
ENGROSSED HOUSE BILL 1868

State of Washington

64th Legislature

2015 Regular Session

By Representatives Lytton and Morris

Read first time 01/30/15. Referred to Committee on Local Government.

1 AN ACT Relating to county road fund purposes for certain
2 counties; and amending RCW 36.82.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.82.070 and 2010 c 43 s 1 are each amended to read
5 as follows:

6 Any money paid to any county road fund may be used for the
7 construction, alteration, repair, improvement, or maintenance of
8 county roads and bridges thereon and for wharves necessary for
9 ferriage of motor vehicle traffic, and for ferries, and for the
10 acquiring, operating, and maintaining of machinery, equipment,
11 quarries, or pits for the extraction of materials, and for the cost
12 of establishing county roads, acquiring rights-of-way therefor, and
13 expenses for the operation of the county engineering office, and for
14 any of the following programs when directly related to county road
15 purposes: (1) Insurance; (2) self-insurance programs; and (3) risk
16 management programs; and for any other proper county road purpose.
17 Such expenditure may be made either independently or in conjunction
18 with the state or any city, town, or tax district within the county.
19 County road purposes include the construction, maintenance, or
20 improvement of park and ride lots. For counties that consist entirely
21 of islands, or have tidally influenced islands: County road purposes

1 also include marine uses relating to navigation and moorage; and any
2 money paid to any county road fund may be used for marine facilities,
3 including mooring buoys, docks, and aids to navigation. County road
4 purposes also include the removal of barriers to fish passage related
5 to county roads, and include, but are not limited to, the following
6 activities associated with the removal of these barriers: Engineering
7 and technical services; stream bank stabilization; streambed
8 restoration; the placement of weirs, rock, or woody debris; planting;
9 and channel modification. County road funds may be used beyond the
10 county right-of-way for activities clearly associated with removal of
11 fish passage barriers that are the responsibility of the county.
12 Activities related to the removal of barriers to fish passage
13 performed beyond the county right-of-way must not exceed twenty-five
14 percent of the total cost of activities related to fish barrier
15 removal on any one project, and the total annual cost of activities
16 related to the removal of barriers to fish passage performed beyond
17 the county rights-of-way must not exceed one-half of one percent of a
18 county's annual road construction budget. The use of county road
19 funds beyond the county right-of-way for activities associated with
20 the removal of fish barriers is permissive, and wholly within the
21 discretion of the county legislative authority. The use of county
22 road funds beyond the county right-of-way for such activities does
23 not create or impose a legal duty upon a county for salmon recovery
24 work beyond the county right-of-way.

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