



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: February 07, 2024
TIME: 10:58 AM

WSR 24-04-104

Agency: Department of Licensing

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

- Preproposal Statement of Inquiry was filed as WSR 23-23-176 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
- Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 308-96B-010 Definitions – Special parking privileges for persons with disabilities; and WAC 308-96B-020 General Provisions.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
March 18, 2024	2:00 pm	<p>Join Zoom Meeting</p> <p>https://dol-wa.zoom.us/j/89543157079?pwd=W0LUUJ9crqrLj2c7UjXiG1wecwSFPv.1</p> <p>Meeting ID: 895 4315 7079 Passcode: 034939</p> <p>One tap mobile +12532158782,,89543157079#,,, ,*034939# US (Tacoma) +12532050468,,89543157079#,,, ,*034939# US</p> <p>Dial by your location • +1 253 215 8782 US (Tacoma)</p> <p>Meeting ID: 895 4315 7079 Passcode: 034939</p> <p>Find your local number: https://dol-wa.zoom.us/j/89543157079?pwd=W0LUUJ9crqrLj2c7UjXiG1wecwSFPv.1</p>	f you are having difficulty joining the Zoom meeting at the tiem of the public hearing, please call 360-902-0131. An in-person option is available at the highways and licensing building located at 1125 Washington St SE, Olympia, WA 98504

Date of intended adoption: March 19, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Kelsey Stone
 Address: 1125 Washington St SE, Olympia, WA 98504
 Email: rulescoordinator@dol.wa.gov
 Fax:
 Other:
 By (date) March 18, 2024

Assistance for persons with disabilities:

Contact Kelsey Stone
 Phone: 360-902-0131
 Fax:
 TTY:
 Email: rulescoordinator@dol.wa.gov
 Other:
 By (date) March 8, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Clarifying that applications for disabled parking privileges must reside in Washington State to qualify. Additionally, DOL intends to define the term "resident" in WAC 308-96B-010 to further clarify the proposed requirements.

Reasons supporting proposal: DOL often receives requests for disabled parking passes from applicants permanently residing outside of Washington State which creates an increased wait time for Washington State applicants, as well as challenges for law enforcement outside of Washington.

Statutory authority for adoption: RCW 46.01.110 Rule-making authority; RCW 46.19.020 Eligible organizations – Rules; RCW 46.19.040 Renewal-Rules; and RCW 46.19.050 Restrictions-Prohibitions-Violations-Penalties.

Statute being implemented: WAC 308-96B-010 Definitions – Special parking privileges for persons with disabilities; and WAC 308-96B-020 General Provisions

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

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

Type of proponent: Private Public Governmental

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

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kelsey Stone	1125 Washington St SE, Olympia, WA 98504	360-902-0131
Implementation:	Sina Talalemotu	1125 Washington St SE, Olympia, WA 98504	360-902-4004
Enforcement:	Sina Talalemotu	1125 Washington St SE, Olympia, WA 98504	360-902-4004

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

No: Please explain: These changes are non-substantive and do not have fiscal impacts. They are clarifying the residency requirement to issue a parking privilege to persons with disabilities which is a free service to DOL customers.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Date: February 7, 2024

Name: Ellis Starrett

Title: Rules and Policy Manager

Signature:

