



# EXPEDITED RULE MAKING

## CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON  
FILED

DATE: May 22, 2024

TIME: 8:18 AM

WSR 24-11-149

**Agency:** County Road Administration Board

**Title of rule and other identifying information:** (describe subject) WAC 136-165-020 – Requirements for Consideration of RATA Fund Increases.

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Eliminate 25% cap on requests for additional grant funds on a project. This change was previously adopted as an emergency WAC amendment as published in WSR 24-08-008.

**Reasons supporting proposal:** The County Road Administration Board administers the Rural Arterial Program (RAP) which provides grant funds for capital improvements on county road arterials and collectors. Counties may request an increase in funding for a project. Currently, that request is capped at 25% of the original grant amount. This WAC amendment will eliminate the 25% cap on the amount a county may request.

**Statutory authority for adoption:** RCW 36.79.060(1) & RCW 36.78.070(6)

**Statute being implemented:**

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**Name of proponent:** (person or organization) County Road Administration Board

Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Drew Woods	2404 Chandler Ct SW, Suite 240; Olympia, WA 98502	360.753.5989
Implementation:	Steve Johnson	2404 Chandler Ct SW, Suite 240; Olympia, WA 98502	360.753.5989
Enforcement:	Drew Woods	2404 Chandler Ct SW, Suite 240; Olympia, WA 98502	360.753.5989

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Expedited Adoption - Which of the following criteria was used by the agency to file this notice:**

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

**Expedited Repeal - Which of the following criteria was used by the agency to file notice:**

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.


**Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):** This change is regarding a grant management process that will not negatively impact any person. The change is fully supported by the county road departments that are the recipients of the grant funds.

**NOTICE**

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

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Other:

**AND RECEIVED BY** (date) July 23, 2024

<b>Date:</b> May 21, 2024	<b>Signature:</b> 
<b>Name:</b> Jane Wall	
<b>Title:</b> Executive Director	