



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 11, 2021  
TIME: 12:14 PM

WSR 21-05-039

**Agency:** Department of Licensing

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** Rule changes are necessary to update Chapter 308-30 WAC to incorporate changes required by SB 5641 to establish rules for remote notarization being performed by licensed Washington notaries. SB 5641 is effective October 1, 2020 as passed by the 2019 Legislature to allow licensed Washington notaries to perform remote notarizations.

**Citation of rules affected by this order:**

New: WAC 308-30-290 Authorized remote notarial acts; WAC 308-30-300 Standards for technology identity proofing; WAC 308-30-310 Standards for communication technology; WAC 308-30-320 Certificate of notarial act for remote notarial acts; WAC 308-30-330 Retention of audio-visual recordings and repositories

Repealed:

Amended: WAC 308-30-020 Definitions; WAC 308-30-030 Application process for notary public commission; WAC 308-30-040 Approval or denial of application; WAC 308-30-050 Term of commission; WAC 308-30-150 Completion of electronic notarial certificate; WAC 308-30-200 Format of journals of notarial acts; WAC 308-30-220 Fees for notarial acts; WAC 308-30-270 Termination or suspension of commission or endorsement.

Suspended:

**Statutory authority for adoption:** RCW 42.45.250

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 21-02-067 on January 5, 2021 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>5</u>	Amended	<u>8</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted on the agency's own initiative:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

Negotiated rule making:	New	<u>5</u>	Amended	<u>8</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**Date Adopted:** February 11, 2021

**Name:** Damon Monroe

**Title:** Agency Rules Coordinator

**Signature:**

*Damon Monroe*