



EXPEDITED RULE MAKING

CR-105 (June 2024) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: June 20, 2024

TIME: 9:11 AM

WSR 24-13-122

Agency: Department of Licensing

Title of rule and other identifying information: (describe subject) WAC 308-63-040 Wreckers—Application for License; and WAC 308-70-130 Fees.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: DOL is considering creating new rules to establish business and professional license requirements per ESHB 2153, passed during the 2024 legislative session. These rules clarify that vehicle wreckers and scrap metal businesses must pay a \$500 Washington State Patrol inspection fee when applying for an original or renewed license.

Reasons supporting proposal: Implementing recently passed legislation.

Statutory authority for adoption: RCW 46.01.011 Purpose; RCW 46.79.040 Application forwarded with fees-Issuance of license-Disposition of fees-Display of license; RCW 46.79.050 License expiration-Renewal fee-Surrender of license, when; RCW RCW 46.80.040 Issuance of license-Fee; and RCW 46.80.050 Expiration, renewal-Fee.

Statute being implemented: Chapter 31, Laws of 2024.

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:	Ellis Starrett	1125 Washington St SE Olympia, WA 98504	360-902-3846
Implementation:	Catherine Naegeli	405 Black Lake Blvd SW Olympia, WA 98502	360-664-1891
Enforcement:	Jennifer Clawson	405 Black Lake Blvd SW Olympia, WA 98502	360-664-1452

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): Content is explicitly and specifically dictated by statute.

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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Agency: Department of Licensing

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Other:

BEGINNING (date/time) July 5, 2024 **AND RECEIVED BY** (date/time) August 19, 2024

Date: June 20, 2024

Name: Ellis Starrett

Title: Rules and Policy Manager

Signature:

