
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: County road purposes also include marine uses relating to

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

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