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SENATE BILL 6209

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State of Washington                      61st Legislature                      2010 Regular Session

By Senators Haugen, Berkey, Marr, Shin, and Sheldon

Read first time 01/11/10. Referred to Committee on Transportation.

1            AN ACT Relating to allowing moneys paid to county road funds to be  
2 used for park and ride lots; and amending RCW 36.82.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 36.82.070 and 2001 c 221 s 3 are each amended to read  
5 as follows:

6            Any money paid to any county road fund may be used for the  
7 construction, alteration, repair, improvement, or maintenance of county  
8 roads and bridges thereon and for wharves necessary for ferriage of  
9 motor vehicle traffic, and for ferries, and for the acquiring,  
10 operating, and maintaining of machinery, equipment, quarries, or pits  
11 for the extraction of materials, and for the cost of establishing  
12 county roads, acquiring rights-of-way therefor, and expenses for the  
13 operation of the county engineering office, and for any of the  
14 following programs when directly related to county road purposes: (1)  
15 Insurance; (2) self-insurance programs; and (3) risk management  
16 programs; and for any other proper county road purpose. Such  
17 expenditure may be made either independently or in conjunction with the  
18 state or any city, town, or tax district within the county. County  
19 road purposes include the construction, maintenance, or improvement of

1 park and ride lots. County road purposes also include the removal of  
2 barriers to fish passage related to county roads, and include but are  
3 not limited to the following activities associated with the removal of  
4 these barriers: Engineering and technical services; stream bank  
5 stabilization; streambed restoration; the placement of weirs, rock, or  
6 woody debris; planting; and channel modification. County road funds  
7 may be used beyond the county right-of-way for activities clearly  
8 associated with removal of fish passage barriers that are the  
9 responsibility of the county. Activities related to the removal of  
10 barriers to fish passage performed beyond the county right-of-way must  
11 not exceed twenty-five percent of the total cost of activities related  
12 to fish barrier removal on any one project, and the total annual cost  
13 of activities related to the removal of barriers to fish passage  
14 performed beyond the county rights-of-way must not exceed one-half of  
15 one percent of a county's annual road construction budget. The use of  
16 county road funds beyond the county right-of-way for activities  
17 associated with the removal of fish barriers is permissive, and wholly  
18 within the discretion of the county legislative authority. The use of  
19 county road funds beyond the county right-of-way for such activities  
20 does not create or impose a legal duty upon a county for salmon  
21 recovery work beyond the county right-of-way.

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