



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

March 31, 2017

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
By Friday, April 28, 2017
and
NOTICE OF WORKSHOP
Set for Thursday, May 11, 2017, at 1:00 p.m.

Re: Rulemaking to Consider Possible Revisions in WAC 480-30, Relating to Passenger Transportation Companies, Docket TC-161262

TO ALL INTERESTED PERSONS:

On December 19, 2016, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider possible modifications to certain sections in Washington Administrative Code (WAC) 480-30, the Commission's rules on passenger transportation companies. The Commission filed the CR-101 under Docket TC-161262.

The Commission received comments in response to a Notice distributed on December 21, 2016, which contained several questions related to the regulations in WAC 480-30 concerning safety and consumer protection. The Commission also conducted a workshop on March 2, 2017, at which stakeholders provided oral comments on the issues identified in the Notice. Commission Staff has considered these comments and has prepared the attached draft amendments to WAC 480-30.

The amendments contained in the discussion draft include:

- The repeal of WAC 480-30-213, which requires an auto transportation company to employ the drivers operating the vehicles used by the company and to own the vehicles used to provide service.
- The creation of a new section, WAC 480-30-022, which would codify the responsibility of a passenger transportation company for any violations of statute,

- rule, or Commission order by a contractor (or the contractor's subcontractor(s)) when working for the company.
- A revision of WAC 480-30-221, which sets safety and compliance standards for all passenger transportation companies, to apply the specified sections in 49 C.F.R. to only vehicles (and their drivers) with a capacity of eight or more passengers not including the driver. WAC 480-30-206 would be repealed and its content incorporated into WAC 480-30-221
 - The creation of a new section, WAC 480-30-222, which would set safety and compliance standards for vehicles (and their drivers) with a capacity of seven or fewer passengers. Staff has included an hours of service provision under WAC 480-30-222(6) to continue the discussion from the workshop regarding whether the Commission should set driver hours requirements for vehicles with a capacity of seven or fewer passengers.
 - A revision of WAC 480-30-191 to add an insurance requirement specific to vehicles with a capacity of seven or fewer passengers.
 - The revision of several definitions in WAC 480-30-036 to streamline and clarify the use of various terms, including "contract," and "commercial motor vehicle," and remove definitions for terms that are not used or that are adequately explained in the sections in which they are used, to avoid confusion. WAC 480-30-211, which defines commercial motor vehicle, would be repealed as redundant.
 - The revision of WAC 480-30-141, 166, and 236, to make it clear that any passenger transportation company may contract with any other transportation company for the use of vehicles or drivers or both, and may contract with any other person or company for the use of vehicles or drivers or both. The leasing requirements in WAC 480-30-236 would also be streamlined.
 - The removal of the service animal requirement from WAC 480-30-356. A new section is created (WAC 480-30-450) that would require passenger transportation companies to comply with the Americans with Disabilities Act and comparable Washington statutes.

The Commission invites written comments in response to Staff's draft amendments to the rules. The Commission will convene a workshop on Thursday, May 11, 2017, to address those comments and the draft amended rules.

WRITTEN COMMENTS

Written comments on the CR-101 inquiry must be filed with the Commission no later than **5:00 p.m., Friday, April 28, 2017**. Pursuant to WAC 480-07-250, responses to the SBEIS questionnaire must be submitted to the Commission in electronic format, specifically in .pdf format (using Adobe Acrobat or similar software). As provided in WAC 480-07-140(5), you must submit those responses via the Commission's web portal at www.utc.wa.gov/e-filing.

If you are unable to submit documents via the portal, you may submit them via email to the Commission's Records Center at records@utc.wa.gov or by mailing or delivering an electronic copy to the Commission's Records Center on a thumb drive, CD, or DVD. Please include:

- The docket numbers of this proceeding (Docket TC-161262).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all responses and other comments on its web site at <http://www.utc.wa.gov/161262>.

If you have questions regarding this rulemaking, you may contact staff lead Chris Rose at (360) 664-1303, or by email at crose@utc.wa.gov.

STAKEHOLDER WORKSHOP

In addition to filing written comments, interested persons are invited to attend a stakeholder workshop on **Thursday, May 11, 2017 beginning at 1:00 p.m., in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington**. At the workshop, Commission staff will review and discuss comments with the stakeholders.

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:

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

When contacting the Commission, please refer to Docket TC-161262 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
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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 TC-161262. If you do not do this, you might not receive further information about this rulemaking.

STEVEN V. KING
Executive Director and Secretary