

**Chapter 136-50 WAC**  
**STANDARDS OF GOOD PRACTICE—(~~STATUTORY RELATIONSHIP BETWEEN COUNTY~~**  
**~~ENGINEER AND COUNTY LEGISLATIVE AUTHORITY ADOPTION OF WRITTEN POLI-~~**  
**~~CIES)~~ COUNTY ROAD DEPARTMENT ADMINISTRATION**

AMENDATORY SECTION (Amending WSR 02-18-020, filed 8/22/02, effective 9/22/02)

**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 (~~reiterates the formal relationship between the legislative authority and its county engineer and requires that certain written policies be adopted to insure the efficient and productive operation of the road department.~~

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) specifies policies and notifications to be coordinated between the county engineer, county legislative authority, and the county road administration board.

AMENDATORY SECTION (Amending WSR 02-18-020, 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.

AMENDATORY SECTION (Amending WSR 02-18-020, 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.

AMENDATORY SECTION (Amending WSR 02-18-020, 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 ((operation)) administration, maintenance, and construction as they may see fit. At a minimum, the following written policies must be adopted ((to cover the issues listed in WAC 136-50-051 through 136-50-055)) 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.

AMENDATORY SECTION (Amending WSR 02-18-020, 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 office of))~~ the county road administration board one copy of each adopted policy required in WAC ~~((136-50-051 through 136-50-055,))~~ 136-50-050 and any subsequent revisions thereto, ~~((adopted pursuant to this regulation))~~ within 10 business days of adoption. The county road administration board shall maintain a current file of all such adopted policies for each county.

NEW SECTION

**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.

NEW SECTION

**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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 136-50-051 Policy regarding organization.  
WAC 136-50-052 Policy regarding personnel practices.  
WAC 136-50-053 Policy regarding handling of  
complaints.  
WAC 136-50-054 Policy regarding approval of work for  
other public agencies and county  
departments.  
WAC 136-50-055 Policy regarding accommodation of  
utilities on county road rights of way.