

WSR 09-02-046
EXPEDITED RULES
TRANSPORTATION IMPROVEMENT BOARD

[Filed December 31, 2008, 11:17 a.m.]

Title of Rule and Other Identifying Information:
 Amending WAC 479-05-211 When a project is considered delayed.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rhonda Reinke, Transportation Improvement Board, P.O. Box 40901, Olympia, WA 98504-0901, phone (360) 586-1155, fax (360) 586-1165, e-mail rhondar@tib.wa.gov, AND RECEIVED BY March 9, 2009.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Add language to the delayed project time frame to include "construction only" projects, giving this category its own time schedule.

Reasons Supporting Proposal: To provide a clearly defined timeline for "construction only" projects that might be delayed, which helps minimize cost increases and allows the project to be completed in a reasonable time frame.

Statutory Authority for Adoption: Chapter 47.26 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: [Transportation improvement board], governmental.

Name of Agency Personnel Responsible for Drafting: Rhonda Reinke, P.O. Box 40901, Olympia, WA 98504-0901, (360) 586-1155; Implementation and Enforcement: Stevan Gorcester, P.O. Box 40901, Olympia, WA 98504-0901, (360) 586-1139.

December 31, 2008

Stevan Gorcester

Executive Director

[AMENDATORY SECTION (Amending WSR 07-18-050, filed 8/30/07)]

WAC 479-05-211 When a project is considered delayed. Projects are considered delayed when one of the following occurs:

(1) Urban corridor program projects do not reach construction phase within five years and six months.

(2) Urban arterial program projects do not reach construction phase within four years and six months.

(3) Projects awarded funding as "construction only" will be considered delayed if construction does not begin within one year of funding becoming available

~~(3)~~ (4) All other programs must reach construction phase within two years and six months.

The date funding is made available to the local agency by TIB is the starting point in calculating the delay date.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.