



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: January 24, 2024
TIME: 9:18 AM

WSR 24-03-165

Agency: Department of Licensing

Title of rule and other identifying information: (describe subject) WAC 308-500-010 Semiautomatic assault rifle fee

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department is removing the requirement for firearm dealers to charge a fee for semiautomatic assault rifle purchases. This change is pursuant to HB 1143, passed during the 2023 legislative session, which now allows firearms dealers to charge a background check fee for the Secure Automated Firearm E-check system run by the Washington State Patrol.

Reasons supporting proposal: These updates align with changes made by HB 1143, including RCW 43.43.580 Firearms background check unit – Automated firearms background check system – Fee, and RCW 9.41.090 Dealer deliveries regulated – Hold on deliver – Fees authorized.

Statutory authority for adoption: RCW 9.41.090(7)(a) Dealer deliveries regulated – Hold on delivery – Fees authorized; and RCW 43.43.580(4)(a) Firearms background check unit – Automated firearms background check system – Fee.

Statute being implemented: HB 1143 and RCW 43.43.580 Firearms background check unit – Automated firearms background check system – Fee.

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:

Name of proponent: (person or organization) Department of Licensing

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Aaron Slavin	405 Black Lake Blvd SW, Olympia, WA 98502	360-634-5081
Implementation:	Aaron Slavin	405 Black Lake Blvd SW, Olympia, WA 98502	360-634-5081
Enforcement:	Aaron Slavin	405 Black Lake Blvd SW, Olympia, WA 98502	360-634-5081

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

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): This requirement is specifically called out in RCW 43.43.580 which was approved in HB 1143 during the 2023 legislative session.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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AND RECEIVED BY (date) March 25, 2024

Date: January 24, 2024
Name: Ellis Starrett
Title: Rules and Policy Manager

Signature:

