



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Department of Ecology AO # 08-01

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 08-16-106; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or          | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).                                 | <input type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** (Describe Subject) A new rule chapter 173-422A WAC, Motor vehicle emission inspection, is being proposed and would apply to Washington's Motor Vehicle Emission Program beginning July 2012. The current rule, chapter 173-422, applies to Washington's Motor Vehicle Emission Program through June 2012.

**Hearing location(s):**  
Federal Way  
Federal Way 320<sup>th</sup> Library  
848 S. 320<sup>th</sup> St. Federal Way, WA 98003

You can also listen to the hearing, live over the internet. Comments will not be accepted over the internet. Ecology will provide a link to listen in on the hearing via the Internet. This link will be posted by March 15, 2011 at:

<http://feeds.feedburner.com/ApplusWashingtonStateEmissionTesting-testWebsite?format=xml>

Date: Tuesday, March 22, 2011 Time: 6:00 PM

**Submit written comments to:**  
Name: John Raymond  
Address: Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600  
e-mail [john.raymond@ecy.wa.gov](mailto:john.raymond@ecy.wa.gov)  
fax (360)407-6802 by March 31, 2011

**Assistance for persons with disabilities:** Contact The Air Quality Program at (360)407-6800 by March 15, 2011  
Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341

**Date of intended adoption:** June 23, 2011  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**  
Please see attachment.

**Reasons supporting proposal:** Please see attachment.

**Statutory authority for adoption:** RCW 70.120.120

**Statute being implemented:** RCW 70.120, RCW 70.120A.010(2)

**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:

**DATE**  
2/15/11

**NAME** (type or print)  
Polly Zehm

**SIGNATURE** *Polly Zehm*

**TITLE**  
Deputy Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: February 15, 2011  
TIME: 4:13 PM**

**WSR 11-05-089**

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

N/A

**Name of proponent:** (person or organization) Department of Ecology

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... John Raymond	Lacey, WA	(360) 407-6856
Implementation.....Stuart Clark	Lacey, WA	(360) 407-6880
Enforcement.....Stuart Clark	Lacey, WA	(360) 407-6880

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: Kasia Patora  
Address: Department of Ecology  
Rules and Accountability Section  
PO Box 47600  
Olympia, WA 98504-7600  
phone (360) 407-6184  
fax (360)407-6989  
e-mail [kasia.patora@ecy.wa.gov](mailto:kasia.patora@ecy.wa.gov)

No. Explain why no statement was prepared.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Name: Kasia Patora  
Address: Department of Ecology  
Rules and Accountability Section  
PO Box 47600  
Olympia, WA 98504-7600  
phone (360) 407-6184  
fax (360)407-6989

e-mail [kasia.patora@ecy.wa.gov](mailto:kasia.patora@ecy.wa.gov)

No: Please explain: