

WSR 23-14-071

PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF TRANSPORTATION

[Filed June 28, 2023, 4:29 p.m.]

Subject of Possible Rule Making: Chapter 468-550 WAC, Safety oversight of rail fixed guideway system rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, 81.104.015, 81.104.115, 81.112.180.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule change is to align WAC with the Bipartisan Infrastructure Law amended 49 U.S.C. 5329 to require state safety oversight agencies (SSOAs) to conduct risk-based inspections of the rail fixed guideway public transportation systems that SSOAs oversee. Specifically, SSOAs need the "authority" to enter the facilities of rail transit agencies to conduct inspections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Transit Administration.

Process for Developing New Rule: Federal law change with the Bipartisan Infrastructure Law. Washington state is adopting rules to be in compliance with federal code.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Molly Hughes, 310 Maple Park Avenue S.E., P.O. Box 47300, phone 360-742-8458, fax 360-705-6820, TTY 711, email [hughesm@wsdot.wa.gov](mailto:hughesm@wsdot.wa.gov), website Rail Safety Oversight Program Standard | Manuals | WSDOT ([wa.gov](http://wa.gov)) [contact agency for link]; or Steven Meyeroff, 310 Maple Park Avenue S.E., P.O. Box 47300, phone 520-820-5389, fax 360-705-6820, TTY 711, email [meyereros@wsdot.wa.gov](mailto:meyereros@wsdot.wa.gov), website Rail Safety Oversight Program Standard | Manuals | WSDOT ([wa.gov](http://wa.gov)) [contact agency for link].

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Business Support Services