

# Transcript of public hearing for rulemaking activity for Chapter 308-108 WAC

October 31, 2023

Ellis Starrett (00:03):

Good morning. This is a public hearing before the Washington State Department of Licensing, being held to elicit public testimony, both oral and written, with regard to proposed rules amending Chapter 308-108 WAC.

(00:17):

The proposed rules create a new chapter under WAC 308-101 to define business rules, guidelines, and the process for conducting administrative reviews of the petitioner's CDL disqualifications based on an adverse decision on the admin per se implied consent hearing per RCW 46.20.308.

(00:42):

This hearing is being held via Zoom and in-person at 1125 Washington Street Southeast, Olympia, Washington. This hearing is taking place at 10:00 AM on October 31st, 2023. Public notice of this hearing was given by notice number WSR2319099, filed with the Code Reviser's office on September 20th, 2023.

(01:06):

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 RCW3405220.

(01:35):

My name is Ellis Starrett and my title is Rules and Policy Manager. The Director of Licensing has designated me to preside over this hearing. Representatives of the Washington State Department of Licensing are present today if there are questions: Marta Reinhold, Hearings and Interviews Assistant Administrator; Marguerite Friedlander, Hearing and Interviews Administrator; Colton Myers, Policy and Legislative Analyst; and Kelsey Stone, Policy and Legislative Analyst.

(02:01):

The procedures today will be as follows. The Department is required to make a record of this hearing by stenographic, mechanical, or electronic means. Therefore, we are audio recording this hearing. For virtual attendees wishing to testify, please provide your name and contact information in the chat or unmute and tell us your information. For those in the room wishing to testify who have already noted their desire to testify on the sign-in sheet, please wait for me to ask the room if there is anyone else 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. This sign-in sheet will be used to call forward individuals for testimony and is later used to ensure the hearing participants are notified of rulemaking results and the agency's response to comments. You'll be called to testify in the order in which I collect your information. To

assist in preparing the record of this public hearing, individuals testifying today should state their name, who they represent if they are testifying on behalf of others, and whether they support or oppose the proposed rules.

(03:04):

The Department has received written comments on these proposed rules. For those wishing to provide written comments, please send them to [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), and we will include them in the formal record or response to questions. Copies of these written comments will be added to the rulemaking file.

(03:23):

Now we will hear oral statements from those present.

(03:27):

Abigail Potter?

Abigail Potter (03:31):

Thank you for having me today. My name is Abigail Potter. I am with the Washington Trucking Associations, and I just wanted to come out in support of the rulemaking. The rule will help to harmonize CDL process for disqualification with the federal, with state rules and make sure that that process for disqualification is done in a timely manner. So I just want to say thank you for having me, and support the rulemaking.

Ellis Starrett (04:05):

Thank you for your testimony.

(04:07):

Is there anyone I am not seeing that wishes to testify?

(04:16):

All right, hearing no one else, we want to thank folks for their comments. The Department will prepare a concise explanatory statement, which will, among other things, summarize all the oral and written comments received regarding the proposed rules and respond to them by category or subject matter. Copies of the concise explanatory statement will be forwarded to all those who have made oral or written comments.

(04:41):

This hearing is now adjourned.