

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.71.02 – RAILROAD ACCIDENT REPORTING RULES

DOCKET NO. 31-7102-0701

NOTICE OF PROPOSED RULEMAKING -- REPEAL OF CHAPTER

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given that the Idaho Public Utilities Commission proposes to repeal its Railroad Accident Reporting Rules. This action is authorized pursuant to Section 61-515, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2007. The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the Commission's address below.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for rescinding the temporary rule.

IDAPA 31.71.02.101 of the Railroad Accident Reporting Rules adopts 47 C.F.R. Part 225.1 which requires all railroads to file a copy of an accident or incident report with the Commission when such report is required to be filed with the Federal Railroad Administration. The Commission is proposing to move the text of Rule 101 to the Railroad Safety/Sanitation Rules, IDAPA 31.71.03. This transfer is proposed in Docket No. 31-7103-0701. After the transfer of this one rule to the Railroad Safety/Sanitation Rules, the Commission proposes to repeal its Railroad Accident Reporting Rules at 31.71.02. Consolidating these rules will streamline the Commission's railroad rules.

FEE SUMMARY: There are no fees associated with this proposed rulemaking.

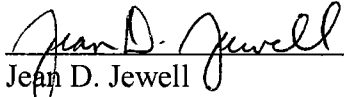
FISCAL IMPACT: There is no fiscal impact on the state general fund resulting from this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because of the nature of the proposed action.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the rescission of these rules, contact Donald L. Howell, II, Deputy Attorney General, at (208) 334-0312.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the Commission Secretary and must be delivered on or before October 25, 2007. Persons desiring to comment are encouraged to submit written comments at their earliest convenience rather than wait until the comment deadline.

DATED this 13th day of August 2007.



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