



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 03, 2023

TIME: 11:46 AM

WSR 23-20-106

Agency: Transportation Improvement Board

- Original Notice**
- Supplemental Notice to WSR** _____
- Continuance of WSR** _____

- Preproposal Statement of Inquiry was filed as WSR** _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR** _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) Chapter 47.26 RCW, Chapter 47.66 RCW, Chapter 47.04.320 RCW, Chapter 47.04.325 RCW

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
12/01/23	9 a.m.	Bellevue, WA	Held during the TIB meeting

Date of intended adoption: 12/01/23 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Gena Workman
 Address: Address: PO Box 40901, Olympia, WA 98504-0901
 Email: genaw@tib.wa.gov
 Fax:
 Other:
 By (date) 11/20/23

Assistance for persons with disabilities:

Contact Gena Workman
 Phone: 360.586.1140
 Fax:
 TTY:
 Email:
 Other:
 By (date) 11/20/23

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposal is to update the Complete Streets program that was established in 2015 as part of the Connecting Washington Transportation package. Three grant cycles have been completed and both agency customers and the Board have identified the need to realign the program to be consistent with the Transportation Improvement Board's existing programs. The Washington State Legislature enacted Move Ahead Washington in 2022, which has included Climate Commitment Act (CCA) funding. This requires modifying existing WAC 479-10 to comply with CCA funding requirements.

Reasons supporting proposal:

Statutory authority for adoption: 47.26

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:

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

Type of proponent: Private Public Governmental

Name of proponent: (person or organization) Transportation Improvement Board

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Ashley Probart	PO Box 40901, Olympia, WA 98504-0901	360.790.5472
Implementation:	Ashley Probart	PO Box 40901, Olympia, WA 98504-0901	360.790.5472
Enforcement:	Ashley Probart	PO Box 40901, Olympia, WA 98504-0901	360.790.5472

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

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:
- TTY:
- Email:
- Other:

No: Please explain: The proposed rule changes are cost neutral to the Transportation Improvement Board. Program funding will continue to be distributed according to RCW 47.26 and Chapter 479 WAC.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- | | |
|--|--|
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: October 3, 2023

Name: Ashley Probart

Title: Executive Director

Signature:

