

# **Transcript of public hearing on rulemaking for Chapters 308-77, 308-78, and 308-79A WAC**

James Manuel (00:02):

And if you're wishing to testify, can you please indicate that in the chat as well as state or include your name and your contact information, the organization that you're with. We collect those for record-keeping purposes as part of this public hearing. But if you would wish to testify, please indicate that in the chat. We do have some folks joining us today externally.

(00:27):

I'm going to begin the public hearing and so good afternoon. It is a public hearing for the Washington State Department of Licensing being held to elicit public testimony both oral and written, with regard to the proposed rules amending WAC 308-77, WAC 308-78, and newly creating WAC 308-79A.

(00:49):

These proposed rules would update language in WAC to implement a portion of House Bill 1964 passed by the 2024 Washington State Legislature in which the pre-app appeal step is renamed from informal hearing to review by department, agent penalties for DI diesel violations and the creation of a fuel tax discovery team.

(01:10):

This hearing is being held via Teams and in-person at 408 Black Lake Boulevard, Olympia, Washington. This hearing has taken place at 2:00 PM on December 11th, 2024. Public notice of this hearing was given by notice number WSR24-22-125, followed with the code reviser's office on November 5th, 2024.

(01:33):

The department posts all of our rulemaking information on [dol.wa.gov/about/rulemaking-activity](https://dol.wa.gov/about/rulemaking-activity), and this is where you can access all rulemaking notices and proposed language for this rulemaking. The sign-in sheet, your testimony and any documents you provide are public documents. This rule is proposed pursuant to the provisions of RCW 18310020.

(02:01):

My name is James Manuel and my title is Tribal and Federal Liaison. The director of licensing has designated me to preside over this hearing. Representatives from the

Washington State Department of Licensing are present today. If there are questions, we have Lynn Briscoe, administrator for Parade and Fuel Tax.

(02:18):

Catherine Adam, Assistant Administrator at Parade Fuel Tax. Debbie Sanders, Program Manager for Parade Fuel Tax, and JD Smith, Program Manager for Parade Fuel Tax. The procedure today will be as follows, the department is required to make a record of this hearing by stenographic, mechanical and electronic means. Therefore, we are audio recording this hearing.

(02:40):

For virtual attendees wishing to testify, please provide your name and contact information in the chat or tell unmute or to unmute and we would like to, if you'd like to testify, we'll call on your screen name for those in the room wishing to testify but I have not already noted their desire to testify on the sign-in sheet, which is here. We have no one in the room.

(03:01):

Please wait for me to ask the room if there is anyone willing to testify and notify me at that time. I will ask you to provide your contact information which will be added to the sign-in sheet. The sign-in sheet will be used to call forward individuals for testimony and is later used to ensure hearing participants are notified of rulemaking results and the agency's response to comments.

(03:23):

We'll be called to testify in order, which I collect your information to assist in preparing the record of this public hearing. Individuals testifying today should state their name, who they are representing, if they are testifying on behalf of others and whether they support or oppose the proposed rules. The department has not received written comments on these proposed rules.

(03:46):

For those wishing to provide written comments, please hand them to me or email them to our rules coordinator email inbox at [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov) and we'll include them in their formal record and our response to questions. Copies of these written comments will be added to the rulemaking file.

(04:04):

Now we will hear oral statements from those present. Ellis, are there any individuals wishing to testify via virtual?

Ellis Starrett (04:13):

I have not had anyone sign up virtually. It sounds like there's no one in the room. If there's anyone wishing to testify who has not been able to submit their information, please go ahead and unmute and state the information that I provided in the chat. Your name, your contact information, the organization you're representing, if you're representing, or if you're testifying on behalf of others, and if you oppose or support the proposed rules.

James Manuel (04:42):

It looks like we did have some virtual attendees. And obviously it's totally fine if you want to listen in without making a comment, but if you do want to make a statement or comment on their proposed rules, you can indicate that now either by unmuting yourself and speaking up or providing your comments in the chat.

Ellis Starrett (05:05):

There is still no one who has provided their information. I did provide the email so where they can email public comments if they wish.

James Manuel (05:15):

Okay. Okay, we'll give it a moment to see if there are anyone in the case that they want to provide comments on the rule. The department has not received public comments either orally during this hearing or written. There is still an opportunity to provide those to the rules coordinator inbox for consideration and in response, but with that we'll close the public comment period for the hearing.

(05:55):

I want to thank you for those comments. The department will prepare a concise explanatory statement which will among other things, summarize all of the oral and written comments received regarding the proposed rules and respond to them by category or subject matter. Copies of the explanatory statement will be forwarded to all of those who have made oral and written comments. This hearing is adjourned.