
HOUSE BILL 1008

State of Washington

69th Legislature

2025 Regular Session

By Representatives Low, Barkis, and Eslick

Prefiled 12/03/24. Read first time 01/13/25. Referred to Committee on Local Government.

1 AN ACT Relating to improving county local roads by creating a new
2 county local road program; adding a new chapter to Title 36 RCW;
3 providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Board" means the county road administration board created in
9 RCW 36.78.030.

10 (2) "Community facility" means a publicly owned facility or
11 building that is primarily intended to serve the recreational,
12 educational, cultural, public health and safety, administrative, or
13 entertainment needs of the community as a whole.

14 (3) "County local road project" means improvement projects on
15 those county roads not federally classified as an arterial or
16 collector.

17 (4) "LAG manual" means the Washington state department of
18 transportation's local agency guidelines manual or its successor
19 document.

20 (5) "Overburdened community" is as defined in RCW 70A.02.010.

1 (6) "Pedestrian facility" is a facility designed to meet the
2 needs of pedestrians in accordance with county and Americans with
3 disabilities act requirements.

4 NEW SECTION. **Sec. 2.** There is created in the motor vehicle fund
5 the county local road trust account. All moneys deposited in the
6 motor vehicle fund to be credited to the county local road trust
7 account must be expended for (1) the preservation and improvement of
8 county local roads and (2) those expenses of the board associated
9 with the administration of the county road local access preservation
10 program. The account is subject to allotment procedures under chapter
11 43.88 RCW, and an appropriation is required for expenditures.

12 NEW SECTION. **Sec. 3.** The board shall:

13 (1) Adopt rules necessary to implement the provisions of this
14 chapter relating to the allocation of funds in the county local road
15 trust account to counties; and

16 (2) Include a program status report in the board's annual report
17 to the legislature as provided in RCW 36.78.070.

18 NEW SECTION. **Sec. 4.** (1) The board shall adopt rules to select
19 projects taking into consideration, at a minimum, the following
20 criteria:

21 (a) Investment in overburdened communities;

22 (b) Environmental health disparities as identified in the
23 environmental health disparities map specified in RCW 43.70.815;

24 (c) Location on or providing direct access to a federally
25 recognized Indian reservation;

26 (d) Sustaining the structural, safety, and operational integrity
27 of the road;

28 (e) Vehicle and pedestrian collision experience;

29 (f) Access improvements to a community facility; and

30 (g) Identified need in a state, regional, county, or community
31 plan.

32 (2) Proposed projects must be included in the respective county's
33 six-year program as provided in RCW 36.81.121 before board approval
34 of the project.

35 NEW SECTION. **Sec. 5.** The following project types are allowed
36 under the county local road program created in this chapter:

- 1 (1) 2-R as defined in the LAG manual;
- 2 (2) 3-R as defined in the LAG manual;
- 3 (3) Reconstruction as defined in the LAG manual;
- 4 (4) Replacement of any bridge on the national bridge inventory;
- 5 (5) Removal of human-made or caused impediments to anadromous
- 6 fish passage;
- 7 (6) Pedestrian facilities.

8 NEW SECTION. **Sec. 6.** Whenever a proposed county local road
9 project is adjacent to a city or town, the appropriate city or town
10 and county officials shall jointly plan and include the improvement
11 in their respective long-range plans. Whenever a county local road
12 project connects with and will be substantially affected by a
13 programmed construction project on a state highway, the proper county
14 officials shall jointly plan the development of such project with the
15 department of transportation district administrator.

16 NEW SECTION. **Sec. 7.** Counties receiving funds from the county
17 local road trust account shall provide such matching funds as
18 established by rules adopted by the board. Matching requirements must
19 be established after appropriate studies by the board, taking into
20 account financial resources available to counties.

21 NEW SECTION. **Sec. 8.** (1) After December 31, 2025, counties
22 which divert any portion of the county road levy as authorized by RCW
23 36.33.220 are not eligible to receive funds from the county local
24 road trust account. Counties under 8,000 in population are exempt
25 from this eligibility restriction.

26 (2) The board shall authorize county local road trust account
27 funds for the construction project portion of a project previously
28 authorized for a preliminary proposal in the sequence in which the
29 preliminary proposal has been completed and the construction project
30 is to be placed under contract. At such time the board may reserve
31 county local road trust account funds for expenditure in future years
32 as may be necessary for completion of preliminary proposals and
33 construction projects to be commenced in the ensuing biennium.

34 (3) The board may, within the constraints of available county
35 local road trust account funds, consider additional projects for
36 authorization upon a clear and conclusive showing by the submitting
37 county that the proposed project is of an emergent nature and that

1 its need was unable to be anticipated at the time the six-year
2 program of the county was developed. The proposed projects must be
3 evaluated on the basis of the priority rating factors specified in
4 section 4 of this act.

5 NEW SECTION. **Sec. 9.** (1) Whenever the board approves a county
6 local road project it shall determine the amount of county local road
7 trust account funds to be allocated for such project. The allocation
8 must be based upon information submitted by the county seeking
9 approval of the project and upon such further investigation as the
10 board deems necessary. The board shall adopt reasonable rules
11 pursuant to which county local road trust account funds allocated to
12 a project may be increased upon a subsequent application of the
13 county constructing the project. The rules adopted by the board must
14 take into account, but are not limited to, the following factors:

15 (a) The financial effect of increasing the original allocation
16 for the project upon other county local road projects either approved
17 or requested;

18 (b) Whether the project for which an additional allocation is
19 requested can be reduced in scope while retaining a usable segment;

20 (c) Whether the original cost of the project shown in the
21 applicant's original submittal was based upon reasonable engineering
22 estimates; and

23 (d) Whether the requested additional allocation is to pay for an
24 expansion in the scope of work originally approved.

25 (2) The board shall not allocate funds, nor make payments under
26 RCW 36.79.120, to any county identified by the governor under RCW
27 36.70A.340.

28 NEW SECTION. **Sec. 10.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of
30 the state government and its existing public institutions, and takes
31 effect July 1, 2025.

32 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
33 constitute a new chapter in Title 36 RCW.

--- END ---