



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Washington Utilities and Transportation Commission

**Subject of possible rule making:** The Commission will consider in Docket No. TR-041051 whether to amend WAC 480-60-035 to specify the size of crushed rock material to be used on walkways on switching leads used by railroad employees in railroad yards. In particular, the Commission will consider whether to adopt a standard of ¾ inch rock for walkways on switching leads.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040, RCW 81.44.010, RCW 81.44.020, RCW 81.28.010, RCW 81.28.240.

**Reasons why rules on this subject may be needed and what they might accomplish:** The current walkway rule adopted in 2000, WAC 480-60-035, suggests, but does not require the use of ¾ inch crushed rock for switching lead walkways. The United Transportation Union filed a petition for rulemaking with the Commission on June 9, 2004, requesting adoption of the ¾ inch standard for rock on switching lead walkways. The UTU asserted that railroads in Washington state were not adhering to the suggestion for ¾ inch rock on switching lead walkways and that conditions on these walkways were deteriorating rather than being improved. The UTU asserts that railroad employees perform most of their work on switching leads. A good walkway surface reduces repetitive motion injuries and tripping incidents. The rulemaking process will determine whether establishing a standard rock size for switching lead walkways would reduce discretion on rock size and make working conditions safer for railroad employees.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

A workshop of labor and management representatives and other interested stakeholders will be held. Notice will be provided

**SEE ATTACHMENT**

**DATE**  
October 18, 2004

CAROLE J. WASHBURN

**SIGNATURE**

**TITLE**  
Executive Secretary

**CODE REVISER USE ONLY**

Filed with the Code Reviser's Office

October 18, 2004, 8:37 a.m.

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