



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 04-17-057

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

December 10, 2004, 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
fax (360) 586-1150 by November 19, 2004
Please include Docket No. TR-040151 in your communication.

Assistance for persons with disabilities: Contact

Mary DeYoung by December 8, 2004

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

Date of intended adoption: December 10, 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 would require 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 04-17-057 is to provide notice of a change in the adoption and hearing dates for this rulemaking from October 13, 2004, to December 10, 2004. In addition, the Commission seeks comments from interested persons by November 19, 2004, to assist the Commission in determining whether it has adequate state statutory authority to adopt the proposed rule.

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
October 15, 2004, 12:23 p.m.
WSR 04-21-037

DATE
OCTOBER 15, 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: