

Agenda Date: April 23, 2020
Item Numbers E5, E6, E7, E8, E9

Dockets: **TS-200317 Commercial Ferries**
 TC-200318 Auto Transportation
 TE-200319 Charter and Excursion
 TN-200320 Non-Profit Buses
 TV-200322 Household Goods Carriers

Staff: Rachel Stark, Regulatory Analyst

Recommendation

Issue an order granting exemption from rules and extending the deadline to file annual reports and pay regulatory fees to the commission by 90 days to August 1, 2020, and extending the deadline for auto transportation companies by 120 days to September 1, 2020.

Background

On February 29, 2020, Governor Inslee issued Proclamation 20-05, which declared a state of emergency in all counties in the state of Washington due to the worldwide outbreak of COVID-19. On March 23, 2020, the Governor issued Proclamation 20-25, “Stay Home – Stay Healthy,” which prohibits all people in the state of Washington from leaving their home or place of residence except to conduct or participate in (1) essential activities, and/or (2) employment in providing essential business services.

In response to the COVID-19 outbreak, transportation companies have experienced a significant decrease in ridership and household goods moves, which further declined following the Governor’s Proclamation restricting travel.

WAC 480-07-110(1) provides that the commission, on its own initiative, may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

In light of these adverse, unforeseen circumstances, commission staff (staff) are recommending the commission approve, for transportation companies, an exemption from rules,¹ and extending the annual report filing and regulatory fee payment deadline for 90 days for transportation industries, and for 120 days for auto transportation companies.

Staff believes granting an industry-wide exemption from rules is consistent with the public

¹For commercial ferries, WAC 480-51-100; auto transportation, WAC 480-30-076; charter and excursion, WAC 480-30-071; non-profit buses, WAC 480-30-080; and household goods carriers, WAC 480-15-480.

interest. The recommended extension will allow regulated transportation companies to file annual reports and pay regulatory fees by August 1, 2020, and by September 1, 2020, for auto transportation companies, providing some temporary regulatory and financial relief.

Conclusion

Issue an order granting exemption from rules and extending the deadline to file annual reports and pay regulatory fees to the commission by 90 days to August 1, 2020, and extending the deadline for auto transportation companies by 120 days to September 1, 2020.