



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

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 05-17-128 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information:

WAC 480-62-400, WAC 480-62-405, WAC 480-62-410, WAC 480-62-415, and WAC 480-62-420, relating to Grade Crossing Protective Fund grant program (GCPF). This rulemaking has been assigned WUTC Docket No. TR-051060.

Hearing location(s):

Commission Hearing Room 206
2nd Floor, Chandler Plaza Building
1300 S. Evergreen Park Drive S.W.

Date: January 25, 2006 Time: 9:30 a.m.

Date of intended adoption: January 25, 2006

(Note: This is NOT the effective date)

Submit written comments to:

Name: Carole J. Washburn, Secretary
Address: P.O. Box 47250, Olympia, WA 98504
e-mail records@wutc.wa.gov Please include Docket No. TR-051060 in your communications.
fax (360)586-1150 by (date) December 28, 2005

Assistance for persons with disabilities: Contact

Mary DeYoung by Monday, January 23, 2006

TTY (360) 586-8203 or (360) 664-1133

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

In 2003, the legislature enacted statutory changes to improve the effectiveness of the GCPF program, to improve safety on and around railroads, and to encourage participation by railroads and road authorities. The proposed WUTC rules would be adopted to establish in rules the process for awarding grants through the Grade Crossing Protective Fund program.

Reasons supporting proposal: The proposed rules to chapter 480-62 WAC will provide for a fair and open process for the review of applications for grants for a broad range of railroad safety improvements. The rules will support the statutory goals of increased public safety by encouraging diversity and openness.

Statutory authority for adoption: RCW 80.01.040, RCW 81.04.160, and RCW 81.53.281

Statute being implemented: N/A

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:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

CODE REVISER USE ONLY

Filed with the Code Reviser's Office

December 7, 2005, 9:38 a.m.

WSR 05-24-120

DATE

December 7, 2005

NAME (type or print)

Carole J. Washburn

SIGNATURE

TITLE

Executive Secretary

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..... Vicki Elliott, Asst. Director, Transp. Safety	1300 S. Evergreen Park Drive S.W., Olympia, WA 98504	(360) 664-1100
Implementation....Carole J. Washburn, Executive Secretary	1300 S. Evergreen Park Drive S.W., Olympia, WA 98504	(360) 664-1174
Enforcement.....Carole J. Washburn, Executive Secretary	1300 S. Evergreen Park Drive S.W., Olympia, WA 98504	(360) 664-1174

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.

Because there will not be any increase in costs resulting from the proposed rules, an 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).