

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Transportation
(agency name)

Administrative Order No. 75

(1) I, Duane Berentson, Secretary, Department of Transportation

do promulgate and adopt at Highway Administration Building, Olympia, Washington (place)

the annexed rules relating to:

Repeal of Chapter 12-12 WAC

(PLEASE SEE REVERSE)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 82-22-007 filed with the code reviser on 10/22/82. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 47.01.101(5) & 47.68.210 and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND TRANSMITTED FILED

December 13, 19 82

DEC 13 1982

By Duane Berentson

Secretary of Transportation Title

CODE REVISER'S OFFICE WSR 83-01-039

NOTE:

RCW 34.04.026 provides:

(1) In addition to the provisions of RCW 34.04.025(1)(a)(i), every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ which directs that the (agency) has authority to implement the provisions of (name of act or RCW section)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority—either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW _____."

(2) The code reviser is directed to develop a format for placing such specific language in each rule, and agencies shall then comply with the code reviser's direction, and shall include the same in the final rule.

(3) During the promulgation hearings process the public may question whether such rule should have a more specific reference, and the agency shall, pursuant to RCW 34.04.025(1)(b), give consideration to such requests."

USE OF AIRSPACE WITHOUT PILOTS

ROCKETS AND MISSILES

12-12-001 Promulgation.
12-12-010 Permits required.
12-12-020 Exceptions.
12-12-030 Construction of Order.
12-12-040 Adoption of rules and regulations of Washington State Fire Marshall relating to model and experimental rocketry.

UNMANNED GLIDERS AND MODEL AIRCRAFT

12-12-101 Promulgation.
12-12-110 Where permits required.

VOLUNTARILY PARACHUTING FROM AIRCRAFT

12-12-150 Voluntary parachuting.

Chapter 12-28 WAC

SPRAYING AND DUSTING BY AIRCRAFT

12-28-001 Promulgation.
12-28-010 General.
12-28-020 Pilots and operation of aircraft.
12-28-030 Restrictions as to chemical application.
12-28-040 Violations and penalties.
12-28-050 Persons excepted from rules.
12-28-060 Severability.

Chapter 12-32 WAC

OPERATING RULES FOR SPECIFIC AREAS

12-32-001 Lake Washington and Lake Washington Ship Canal - Promulgation.
12-32-010 Lake Washington and Lake Washington Ship Canal - Flight and operation rules.

Chapter 12-36 WAC

SPECIFICATIONS FOR DOWNED AIRCRAFT RESCUE TRANSMITTERS

12-36-001 Promulgation.
12-36-010 Operation.
12-36-020 Device quality.
12-36-030 Transmission capabilities.
12-36-040 Dual frequency requirement.

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