



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Utilities and Transportation Commission

- Preproposal Statement of Inquiry was filed as WSR _____; or
 Expedited Rule Making--Proposed notice was filed as WSR 09-10-087; or
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: Chapter 480-14 WAC – Motor Carriers, Excluding Household Goods Carriers and Common Carrier Brokers, Docket TV-090400.

Hearing location(s):

Commission Hearing Room 206
Second Floor, Richard Hemstad Building
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Date: October 14, 2009 Time: 1:30 PM

Date of intended adoption: October 14, 2009
(Note: This is NOT the effective date)

Submit written comments to:

Name: Washington Utilities and Transportation Commission
Address: 1300 S. Evergreen Park Drive S.W.
PO Box 47250
Olympia, WA 98504-7250
e-mail records@utc.wa.gov. Please, include: "Docket TV-090400" in your comments.
fax (360) 586-1150 by (date) October 5, 2009

Assistance for persons with disabilities: Contact

Susan Holman by September 30, 2009
TTY (360) 586-8203 or (360) 664-1243

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

WAC 480-14 contains rules for motor carriers of property other than household goods carriers. The rules cover intrastate common carriers and armored car service carriers, as well as interstate common carriers. The rules set out requirements for permits and registrations, liability insurance and safety.

In 1995, the state Legislature transferred all safety regulation for motor carriers of property other than household goods to the State Patrol. Specifically, RCW 81.80.300 states, in part:

The Washington state patrol shall perform all motor carrier safety inspections required by this chapter, including terminal safety audits, except for (1) those carriers subject to the economic regulation of the commission, or (2) a vehicle owned or operated by a carrier affiliated with a solid waste company subject to economic regulation by the commission.

Because the State Patrol has sole responsibility for safety for these carriers, many rules in WAC 480-14 are no longer necessary. In addition, a number of non-substantive changes are made to clarify current language without changing the intent of the rules.

Reasons supporting proposal:

Portions of the rule are no longer necessary due to changed circumstances surrounding motor carrier regulation in Washington. In addition, some revisions clarify the language of the rule without changing its effect.

Statutory authority for adoption: RCW80.01.040 and RCW 81.04.160

Statute being implemented:
N/A

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

DATE
September 2, 2009

NAME (type or print)
David W. Danner

SIGNATURE

TITLE
Executive Director & Secretary

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 02, 2009

TIME: 8:30 AM

WSR 09-18-110

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

None.

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..... Betty Young	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1202
Implementation.... David W. Danner	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1208
Enforcement..... David W. Danner	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1208

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules will not result in or impose more than minor costs. Because there will not be more than minor increase in costs resulting from the proposed rule changes, a SBEIS is not required under RCW 19.85.030(1).

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).