



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: County Road Administration Board

Subject of possible rule making: WAC Chapter 136-28

Statutes authorizing the agency to adopt rules on this subject: 36.78

Reasons why rules on this subject may be needed and what they might accomplish:

Amending and adding new sections to current WAC 136-28 Standards of Good Practice - cooperative procedures for processing of County Road Accident Reports.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Please send comments to Bob Moorhead at bobm@crab.wa.gov.

DATE
May 26, 2009

NAME (TYPE OR PRINT)
Jay P. Weber

SIGNATURE

TITLE
Executive Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 27, 2009

TIME: 10:36 AM

WSR 09-12-035

Chapter 136-28 WAC

STANDARDS OF GOOD PRACTICE--COOPERATIVE PROCEDURES FOR PROCESSING OF COUNTY ROAD ACCIDENT REPORTS

AMENDATORY SECTION (Amending WSR 05-11-037, filed 5/11/05, effective 6/11/05)

WAC 136-28-010 Purpose and authority. RCW 36.78.070(1) authorizes the county road administration board to establish standards of good practice for the administration of county roads and the efficient movement of people and goods over county roads. In order to maintain accurate information on the types and locations of collisions on county roads and implement the requirement of the National Highway Safety Act of 1966 that requires all states, in cooperation with their various local governments, to collect, compile and make reports to the National Highway Traffic Safety Administration in each state, the county road administration board has acted to coordinate the activities of the county engineers and the Washington state department of transportation. Each county engineer is to cooperate in this effort by following the procedure outlined below.

AMENDATORY SECTION (Amending WSR 05-11-037, filed 5/11/05, effective 6/11/05)

WAC 136-28-020 County Location Coding Form (CLCF) reporting procedure. The Washington state department of transportation (WSDOT) collects collision reports from all law enforcement agencies and receives collision reports from individual drivers. Periodically, the WSDOT ~~((will send or deliver to the county engineer's office in each county reports with attached county location coding forms (CLCF), concerning collisions occurring on county roads in that county))~~ makes on-line reports available.

The engineer will analyze ~~((the))~~ each report and complete the CLCF. For those collisions that the county engineer verifies did occur in his/her jurisdiction, only the completed CLCF will be returned to the WSDOT. However, if the engineer determines that the collision did not occur on a roadway in the county's

jurisdiction, he/she shall complete the bottom portion of the CLCF and return it and the collision report to the WSDOT.

AMENDATORY SECTION (Amending WSR 05-11-037, filed 5/11/05, effective 6/11/05)

WAC 136-28-030 Coding detail. (1) The county number shall be that particular number assigned to each county by the state office of financial management for county identification purposes.

(2) The county road log number shall be that particular five-digit number, including both leading and trailing zeros if applicable, assigned to each county road according to the county's latest county road log. No local names or numbers or other nomenclature shall be used in coding the road log number.

(3) The milepost shall be determined as accurately as practicable from a comparison of information on the collision report with the latest county road log.

(4) Collisions at an intersection with a state highway will be coded by the state department of transportation.

(5) To ensure uniformity, collisions at the intersection of any two county roads shall be coded to a road in the following priority order:

- (a) The road with the higher functional class;
- (b) The road that is the through route;
- (c) The road with the lower road number.

(6) Collisions on roads and/or at intersections with dual city-county or county-county responsibilities shall be coded in general accordance with the procedures outlined herein based on a mutual understanding between the several jurisdictions involved.

NEW SECTION

WAC 136-28-040 Action on accident reporting compliance by the county road administration board. By December 31, 2010, at least ninety percent of the CLCFs made available to the county engineer prior to January 1, 2010, shall be completed and transmitted to WSDOT.

Beginning January 1, 2010, the county engineer shall complete and return to WSDOT at least ninety percent of all CLCFs for the current calendar year by December 31st of that year. The county road administration board will advise each county engineer of the status of the CLCF actions as of September 30th and December 31st of each year. Failure to comply may be cause for issuance of a conditional certificate of good practice by the board as specified

in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

NEW SECTION

WAC 136-28-050 Determination of accident reporting compliance by the county road administration board. At its second regular meeting of each calendar year, the county road administration board shall determine if any county is unreasonably delinquent in its statutory accident reporting for the preceding calendar year. In determining what is unreasonable, the county road administration board shall consider the following:

(1) Did the county provide prior notification of the possible accident reporting problems in writing to the county road administration board?

(2) How much greater than ten percent is the percentage of the delinquent accident reporting compared to the total county accident reporting for the same period?

(3) Are there extenuating circumstances beyond the control of the county that resulted in the delinquent accident reporting?

(4) What is the past record of the county regarding accident-reporting compliance?