



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: April 29, 2020

TIME: 2:55 PM

WSR 20-10-052

Agency: Washington Utilities and Transportation Commission

Title of rule and other identifying information: (describe subject) This rulemaking would revise adoption-by-reference dates in Title 480 of the WAC to incorporate the most recent version of adopted federal rules and other adopted publications.

Commission Docket A-191064. Rules affected include 480-14-999, 480-15-999, 480-30-999, 480-31-999, 480-62-999, 480-70-999, 480-73-999, 480-75-999, 480-93-999, 480-108-999, 480-109-999, 480-120-999, and 480-123-999.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This proposal would revise the adoption-by-reference dates to reflect the current version(s) of adopted materials and make other minor administrative updates.

Reasons supporting proposal: The Commission adopts by reference several parts in Title 18, Title 47, and Title 49 of the Code of Federal Regulations and other state rules and national standards. This adoption package will make Commission rules consistent with current published versions of federal rules and reflect the most current versions of the national safety standards.

Statutory authority for adoption: RCW 80.10.040, RCW 80.04.160, RCW 81.04.160, and RCW 34.05.353

Statute being implemented:

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Name of proponent: (person or organization) Washington Utilities and Transportation Commission

Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Gregory J. Kopta Administrative Law Judge	621 Woodland Square Loop SE, Lacey, WA 98503	360-664-1355
Implementation:	Mark L. Johnson Executive Director and Secretary	621 Woodland Square Loop SE, Lacey, WA 98503	(360)664-1115
Enforcement:	Mark L. Johnson Executive Director and Secretary	621 Woodland Square Loop SE, Lacey, WA 98503	(360)664-1115

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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Agency: Washington Utilities and Transportation Commission
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Other:

AND RECEIVED BY (date) July 7, 2020

Date: April 29, 2020

Name: Mark L. Johnson

Title: Executive Director and Secretary

Signature:

