



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Department of Licensing

**Permanent Rule Only**

**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 Department of Licensing is repealing Chapter 308-72 WAC – Motor Vehicle Fuel Tax. This chapter is being repealed per Substitute House bill 1883. The bill simplifies and updates statutes related to fuel tax administration, signed into law in 2013 and effective July 1, 2016. The bill consolidated motor fuel (RCW 82.36) and special fuel (RCW 82.38) statutes. To reflect these changes, the Department promulgated rulemaking to rewrite Chapter 308-77 WAC and renamed it *Fuel Tax Rules and Regulations*. These WAC changes were adopted by the Department on June 9, 2016 with WSR 16-13-049 and WSR 16-13-051. These revisions contain the elements needed to implement and manage both motor and special fuels. Since the motor fuel and special fuel taxation rules will be merged into a single WAC chapter to reflect Substitute House bill 1883, Chapter 308-72 WAC is no longer needed; nor would it reflect current statutes.

**Citation of existing rules affected by this order:**

Repealed: Chapter 308-72 WAC

Amended:

Suspended:

**Statutory authority for adoption:** Chapters 82.36 and 82.38 RCW

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 16-11-003 on 05/04/2016 (date).

Describe any changes other than editing from proposed to adopted version:

N/A

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_

Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

**Date adopted:** November 16, 2016

**NAME (TYPE OR PRINT)**

Damon Monroe

**SIGNATURE**

**TITLE**

Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: November 16, 2016**

**TIME: 9:30 AM**

**WSR 16-23-084**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	<u>22</u>

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

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in 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	_____	Repealed	<u>22</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	<u>22</u>