

RCW 36.82.070 Purpose for which road fund can be used. (1) Any money paid to any county road fund may be used for the construction, alteration, repair, improvement, or maintenance of county roads and bridges thereon and for wharves necessary for ferriage of motor vehicle traffic, and for ferries, and for the acquiring, operating, and maintaining of machinery, equipment, quarries, or pits for the extraction of materials, and for the cost of establishing county roads, acquiring rights-of-way therefor, and expenses for the operation of the county engineering office, and for any of the following programs when directly related to county road purposes: (a) Insurance; (b) self-insurance programs; and (c) risk management programs; and for any other proper county road purpose. Such expenditure may be made either independently or in conjunction with the state or any city, town, or tax district within the county. County road purposes include the construction, maintenance, or improvement of park and ride lots. County road purposes also include the removal of barriers to fish passage related to county roads, and include, but are not limited to, the following activities associated with the removal of these barriers: Engineering and technical services; stream bank stabilization; streambed restoration; the placement of weirs, rock, or woody debris; planting; and channel modification. County road funds may be used beyond the county right-of-way for activities clearly associated with removal of fish passage barriers that are the responsibility of the county. Activities related to the removal of barriers to fish passage performed beyond the county right-of-way must not exceed twenty-five percent of the total cost of activities related to fish barrier removal on any one project, and the total annual cost of activities related to the removal of barriers to fish passage performed beyond the county rights-of-way must not exceed one-half of one percent of a county's annual road construction budget. The use of county road funds beyond the county right-of-way for activities associated with the removal of fish barriers is permissive, and wholly within the discretion of the county legislative authority. The use of county road funds beyond the county right-of-way for such activities does not create or impose a legal duty upon a county for salmon recovery work beyond the county right-of-way.

(2) For counties that consist entirely of islands, county road purposes also include marine uses relating to navigation and moorage. Such a county may deposit revenue collected under RCW 84.52.043 and 36.82.040, in the amount or percentage determined by the county, into a subaccount within the county road fund to be used for marine facilities, including mooring buoys, docks, and aids to navigation. [2015 c 223 § 1; 2010 c 43 § 1; 2001 c 221 § 3; 1997 c 189 § 1; 1963 c 4 § 36.82.070. Prior: 1943 c 82 § 5, part; 1937 c 187 § 53, part; Rem. Supp. 1943 § 6450-53, part.]

Removal of fish barriers—2001 2nd sp.s. c 14: "Notwithstanding the limitations of RCW 36.82.070 and 2001 c 221 s 3, county road funds may be used during this biennium beyond the county right-of-way for activities clearly associated with removal of fish passage barriers that are the responsibility of the county in the amount deemed appropriate by the county." [2001 2nd sp.s. c 14 § 609.]

Purpose—Intent—2001 c 221: See note following RCW 36.79.140.