

Chapter 136-25 WAC
STANDARDS OF GOOD PRACTICE—TRAFFIC LAW ENFORCEMENT EXPENDITURES

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WAC

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WAC 136-25-010 Purpose and authority. RCW 36.79.140 sets forth the conditions under which counties are eligible to receive funds from the rural arterial trust account (RATA). Chapter 136-150 WAC describes how the RATA provisions will be implemented by the county road administration board. This chapter is specific to WAC 136-150-020, 136-150-021, 136-150-022, and 136-150-030 relating to road levy, road levy diversion, and traffic law enforcement.

[Statutory Authority: Chapter 36.78 RCW. WSR 16-09-069, § 136-25-010, filed 4/18/16, effective 5/19/16.]

WAC 136-25-020 Diversion of road levy funds may only be for traffic law enforcement within unincorporated areas of the county. To preserve RATA eligibility, road levy funds diverted pursuant to RCW 36.33.220 may only be used for traffic law enforcement within the unincorporated areas of counties, except those counties with a population of less than eight thousand, RCW 36.79.140 and WAC 136-150-030.

[Statutory Authority: Chapter 36.78 RCW. WSR 16-09-069, § 136-25-020, filed 4/18/16, effective 5/19/16.]

WAC 136-25-030 Eligible traffic law enforcement activities on county roads. For purposes of maintaining RATA eligibility, should the legislative authority vote and budget to divert road levy funds, the following traffic law enforcement activities occurring in unincorporated county areas are the only activities that can be funded by county road levy funds.

- (1) Speed limit and other traffic law enforcement;
- (2) Collision investigation documenting/reporting;
- (3) Oversize vehicle (weight, length, width, and height) enforcement;
- (4) Special traffic emphasis patrols;
- (5) Facilitating the removal of abandoned vehicles from the county road and rights of way;
- (6) Facilitating the removal of roadway and right of way obstructions at the request of the county engineer;
- (7) Investigating illegal littering and dumping on county road rights of way;
- (8) Sign damage investigation and enforcement;
- (9) Road condition enforcement, including mud, water, debris, or spills;
- (10) Rights of way encroachment investigation and enforcement at the request of the county engineer;
- (11) Maintenance and construction zone traffic enforcement;

(12) Road department vehicle special collision investigation at the request of the county engineer; and

(13) Other activities clearly related to county road law enforcement needs, as mutually agreed upon in writing by the county road engineer and the county sheriff. Disagreements shall be elevated to the county legislative authority.

[Statutory Authority: Chapter 36.78 RCW. WSR 16-09-069, § 136-25-030, filed 4/18/16, effective 5/19/16.]

WAC 136-25-040 Compliance and documentation. The certification required by WAC 136-150-022 shall be on a form provided by the county road administration board. Each county shall maintain adequate records of annual traffic law enforcement expenditures in such format and detail to demonstrate that the funds were used only for the traffic law enforcement activities set out in WAC 136-25-030.

[Statutory Authority: Chapter 36.78 RCW. WSR 16-09-069, § 136-25-040, filed 4/18/16, effective 5/19/16.]

WAC 136-25-050 Agreements. The county road administration board shall provide model documents for counties to use to establish agreements (relationships) between the county legislative authority and the county sheriff and between the county road engineer and the county sheriff for the use of county road levy funds for traffic law enforcement. The agreements are discretionary but, if used, should list which activities set out in WAC 136-25-030 are subject to the agreement.

[Statutory Authority: Chapter 36.78 RCW. WSR 16-09-069, § 136-25-050, filed 4/18/16, effective 5/19/16.]