CONFORMED AGREEMENT
INCORPORATED REVISIONS PER AMENDMENT
DATED:
APRIL 2, 2013
FOR REFERENCE

CITY STREETS AS PART OF STATE HIGHWAYS GUIDELINES REACHED BY THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE ASSOCIATION OF WASHINGTON CITIES ON THE INTERPRETATION OF SELECTED TOPICS OF RCW 47.24 AND FIGURES OF WAC 468-18-050 FOR THE CONSTRUCTION, OPERATIONS AND MAINTENANCE RESPONSIBILITIES OF WSDOT AND CITIES FOR SUCH STREETS

April 30, 1997

These guidelines are primarily intended for city streets designated as state highways and provide an outline for development of agreements within limited access. The jurisdiction, control, and duty of the state and city or town for city streets that are a part of state highways is specified in RCW 47.24.020; however, the implementing WAC'S, directives and manuals have been subject to interpretation. This report documents agreed upon guidelines that have been reached by the Washington State Department of Transportation (State) and the Association of Washington Cities (AWC) on the interpretation of construction, operations and maintenance responsibilities of the state and cities for such city streets.

These agreed upon Guidelines are derived from:

-- The draft Task Force Report on City Streets as Part of State Highway.

-- Additional discussions by the State, AWC and several cities on the interpretation of state versus local agency maintenance responsibilities that are illustrated in figures contained in WAC 468-18-050 and on other maintenance responsibilities for city streets that are part of state highways.

These Guidelines are designed to facilitate the allocation of maintenance responsibilities between the State and Washington Cities pursuant to RCW 47.24. The Guidelines of this report are general in nature and are not intended to reflect past practices but to apply to future practices.

While these guidelines do not expressly cover project development and/or capital improvement projects it was duly noted that there are areas which carry the potential to influence project development activities within the guideline. The Task Force actively encourages and recommends early communications between city and state officials where city streets are included as part of a state highway improvement project.

These agreed upon Guidelines will be incorporated in state manuals and related guidance for maintenance, operations, and construction activities. AWC will distribute copies of this report to their members.

These guidelines do not supersede existing agreements entered into by any individual city and the state.

AGREED UPON GUIDELINES

The agreed upon Guidelines of state and city responsibilities for city streets that are part of state highways are contained in the following tables:

- Table 1, City/State Maintenance Responsibilities for City Streets as Part of the State Highway System.
- Table 2, City/State Maintenance Responsibilities for Structures on City Streets as Part of the State Highway System (This table provides an interpretation of the figures of WAC 468-18-050).
- Table 3, State Owned Bridges That Convey City Traffic Over State Highways (This table provides an interpretation **o**f the figures of WAC 468-18-050).

The following is an explanation of selected items of the above tables that are related to specific sections of RCW 47.24 and to WAC 468-1 8-050:

A) Guardrail (Barriers) Maintenance

Background: RCW 47.24.020(2) states that "The city or town shall exercise full responsibility for and control over any such street beyond the curbs and if no curb is installed, beyond that portion of the highway used for highway purposes (edge of paved shoulder)." The statement "...used for highway purposes ..." has led to differing interpretations of state and local agency responsibilities for the maintenance of guardrail.

Agreed Upon Guideline: Traffic barriers installed on state highways in areas without curb shall be maintained by the state. Traffic barriers installed beyond the curb shall be maintained by the cities. Curb in the context of RCW 47.24.020(2) refers to a standard curb and gutter and not to extruded curb such as those placed on fill sections for erosion control. Guardrail, concrete barriers, impact attenuators and similar devices are all considered to be traffic barriers.

B) Parallel Ditches and Cross Culverts

Background: The issue is clarification of what is meant by the RCW 47.24.020(2) statement "...for highway purposes ..." for use in interpreting responsibilities of the state and local agencies for maintenance of parallel ditches and cross culverts. Also at issue is responsibility for grass lined swale construction for water treatment purposes as compared to a ditch solely for drainage purpose. In addition a distinction needs to be made between cross culverts related to streams and maintaining natural flows as opposed to those constructed for storm drainage.

Agreed Upon Guideline: Within all cities, regardless of population, the state shall solely maintain the structural integrity of box culverts, multiplates and individual culverts greater than 60 inches in width that are within rights of way and are not part of an enclosed drainage system. These are the size appropriate to identify natural stream flows. These structures that are 60 inches or less in width will be maintained by

the cities. Cities shall maintain all other parallel roadside ditches and road approach culverts. Grass-lined swales constructed by the state solely for state highway runoff will be maintained by the state.

C) Betterments - Pavement Markings

Background: RCW 47.24.020(13) provides that cities and towns having a population greater than 25,000 are responsible to install, maintain, operate and control all traffic control devices. This has been interpreted to mean that the city or town must replace pavement markings and similar devices when a street is resurfaced (e.g., these markings are not included in the project costs). The issue is that a state project may destroy very recently installed pavement markings that, especially if they are durable markings (e.g., thermoplastic, raised pavement markers, etc.), involve expense to the city. The cities recommend that in-kind replacement of these markings be a part of the project costs.

Agreed Upon Guideline: As a part of State reconstruction/resurfacing projects the State will replace in-kind at no cost to the local agency only pavement markings that are damaged or removed as a result of the reconstruction or resurfacing project. This does not apply to durable pavement markings that have exceeded their useful life. The incremental additional cost for installation of higher quality pavement markings will be at the expense of the city.

Early communication and plan reviews between the state and the city is essential to enable local agencies to avoid installation of pavement markings, especially the more durable markings, shortly before the construction activity takes place.

D) Snow and Ice Removal

Background: At issue is the meaning of the phrase in RCW 47.24.020(6) that states "...except that the state shall when necessary plow the snow on the roadway." This statute states that the city or town, at its expense, is responsible for snow removal. The meaning of "when necessary" and responsibility of snow plowing versus snow removal needed clarification.

Agreed Upon Guideline: RCW 47.24.020(6) provides that the cities have responsibility for snow removal within their jurisdiction and that the State shall, when necessary, plow the snow on the roadway. The meaning of "when necessary" is that the State will plow snow, with city concurrence, on the traveled lane of the state highway on the way through the cities not having adequate snow plowing equipment. Cities must contact the state before using chemicals on structures.

E) Interchanges

Background: WAC 468-18-050(2). The construction of partially and fully controlled limited access freeways or similarly designed state highways through cities and towns is becoming more frequent. The construction of cloverleaf and other types of interchanges makes it difficult to determine exactly which features of the interchange constitute the "street intersection" for which responsibility is established by law.

Agreed Upon Guideline: For maintenance responsibilities at interchanges the state and the city are to develop an agreement as required by WAC 468-18-050(3) “After the access plan for any partial, or fully controlled limited access highway has been approved by a city or town, the state and city authorities shall negotiate an agreement establishing responsibility for construction and maintenance of the various

features of each interchange. To illustrate the basic principles of these responsibilities and to serve as a guide in such negotiations, the attached sketches of typical intersections and interchanges are hereby made a part of this policy. The scope of this policy does not include the roadside areas enclosed in the loops or ramps of an interchange or the slopes of cuts and fills, responsibility for which is more clearly defined by statute".

F) General Statements

Background: At issue is that cities often prefer roadside and traffic Control Devices that would be the result of a state standard installation to be more esthetically pleasing. This adds additional cost to the item rather than using state standards.

Agreed Upon Guideline: The state is responsible for the basic cost including replacement. The cities are responsible for any incremental costs over the state basic costs. Such as, the city is responsible for any incremental cost for any finish on signal poles and all other poles that is above the state standard galvanized finish.

Background: Due to the unique nature and circumstances surrounding state system highway improvements with respect to cities and local jurisdictions, the intent of this Memorandum of Understanding (MOU) is to serve as a guideline in identifying maintenance responsibilities not addressed elsewhere in the RCWs or WACs.

Agreed Upon Guideline: Nothing in these guidelines precludes a city or local jurisdiction from entering into an agreement with the state on issues specific in nature that may not fit within these guidelines. Early and continuous communications throughout the project development process will help to assure both parties jointly develop clear understanding and expectations with respect to future maintenance responsibilities.

Table 1
City/State Maintenance Responsibilities For City Streets As Part Of The State Highway System

Maintenance Item	Cities Over 25,000	Cities Under 25,000
Roadway Surface: The durable surface material laid down on an area intended to sustain vehicular or foot traffic.	State	State
Roadway Shoulders: The Reserved areas by the verge of a road, generally kept clear of all traffic.	State	State
Sidewalks:	City See Note [11]	City See Note [11]
Crosswalks: Is a designated point on a road at which some means are employed to assist pedestrians wishing to cross.	City See Guideline [C]	State See Guideline [C]
Channelization: The separation or regulation of conflicting traffic movements into definite paths by means of pavement markings to facilitate the safe and orderly movement of both vehicles and pedestrians.	City See Guideline [C]	State See Guideline [C]
Striping: Road surface striping is used on paved roadways to provide guidance and information to drivers and pedestrians.	City See Guideline [C]	State See Guideline [C]
ADA Features: Curb Ramps, Landings and Truncated Domes.	City See Note [6]	City See Note [6]
Concrete Curb and Gutter.	State	State
Extruded Curb, Hot Mix Asphalt (HMA): Placed at the base of fill sections for erosion control.	See Note [8]	See Note [8]
Curb for Traffic Control (C-Curb): Considered as Channelization.	City	State
Curb Cast Integral to Sidewalk.	City	City
Roundabout Channelization: Pavement Markings and Striping.	City	State
Curbing within roundabouts: Anything used for channelization i.e. Splitter Islands.	State	State
Raised Medians: The portions of a divided street separating vehicular traffic traveling in opposite directions.	See Note [4]	See Note [4]
Bike Lanes: Dedicated lanes for the use of bicyclists.	City See Note [5]	State See Note [5]
Stability of Cut & Fill Slopes: Slope stability may be defined as the resistance of inclined surface to failure by sliding or collapsing.	City	State

Maintenance Item	Cities Over 25,000	Cities Under 25,000
Retaining Walls Behind Sidewalks: Used for slope stability.	See Note [10]	See Note [10]
Noise Walls.	See Note [13]	See Note [13]
Parallel Roadside Ditches: Ditches or drains running parallel with the roadway.	See Guideline [B]	See Guideline [B]
Road Approach Culverts: Culverts under approaches matching the ditch grade.	City	City
Cross Culverts: Devices used to channel water to allow water to pass underneath a roadway.	See Guideline [B]	See Guideline [B]
Permeable Pavement: Allows stormwater through the pavement structure into the underlying soil, mimicking the natural process of infiltration.	See Note [8]	See Note [8]
Directional Signs/Route Markers: Provide a system of information and directions needed to guide motorists and pedestrians, safely and efficiently.	See Note [9]	See Note [9]
Regulatory and Warning Signs: Inform road users of selected traffic laws or regulations and indicate the applicability of the legal requirements.	City	State
Stop Signs (at Intersecting Streets): When a sign is used to indicate that traffic is always required to stop.	City	State See Note [3]
Signals: Power-operated traffic control devices by which traffic is warned or directed to take some specific action.	City See Note [12]	State
Illumination: Street lighting.	See Note [2]	See Note [2]
Utility Franchises: Agreements between an agency and utility providers which allow the utilities to make use of agency streets and rights-of-way for the purposes of construction, operation and maintenance of their utility systems.	City	City
Underground Facilities: Per RCW 47.24.020	City	City
Street Cleaning: Regular removal of dirt and debris from curbed **streets** within the city limits.	City	City
Street Sweeping: Regular street cleaning using mechanical vehicles to reduce pollutants in stormwater runoff from street surfaces.	City	City
Snow and Ice Removal: For removing snow and sometimes ice from roadways.	City See Guideline [D]	City See Guideline [D]

Maintenance Item	Cities Over 25,000	Cities Under 25,000
Vegetation: Plants in general or the mass of plants growing in a particular place.	City	City
Noxious Weeds: Plants that are injurious to agricultural and/or horticultural crops, natural habitats and/or ecosystems, and/or humans or livestock.	City See Note [1]	City See Note [1]
R/W Encroachments: Obstructions which intrudes upon the land of another. The encroachment could be a fence, a driveway, or a building.	City	City
R/W Cleanup: Removal of debris, natural or manmade beyond the curbs and, if no curb is installed, beyond that portion of the highway used for highway purposes.	City	City
Public Art: An enhancement to a functional element, feature, or place within a transportation facility to provide visual interest.	City	City
Stamped or Decorative Concrete Pavement: A design placed in the top of the concrete to make it more esthetically pleasing.	City	City
Stamped or Decorative Asphalt Pavement: A design placed in the top of the asphalt to make it more esthetically pleasing.	City	City
Guardrail, Concrete Barrier, Impact Attenuators, Etc.: To protect vehicles from roadside hazards.	See Guideline [A]	See Guideline [A]

[1] RCW 47.24.020(2) states the city or town shall exercise full responsibility for and control over any such street beyond the curbs and, if no curb is installed, beyond that portion of the highway used for highway purposes (edge of paved shoulder) and, thus, are responsible for noxious weed control.

[2] The agency paying the power bills or per agreement has responsibility for maintenance. Per RCW 47.24.020(6) “The city or town at its own expense shall provide street illumination”.

[3] The state, with city concurrence, may install stop signs and posts to the city's standards or may contract with the city to have them perform these installations.

[4] Landscaping, irrigation systems and any decorative items are the cities’ responsibility. However curbs and any hard surface (not landscaped) are the responsibility of cities with a population over 25,000 and

state's responsibility for cities with population under 25,000. State is responsible for the roadway from street curb to median curb and median curb to street curb, not street curb to street curb if there is a landscaped median. The cross sections note this.

[5] Pavement is the state's responsibility. Striping and pavement markings are dependent on the population of the city. Populations fewer than 25,000 are the state's responsibility and populations over 25,000 are the cities' responsibility.

[6] City responsibility except when the state has a construction project in process.

[7] Will follow approach from existing guidance. Pavement and truck apron are traveled surface and will be considered pavement, state responsibility. All elements beyond the curb such as landscaping or decorative features are the city responsibility.

[8] This needs to be a negotiated agreement on a case by case basis.

[9] Directional signs for directing traffic to state routes and route markers are the responsibility of the state. Directional signs directing traffic to businesses, parking, no parking…are the responsibility of the cities.

[10] Retaining walls in cities with a population of more than 25,000 will be the responsibility of the city and the state's responsibility in cities with a population of less than 25,000 if the wall is substitute for a slope.

[11] Maintenance by cities may be in accordance with applicable city codes and ordinances regarding sidewalk and right of way maintenance.

[12] Except in limited access where the state has responsibility.

[13] Maintenance will be by agreement on a case by case basis.

Table 2
City/State Maintenance Responsibilities For Structures On City Streets As Part Of The State Highway System
(This table provides an interpretation of the figures of WAC 468-18-050)

Maintenance Item	Cities Over 25,000	Cities Under 25,000
Structural Related Bridge Maintenance: Preservation of the structural and operational characteristics of all bridge structures to the originally constructed or subsequently modified conditions.	State	State
Bridge Condition Inspections: The condition inspection and evaluation of in-service bridges.	State	State
Concrete Patching and Concrete Resurfacing on concrete bridge decks.	State	State

Maintenance Item	Cities Over 25,000	Cities Under 25,000
Asphalt Patching and Asphalt Resurfacing on asphalt bridge decks.	State	State
Bridge Approach: Provides a transition between roadway pavement and the bridge.	State	State
Bridge Deck Joints: Allow thermal movement or control cracking.	State	State
Bridge Railing: A fence-like construction built at the outermost edge of the roadway or the sidewalk portion of a bridge to protect pedestrians and vehicles.	State	State
Bridge Drains/Drainage: Used to remove stormwater from the bridge deck.	City	State
Striping: Used on paved roadways to provide guidance and information to drivers and pedestrians.	City	State
Illumination: Bridge lighting.	City See Note [1]	City See Note [1]
Deck Sweeping: Keeping the deck free from debris and weeds.	City	City
Snow and Ice Removal: For removing snow and sometimes ice from roadways.	See Guideline [D]	See Guideline [D]
Guard Rail: A barrier designed to redirect errant vehicles from roadside hazards.	See Guideline [A]	See Guideline [A]
Graffiti on all Structures: Images or lettering scratched, scrawled, painted or marked in any manner on property.	City	City

[1] The State has responsibility for maintenance of illumination systems within fully access controlled areas. In addition, the State may, with city concurrence, maintain and operate luminaires at locations where the electrical service powers electrical equipment under both State and City responsibility.

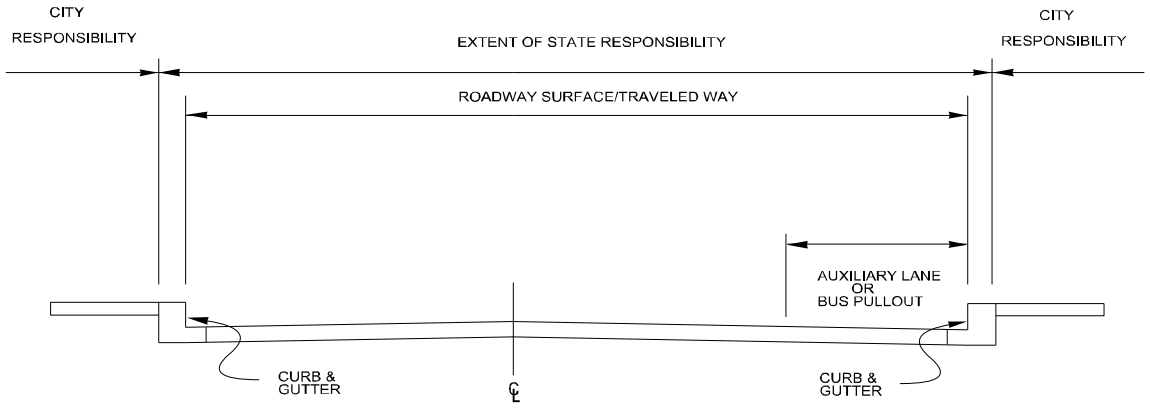
Table 3
State Owned Bridges That Convey City Traffic Over State Highways
(This table provides an interpretation of the figures of WAC 468-18-050)

Maintenance Item	City/State
Structural Related Bridge Maintenance: Preservation of the structural and operational characteristics of all bridge structures to the originally constructed or subsequently modified conditions.	State
Bridge Condition Inspections: The condition inspection and evaluation of in-service bridges.	State

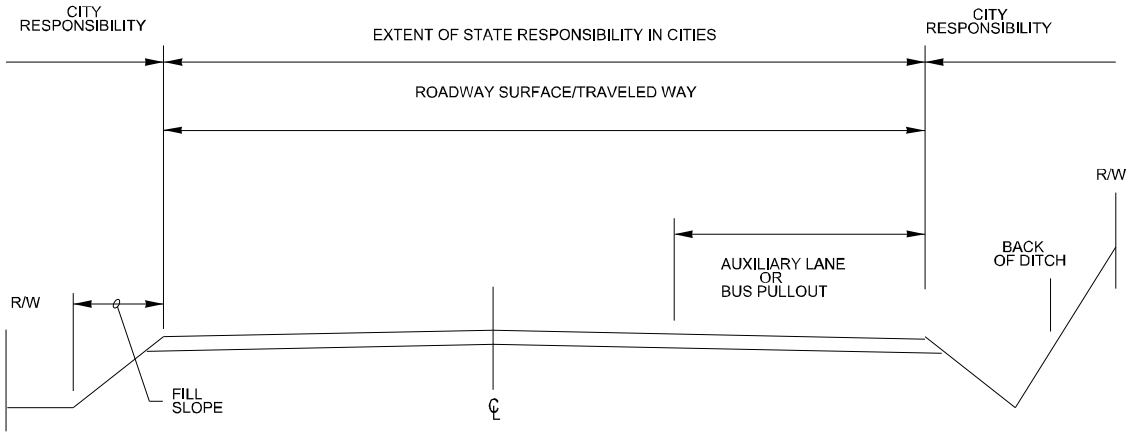
Maintenance Item	City/State
Concrete Patching and Concrete Resurfacing on concrete bridge decks.	State
Asphalt Patching and Asphalt Resurfacing on asphalt bridge decks.	City See Note [2]
Approach Slab: Provides a transition between roadway pavement and the bridge.	City See Note [1]
Bridge Deck Joints: Allow thermal movement or control cracking.	State
Bridge Railing: A fence-like construction built at the outermost edge of the roadway or the sidewalk portion of a bridge to protect pedestrians and vehicles.	State
Bridge Drains/Drainage: Used to remove stormwater from the bridge deck.	City
Striping: Used on paved roadways to provide guidance and information to drivers and pedestrians.	City
Illumination: Bridge lighting.	City
Deck Sweeping: Keeping the deck free from debris and weeds.	City
Snow and Ice Removal: For removing snow and sometimes ice from roadways.	City
Graffiti on all Structures Including Backside of Noise Walls: Images or lettering scratched, scrawled, painted or marked in any manner on property.	State
Guard Rail: A barrier designed to redirect errant vehicles from roadside hazards.	See Guideline [A]

[1] Asphalt approach or concrete approach slab maintenance is the primary responsibility of the city. This includes approach repairs at the back of pavement seat joint. In the case where the State performs a concrete overlay on the bridge deck, the State may extend the overlay onto the concrete approach slab to smooth traffic flow.

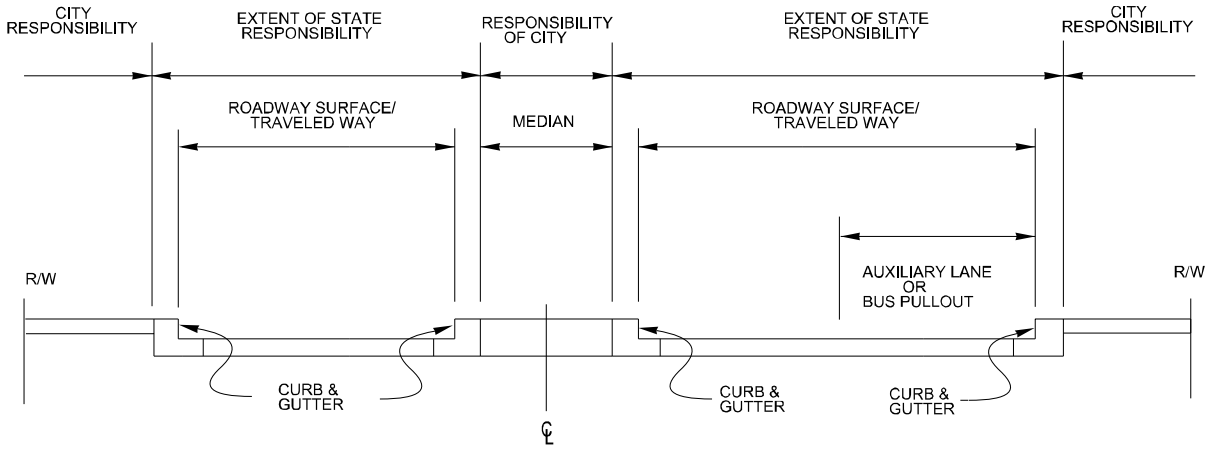
[2] Cities must obtain a Bridge Deck Condition Report from the state and get concurrence in the final project design from the State prior to performing asphalt deck overlays on state owned bridges. Cost of the membranes is the responsibility of the State.



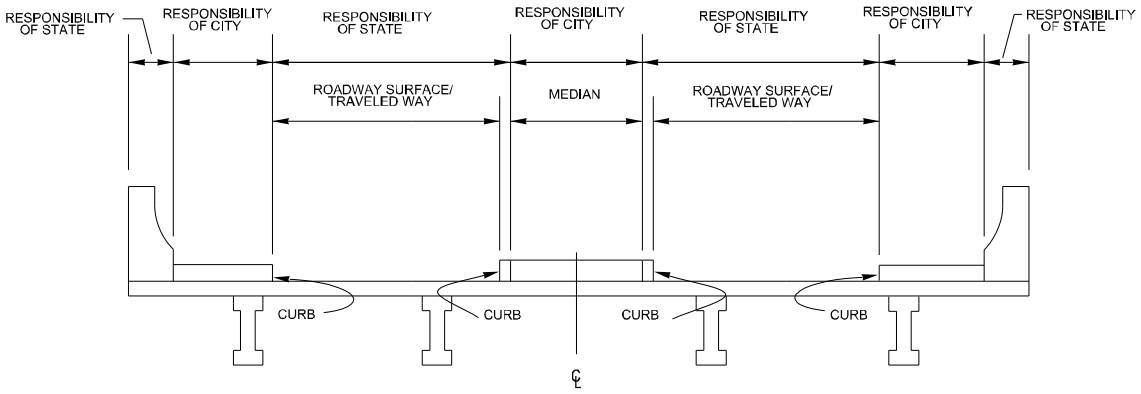
2 LANE ROADWAY



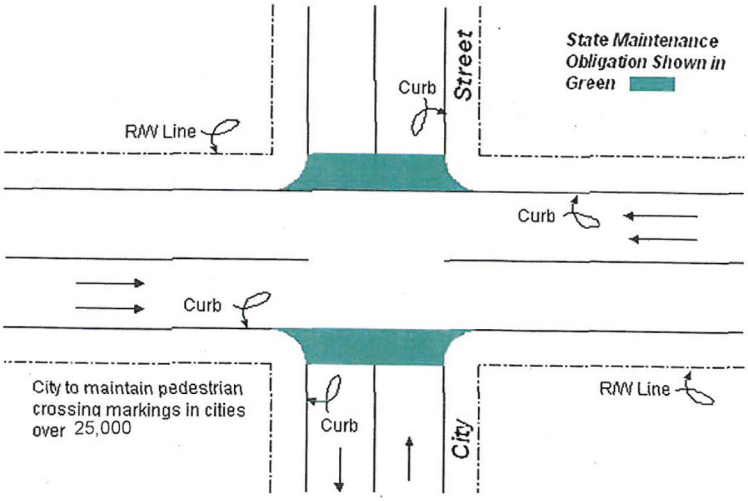
ROADWAY WITH FILL AND CUT SLOPE



ROADWAY WITH RAISED MEDIAN (LANDSCAPED)

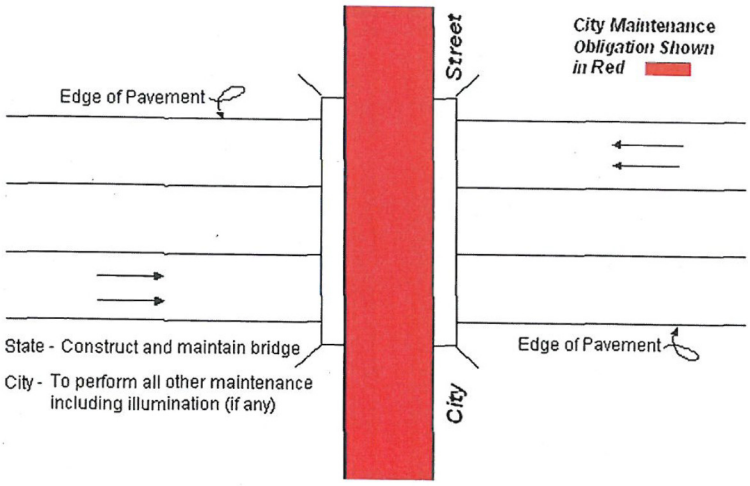


BRIDGE WITH RAISED MEDIAN
(LANDSCAPED)



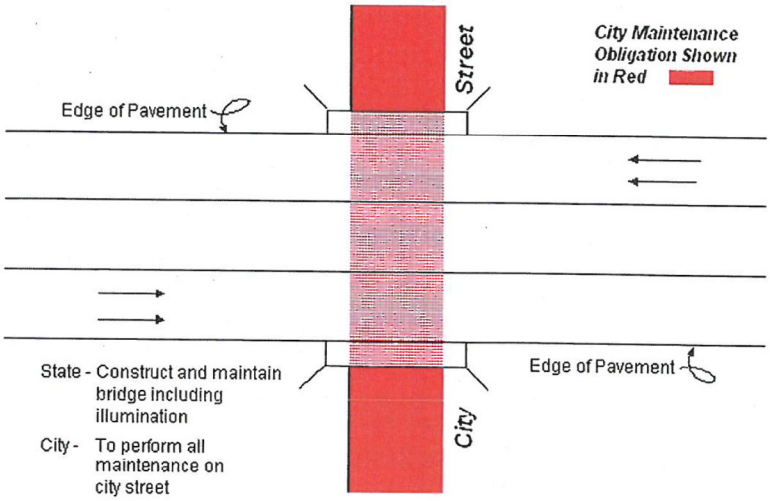
NORMAL INSTERSECTION
EXISTING STATE HIGHWAY

Figure 1



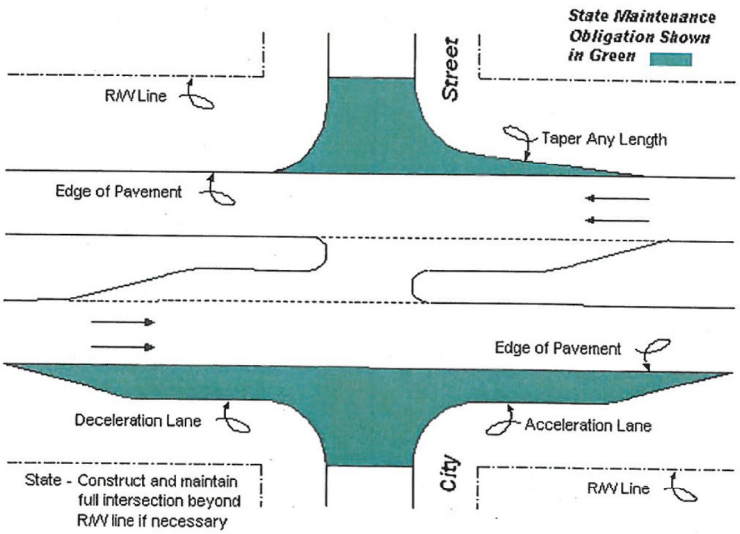
EXISTING CITY STREET CROSSED BY
NEW STATE HIGHWAY UNDERPASS

Figure 2



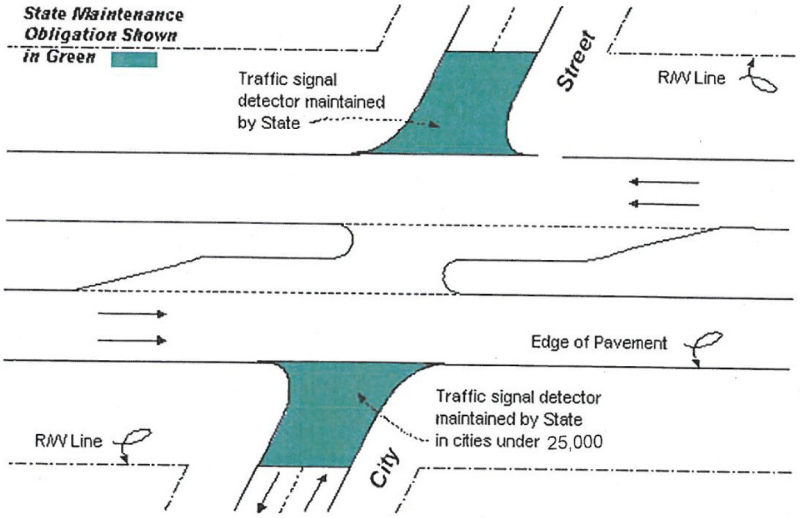
EXISTING CITY STREET CROSSED BY NEW STATE HIGHWAY OVERPASS

Figure 3



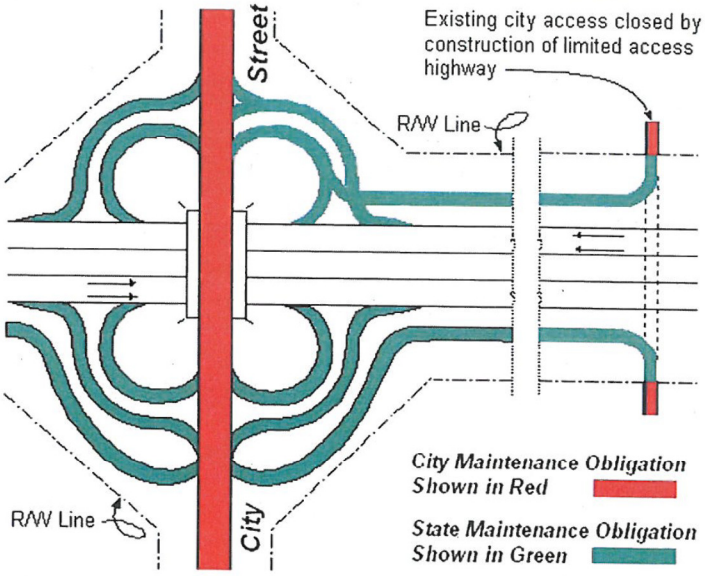
EXISTING CITY STREET CROSSED AT GRADE BY NEW STATE HIGHWAY

Figure 4



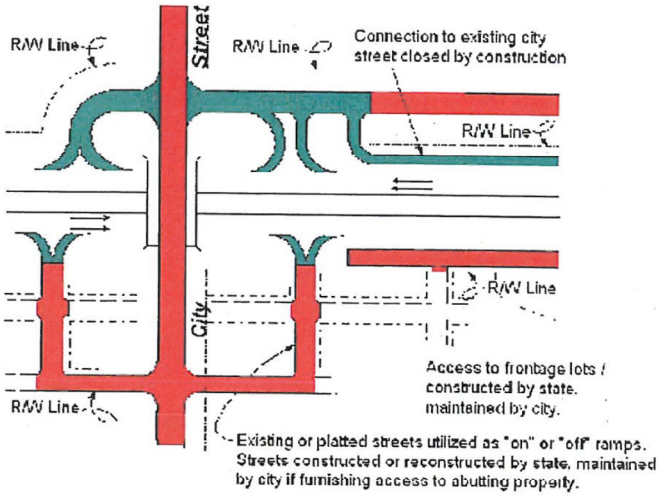
CHANNELIZED INTERSECTION
NEW STATE HIGHWAY

Figure 5



TYPICAL LIMITED ACCESS HIGHWAY

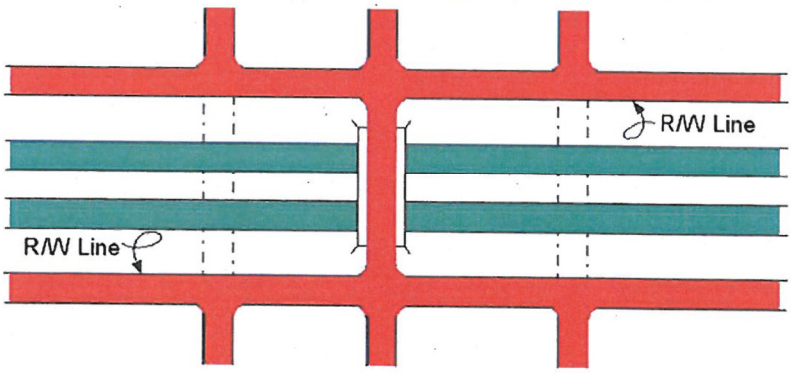
Figure 6



TYPICAL LIMITED ACCESS HIGHWAY UTILIZING
CITY STREETS AS "ON" AND "OFF" RAMPS

City Maintenance Obligation Shown in Red
State Maintenance Obligation Shown in Green

Figure 7



State - Construct and maintain bridge (structure only)
City - Perform all other maintenance

DEPRESSED LIMITED ACCESS HIGHWAY
LOCATED BETWEEN CITY STREETS

City Maintenance Obligation Shown in Red
State Maintenance Obligation Shown in Green

Figure 8