

[Service Date February 19, 2013]

February 19, 2013

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Tuesday, March 19, 2013)**

Re: Rulemaking to Review Insurance and Cancellation Rules for Common Carriers in WAC 480-14 and for Household Goods Carriers in WAC 480-15; Review Corrections and Clarifications to the Household Goods Carrier Rules in WAC 480-15, Docket TV-130079

TO ALL INTERESTED PERSONS:

On February 14, 2013, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider revising its procedures and associated rules for common carriers (WAC 480-14) and household goods carriers (WAC 480-15) when the Commission receives notice that a carrier's required liability insurance is scheduled to lapse. In addition, the Commission is considering whether to make revisions to correct and clarify certain household goods carrier rules in WAC 480-15. The Commission filed the CR-101 under Docket TV-130079.

Currently the Commission suspends, and then cancels, transportation carriers' operating authority if a carrier does not maintain the required evidence of insurance. When a carrier's policy is about to expire, the carrier's insurance company notifies the Commission prior to the expiration date. The Commission then notifies the carrier that the carrier's insurance is about to lapse and informs the carrier that its permit will be suspended and eventually canceled if the Commission does not receive proof of insurance within 30 days. When proof of insurance is not received within the 30 days, the Commission issues an order suspending the carrier's permit. If the Commission receives proof of insurance within the 30-day suspension period, the Commission lifts the suspension by order. If the Commission does not receive proof of insurance within the 30-day suspension period, the Commission cancels the permit.

The process described above is how insurance cancellations are currently handled for transportation industries including charter and excursion buses (WAC 480-30), common carriers (WAC 480-14), household goods carriers (WAC 480-15), non-profit buses (WAC 480-31), and solid waste carriers (WAC 480-70).

The Commission is considering streamlining the process for cancelling permits for all transportation providers. Under the streamlined process, the Commission still would notify the carrier 30 days in advance of the date insurance is due to lapse. The notice would advise the carrier that its permit will be canceled if the commission does not receive proof of insurance within 30 days. This would eliminate the need for a suspension order and, in many cases, an order to lift the suspension.

The rules in all transportation industries except common carriers and household good carriers permit the streamlined process. To enable the Commission to streamline this process in the common carrier and household goods carrier industries as well is the primary purpose of this rulemaking.

In addition, the Commission will consider whether to make revisions to correct and clarify certain household goods rules. These include, but may not be limited to:

- WAC 480-15-065: Eliminate the reference to WAC 480-15-060 since this rule no longer exists.
- WAC 480-15-186/187: Clarify the requirements for new authority in contrast to transfer or acquisition of an existing permit.
- WAC 480-15-302: Remove the words “Washington state” from the requirement for a “valid Washington state driver’s license” and add “or photo identification card.”
- WAC 480-15-400: Insert language that a carrier must file proof of insurance in its changed name.
- WAC 480-15-530: Change “Form F” to “Form E” and add language that describes the requirements for a Form G.
- WAC 480-15-550(3): Add clarifying language describing the type of form for cargo insurance (Form H or Certificate of Liability).

The CR-101, as filed with the Code Reviser, is available for inspection on the Commission’s website at www.utc.wa.gov/130079. If you are unable to access the Commission’s web page and would like a copy of the CR-101 mailed to you, please contact the Records Center at (360) 664-1234.

WRITTEN COMMENTS

Written comments on the CR-101 and the decision to consider a rulemaking must be filed with the Commission no later than **5:00 p.m., Tuesday, March 19, 2013**. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. You may submit comments via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (TV-130079).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is by mailing or delivering an electronic copy to the Commission's Records Center on a 3 ½ inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/130079>.

If you are unable to file your comments electronically or to submit them on a disk, the Commission will accept a paper document. If you have questions regarding this rulemaking, you may contact staff lead, Suzanne Stillwell, Licensing Services Manager, at (360) 664-1224 or by email at sstillwe@utc.wa.gov.

Stakeholders will have further opportunity for comment. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's website as it becomes available. If you wish to receive further information on this rulemaking you may:

- (1) Call the Commission's Records Center at (360) 664-1139
- (2) Email the Commission at records@utc.wa.gov
- (3) Mail written comments to the address below

When contacting the Commission, please refer to Docket TV-130079 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

NOTICE

If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Executive Director and Secretary in one of the ways described above and ask to be included on the mailing list for Docket TV-130079. If you do not do this, you might not receive further information about this rulemaking.

STEVEN V. KING
Acting Executive Director and Secretary