



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: December 02, 2020

TIME: 11:31 AM

WSR 20-24-132

Agency: Department of Enterprise Services

Original Notice

Supplemental Notice to WSR \_\_\_\_\_

Continuance of WSR \_\_\_\_\_

Preproposal Statement of Inquiry was filed as WSR 19-22-094 ; 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 200-200 WAC, Parking and traffic control on the capitol grounds

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
January 5, 2021	4 to 6 p.m.	Virtual public hearing via Zoom	To attend the hearing, copy and paste the following hyperlink into your internet browser:  https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fdes-wa.zoom.us%2Fj%2F96339464999%3Fpwd%3DK3ZzQXI4b1BNeUk0UIRUVGxSRHY1UT09&data=04%7C01%7Cjack.zeigler%40des.wa.gov%7C233de46f5bb449b22b7d08d896dfb3f8%7C11d0e217264e400a8ba057d cc127d72d%7C0%7C0%7C637425234827365212%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=XrcJOIzNH4Ny2Uv1P%2BG8NIvzw17MJOYrttToK2TJAFE%3D&reserved=0

Date of intended adoption: January 13, 2021 (Note: This is NOT the effective date)

### Submit written comments to:

Name: Jack Zeigler

Address:

Email:

Fax:

Other: Online - <https://des.wa.gov/about/policies-laws-rules/rulemaking#restrictions>

By (date) 5:00 PM, Friday, January 8, 2021

### Assistance for persons with disabilities:

Contact Jack Zeigler

Phone:

Fax:

TTY:

Email: [jack.zeigler@des.wa.gov](mailto:jack.zeigler@des.wa.gov)

Other:

By (date) 5:00 PM, Friday, January 1, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of the proposal is to clarify the authority of the director to put in place enforceable parking restrictions anywhere on the Capitol Campus roadways and parking areas. Other changes were made to 1) Clearly identify those rules which only apply to employees parking on the Capitol Campus, and 2) Address the ability of the department's Visitor Services program to issue parking permits to event sponsors holding campus use permits for vehicles parking on the Capitol Campus.

**Reasons supporting proposal:** State law establishes the power of director of the department of enterprise services to put in place rules governing control of traffic and parking on the state capitol grounds. Certain sections of the current rules are not clear regarding permitting requirements, authorizations to park on the Capitol Campus, and enforcement of parking violations. Because of this lack of clarity, the full scope of the authority of the director to establish and enforce parking and traffic regulations on the state capitol grounds may be unintentionally weakened.

**Statutory authority for adoption:** RCW 43.19.125, 46.08.150, and 43.19.011

**Statute being implemented:** RCW 46.08.150

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

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

**Name of proponent:** (person or organization) Department of Enterprise Services

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Jack Zeigler	1500 Jefferson, Olympia, WA	360-407-9209
Implementation:	Courtney Kleck	1312 Fones Road, Bldg.4, Olympia, WA	360.664.9203
Enforcement:	MariJane Kirk	1500 Jefferson, Olympia, WA	360-407-9392

**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: A cost-benefit analysis is not required under RCW 34.05.328. The department of enterprise services (DES) is not an agency listed in RCW 34.05.328 (5)(a)(i). Further, DES does not voluntarily make section 201 applicable to this rule adoption nor to date, has the joint administrative rules review committee made section 201 applicable to this rule adoption.

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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 type="checkbox"/> RCW 34.05.310 (4)(b)<br>(Internal government operations)         | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(e)<br>(Dictated by statute)  |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(c)<br>(Incorporation by reference)  | <input type="checkbox"/> RCW 34.05.310 (4)(f)<br>(Set or adjust fees)  |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(d)<br>(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)<br>((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 \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If 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 analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert 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:** December 2, 2020

**Name:** Jack Zeigler

**Title:** Policy and Rules Manager

**Signature:**

