

MEMORANDUM

March 29, 2006

TO: Mark Sidran, Chairman
Patrick Oshie, Commissioner
Phil Jones, Commissioner

FROM: Bonnie L. Allen, Regulatory Analyst

SUBJECT: Rulemaking to review passenger transportation (bus) company rules in Chapters 480-30 and 480-40 WAC, Docket No. TC-020479

RE: Adoption Hearing, March 29, 2006, 3:00 p.m.

Background

On May 28, 2002, the commission filed with the Code Reviser a CR-101, Preproposal Statement of Inquiry, and opened a rulemaking to review passenger transportation (bus) company rules in Chapters 480-30 WAC (Auto Transportation Companies) and 480-40 WAC (Passenger Charter Carriers). The commission initiated this inquiry to review rules consistent with the requirements and standards established by Executive Order 97-02 regarding regulatory improvement.

The commission conducted a comprehensive review of the rules specifically relating to definitions; compliance and enforcement; driver, equipment, and company safety issues; liability insurance limits; policies, processes and procedures regarding certificates of public convenience and necessity; tariffs and rate filings; schedules; consumer protection, and information.

The commission asked for stakeholder comments on the CR-101, Issues Paper, Small Business Economic Impact Statement, and discussion drafts of rules. The commission held stakeholder meetings in September of 2002 and September of 2003.

On January 11, 2006, the commission issued a Notice of Further Proceedings to inform stakeholders of the status of Docket TC-020497. The notice also advised stakeholders of the commission's intent to start a new rulemaking inquiry to consider rules for ratesetting and the need for and potential alternatives to continued economic regulation of passenger transportation service.

Discussion

On February 15, 2006, in Docket No. TC-020497 the commission filed with the Code Reviser a CR-102, proposed rules under Chapter 480-30 for passenger transportation companies, and proposed repeal of Chapter 480-40 WAC.

The commission posted the proposed rules to its website and sent to stakeholders a Notice of Opportunity to Submit Written Comments on Proposed Rules and Notice of Proposed Rule Adoption Hearing.

Two stakeholders filed comments to the language of the proposed rules in the CR-102. A summary of those comments is included in Attachment A and the proposed rules are included in Attachment B.

Conclusion

The commission may consider adoption of the proposed rules in this docket to implement changes to rules for passenger transportation companies in Chapter 480-30 WAC and to repeal Chapter 480-40 WAC.