CONCISE EXPLANATORY STATEMENT

AGENCY: Rhode Island Turnpike and Bridge Authority (RITBA)

RULE IDENTIFIER: ERLID 6330

RULE TITLE: Rules and Regulations Governing the Use of the Claiborne Pell Bridge and Mount Hope Bridge

REASON FOR RULEMAKING: The purpose of this action is to repeal RITBA's Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge because many of the provisions contained in these Rules and Regulations were duplicative and redundant of state law. Other provisions are no longer necessary for RITBA's operations and needs. And, provisions relating to the safe use of the bridges will be incorporated into RITBA's proposed Rules and Regulations Governing Bridge Safety (which will cover all four bridges under RITBA's jurisdiction, not just the Newport/Pell Bridge and Mount Hope Bridge).

TESTIMONY AND COMMENTS: RITBA did not expect this repeal to be controversial and thus proceeded as a Direct Final Rule. No comments or objections were received during the comment period between July 24, 2018 and August 23, 2018.

CHANGE TO TEXT OF THE RULE: This is a repeal and therefore there are no modifications or changes between the text of the rule as proposed and the text of the final rule.

REGULATORY ANALYSIS: The Regulatory Analysis of the Rhode Island Turnpike & Bridge Authority (RITBA) required by R.I. Gen. Laws §42-35-2.9 with respect to RITBA's proposed repeal of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge:

RITBA believes that repealing its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge is appropriate because, under the recently-amended Administrative Procedures Act ("APA"), state law should not be incorporated into rules and regulations. Upon review, RITBA discovered that many of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge were redundant with state law or were no longer necessary. However, RITBA does believe that rules and regulations relating to the safe use of RITBA's bridges is important, and, therefore, will propose to adopt proposed Rules and Regulations Governing Bridge Safety (which will cover all four bridges under RITBA's jurisdiction, not just the Newport/Pell Bridge and Mount Hope Bridge). In light of this, RITBA believes that repeal of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge is appropriate.

In the development of the proposed repeal, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and

regulatory provisions; and (3) significant economic impact on small business. Other than as stated above, no alternative approach, duplication, or overlap was identified based upon available information.