

Chapter 136-50 WAC
STANDARDS OF GOOD PRACTICE—COUNTY ROAD DEPARTMENT ADMINISTRATION
(Formerly chapter 136-10 WAC)

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WAC

136-50-010	Purpose and authority.
136-50-020	Duties of county legislative authority.
136-50-030	Duties of the county engineer.
136-50-035	Charter counties.
136-50-050	Written policy.
136-50-070	Submittal of policies to the county road administration board.
136-50-080	Notifications.
136-50-090	Failure to comply.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-50-051	Policy regarding organization. [Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-051, filed 8/22/02, effective 9/22/02.] Repealed by WSR 22-03-084, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.78 RCW.
136-50-052	Policy regarding personnel practices. [Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-052, filed 8/22/02, effective 9/22/02.] Repealed by WSR 22-03-084, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.78 RCW.
136-50-053	Policy regarding handling of complaints. [Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-053, filed 8/22/02, effective 9/22/02.] Repealed by WSR 22-03-084, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.78 RCW.
136-50-054	Policy regarding approval of work for other public agencies and county departments. [Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-054, filed 8/22/02, effective 9/22/02.] Repealed by WSR 22-03-084, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.78 RCW.
136-50-055	Policy regarding accommodation of utilities on county road rights of way. [Statutory Authority: Chapter 36.78 RCW. WSR 14-17-035, § 136-50-055, filed 8/13/14, effective 9/13/14. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-055, filed 8/22/02, effective 9/22/02.] Repealed by WSR 22-03-084, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.78 RCW.

WAC 136-50-010 Purpose and authority. The powers and duties of the county legislative authority in relation to roads and bridges, and the qualifications and duties of the county engineer are detailed in Title 36 RCW. This chapter specifies policies and notifications to be coordinated between the county engineer, county legislative authority, and the county road administration board.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-010, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-010, filed 8/22/02, effective 9/22/02.]

WAC 136-50-020 Duties of county legislative authority. Certain specific powers and duties are set forth in RCW 36.75.040, 36.75.050, 36.80.010, 36.81.121, and 36.81.130. In addition to these specific statutory duties, the county legislative authority shall have the duty to develop written policies, regarding county road department operation for the information and guidance of the county engineer.

[Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-020, filed 8/22/02, effective 9/22/02.]

WAC 136-50-030 Duties of the county engineer. The various duties and responsibilities of the county engineer are set forth in chapter 36.80 RCW. In addition to these specifically defined duties, the county engineer shall be guided by written policies regarding county road department operation as promulgated by the county legislative authority.

In this chapter and throughout Title 136 WAC, the term "county engineer" shall mean both "county road engineer" and "county engineer," as those terms are used in Title 36 RCW. See AGO Letter Opinion 1972 No. 049.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-030, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-030, filed 8/22/02, effective 9/22/02.]

WAC 136-50-035 Charter counties. In counties that have adopted a home rule charter, as provided for in Article 11 subsection 4 of the state Constitution, the duties and responsibilities of the county engineer set forth in chapter 36.80 RCW may be modified by the county legislative authority as allowed by existing constitutional law, statutory law, and the county's charter.

If the legislative/executive authority of a charter county has modified/delegated the statutory duties of the county engineer, the county shall submit the resolution or ordinance adopting these modifications/delegations to the county road administration board within five business days of adoption. This shall include any subsequent written delegations of authority.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-035, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-035, filed 8/22/02, effective 9/22/02.]

WAC 136-50-050 Written policy. In order to implement the requirements of this chapter, the county legislative authority shall develop and by resolution or ordinance adopt written policies, within the limits of existing state law, that cover any matters relating to county road department administration, maintenance, and construction as they may see fit. At a minimum, the following written policies must be adopted by the legislative authority:

(1) Organization: A policy designating the interrelationships of all positions involved in the administration, operation, maintenance, and construction of the county road system, including the legislative/executive authority. Said policy shall include a chart or pictorial representation of the interrelationships and must clearly show the chain of command throughout the entire organization. It is recommended, but not required, the positions be represented by title or position number rather than by employee name to reduce the frequency of revision, adoption, and required submission to CRAB.

(2) Complaint handling: A policy establishing the method by which complaints from the general public and others will be received, assigned for review, response and any corrective action, and follow-up communication deemed appropriate.

(3) Work for others: A policy regarding approval of work for other public agencies and county departments within the requirements of RCW 35.77.020, 36.75.205, and chapter 39.34 RCW. The policy shall include, but is not limited to, the following:

(a) Statement of intent indicating whether the legislative authority will accept requests for work from other public agencies or other county departments;

(b) Statement indicating procedures to be followed in processing such requests in accordance with applicable statutes; and

(c) Statement indicating any delegation of authority in processing such requests.

(4) County road standards: The county engineer shall propose and, the legislative authority shall adopt, and amend as needed, standards for all county roads per chapter 36.86 RCW, and shall include:

(a) Design standards, see WSDOT local agency guidelines chapter 42.

(b) Construction specifications.

(c) Permitting work within the county road right-of-way.

(5) Survey monument preservation: A policy regarding preservation, maintenance, and restoration of survey monuments within the county road right-of-way.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-050, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-050, filed 8/22/02, effective 9/22/02.]

WAC 136-50-070 Submittal of policies to the county road administration board. Each county legislative authority shall submit to the county road administration board one copy of each adopted policy required in WAC 136-50-050 and any subsequent revisions thereto, within 10 business days of adoption. The county road administration board shall maintain a current file of all such adopted policies for each county.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-070, filed 1/18/22, effective 2/18/22. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-020, § 136-50-070, filed 8/22/02, effective 9/22/02.]

WAC 136-50-080 Notifications. To ensure that the standards of good practice are followed and, to facilitate county road administration board assistance and support to the counties, the county engineer shall notify the county legislative authority and the county road administration board within five business days regarding any of the following:

(1) The county engineer's professional civil engineering license expires or is suspended by the board of registration for professional engineers and land surveyors;

(2) The county, the county road department, or the county engineer is cited by any state or federal agency for violating state or federal law regarding county road administration, operation, maintenance, or construction;

(3) The county's certified agency certification is placed on probation or is revoked by the Washington state department of transportation;

(4) A finding or management letter from the state auditor's office directly or indirectly involving or effecting county road or equipment rental and revolving funds or policies;

(5) Judgments or verdicts involving the county road department.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-080, filed 1/18/22, effective 2/18/22.]

WAC 136-50-090 Failure to comply. If a county fails to comply with any portion of this chapter, the matter will be considered at the next regular meeting of the county road administration board. The county road administration board may take any action deemed necessary to ensure a county's compliance with this chapter.

[Statutory Authority: Chapter 36.78 RCW. WSR 22-03-084, § 136-50-090, filed 1/18/22, effective 2/18/22.]