

May 28, 2002

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(July 12, 2002)**

**NOTICE OF WORKSHOP
(September 12, 2002)**

RE: Passenger Transportation Company Rulemaking, Chapters 480-30 and 480-40 WAC
Docket No. TC-020497

TO INTERESTED PERSONS:

On May 28, 2002, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to initiate a rulemaking to consider revisions to chapters 480-30 and 480-40 WAC. The rules govern passenger transportation companies operating as auto transportation companies, passenger charter, and excursion carriers. The review is part of the Commission's overall review of its rules, in order to comply with Governor's Executive Order 97-02. A copy of the CR-101 is enclosed.

Governor Locke's Executive Order requires that agencies review significant rules for compliance with the following standards.

1. Need. Is the rule necessary to comply with the statutes that authorize it? Is the rule obsolete, duplicative, or ambiguous to a degree that warrants repeal or revision? Have laws or other circumstances changed so that the rule should be amended or repealed? Is the rule necessary to protect or safeguard the health, welfare, or safety of Washington's citizens?

2. Effectiveness and Efficiency. Is the rule providing the results that it was originally designed to achieve in a reasonable manner? Are there regulatory alternatives or new technologies that could more effectively or efficiently achieve the same objectives?

3. Clarity. Is the rule written and organized in a clear and concise manner so that those to whom it applies can readily understand it?

4. Intent and Statutory Authority. Is the rule consistent with the legislative intent of the statutes that authorize it? Is the rule based upon sufficient statutory authority? Is there a need to develop a more specific legislative authorization in order to protect the health, safety, and welfare of Washington's citizens?

5. Coordination. Could additional consultation and coordination with other governmental jurisdictions and state agencies with similar regulatory authority eliminate or reduce duplication and inconsistency? Agencies should consult with and coordinate with other jurisdictions that have similar regulatory requirements when it is likely that coordination can reduce duplication and inconsistency.

6. Cost. Have qualitative and quantitative benefits of the rule been considered in relation to its cost?

7. Fairness. Does the rule result in equitable treatment of those required to comply with it? Should it be modified to eliminate or minimize any disproportionate impacts on the regulated community? Should it be strengthened to provide additional protection?

In addition, this rulemaking will consider whether substantive changes or additions are required for, but not limited to, provisions relating to:

1. Definitions of terms;
2. Compliance and enforcement;
3. Driver, equipment and company safety;
4. Policies, processes and procedures regarding certificates of public convenience and necessity (including entry standards for certain types of certificates)
5. Schedules, tariffs, and rate filings; and
6. Consumer protection and information issues.

WRITTEN COMMENTS. Written comments on the CR-101 may be submitted to the Commission by filing with the Commission Secretary either by electronic transmission as described below, or by physical delivery to the address indicated below, no later than **July 12, 2002**. Written comments that relate to existing rules should be identified to those rules. Where you wish to suggest clear language, substantive changes to existing rules, or new rules, we will appreciate your suggestions for specific rule language.

Included with this notice is a form to assist you in filing comments. For electronic filing this form is also available at the Commission's website <<http://www.wutc.wa.gov>>. If you have questions, please contact Bonnie Allen, Regulatory Analyst, by e-mail at ballen@wutc.wa.gov or by phone at 360-664-1226.

The Commission requests, but does not require, that comments be provided in electronic format to facilitate quotations from the comments, to enhance public access, and to reduce the need for additional paper copies. The Commission prefers to receive comments either via e-mail attachment (addressed to records@wutc.wa.gov) or on a 3-1/2 inch IBM formatted high-density disk, in ASCII text, .pdf Adobe Acrobat format, .doc (Word 97 or later) or .wpd (Wordperfect 6.0 or later), labeled with the docket number of this proceeding (TC-020497) and the commenter's name and type of software used. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is <<http://www.wutc.wa.gov>>.

If you are unable to file your comments electronically, please file the original and ten (10) copies of your comments with the Commission Secretary at the address indicated below.

Opportunity for further comment is anticipated. Information about schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may 1) call the Commission's Records Center at 360-664-1234, 2) e-mail the Commission at <records@wutc.wa.gov>, or 3) mail written comments to the address below. When contacting the Commission, please refer to Docket No. TC-020497 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
P O BOX 47250
Olympia, Washington 98504-7250

NOTICE OF WORKSHOP. The Commission has scheduled an initial workshop to discuss chapter 480-30 WAC, relating to auto transportation companies and chapter 480-40 WAC, relating to passenger charter & excursion carriers. The workshop will be held **September 12, 2002**, 9:30 am – 3:30 pm in the Commission's Hearing Room, 2nd Floor, Chandler Plaza, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington.

NOTICE

If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Secretary in one of the ways described above and ask to be included on the mailing list for Docket No. TC-020497. If you do not do this, you might not receive further information about this rulemaking.

Sincerely,

CAROLE J. WASHBURN
Secretary

Enclosures