

March 3, 2026

Memo Re: Sheriff's Proposal to utilize CRAB funds for traffic law enforcement

We have received the Sheriff's proposal and request to utilize Motor Vehicle Fuel Tax (MVFT) funds for traffic law enforcement. We understand that he is requesting approximately \$250,000 annually to fund two deputy positions. We understand that he is not requesting any new vehicles, and that the new positions would utilize existing Sheriff's Office vehicles.

The Public Works Department would like to be a good partner to the Sheriff's Office, and we want to work together with the Sheriff in providing important services to the citizens of Walla Walla County. We also recognize the urgent need for frequent, consistent, and dedicated traffic law enforcement, as we receive frequent complaints about speeding drivers. Additionally, on our construction sites and during maintenance activities our crews and flaggers have experienced unsafe drivers and many near misses.

Our understanding of the law is that the following three options are available for this request:

Option 1 – Levy Shift (property tax)

This is a decision by the Commissioners, and involves "shifting" property tax authority from the Road Fund to Current Expense (subject to RCW 84.52.043). Once the shift happens, the Commissioners can use the extra money however they see fit, including for traffic law enforcement. This action occurs, and must be reevaluated, annually.

Analysis & Recommendation: This would be a good option if the Road Fund was deemed to have excess money that could be better used in Current Expense. However, the 2026 Road Fund budget has a deficit of \$3.5M, and future County Road budgets are not likely to improve unless or until 1) the decline in gas tax revenue is fixed by the WA Legislature, or 2) most or all property tax revenues from the Port's Tax Increment Finance district are returned to the County. Because the Road Fund does not have excess money, **Option 1 is not recommended.**

Option 2 – Road Levy Diversion (property tax)

This is a decision by the Commissioners, and involves “diverting” revenue out of the Road Levy (property tax) after it is collected and depositing it into Current Expense. The diverted funds can be used for “any service to be provided in the unincorporated area of the County”. However, if the diverted funds are used for anything other than traffic law enforcement (as defined in WAC 136-25-030, see below), the County immediately loses eligibility for Rural Arterial Program (RAP/RATA) funds and must pay back all previously-reimbursed RAP/RATA funds for any open/uncompleted projects. Under this option, the Sheriff’s Office is responsible for keeping required documentation and demonstrating through an annual form and audit that the money was spent only on traffic law enforcement.

Analysis and Recommendation: Currently the Road Fund receives between \$2M and \$3M every two years in RAP/RATA funds, and losing eligibility for these funds is a huge risk. Furthermore, having to pay back previously-reimbursed funds for open/uncompleted projects would mean we would have to immediately return another \$1M to \$3M to CRAB.

Losing RAP/RATA eligibility would significantly reduce the Public Works Department’s ability to complete needed road repairs and bridge replacements, and would significantly reduce our ability to serve the public. Also, the risk of losing millions of dollars makes it hard to justify the expense of \$250,000 for traffic law enforcement. Finally, the 2026 Road Fund budget has a deficit of \$3.5M, and diverting money from the Road Fund to Current Expense would only worsen that deficit. Because the Road Fund does not have excess money, and because of the significant risk of losing RAP/RATA eligibility, **Option 2 is not recommended.**

Option 3 – Budgeted Road Fund Expenditure

This is a decision by the Commissioners, and it involves allowing the Road Fund budget to include traffic law enforcement items. The source of funds is not relevant (property tax, MVFT, etc). However, because it is money from the County Road fund, the funds must be spent on a “road purpose”, which includes traffic law enforcement as defined in WAC 136-25-030 (see below). Similarly to Option 2, if the funds are used for anything other than traffic law enforcement, the County immediately loses eligibility for Rural Arterial Program (RAP/RATA) funds and must pay back all previously-reimbursed RAP/RATA funds for any open/uncompleted projects. The Sheriff’s Office is responsible for keeping required documentation and demonstrating through an annual form and audit that the money was spent only on traffic law enforcement.

Analysis and Recommendation: Similarly to Option 2, losing eligibility for RAP/RATA funds is a significant risk, along with the risk of having to pay back previously-reimbursed funds. Also, the 2026 Road Fund budget has a deficit of \$3.5M, and spending Road Fund money on traffic law enforcement would mean reduced spending on road construction and maintenance. Option 3 is not recommended at this time, but if the WA Legislature fixes the gas tax or if the Port shares some of the TIF revenue with the County, we would be happy to reevaluate the request.

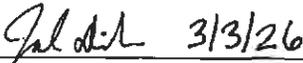
The following are defined as traffic law enforcement activities (WAC 136-25-030):

1. Speed limit and other traffic law enforcement;
2. Collision investigation documenting/reporting;
3. Oversize vehicle (weight, length, width, and height) enforcement;
4. Special traffic emphasis patrols;
5. Facilitating the removal of abandoned vehicles from the county road and rights of way;
6. Facilitating the removal of roadway and right of way obstructions at the request of the county engineer;
7. Investigating illegal littering and dumping on county road rights of way;
8. Sign damage investigation and enforcement;
9. Road condition enforcement, including mud, water, debris, or spills;
10. Rights of way encroachment investigation and enforcement at the request of the county engineer;
11. Maintenance and construction zone traffic enforcement;
12. Road department vehicle special collision investigation at the request of the county engineer; and
13. Other activities clearly related to county road law enforcement needs, as mutually agreed upon in writing by the county road engineer and the county sheriff. Disagreements shall be elevated to the county legislative authority.

The Public Works Department could consider supporting Option #3 in the future if the following conditions are met:

- Funds are used only for traffic law enforcement as defined in WAC 136-25-030, specifically only including the following activities:
 - 1, 2, 5, 6, 7, 8, 11, & 13
- Funds are used only for 100% dedicated traffic deputies, not for general deputy positions.
- The dedicated traffic deputies must be at least a 2-year veteran of the Walla Walla County Sheriff's Office, and must have completed specialized traffic enforcement, collision investigation, and DUI enforcement training.
- The deputies must use unmarked utility vehicles that include equipment, and the funds must be used to pay the vehicle O&M and replacement costs.

Our recommendation to the Commissioners is not to proceed with any of the three options at this time, and to reevaluate the request if and when the Road Fund revenue and budget improves.


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County Engineer


Dan Mack
Operations Director