



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 21, 2024

TIME: 11:27 AM

WSR 24-08-008

Agency: County Road Administration Board

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
- No
- If Yes, explain:

Purpose: 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 grant amount. This emergency WAC amendment will eliminate the 25% cap on the amount a county may request.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: 136-165-020
- Suspended:

Statutory authority for adoption: Chapter 36.79.060(1) RCW

Other authority: Chapter 36.78.070(6) RCW

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The current 25% limit on project increase requests is causing counties to delay capital improvements that are necessary for the safe and efficient movement of people and freight on county roads. Counties are having to delay projects while they attempt to find additional grant funds needed due to the increase in the cost of the project. This change is intended to assist the counties with making these critical public safety improvements as quickly as possible.

The County Road Administration Board will also be working to adopt this WAC amendment on a permanent basis.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

| | | | | | | |
|----------------------------------|-----|-----|---------|-----|----------|-----|
| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New ____ Amended 1 Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

| | | | | | | |
|--------------------------------|-----|------|---------|------|----------|------|
| Negotiated rule making: | New | ____ | Amended | ____ | Repealed | ____ |
| Pilot rule making: | New | ____ | Amended | ____ | Repealed | ____ |
| Other alternative rule making: | New | ____ | Amended | ____ | Repealed | ____ |

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| Date Adopted: March 21, 2024 |
| Name: Jane Wall |
| Title: Executive Director |

Signature:

