



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (710/97)

Do **NOT** use for expedited repeal or adoption

Agency:

Subject of possible rule making: Update transportation and pipeline safety related chapters in Title 480 WAC adoption by reference rules and other minor administrative changes such as: correct telephone numbers; repeal obsolete sections; add cross references to adopted material; and create new sections in each chapter that would move the adoption by reference material to the same location in each chapter. Affected chapters include 480-14, 480-15, 480-30, 480-31, 480-40, 480-70, 480-75 and 480-93. Docket No. A-010827. This rulemaking will also review adoption by reference dates in Chapters 480-75 and 480-93 adopted in emergency rules in Docket UG-010816.

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 80.01.040

RCW 80.01.040 – General; RCW 80.04.160 – Utility; RCW 81.04.160 – Transportation; RCW 34.05.310 - Prenotice inquiry

(b) Reasons why rules on this subject may be needed and what they might accomplish:

1. The Commission has 120 days after an emergency rulemaking to codify rules permanently. This rulemaking will review the updated adoption by reference in emergency rules adopted in Docket UG-010816.
2. The Commission adopts by reference several rules in Title 40 and Title 49 of the Code of Federal Regulations and the Commercial Vehicle Safety Alliance’s *North American Out-Of-Service Criteria*. Commission rules need to be updated to reflect the most current versions of those published documents.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

N/A

(d) Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Pursuant to the exception granted in RCW 34.05.310(4) for this type of rulemaking, the Commission proposes to forego stakeholder workshops unless requested to do so by interested persons. The Commission requests written comments not later than July 19, 2001.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

See attachment and Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, **Docket No. A-010827**, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504-7250; Telephone (360) 664-1160; Facsimile (360) 586-1150; or E-mail records@wutc.wa.gov.

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Carole J. Washburn

SIGNATURE

TITLE

Secretary

DATE

June 20, 2001

NOTICE OF WORKSHOP: Pursuant to the exception granted in RCW 34.05.310(4) for this type of rulemaking, the Commission proposes to forego stakeholder workshops unless requested to do so by interested persons. The Commission has posted draft rules and a chart identifying substantive federal rule changes to its website at www.wutc.wa.gov/010827. Questions may be addressed to Kim Dobyns at (360) 664-1242 or via e-mail at kdobyns@wutc.wa.gov.

WRITTEN COMMENTS: Written comments in response to the CR-101 from persons interested in the subject matter of this proposed rulemaking may be filed with the Commission Secretary, referencing Docket No. A-010827, not later than July 19, 2001. All commenters are asked, but not required, to file their comments electronically. The Commission prefers to receive comments either via e-mail attachments addressed to records@wutc.wa.gov or on a 3½ inch IBM formatted high-density disk, in .pdf format and either MSWord97 or later, or WordPerfect version 5.1 or later, labeled with the docket number of this proceeding and the commenter's name and type of software used. If you are unable to file your comments electronically, please file the original and 16 copies of your comments with the Commission Secretary at the address indicated on the CR-101 form, section (e). The Commission may offer additional opportunities to provide written comments.

The Commission has posted draft rules, by chapter, and a chart identifying substantive federal rule changes to its website at www.wutc.wa.gov/010827. If you are unable to access the Commission's web page and would like a copy of the draft rules, please contact the records center at (360) 664-1234 and identify the specific chapter of draft rules you want mailed to you.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. **Any person who submits comments will automatically continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods:** (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. A-010827, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket No. A-010827, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the Commission's Internet web site at <http://www.wutc.wa.gov/010827>.

THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.