



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 06, 2024
TIME: 8:54 AM

WSR 24-19-016

Agency: County Road Administration Board

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

- Preproposal Statement of Inquiry was filed as WSR _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
- Proposal is exempt under RCW .

Title of rule and other identifying information: (describe subject) Amending WAC 136-60-040, 136-60-050, and 136-60-060 to make changes to the standard of good practice for maintenance of county road logs. Amending WAC 136-161-040 to make changes to the rural arterial program.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 24, 2024	9:15am	6 West Rose St Walla Walla, WA 99362	CRABoard meeting will be held in the Marcus Whitman Hotel. Virtual attendance is available.

Date of intended adoption: October 24, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Drew Woods
 Address: 2404 Chandler Ct SW, Suite 240; Olympia, WA 98504
 Email: Drew.Woods@CRAB.Wa.Gov
 Fax: N/A
 Other:
 By (date) October 18, 2024

Assistance for persons with disabilities:

Contact Drew Woods
 Phone: 360.753.5989
 Fax: N/A
 TTY: 800.883.6384
 Email: Drew.Woods@CRAB.Wa.Gov
 Other:
 By (date) October 18, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Reasons supporting proposal: WAC 136-60-040, 050, and 060 are being updated to require a specific frequency of traffic counts on roads carrying over 4,000,000 tons of freight and/or have an average daily traffic over 5,000. WAC 136-161 is being amended to remove the requirement that CRAB staff who perform preliminary project reviews must be a licensed professional civil engineer.

Statutory authority for adoption: Chapter 36.78.070 RCW

Statute being implemented: Chapter 36.78.070(1), 36.78.070(6), and 36.79.060(1) RCW

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: N/A

Type of proponent: Private Public Governmental

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

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Drew Woods	2402 Chandler Ct SW, Suite 240; Olympia, WA 98504	360.753.5989
Implementation:	Mike Clark, Steve Johnson	2402 Chandler Ct SW, Suite 240; Olympia, WA 98504	360.753.5989
Enforcement:	Drew Woods	2402 Chandler Ct SW, Suite 240; Olympia, WA 98504	360.753.5989

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

No: Please explain: Proposed rule relates only to internal governmental operations that are not subject to violation by a nongovernment party

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

- | | |
|--|--|
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW 36.78.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

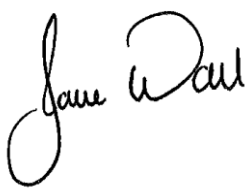
(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: September 6, 2024	Signature: 
Name: Jane Wall	
Title: Executive Director	