

# TRN-16.01 – Administrative Rules and Procedures

Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority (ARB)

## Policy category

[Administrative Rules](#)

## Policy number

TRN-16.01

### I. Notification and Public Outreach Process

1. The public outreach process will include a minimum 30-day comment period.
2. A tiered approach will be used to determine public outreach activities. Tier I includes clean-up or minor changes to existing administrative rules. Tier II includes new administrative rules or substantial changes to an existing rule. Additional factors may be used to further refine this process. Table A identifies the amount and extent of public outreach. Additional outreach activities may be conducted if deemed necessary.
3. PBOT staff will designate a date, time and location for the public hearing (Tier II) in the original notification (webpage, newspaper, email, etc.). The notification shall include a brief description of the subjects covered by the proposed rule and the location where copies of the full text of the proposed rule may be obtained. The public hearing is **by request only**. PBOT will cancel the hearing if it receives no request 3-5 business days prior to the hearing date. A cancellation notice will be posted on the PBOT website and sent to the email list for that item if applicable.
4. During the public review process, the Director shall hear testimony (Tier II only) and receive written comments regarding the proposed rules.

Table A

<b>Outreach Activity</b>	<b>Tier I</b>	<b>Tier II</b>
<b>Post in newspaper of general circulation:</b>	No	Yes
<b>Post on PBOT proposed admin rule changes webpage:</b>	Yes	Yes May be included as "featured" item on website (or equivalent)
<b>Post on other relevant city bureau websites:</b>	If relevant	Yes
<b>Send via email to applicable community stakeholders:</b>	No	Yes
<b>Present in person at community stakeholder groups:</b>	No	By request or as needed
<b>Host public hearing at end of 30-day comment period (if one is requested):</b>	No	Yes

## **II. Director Review and Adoption of Administrative Rules**

1. Following the public outreach process, PBOT staff will review comments and submit the proposed rule to the Director. The Director may adopt the proposed rule, modify it, or reject it. If there is a substantial change to the proposed rule, the Director may provide additional time for public review and comment prior to adoption.
2. Unless otherwise stated, all rules will be effective upon adoption by the Director.
3. Administrative rules may list an effective date that is later than the adoption date.

### **III. Filing of Administrative Rules**

1. Once approved by the Director, the new or amended rule can be found on thePortland Policy Documents repository online.

### **IV. Interim Administrative Rules**

1. The Director of Transportation has the authority to immediately adopt an interim rule should it be determined that failure to act promptly would result in prejudice tothe public interest. If the Director adopts a rule under this Subsection, the Director shall state the specific reasons for such prejudice.
2. Any interim rule adopted pursuant to this will be effective for a period of no longerthan 120 days.
3. PBOT will post public notice of the interim rule on its website not more than 30 daysafter adoption.

### **V. Interpretation of Administrative Rules**

1. The Director of Transportation or delegate maintains authority for the interpretationand application of PBOT's administrative rules.

### **History**

Adopted by the Director of Portland Bureau of Transportation July 2, 2019 and filed for inclusion in PPD July 9, 2019.

Amended by Director of Portland Bureau of Transportation January 6, 2020.

Amended by Director of Portland Bureau of Transportation August 6, 2021 and filed for inclusion in PPD August 10, 2021.