



# 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

- Preproposal Statement of Inquiry was filed as WSR 04-05-103; or
- Expedited Rule Making--Proposed notice was filed as WSR or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR 04-15-140

**Title of rule and other identifying information:**

WAC 480-62-218, Point Protection. WUTC Docket No. TR-040151.

**Hearing location(s):**

Commission Hearing Room 206  
Second Floor, Chandler Plaza Building  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504

Date: October 13, 2004 Time: 9:30 a.m.

**Submit written comments to:**

Name: Carole J. Washburn, Secretary  
Address: P.O. Box 47250, Olympia, WA 98504-7250  
e-mail [records@wutc.wa.gov](mailto:records@wutc.wa.gov)  
fax (360) 586-1150 by August 11, 2004  
Please include Docket No. TR-040151 in your communication.

**Assistance for persons with disabilities:** Contact

Mary DeYoung by October 11, 2004

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

**Date of intended adoption:** October 13, 2004

(Note: This is NOT the effective date)

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

The proposal would add to rules governing railroad operations a rule addressing point protection. The proposed rule requires railroads to protect the leading end of train movements to add safety for employees that might be present on the tracks ahead of the movement, vehicles using road crossings, and trains on connected tracks.

The purpose of this continuance of WSR 04-15-140 is to provide notice of a change in the adoption and hearing dates for this rulemaking to October 13, 2004. All information relating to the proposed rules in WSR 04-15-140 remains the same, except for the adoption and hearing dates.

**Reasons supporting proposal:**

**Statutory authority for adoption:**

**Statute being implemented:**

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**  
**Filed with the Code Reviser's Office**  
**August 11, 2004, 10:42 a.m.**  
**WSR 04-17-057**

**DATE**  
AUGUST 11, 2004

**NAME**  
CAROLE J. WASHBURN

**SIGNATURE**

**TITLE**  
EXECUTIVE SECRETARY

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: Washington Utilities and Transportation Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Mike Rowswell, Rail Safety Manager	1300 S. Evergreen Park Drive S.W., Olympia WA 98504	(360) 664-1265
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.

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: