (e) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board.

(3) Projects eligible for funding under the central Puget Sound public transportation account shall be limited to those located in King, Kitsap, Pierce, and Snohomish counties.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-110, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-120 Central Puget Sound public transportation account—Criteria.** (1) Projects selected for funding from the central Puget Sound public transportation account shall be consistent with the following criteria:

- (a) Local, regional, and state transportation plans;
  - (b) Local transit development plans; and
  - (c) Local comprehensive land use plans.
- (2) The following criteria shall be considered by the transportation improvement board in selecting programs and projects:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the transportation improvement board, and safety and security issues.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-120, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-210 Public transportation systems account—Eligibility.** (1) Participation in the public transportation systems account shall be limited to those public transportation systems that contribute funds to the account.

(2) Projects eligible for funding from the public transportation systems account shall be limited to public transportation projects for:

- (a) Planning;
- (b) Development of capital projects;
- (c) Development of high capacity transportation systems as defined in RCW 81.104.015;
- (d) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020;
- (e) Other public transportation system-related roadway projects on state highways, county roads, or city streets; and
- (f) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board.

(3) Projects eligible for funding under the public transportation systems account shall be limited to areas in Washington state outside of the central Puget Sound region identified in WAC 240-201-110(3).

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-210, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-220 Public transportation systems account—Criteria.** (1) Projects selected for funding from the public transportation systems account shall be consistent with the following criteria:

- (a) Local, regional, and state transportation plans;
  - (b) Local transit development plans; and
  - (c) Local comprehensive land use plans.
- (2) The following criteria shall be considered by the transportation improvement board in selecting programs and projects:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management projects, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds administered by the transportation improvement board, and safety and security issues.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-220, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-410 Intermodal Surface Transportation Efficiency Act, surface transportation program, state-wide competitive program account—Eligibility.** (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Planning;
- (b) Preliminary engineering;
- (c) Right of way acquisition;
- (d) Construction; and
- (e) Capital equipment acquisition.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-410, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-420 Intermodal Surface Transportation Efficiency Act, surface transportation program, state-wide competitive program account—Criteria.** (1) Projects selected for funding from the state-wide competitive program account shall be consistent with the following criteria:

- (a) Local, regional, and state transportation plans;
- (b) Local transit development plans; and
- (c) Local comprehensive land use plans.

(2) The following criteria shall be considered:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the transportation improvement board, and safety and security issues.

(3) In addition to the criteria identified in subsections (1) and (2) of this section, the transportation improvement board may choose to identify additional criteria for program and project selection for the state-wide competitive program. Such criteria shall be subject to public meetings as required by federal law, and shall be identified in the application guidelines.

(4) The transportation improvement board shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-420, filed 10/30/95, effective 11/30/95.]

**WAC 479-510-500 Financial and payment requirements.** The financial and payment requirements for the central Puget Sound public transportation account projects and public transportation systems account projects shall be as specified in chapter 479-20 WAC except WAC 479-20-007.

[Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-510-500, filed 10/30/95, effective 11/30/95.]