

CHAPTER 120.

[Senate Bill No. 414.]

COUNTY ROAD ADMINISTRATION BOARD.

AN ACT relating to county roads; and amending section 46.68-.120, chapter 12, Laws of 1961 and RCW 46.68.120.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. "Board" shall mean the county road administration board created by this act.

"Board" defined.

SEC. 2. "Standards of good practice" shall mean general and uniform practices formulated and adopted by the board relating to the administration of county roads for the several classes of counties which shall apply to engineering, maintenance, traffic control, safety, planning, programming, road classification, road inventories, budgeting and accounting procedures, equipment policies, and personnel policies.

"Standards of good practice" defined.

SEC. 3. There is created hereby a county road administration board consisting of nine members who shall be appointed by the executive committee of the Washington state association of county commissioners. Prior to July 1, 1965 the executive committee of the Washington state association of county commissioners shall appoint the first members of the county road administration board: Three members to serve one year; three members to serve two years; and three members to serve three years from July 1, 1965. Upon expiration of the original terms subsequent appointments shall be made by the same appointing authority for three year terms except in the case of a vacancy, in which event the appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred.

County road administration board. Created—Members—Appointment—Terms—Vacancies.

County road
administration
board. Quali-
fications.

SEC. 4. Six members of the county road administration board shall be county commissioners and three members shall be county engineers. If any member, during the term for which he is appointed ceases to be either a county commissioner or a county engineer, as the case may be, his membership on the county road administration board is likewise terminated. Three members of the board shall be from counties of the following classes: Class AA, class A, or first class. Four members shall be from counties of the following classes: Second class, third class, fourth class, or fifth class. Two members shall be from counties of the following classes: Sixth class, seventh class, eighth class, or ninth class. Not more than one member of the board shall be from any one county.

Board—Meet-
ings—Chair-
man—Rules
and
regulations.

SEC. 5. The annual meeting of the county road administration board shall be during the first week in July of each year at which time the board shall elect a chairman from its own membership who shall hold office for one year. Election as chairman shall not affect the member's right to vote on all matters before the board. The board shall meet at such other times as it deems advisable but at least once quarterly and shall from time to time adopt rules and regulations for its own government and as may be necessary for it to discharge its duties and exercise its powers under this act.

County road
administration
engineer—
Appointment
—Duties—
Qualifications
—Term.

SEC. 6. The county road administration board shall appoint the county road administration engineer who shall be the chief administrative officer of the board and shall be responsible for carrying out the policies adopted by the board. The county road administration engineer shall be a licensed professional engineer with experience as a county engineer or as a chief assistant to a county engineer in Washington. He shall serve at the pleasure of the county road administration board.

SEC. 7. The county road administration board shall: Board—
Duties.

(1) Establish by regulation, standards of good practice for county road administration.

(2) Establish reporting requirements for counties with respect to the standards of good practice adopted by the board.

(3) Receive and review reports from counties and reports of the county road administration engineer to determine compliance with legislative directives and the standards of good practice adopted by the board.

(4) Report annually on the first day of July to the state highway commission and the joint committee on highways on the status of county road administration in each county. The annual report shall contain recommendations for improving administration of the county road programs.

SEC. 8. Members of the county road administration board shall receive no compensation for their service on the board, but shall be reimbursed for travel and other expenses incurred while attending meetings of the board or while engaged on other business of the board when authorized by the board to the extent of twenty dollars per day plus ten cents per mile. Board—Reim-
bursement for
expenses.

SEC. 9. (1) The board prior to April 1st of each year shall transmit to the state treasurer certificates of good practice on behalf of the counties which during the preceding calendar year: Certificates of
good practice
—Awarded—
When—Basis—
County share
of distribut-
able tax
moneys with-
held, when.

(a) Have submitted to the state highway commission or to the board all reports required by law or regulation of the board; and

(b) Have reasonably complied with provisions of law relating to county road administration and with the standards of good practice as formulated and adopted by the board.

County road administration board. Certificates of good practice—Awarded—When—Basis—County share of distributable tax moneys withheld, when.

(2) The board shall not transmit to the state treasurer a certificate of good practice on behalf of any county failing to meet the requirements of subsection (1) of this section, but the board shall in such case and before April 1st, notify the county and the state treasurer of its reasons for withholding the certificate.

(3) The state treasurer, upon receiving a notice that a certificate of good practice will not be issued on behalf of a county, shall, effective April 1st of such year, withhold from such county its share of motor vehicle fuel taxes distributable pursuant to RCW 46.68.120 until the board thereafter issues on behalf of such county a certificate of good practice or a conditional certificate. After withholding a certificate of good practice with respect to any county, the board may thereafter at any time issue such a certificate or a conditional certificate when the board is satisfied that the county has complied or is diligently attempting to comply with the requirements of subsection (1) of this section.

(4) Motor vehicle fuel taxes withheld from any county pursuant to this section shall not be distributed to any other county, but shall be retained in the motor vehicle fund to the credit of the county originally entitled thereto. Whenever the state treasurer receives from the board a certificate of good practice or a conditional certificate issued on behalf of such county he shall distribute to such county all of the funds theretofore retained in the motor vehicle fund to the credit of such county.

Conditional certificate of good practice—Cancellation.

SEC. 10. Whenever the board finds that a county has failed to submit the reports required by section 9 of this act, or has failed to comply with provisions of law relating to county road administration or has failed to meet the standards of good practice as formulated and adopted by the board, the board may in lieu of withholding a certificate of

good practice issue and transmit to the state treasurer on behalf of such county a conditional certificate which will authorize the continued distribution to such county of its share of motor vehicle fuel taxes. The issuance of such a conditional certificate shall be upon terms and conditions as shall be deemed by the board to be appropriate. In the event a county on whose behalf a conditional certificate is issued fails to comply with the terms and conditions of such certificate, the board may forthwith cancel such certificate notifying the state treasurer thereof. In such case the state treasurer shall thereafter withhold from such county its share of the motor vehicle fuel taxes as provided in section 9.

SEC. 11. All expenses incurred by the board including salaries of employees shall be paid upon voucher forms provided by the central budget agency or pursuant to a regular payroll signed by the chairman of the board and by the county road administration engineer. All expenses of the board shall be paid out of that portion of the motor vehicle fund allocated to the counties and withheld for use by the state highway commission and the county road administration board under the provisions of RCW 46.68.120(1), as now or hereafter amended.

Board—Expenses, procedure to pay—Source of payment.

SEC. 12. Section 46.68.120, chapter 12, Laws of 1961 and RCW 46.68.120 are each amended to read as follows:

RCW 46.68.120 amended.

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

Distribution of net tax amount in motor vehicle fund allocated to counties.

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the state highway commission and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof: *Provided*, That

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any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of licenses for the year next preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth day of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based

solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955 and on October 1st of each odd-numbered year thereafter furnish the state highway commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the highway commission and the joint fact-finding committee on highways, streets and bridges shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be de-

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fined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00
Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00

Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00
Whitman	1,454.00
Yakima	1,584.00

Provided, however, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a ten mill tax levy on the valuation, as equalized by the state tax commission for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the highway commission by the state treasurer for that purpose. The tax commission and the state treasurer shall supply the in-

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formation herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The state highway commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required.

(h) The highway commission and the joint fact-finding committee on highways, streets and bridges shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The highway commission and the joint fact-finding committee on highways, streets and bridges shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

(1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated.

(2) Average costs per trunk mile.

(3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted.

(4) Reassessment of bridge costs based on current information and relogging of bridges.

(5) The items in the list of resources used in determining the "need factor."

(6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs.

(7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Passed the Senate March 29, 1965.

Passed the House March 24, 1965.

Approved by the Governor April 8, 1965.