



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Utilities and Transportation Commission

- | | |
|---|--|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 15-11-092; or | <input type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input checked="" type="checkbox"/> Continuance of WSR 15-22-105 |

Title of rule and other identifying information: (Describe Subject)

This rulemaking proposes amending rules in WAC 480-62, Railroad Companies – Operations. Docket TR-151079

Hearing location(s):

Commission’s Hearing Room 206
Second Floor, Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Date: January 7, 2016 Time: 2:00 p.m.

Submit written comments to:

Name:
Address:

e-mail
fax () _____ by (date) _____

Assistance for persons with disabilities: Contact

_____ by _____
TTY () _____ or () _____

Date of intended adoption: January 7, 2016

(Note: This is **NOT** the **effective** date)

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

The Washington Utilities and Transportation Commission (Commission) regulates public safety issues of railroads operating with Washington. Engrossed Substitute House Bill 1449, Chapter 274, Laws of 2015, adopts financial responsibility reporting requirements that railroads hauling crude oil must include in the annual reports they submit to the Commission. This proposal updates railroad annual reporting requirements on financial responsibility and safety standards for private crossings and provides opportunities for first-class cities to opt-in the commission crossing safety program.

The purpose of the continuance of WSR # 15-22-105 is to provide notice of a change in the date of the hearing to receive additional public comment regarding the adoption of the rule proposal in this docket. The date of the hearing has been changed from Wednesday, January 6, 2016, at 1:30 p.m. to **Thursday, January 7, 2016, at 2:00 p.m.**

Reasons supporting proposal: See above.

Statutory authority for adoption: RCW 80.01.040, RCW 81.04.160, RCW 81.24.010, RCW 81.44, RCW 81.53.010, and RCW 81.53.240

Statute being implemented: N/A

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

DATE
December 28, 2015

NAME (type or print)
Steven V. King

SIGNATURE

TITLE
Executive Director and Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 28, 2015

TIME: 2:05 PM

WSR 16-02-020

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

None

Name of proponent: (person or organization) Washington Utilities and Transportation Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jason Lewis	1300 S. Evergreen Park Drive SW, Olympia WA 98504	(360) 664-1206
Implementation... Steven V. King	1300 S. Evergreen Park Drive SW, Olympia WA 98504	(360) 664-1115
Enforcement.....Steven V. King	1300 S. Evergreen Park Drive SW, Olympia WA 98504	(360) 664-1115

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

The proposed rules will not result in or impose more than minor costs. Because there will not be more than minor increases in costs resulting from the proposed rule changes, a SBEIS is not required under RCW 19.85.030(1).

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:

The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).