



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: April 06, 2023

TIME: 2:14 PM

WSR 23-09-006

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 purpose of this change is to establish rules for the Department of Licensing to implement the requirements of the Public Records Act, chapter 42.56 RCW. The department adopts these rules to provide full access to public records concerning the conduct of government, mindful of individuals' privacy rights. RCW 42.56.120 was updated in 2017 to clarify and expand what agencies may charge for creating copies of records. This rule change adopts 2017 changes into rule and updates the rules to align with existing processes.

Citation of rules affected by this order:

New:

Repealed: WAC 308-10-020 Operations and procedures., WAC 308-10-042 Processing of public records requests—Electronic records., WAC 308-10-050 Exemptions., and WAC 308-10-070 Communications with department.

Amended: WAC 308-10-005 Authority and purpose., WAC 308-10-010 Definitions., WAC 308-10-015 Function – Organization—Administrative offices—General inquiries to the office., WAC 308-10-025 Public records available., WAC 308-10-030 Public records officer., WAC 308-10-040 Requests for public records., WAC 308-10-041 Processing of public records requests—General., WAC 308-10-045 Costs of providing copies of public records., WAC 308-10-055 Review of denials of public records., WAC 308-10-060 Protection of public records., WAC 308-10-075 Disclosure of vehicle owner information., and WAC 308-93-087 Disclosure of vessel owners information.

Suspended:

Statutory authority for adoption: RCW 46.01.110 and RCW 42.56

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-03-114 on 1/18/2023 (date).

Describe any changes other than editing from proposed to adopted version: The department received rulemaking comments alerting the agency to an error in the revisions of WAC 308-10-065 Records index. and WAC 308-10-067 Public records indexing system. Therefore, the department has chosen not to amend these respective sections of the chapter. Future updates may still be needed to modernize these sections of the chapter, however, that would take place in a future rulemaking effort.

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	___	Amended	<u>1</u>	Repealed	___

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

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>10</u>	Repealed	<u>4</u>
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	<u>11</u>	Repealed	<u>4</u>
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: April 6, 2023

Name: Ellis Starrett

Title: Rules and Policy Manager

Signature:

