



# 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: November 30, 2022

TIME: 2:18 PM

WSR 22-24-035

**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:** The department is making changes to WAC 308-104 to adopt new requirements established in ESSB 5226 related to suspensions resulting from an accumulation of traffic offenses and a required safe driving course. The law decreases the number of accumulated traffic offenses that result in a license suspension and requires individuals who are suspended under this law to complete a safe driving course. Section 7 of the bill states "Whenever the official records of the department show that a person has committed a traffic infraction for a moving violation on three or more occasions within a one-year period, or on four or more occasions within a two-year period, the department must suspend the license of the driver for a period of 60 days and establish a period of probation for one calendar year to begin when the suspension ends. Prior to reinstatement of a license, the person must complete a safe driving course as recommended by the department."

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

- New: WAC 308-104-026 (Safe driving course); WAC 308-104-027 (Effect of accumulation of traffic infractions)
- Repealed:
- Amended: WAC 308-104-025 (Effect of accumulation of traffic offenses)
- Suspended:

**Statutory authority for adoption:** RCW 46.01.110 Rule-making authority. and RCW 46.20.119 Reasonable rules

**Other authority:** ESSB 5226

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

Adopted under notice filed as WSR 22-21-141 on 10/19/2022 (date).  
Describe any changes other than editing from proposed to adopted version:

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 | ___      | Amended | ___      | Repealed | ___ |
| Federal rules or standards:      | New | ___      | Amended | ___      | Repealed | ___ |
| Recently enacted state statutes: | New | <u>2</u> | Amended | <u>1</u> | Repealed | ___ |

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

|     |     |         |     |          |     |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted on the agency's own initiative:**

|     |     |         |     |          |     |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|     |     |         |     |          |     |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted using:**

|                                |     |     |         |     |          |     |
|--------------------------------|-----|-----|---------|-----|----------|-----|
| Negotiated rule making:        | New | ___ | Amended | ___ | Repealed | ___ |
| Pilot rule making:             | New | ___ | Amended | ___ | Repealed | ___ |
| Other alternative rule making: | New | ___ | Amended | ___ | Repealed | ___ |

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|--|
| <b>Date Adopted:</b> November 30, 2022 |
| <b>Name:</b> Ellis Starrett            |
| <b>Title:</b> Rules and Policy Manager |

**Signature:**

