

2024

Professional License Review 2024 Report

RCW 18.410.020 - PROFESSIONAL LICENSE REVIEW 2024

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Report Overview

House Bill (HB) 1301, enacted during the 2023 legislative session, directed the Department of Licensing (DOL) to establish a process for reviewing 10 percent of the agency's regulated professions each year and report to the Legislature.¹ Key considerations for this report are listed below. The report should also include a DOL recommendation on whether professional licenses should continue to be regulated in their current state or if they should be modified or discontinued.²

The DOL review must include:

- The statutory authorization and purpose behind each professional license.
- The number of licenses issued, denied, revoked, or had penalties assessed.
- Details of each professional licensing board.
- How DOL regulates the profession compared to other states.
- The education and training required to obtain a professional license.
- If the license should be discontinued, modified, or continued without changes.

Executive summary

The Professional License Review Act 2024 report, includes four sub reports for review:

1. Landscape Architects Professional License Review 2024
2. Court Reporters Professional License Review 2024
3. Employment Agencies Professional License Review 2024
4. Whitewater Outfitters Professional License Review 2024

Each of these sub reports provide the following examination of professional licensure:

- Licensing program
- Regulatory purpose and legislative history
- Program budget
- Regulatory review and analysis
- State comparisons
- Listening session feedback
- Policy recommendations

Regulatory review state comparison methodology

In the U.S., Washington state has the thirteenth largest population and ranks sixth for median household income. As part of the regulatory review and analysis, we examined the hours, training, experience, and fees required for licensure in states with similar populations and median household incomes. We used the 2023 U.S. Census data estimates and 2022 American Community Survey public data sets.³

¹ Washington State Legislature. (2023, July 23). HB 1301 Professional License Review.

² A complete list of report requirements can be found in Appendix "X".

³ Bureau, US Census. "Census Datasets." Census.Gov.

Building on this state analysis, we also reviewed states with a similar combination of population and median household income, including Arizona, California, Massachusetts, New Jersey, Oregon, and Virginia.

Recommendations on professional licenses

The Department recommends the following actions for these professions:

- Landscape Architects:
 - We are recommending adopting the Council of Landscape Architectural Registration Boards (CLARB) Uniform Standard for Landscape Architecture Licensure model law and regulation for education and experience requirements. This change will significantly decrease time to licensure for applicants, while still maintaining the education and experience needed to become competent in the profession.

- Court Reporters:
 - After a thorough review of the profession and outreach to current licensees, we are not recommending any changes to the current licensing structure for court reporters.

- Employment Agencies:
 - We are recommending that the employment agency license be terminated in our state. The department has not had a new applicant in this field in the last five years, with the most recent employment agency license being issued in 2014. Job recruitment services now rely on businesses to work with recruiters to fill the open positions.

- Whitewater Outfitters:
 - We are recommending that the whitewater outfitter licensure be completely removed from the Department of Licensing, as our program is duplicative of the requirements for this profession in our regulatory agencies and creates processing delays and barriers for applicants. Eliminating this license at DOL will not create any public safety concerns and should assist in streamlining the application process for individuals interested in entering this field of work.

These recommendations are covered in depth in the following report, as well as our analysis and review of the individual professions addressed in this year's report.

Landscape Architects

According to the American Society of Landscape Architects, these professionals,

“Plan, design, and manage the natural and built environment around us: community masterplans, parks, walkable neighborhoods, multimodal transportation networks, green stormwater systems, and much more. Through these responsibilities, landscape architects keep the public safe from hazards, protect vital natural resources, and foster active lifestyles. The public interest is best served when qualified professionals perform these services.”⁴

Board oversight

The Board of Licensure for Landscape Architects was created in 1969 and consists of five members. All members are appointed by the governor, and four must be landscape architects licensed in Washington state with at least eight years of landscape architecture experience. The fifth board member must be a member of the public who has never been licensed as a landscape architect and does not have a vested interest in the field. Board members serve six-year terms (RCW 18.96.040⁵).

The board’s duties include:

- Determining the qualifications required to be eligible for examination.
- Reviewing applications for exam eligibility, for people seeking licensure without a degree.
- Holding discussions and hearings regarding potential licensee conduct violations.
- Reviewing applications for licensure, for people who are licensed in another state.
- Overseeing reissuance of licenses for people whose license was suspended, revoked, or expired.
- Providing and enforcing statutes and rules for professional development activities.

Over the past five years, the board has met four or five times per year.

- 2023: 5
- 2022: 4
- 2021: 4
- 2020: 4
- 2019: 5

There are typically four full board meetings yearly, and special sessions are called as needed. This does not include any committee or subcommittee meetings.

⁴ Comments on behalf of The American Society of Landscape Architects Before the Washington Department of Licensing Landscape Architecture Listening Session January 31, 2024
<https://www.asla.org/uploadedFiles/Washington%20Sunset%20Review%20ASLA%20Comment.pdf>

⁵ <https://app.leg.wa.gov/RCW/default.aspx?Cite=18.96.040>

Table 1. Landscape architect five-year licensing breakdown by calendar year.

Year	Issued	Revoked	Denied	Penalized
2023	507	0	0	0
2022	466	0	0	0
2021	508	0	0	0
2020	431	0	0	0
2019	480	0	0	0

Table 2. Program budget for landscape architects.

Landscape Architect Account 16B	Expenditures
FY20	\$101,234
FY21	\$114,317
FY22	\$107,700
FY23	\$44,555
FY24	\$85,864

Landscape architects regulatory review and analysis

Regulatory purpose and legislative history

Licensing for landscape architects in Washington state began in 1969 with the passage of Senate Bill (SB) 217 through the state Legislature.⁶ The purpose for enacting the legislation was to protect human health and property and to promote public welfare.

That law required professional landscape architects operating in Washington state to get a license from the Department of Licensing. It also created a board to oversee licensure in the state.

In 1993, HB 1643 was passed, which changed the number of public members on the Landscape Architect Board from two to one and increased the number of professional members from three to four.⁷

In 2009, SB 5273 was passed, which modernized language surrounding the professional regulations.⁸ This bill also significantly changed education requirements and allowed a path to licensure for people without a degree in landscape architecture. Among other changes, SB 5273 set disciplinary authority firmly under the Board of Landscape Architects.

Landscape architects statutory authority

⁶ Washington State Legislature. (1969). ESB 217 Landscape Architecture.

⁷ Washington State Legislature. (1993). HB 1643 Landscape Architects – Registration Provisions Revised.

⁸ Washington State Legislature. (2009). SB 5273 Landscape Architecture - Registration.

- Landscape Architects, Chapter 18.96 RCW
- Board of Licensure for Landscape Architects, Chapter 308-13 WAC

Below are the fees charged for landscape architects:

Table 3. Landscape architect fees.

Fee title	Fee
Application	\$328.00
Renewal (2 years)	\$590.00
Late renewal penalty	\$197.00
License print	\$5.00
Initial license (2 years)	\$590.00
Reciprocity application	\$590.00
Replacement wall certificate	\$20.00

The landscape architect license is renewed on a two-year cycle. As with most DOL professional licenses, we offer reciprocity for those who are licensed in other states as a landscape architect to continue to practice with their current license until it expires.⁹

Table 4. Landscape architect examination fees.

Description	Fee
Initial examination application	\$328
Reciprocity application	\$590
Initial license	\$590
Renewal (2 years)	\$590
Late renewal penalty	\$197
Replacement wall certificate	\$20
License print fee	\$5

Applicants register and take the Landscape Architect Registration Examination (L.A.R.E.)¹⁰ through the Council of Landscape Architectural Registration Boards (CLARB).

To cover the cost of administering the landscape architects program, the DOL Business and Professional Licensing Division (BPD) increased landscape architects' application, renewal, initial renewal, and reciprocity fees 31 percent and late renewal fee 25 percent in 2022.¹¹ Before 2022, the program had not seen an increase in fees since 2016, when fees had reverted to their 2012 amounts. This action was directed in statute, after a four-year decrease of 10 percent for applications, initial licensure, and renewal fees, and a 20 percent decrease for late renewal fees.

⁹ See Definitions, reciprocity. ,

¹⁰ Landscape Architect Registration Examination (L.A.R.E.)

¹¹ Washington State Legislature. (2022, November). WSR 22-24-038 Permanent Rules Department of Licensing.

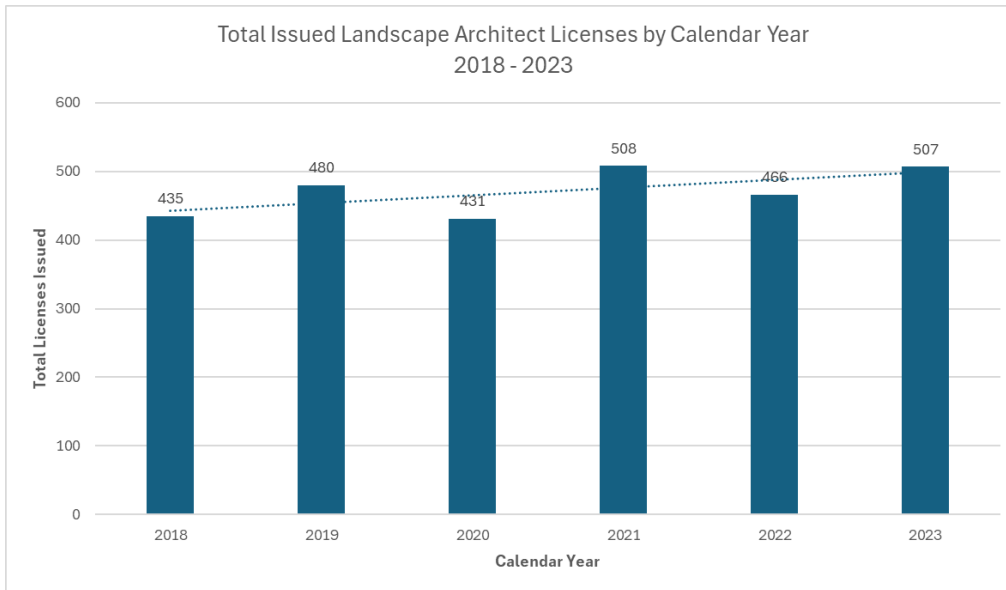


Figure 1. Total landscape architect licenses issued by calendar year, 2018-2023

Figure 1 provides a visual reference of the licenses issued for the last five years. The Landscape Architect license is renewed biannually, so for this profession we chose to include an additional year of data for 2018 to discuss how the wide variance of issued numbers above between years does not mean a decline in licenses. If we look at these numbers in biannual calendar years for the last four years, the number of issued licenses appears to be increasing.

- 2018 (435) + 2019 (431) = 866 total issued licenses
- 2020 (431) + 2021 (508) = 939 total issued licenses
- 2022 (466) + 2023 (507) = 973 total issued licenses

If we calculate the percent change of issued licenses by taking the biannual calculations for 2022-2023 number of 973 total issued licenses and compare that to the 2018-2019 number of 866 total issued licenses, we find a positive 12 percent increase in licensees for the last six years. This 12 percent increase over the last six years provides an expected estimated 2 percent growth per year. This is aligned with the expected populations growth of 1.8 percent and economic growth of 2-2.5 percent and suggests that the profession is maintaining positive growth.

Table 5. Washington landscape architect active licensees by qualifications and age group

	Between 25 and 34	Between 35 and 44	Between 45 and 54	Between 55 and 64	65 and above	Total by qualification
Comity	6	37	34	12	5	94
Examination	34	142	153	39	15	383
Non-examination	4	10	34	81	87	216
Reciprocity	1	15	53	72	54	195
Total by age group	45	204	274	204	161	888

Table 5 looks at the age categories of our licensees and their route to licensure. We found that:

- The most common path to licensure is through examination, representing 43 percent, or 383, of our total licensees.
- The next largest group of licensees qualified through non-examination, representing 24 percent, or 216, licensees.
- Qualifications through reciprocity represent 22 percent, or 195, of our licensees.
- Qualifications through comity represent 11 percent.¹²

The age groups with the largest number of licensees for all qualifications are:

- Between ages 45 and 54 (274 licensees).
- Between ages 55 and 64 and between ages 35 and 44 (204 licensees).

Licensees between ages 25 and 34 represent the smallest age group — only 35 active licensees, or 5 percent of the profession.

To expand on information in this table, we compared the total years of licensure to determine how new licensees (with less than five years of experience) were qualifying and from where. We found that a total of 228, or 26 percent, of our total licensees had less than five years of experience. Within these 228 licensees with less than five years' experience we found that:

- Washington state represents 129, or 56 percent, of licensees.
- Other states represent 70, or 24 percent, of licensees.
- Oregon state represents 26, or 11 percent, of licensees.
- Canada represents 2, or .8 percent, of licensees.
- Other international governments represent 1, or .5 percent, of licensees.

¹² See definitions, reciprocity, comity.

Washington state licensees represent the largest portion of licensees with less than five years of experience — 56 percent of the total active licensees. At 24 percent, other states represent the next largest portion. We also found that the greatest number of licensees with less than five years of experience are between ages 35 and 44, or 11 percent of our total active licensees.¹³

To provide information on the most common in- and out-of-state pathways to licensure, we are looking at landscape architect licenses by the different qualifications and locations licensees use when gaining licensure in Washington state. We found that:

- Thirty-seven percent of people were licensed through DOL and licensing examination.
- Twenty-one percent of licensees were licensed through DOL and with previous experience.
- Nine percent of licensees were licensed through DOL and reciprocity.
- Eight percent of licensees were licensed through other states and reciprocity.
- Six percent of licensees were licensed through other states and comity.
- Four percent of licensees were licensed through Oregon state and reciprocity.

State comparison

Regulations for landscape architects are relatively uniform across states, compared to other professions. All 50 states license individual landscape architects, and all but four states (Louisiana, Utah, Vermont, and Wisconsin) have boards that oversee licensing. Twenty-one states license landscape architect firms, in addition to landscape architects.

Licensing fees range from \$36 (Rhode Island) to \$700 (California). The average licensing fee in the U.S. is \$179. At \$590, Washington state licensing fees are among the highest in the country. All states except for one have licensing periods of either one or two years.

Table 6. Landscape architects state comparison

State	Individuals licensed?	Licensing Fee	Renewal Fee	Ongoing Licensing Cost/Year (renewals)	Renewal Period (years)	Firm Licensure/Registration?	Is there a Board?	Continuing Education (Hours/Year)	Exam
Washington	Yes	\$590	\$590	\$295	2	No	Yes	12	Yes
California	Yes	\$700	\$700	\$350	2	No	Yes	0	Yes
New Jersey	Yes	\$285	\$160	\$80	2	Yes	Yes	12	Yes
Virginia	Yes	\$75	\$110	\$55	2	Yes	Yes	8	Yes
Arizona	Yes	\$325	\$225	\$75	3	Yes	Yes	0	Yes
Massachusetts	Yes	\$66	\$66	\$66	1	No	Yes	0	Yes
Maryland	Yes	\$111	\$76	\$38	2	Yes	Yes	12	Yes
Oregon	Yes	\$325	\$325	\$325	1	Yes	Yes	12	Yes

In our research, we found that Washington state registered licensees represent 69 percent across all locations for the profession¹⁴

¹³ See Appendix D, Figure 40, Qualifications by Age and Location 2024

¹⁴ Landscape Architects Active Licenses by Location, Appendix D, Figure 36

Every state recognizes the L.A.R.E. exam, which is administered by the CLARB though some states have additional exam requirements.

Washington accepts the Landscape Architects Registration Examination (L.A.R.E.) as the state examination for licensure. This exam is administered by the Council of Landscape Architectural Registration Board (CLARB). Washington, through our Board of Landscape Architects, adopted CLARB’s standards for education and experience requirements, for applicants with a degree.¹⁵ If a person has an accredited landscape architecture degree, they need three years of experience under supervision of a licensed landscape architect. People who do not have a landscape architecture degree need a high school diploma and at least eight years of practical landscape architectural experience to apply for licensure. At least six years of this experience must be under the supervision of a licensed landscape architect.

Once licensed, all licensees must use a professional stamp authorized by the board, which includes the licensee’s name, license number, and the words “Licensed landscape architect, state of Washington.”¹⁶ Stamps must be put on all drawings and technical submissions made by, or supervised by, the licensee.

To maintain licensure, licensees must complete 24 hours of professional development within the two years of licensure.¹⁷ At least 18 of these hours must address public health, safety, and welfare.¹⁸ Fifteen percent of the licensees’ professional development activities are audited by the board yearly. The below figure shows the numbers of states and the required hours of continued education per year of licensure:

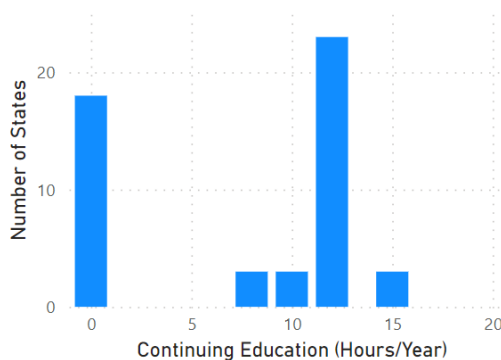


Figure 2. Number of states by landscape architect continuing education (hours per year).

¹⁵ Washington State Legislature. (2010, June 2). WAC 308-13-020; <https://app.leg.wa.gov/WAC/default.aspx?cite=308-13-020>.

¹⁶ Washington State Legislature. (2016, Dec 21). WAC 308-13-055; <https://app.leg.wa.gov/wac/default.aspx?cite=308-13-055>

¹⁷ Washington State Legislature. (2016, Dec 21). WAC 308-13-160 How do I renew my license?

¹⁸ Examples and limitations of activities are outlined in WAC 308-13-185.

Listening session feedback

- DOL held a listening session on January 31, 2024, which offered landscape architect licensees an opportunity to provide feedback on the licensing process and help DOL staff identify barriers to licensure. Two members of the Washington State Board of Landscape Architects spoke at the session. They highlighted: How dynamic the profession has been since licensure in the state was established in 1969.
- How vital the profession is to public welfare, especially given increasing environmental concerns.

The state board presenters also said they have not heard about issues with continued education and that there are a lot of free classes people can take. While the other attendees supported the current education requirements, they did note that the requirements can be a financial and time burden and are not always covered within daily job requirements.

A representative from the CLARB also spoke. The representative acknowledged that our licensing standards are on par with most states and recommended that we adopt their uniform licensure standards, which were updated in 2022. The update would reduce required experience for licensure by one year. A member of the American Society of Landscape Architects also spoke in favor of adopting this new standard, reducing overall time to licensure. Several attendees spoke in support of the updated CLARB standards for licensure and of uniform licensing standards in general.

Two attendees spoke about some of the difficulties facing smaller landscape architect firms. They stated that for smaller firms and sole proprietors the licensing fees are a significant burden. One suggested a fee structure for those who are not part of larger firms.

Recommendations

Landscape architect recommendation — meet CLARB standards

DOL's examination of the landscape architect profession showed a growing field with an active professional licensing board. We are recommending adopting the Council of Landscape Architectural Registration Boards (CLARB) Uniform Standard for Landscape Architecture Licensure model law and regulation for education and experience requirements, which were updated in 2022. This would change experience requirements for Washington state applicants with an accredited degree from three years to two years. This change will significantly decrease time to licensure for applicants, while still maintaining the education and experience needed to become competent in the profession.

In addition, adopting the uniform standard set by CLARB will help provide consistency and clarity for those who are seeking licensure across multiple states.

Court Reporters

Court reporters capture words spoken by everyone during a court or deposition proceeding, preparing verbatim transcripts of proceedings, which help safeguard the integrity of the legal process. These real-time transcripts allow judges and lawyers to have immediate access to what is being said and help hearing-impaired individuals participate in the judicial process. Any person operating as a court or shorthand reporter in Washington state must obtain a court reporter certification through DOL.

Table 7. Court reporters five-year licensing breakdown by calendar year.

Year	Issued	Revoked	Denied	Penalized
2023	613	0	0	0
2022	607	0	0	0
2021	639	0	0	0
2020	643	0	0	1
2019	582	0	0	0

During the five-year period between 2019 and 2023, no licenses were revoked or denied. In 2020, one license was penalized \$1500.00. All complaints were processed and responded to, regardless of whether they met DOL's jurisdiction requirements.

Table 8. Program budget for court reporters.

Court Reporters Account 74600; 06L	Expenditures
FY20	\$37,245
FY21	\$42,037
FY22	\$32,839
FY23	\$36,721
FY24	\$10,191

Court reporters regulatory review and analysis

Regulatory purpose and legislative history

The court reporter license was created after House Bill 1208 passed during the 1989 legislative session. The license was created to protect public safety by ensuring court reporters maintain a minimum competency standard.¹⁹ House Bill 1208 gave the Department of Licensing Director rulemaking and disciplinary authority.

¹⁹ Washington State Legislature. (2011). RCW 43.24.150 Business and professions account; <https://app.leg.wa.gov/rcw/default.aspx?cite=43.24.150>

In 1995, with the passage of Senate Bill 5256, any reference to “shorthand reporters” was removed and replaced by “court reporters.” Senate Bill 5256 stated that individuals seeking licensure must have one of the following:²⁰

“A certificate of proficiency, registered professional reporter, registered merit reporter, or registered diplomate reporter from national court reporters’ association;

Certificate of proficiency or certificate of merit from national steno mask verbatim reporters’ association;

A current Washington state court reporter certification;

Has passed an examination approved by the director or an examination that meets or exceeds the standards established by the director.”

In 2010, Senate Bill 6450 gave DOL the authority to establish continuing education requirements for court report licensees. The agency chose to add five hours of professional development to the already established licensing requirements.²¹

Court reporter licensing is authorized in statute through the following laws and rules:

- The Court Reporting Practice Act, Chapter 18.145 RCW
- Court Reporters, Chapter 308-14 WAC

To obtain a license, applicants must pass an exam, either through Department of Licensing or through another organization that meets state requirements. For an exam to be offered by Washington state or one of the approved organizations, the following are required:²²

- Applicants are required to be able to report and transcribe at least 200 words per minute of two-voice testimony for five consecutive minutes.
- Applicants are required to pass the exam with at least 95 percent accuracy.
- The exam must be offered at least twice each year.
- Exam statistics must be shared, including the pass rate.

Note: Since 2021, DOL has not been scheduling state-sponsored exams and refers applicants to exams offered by national court reporting organizations.

Court reporters are required to renew their license annually and must complete a minimum of five continuing education units to qualify for renewal. There is a wide range of acceptable courses, but the course(s) must be: related to the professional development of the court reporter, led by an instructor, and involve some sort of evaluation.²³ Anyone whose license has been expired for more than three years must retake the exam.

²⁰ Washington State Legislature. (1995, January 17). SB 1995 Revising the list of programs to be reviewed by community networks for possible de-categorization.

²¹ Washington State Legislature. (2010, June 10). SB 6450 Requiring the department of licensing to establish continuing education requirements for court reporters.

²² Washington State Legislature. (2004, November 3). WAC 308-14-085 Examination.

²³ Washington State Legislature. (2010, December 12). WAC 308-14-100.

Below are the fees charged for court reporter licensing:

Table 9. Court reporter fees.

Fee title	Fee
Application	\$165.00
Renewal	\$138.00
Late renewal (expired less than 1 year)	\$276.00
Late renewal (expired less than 2 years)	\$414.00
Late renewal (expired less than 3 years)	\$552.00
License print fee	\$5.00

Table 10. Court reporter exam fees, The National Court Reporters Association (NCRA).

Certification test	Student member	Reporter member	Non-member
RSR	\$86	\$105	\$137
RPR	\$86	\$105	\$137
RMR	Not eligible	\$105	Not eligible
CRR	Not eligible	\$215	Not eligible
CRC	\$184	\$215	\$242

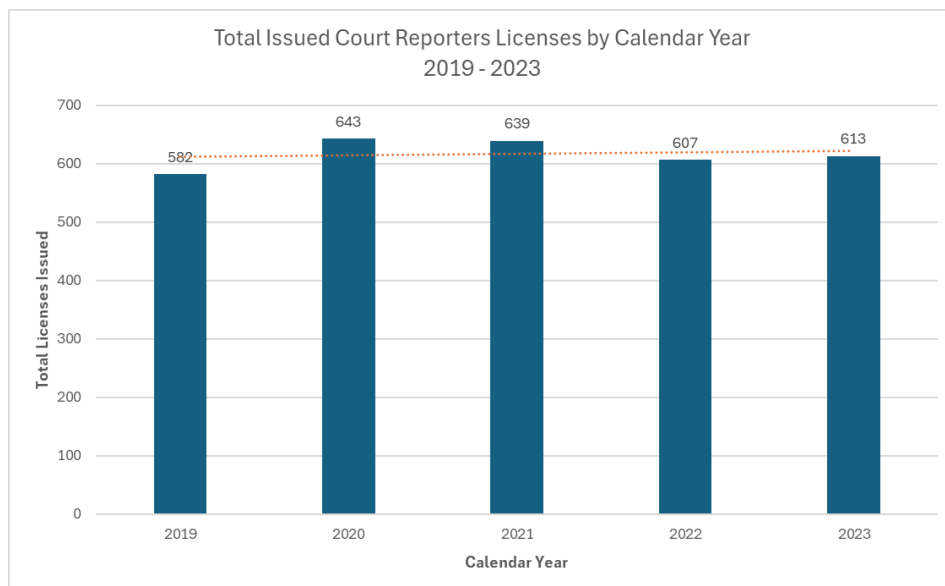


Figure 3. Total issued court reporter’s licenses by calendar year, 2019-2023.

Figure 3, Total issued court reporter’s licenses by calendar year, 2019-2023, shows that issued license counts for the last five years have stayed relatively close to the median number (613). Overall, Figure 3 shows a 5 percent increase in the number of licenses issued. This 5 percent increase over the last five years provides an expected 1 percent growth per year. This is slightly below the expected 1.8 percent population growth and 2

to 2.5 percent economic growth but still suggests that the profession is maintaining positive growth.

Washington state court reporter active licensees belong in the following age classifications:²⁴

- Ages 25-34 (44 licensees)
- Ages 35-44 (94 licensees)
- Ages 45-54 (128 licensees)
- Ages 55-64 (222 licensees)
- Age 65 and above (127 licensees)

There are three ways to become a licensed court reporter in Washington:

- Pass the Washington State Court Reporter exam.
- Use your certification through the National Court Reporters Association (NCRA) or National Verbatim Reporters Association (NVRA).
- By reciprocity.²⁵

Table 9 provides information on the age groups that are most frequently licensed and how long they have been licensed. When comparing this data, we found the largest number of licensees with less than five years of experience are between ages 55 and 64, and less than five years' experience is the category with the highest licensee total.

To examine this further, we looked at the total number of licensees with less than five years of experience and their location.²⁶

- Out-of-state licensees accounted for 210, or 34 percent, of licensees with less than five years of experience.
- Washington state licensees accounted for 32, or 5 percent, of licensees with less than five years of experience .

Based on the large percentage difference, we have determined that the high number of out-of-state licensees with less than five years of experience is because these licensees are new **only** to Washington state for licensure but may be further along in their careers outside of the state. The large number of licensees new to the profession in Washington is still noteworthy.

²⁴ Court Reporters Active Licenses by Location, Appendix B, Figure 32.

²⁵ See definitions, reciprocity.

²⁶ See Appendix B, Figure 35, WA State Court Reporters Years of Experience by Age Category 2024

Table 11. Court reporter active licensees by age group and years of experience, 2024.

	Less than 5 Years	5 to 10 Years	10 to 20 Years	20 to 30 Years	30 to 40 Years	Grand Total
Between 25 and 34	41	3				44
Between 35 and 44	52	18	20	4		94
Between 45 and 54	58	4	20	40	6	128
Between 55 and 64	69	8	33	62	50	222
65 and Above	22	4	14	38	49	127

State comparison

When we researched other states, we found:

- Twenty-four out of 50 states have a state licensing program for court reporters.
- Seventeen states have a state board that regulates and oversees licensure of the profession.
- Fifteen of the states that do licensure require yearly professional development hours, ranging from five to 10 hours per year, to maintain licensure.

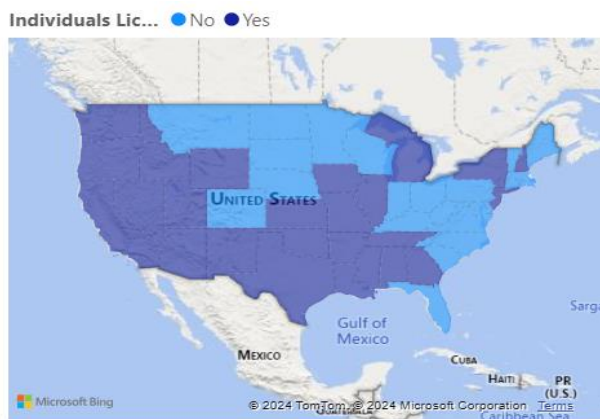


Figure 4. Court reporter licensure by state.

There is a broad range of professional development options, and the National Court Reporters Association (NCRA) offers a wide range of educational opportunities for its members. Roughly 40 percent of court reporters across the country are NCRA members.²⁷

²⁷ National Court Reporters Association. *NCRA Statistics*.

For states that do not have licensure, other options are available. For example, in Alaska and Colorado, courts require that court reporters have an NCRA certification and/or be a member of the NCRA.²⁸ A smaller number of states have begun to use digital recording systems to capture court proceedings. Connecticut, for example, eliminated their court reporter licensing programs in 2018 and have begun using digital audio recordings for some of their proceedings.²⁹

Table 12. Court reporter state comparisons

	Individuals licensed?	Licensing Fee	Renewal Fee	Ongoing Licensing Cost/Year (renewals)	Renewal Period (Years)	Is there a Board?	Professional Development (Hours/Year)	Exam
Washington	Yes	\$165	\$160	\$165	1	No	5	Yes
California	Yes	\$225	\$225	\$225	1	Yes	0	Yes
New Jersey	Yes	\$150	\$250	\$125	2	Yes	7.5	Yes
Virginia	No					No	0	No
Arizona	Yes	\$450	\$300	\$300	1	Yes	0	Yes
Massachusetts	No					No	0	No
Maryland	No					No	0	No
Oregon	Yes	\$150	\$150	\$50	3	No	10	Yes

The five states with the largest number of Court Reporters licensees are:³⁰

- Washington at 303, or 49 percent
- California at 82, or 13 percent
- Oregon at 52, or 9 percent
- Idaho at 24, or 4 percent
- Arizona at 21, or 3 percent

Listening session feedback

We invited licensees to a listening session on January 30, 2024, to get feedback on the licensing process and to help identify barriers and other issues people face with licensure in Washington state. There were representatives from both state and national organizations, along with the licensees, and feedback was overwhelmingly positive. Multiple licensees spoke to the importance of court reporters as a profession and the value they provide to the criminal justice process. Others spoke positively about the process of transferring licenses from other states to Washington. Attendees did not identify any significant barriers, and a few people highlighted the DOL flexibility over the last few years and praised the regulations as they currently stand.

Recommendations

The Department does not recommend any changes to the current licensing structure for court reporters.

²⁸ Alaska Court System. (n.d.) Alaska Court System Class Specification: Real-Time Reporter.

²⁹ US District Court of Connecticut, n.d.

³⁰ Court Reporters Active Licenses by Location, Appendix B, Figure 32.

Employment Agencies

Employment agencies, as defined by our licensing program, are companies that charge a fee to job seekers to help them obtain employment. These services could include networking, job placement, and providing their customers with job listings. This does not include the many staffing agencies in our state who charge employers for help recruiting workers.

As shown in Table 11, there have been no employment agency or general manager licenses issued in the last five years. Currently, DOL has no active, licensed employment agencies.

Table 13. Employment agency five-year licensing breakdown by calendar year.

Year	Issued	Revoked	Denied	Penalized
2023	0	0	0	0
2022	0	0	0	0
2021	0	0	0	0
2020	0	0	0	0
2019	0	0	0	0

Table 14. Program budget for employment agencies.

Employment Agency Account 76A00 and 06L	Expenditures
FY20	\$0
FY21	\$0
FY22	\$0
FY23	\$0
FY24	\$0

Employment agencies regulatory review and analysis

Regulatory purpose and legislative history

In 1969, the Employment Agency Act established licensure for employment agencies. From the content of the Act, it can be inferred that its purpose was to protect consumers from predatory practices of employment agencies and to create standard practices. For the employment agency license, employment agencies are defined as a business that receives a fee from an applicant in exchange for procuring them employment, information that leads to employment, or lists of jobs or organizations that are accepting applications.

Employment agencies statutory authority

- Employment Agencies, Chapter 19.31 RCW
- Employment Agencies—Fee Schedules, Chapter 308-33 WAC

Any business that offers job search services and charges the job seeker a fee must be licensed through the Department of Licensing. This includes businesses that provide verbal or written lists of available employment positions. Businesses must get a license and pay a fee for every branch operating in Washington state. The renewal period is one year.

At DOL, there are two employment agency applications:

- Employment agency, branch office, or listing/directory service license application
- Application for employment agency general manager

Below are the fees charged for employment agency licensing:

Table 15. Employment agency fees, 2024.

Fee title	Fee
Main employment agency office	\$783.00
Branch employment agency office	\$540.00
General manager exam fee	\$150.00
License print	\$5.00
Main employment agency renewal	\$648.00
Branch employment agency renewal	\$540.00
Registering business as a trade name	\$5.00

Other fee-related requirements include a \$2,000.00 surety bond and the separate employment agency general manager examination application and fee.

The following organization types are not required to have an employment agency license:

- Career guidance and counseling centers
- Farm labor contractors
- Labor unions
- Nonprofit schools and colleges
- Temporary employment services
- Theatrical agencies

State comparison

To understand our licensing program in context, we must look at the different types of employment agencies.

Table 16. Types of professional employment agencies.

Type	Charges individuals	Charges employers	Services
Employment agency	Yes	No	Job placement, typically permanent, networking, providing contact lists
Staffing agency	No	Yes	Temporary or permanent job placement, career development
Professional employer organization (PEO)	No	Yes	Provides human resource services to client employers.

Staffing agencies are companies typically compensated by employers that need temporary or permanent employees. Unlike employment agencies, as defined by RCW 19.31.020, staffing agencies typically do not charge fees or percentages of salaries to people looking for a job.³¹ Instead, they assess a fee to employers, to connect them with job seekers. For example, if a staffing agency places a person in a job and that person is making \$17 an hour, the staffing agency might charge the company \$26 an hour for that employee.³²

Professional employer organizations (PEOs) are another category. These are organizations that charge companies for providing human resources, payroll, or other services. PEOs directly employ individuals who provide those services and do not charge employees any fees. This arrangement is sometimes referred to as co-employment.

No other state regulates employment agencies as it is defined by Washington State, in RCW 19.31.020, however, there are regulations regarding staffing agencies. In addition to the legal restrictions staffing agencies must follow, a small number of states license staffing agencies in some manner. For example, Oregon recently started licensing staffing agencies that provide temporary work in the health care industry.³³ Massachusetts has a broader licensing program that licenses staffing agencies and professional employer organizations.³⁴

³¹ Washington State Legislature. (2011). RCW 19.31.020.

³² American Staffing Agency (2022). Fact Sheets and Analysis.

³³ Oregon Health Care Authority, 2023

³⁴ Massachusetts Department of Labor Standards. (2024). Employment, Placement, and Staffing Agencies Program.

Recommendations

Employment agencies recommendation — discontinue license

After reviewing the employment agency profession, we recommend the license be terminated. We consider employment agencies a defunct profession. As seen in Table 11 above, the department has not had a new applicant in the last five years, with the most recent employment agency license being issued in 2014. In our state comparison, we were unable to find a similar professional license. Local and online job recruitment services no longer charge fees to applicants. Instead, these services rely on businesses to work with recruiters to fill the open positions.

Whitewater Outfitters

A whitewater outfitter is a business that carries passengers on whitewater sections of rivers for a fee. Under Washington state law, whitewater refers to sections of rivers with at least one class III or higher rapid strength.

Table 17. Whitewater outfitter five-year licensing breakdown by calendar year.

Year	Issued	Revoked	Denied	Penalized
2023	27	0	0	0
2022	28	0	0	0
2021	28	0	0	0
2020	30	0	0	0
2019	30	0	0	0

Table 18. Program budget for whitewater outfitters.

Whitewater Account 76D00 and 06L	Expenditures
FY20	\$3,150
FY21	\$3,713
FY22	\$2,330
FY23	\$1,126
FY24	\$0

Whitewater river outfitter regulatory review and analysis

Regulatory purpose and legislative history

Licensing for whitewater river outfitters began in 1997, with the passage of SB 5483. That bill updated laws on boating safety by increasing safety requirements for whitewater outfitters. These requirements include requiring that whitewater guides meet specific training standards. The bill created a licensing process for businesses that offer guided whitewater river experiences. The bill gave the Department of Licensing authority to make rules, set fees, and take disciplinary actions related to whitewater outfitter licensing. The license was created to promote public safety by ensuring commercial whitewater guides follow a minimum level of safety standards and are trained in basic first aid.

Whitewater river outfitters statutory authority

- Regulation of Recreational Vehicles, Chapter 79A.60 RCW
- Whitewater River Outfitters, Chapter 308-12 WAC

Businesses providing guided trips on sections of rivers designated to be whitewater (class III rapids and higher), running in Washington, must be licensed. Licensure is not required for businesses that do not charge compensation for a trip, provide only guided kayaking trips, or do not provide float trips on rivers designated in Washington Administrative Code as whitewater.³⁵ Whitewater guides must have a minimum level of training and previous river experience to be employed by an outfitter. Guide trainers must have a minimum level of training and experience to be employed to train guides. There is no state license for guides or guide trainers.

The department’s licensing program works to:

- Safeguard and promote public safety.
- Ensure licensing of only qualified individuals.

Licensing for whitewater river outfitters is handled in partnership with the Department of Revenue’s Master Business License Service. Applicants are required to obtain liability insurance for a minimum of \$300,000 per claim, for any action taken by the applicant or their employees that result in bodily harm or property damage. The completed master application must include proof of insurance and the fee. Below are the fees charged for whitewater outfitter licensing:

Table 19. Whitewater outfitter fees, 2024

Fee title	Fee
Application	\$35.00
Renewal	\$35.00

Other fee-related requirements

License applicants must provide proof of liability insurance, including:

- Insurance company name.
- Policy number.
- Dates showing current coverage.
- Coverage for all river guides and employees working for the business.
- Minimum coverage of \$300,000 per claim, per occurrence.

The whitewater outfitter professional license fee has not increased since 1998, when application and renewal fees increased 42 percent to cover the cost of administering the program.

³⁵ Washington State Legislature. (2010, December 12). WAC 308-14-100 License renewal—Continuing education—Penalties.

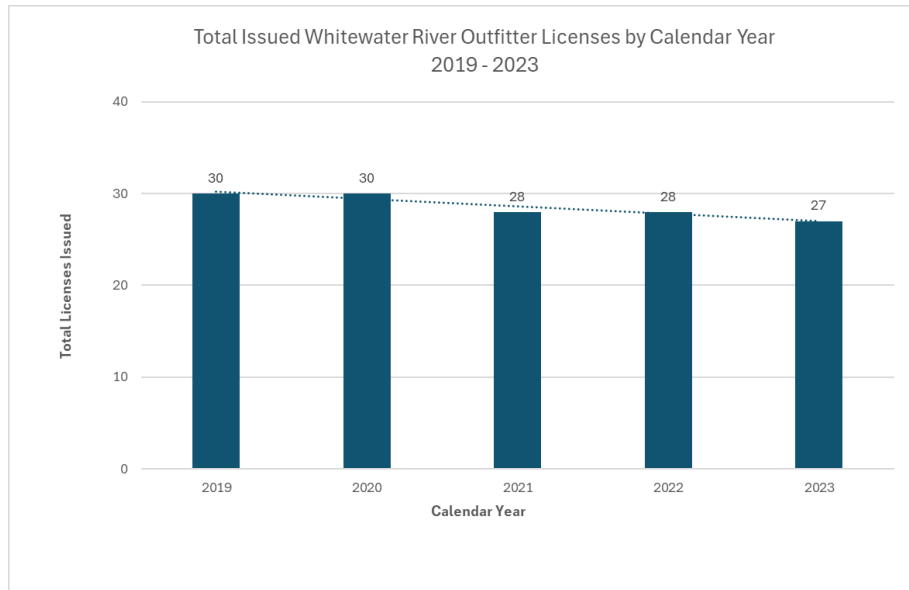


Figure 5. Total whitewater outfitter licenses issued by calendar year, 2019-2023.

Figure 5 shows the licenses issued for the last five years. There was a peak in licensees in 2019, with 30 issued licenses. Then there was a slight decline in licensees, as the total dropped down to 27 issued in 2023. There has been a 10 percent decline in the number of licenses issued in the last five years. While not a large number, this decrease does not match the continued and expected population growth of 1.8 percent and economic growth of 2 to 2.5 percent. This suggests the whitewater outfitter profession might be seeing a decline.

State comparison

We were unable to follow the same analytical methodology for comparing whitewater outfitting regulations in other states, as it is a unique case. There are only a small number of states that have navigable rivers that meet the criteria for whitewater rafting and fewer that have formal licensing programs. For our analysis, we looked at the following states: California, Colorado, Idaho, Maine, Montana, Oregon, and Utah. This is by no means a comprehensive analysis but should give sufficient insight into how other states regulate the profession.

Most states that have licensing programs for whitewater guides house the programs under an agency specializing in land or waterway management. This makes sense, as many of these agencies have a presence in whitewater environments and will naturally have more expertise in navigating and understanding those environments. Most states require whitewater rafting guides to have basic first aid training, regardless of whether the states formally license guides.

Table 20. Whitewater outfitter state comparison.

State	Individuals licensed?	Who Regulates?	Licensing Fee	Renewal Fee	Renewal Period (Years)	Is there a Board?	Professional Development (Hours/Year)	Medical Training	Ongoing Licensing Cost/Year (renewals)	Surety Bond	Comments
Oregon	Yes	Oregon State Marine Board	\$150	\$150	1	Yes	0	Yes	\$150	\$5,000	
Montana	Yes	Department of Labor (Montana Board of Outfitters)	\$125	\$125	1	Yes	0	Yes	\$125		Additional Fish and wildlife permits depending on location of activity
Idaho	Yes	Division of Occupational and Provisional Licenses	\$105	\$105	1	Yes	0	Yes	\$105	\$10,000	Board covers all outfitters and guides. Businesses are also licensed. Training logs required for licensure. Depending on area of operation, federal or local permits are required.
California	No	Department of Fish and Wildlife				No	0				They only license outfitters that are engaged in "the taking or attempted taking of wildlife"
Colorado	No						0				
Washington	Yes	Department of Licensing	\$35	\$35	1	No	0	Yes	\$35	\$300,000	
Utah	Yes	Department of Natural Resources	\$50	\$50	1	No	0	Yes	\$50		There is a state test required (for guides)

Listening session feedback

We invited licensees to a listening session on February 1, 2024, to get feedback on the licensing process and to help identify barriers and other issues people face with licensure in Washington state. Fifteen licensees and organizations participated. Most who spoke operate rafting businesses across multiple states and spoke to some of the extreme variation in regulation between those states. Common feedback was that between federal regulations, permit requirements, insurance requirements, and state licensing requirements, businesses are running into paperwork and processes that are sometimes overlapping or duplicative. Many felt that whitewater outfitter licensing in Washington state was an extra hoop to jump through with no real benefit or impact.

Recommendations

Whitewater outfitter recommendation —discontinue DOL involvement with license

It is our recommendation that whitewater outfitter licensure be completely removed from the Department of Licensing.

In our research, which included reviewing the original appointment of DOL to process whitewater outfitter licensure from 1986, we could find no reason the Department of Licensing needs to process this application paperwork as this is gathered and processed through the Department of Revenue (DOR). The current DOL requirements could be processed at DOR, as the insurance paperwork is already a requirement in their application process, so DOL’s requirement is duplicative. We think this is an unnecessary step that creates additional barriers to licensure. Additionally, DOL will need to continually increase licensing fees to cover the cost of running this program. Currently, there are only 26 active licensees in Washington.

Acknowledgements

We would like to thank the board and commissions, businesses, licensees, state, and national organizations who collaborated with us throughout the development of this report. We appreciate the feedback and support you provided us.

Definitions

BPD: The Washington State Department of Licensing Business and Professional Licensing Division

CLARB: Council of Landscape Architectural Registration Boards, who administer the primary exam for Landscape Architects and maintain a record of education, experience, and licensure history for its members.

Comity: The process of which the department of licensing acting on behalf of the state of Washington acknowledges all or portions of similar licensure laws of another state and voluntarily provides licensure for the state of Washington.

DOL: The Washington State Department of Licensing

L.A.R.E.: Landscape Architects Registration Examination, Administered by CLARB

Reciprocity: A reciprocal agreement between the department of licensing acting on behalf of the state of Washington and another state. The primary purpose of this agreement is to mutually recognize the education and or experience that a licensee has obtained through another state to accept licensure.

Appendix A. Landscape Architects

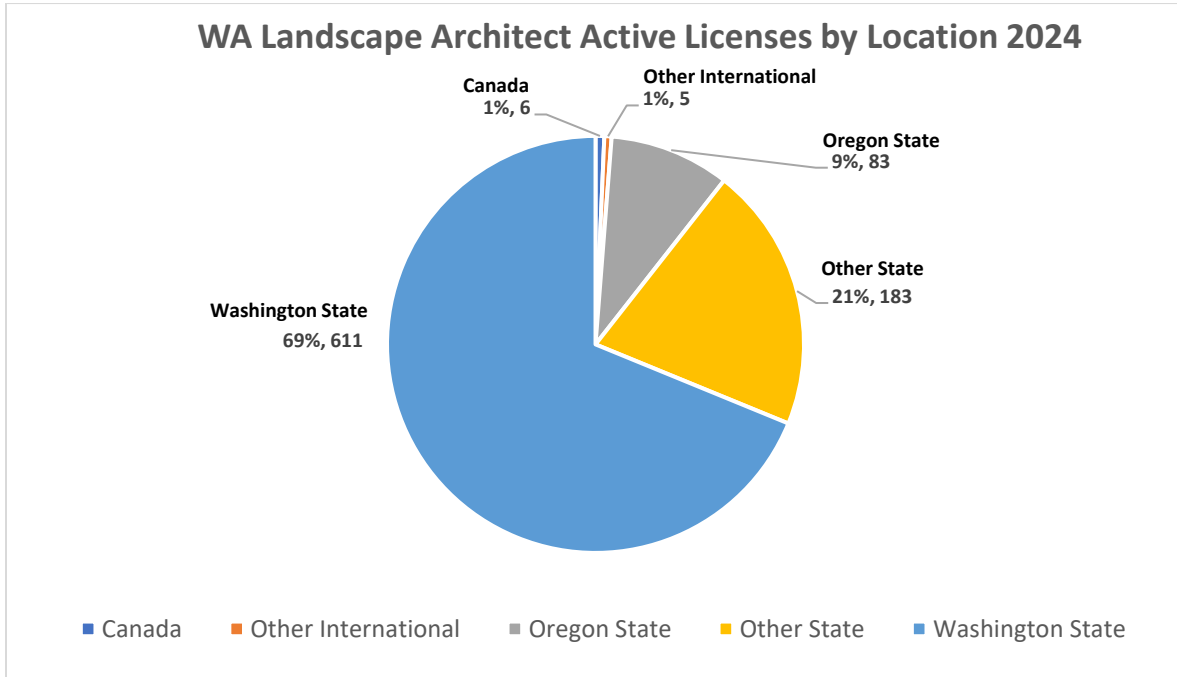


Figure 6. Washington landscape architect active licenses by location, 2024.

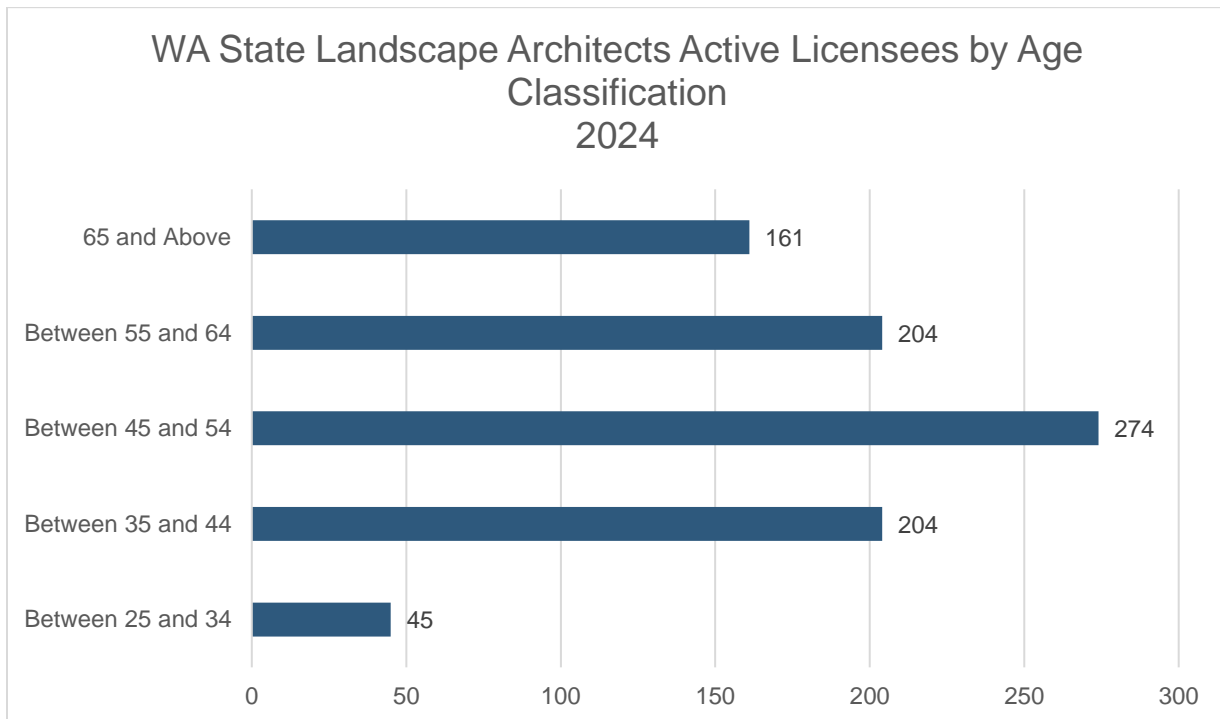


Figure 7. Washington landscape architect active licensees by age, 2024.

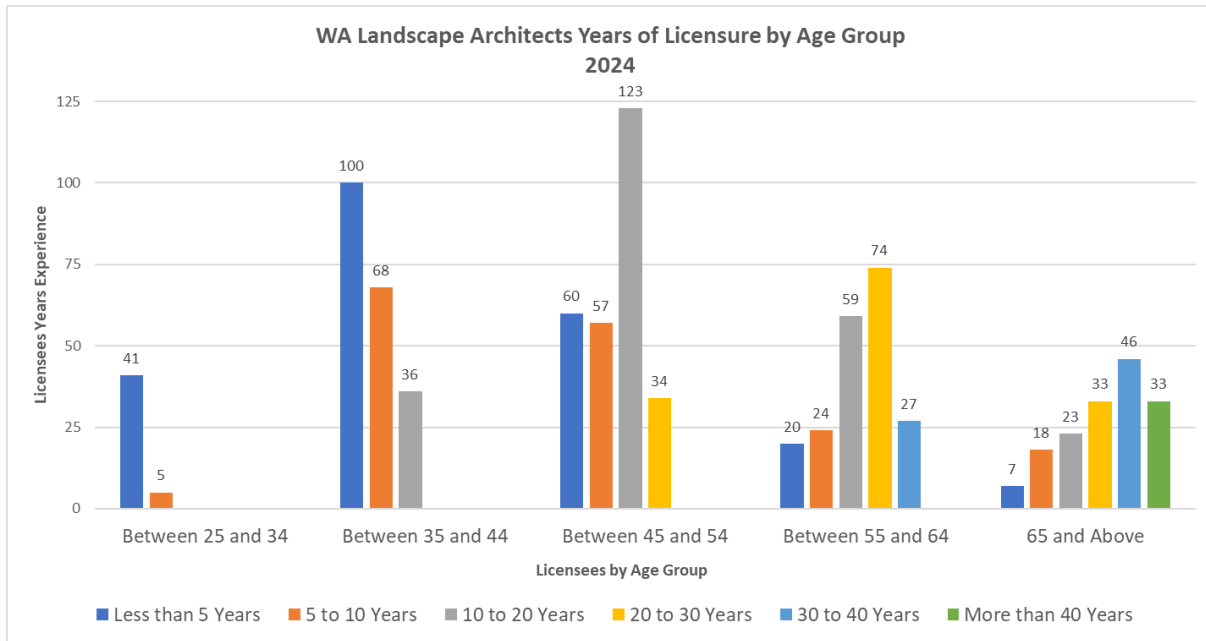


Figure 8. Washington landscape architect years of licensure by age, 2024.

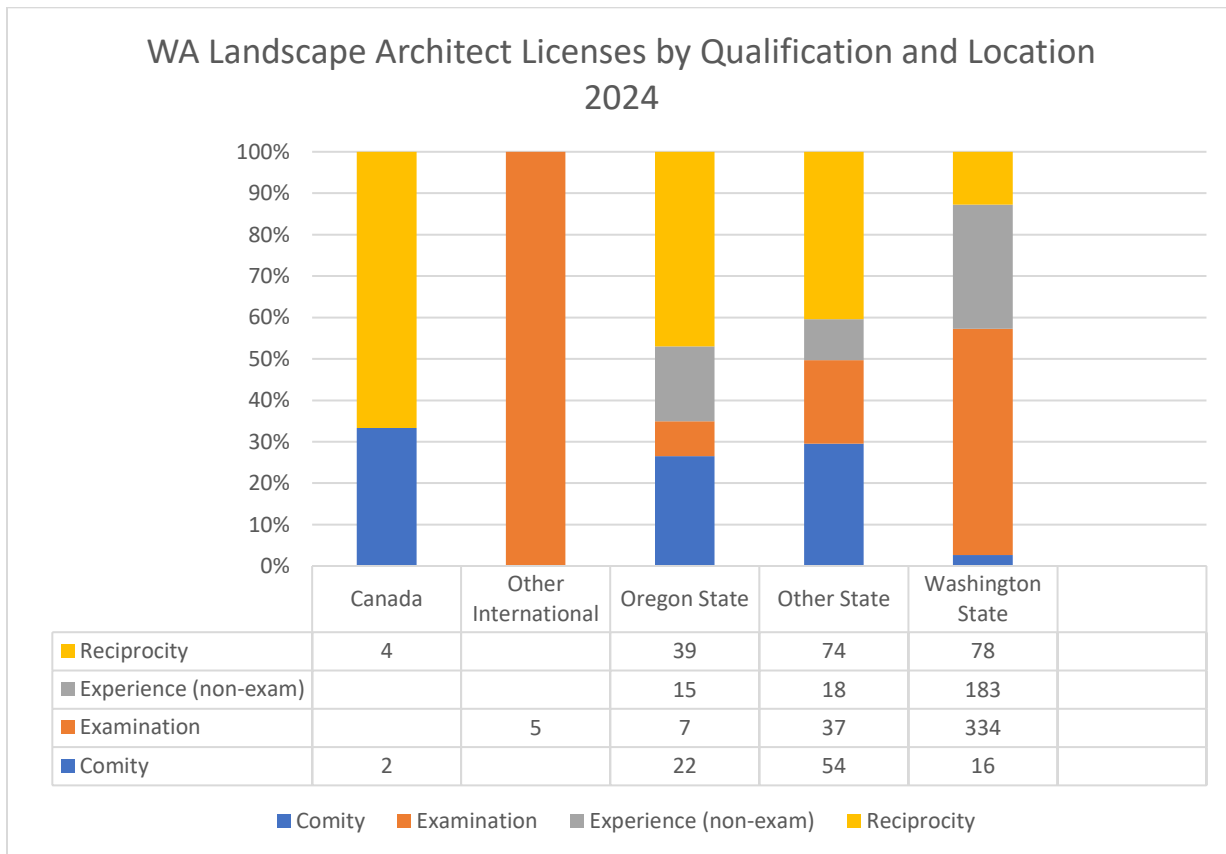


Figure 9. Washington landscape architect licenses by qualification and location, 2024.

Table 21. Landscape architect qualifications by age and location, 2024.

	Canada	Oregon	Other international	Other states	Washington	Total
Between 25 and 34						
Less than 5 Years		1		5	35	41
5 to 10 Years					5	5
Between 35 and 44						
Less than 5 Years		10	1	31	58	100
5 to 10 Years	1	4		11	52	68
10 to 20 Years		2		9	25	36
Between 45 and 54						
Less than 5 Years	2	9		22	27	60
5 to 10 Years	2	6		15	34	57
10 to 20 Years	1	10		17	95	123
20 to 30 Years		2		4	28	34
Between 55 and 64						
Less than 5 Years		6		8	6	20
5 to 10 Years		4	1	9	10	24
10 to 20 Years	1	4		15	39	59
20 to 30 Years		5		8	61	74
30 to 40 Years				2	25	27
65 and Above						
Less than 5 Years				4	3	7
5 to 10 Years		2		11	5	18
10 to 20 Years		7		7	9	23
20 to 30 Years		5		4	24	33
30 to 40 Years		1		2	43	46
More than 40 Years		5		2	26	33
Grand Total	7	83	2	186	610	888

Appendix B. Court Reporters

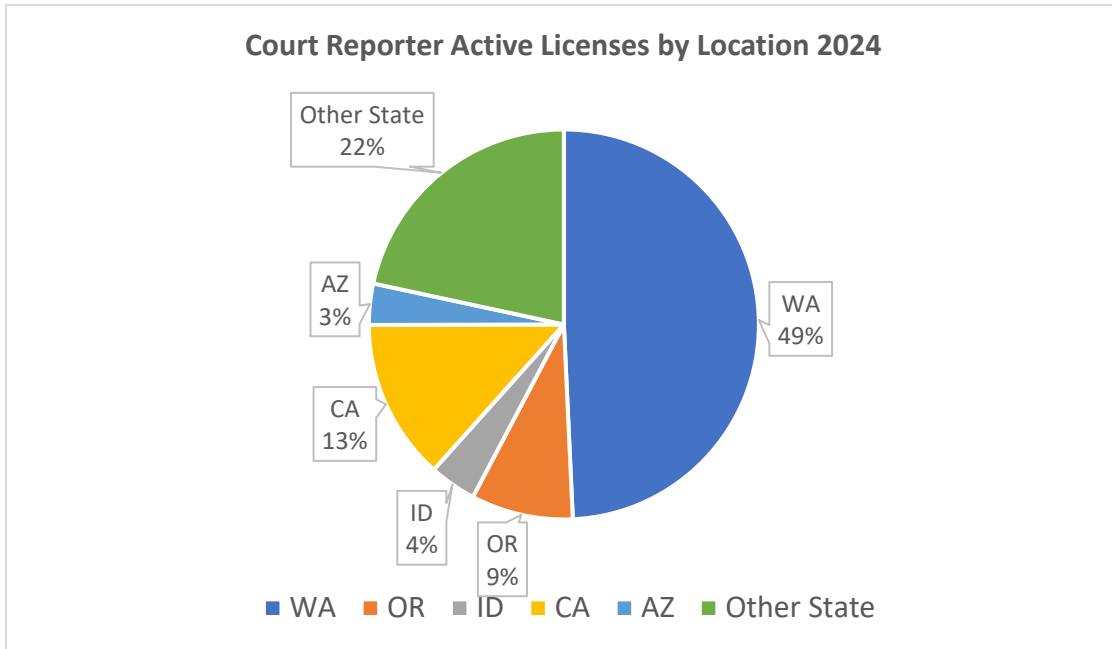


Figure 10. Court reporter active licenses by location, 2024.

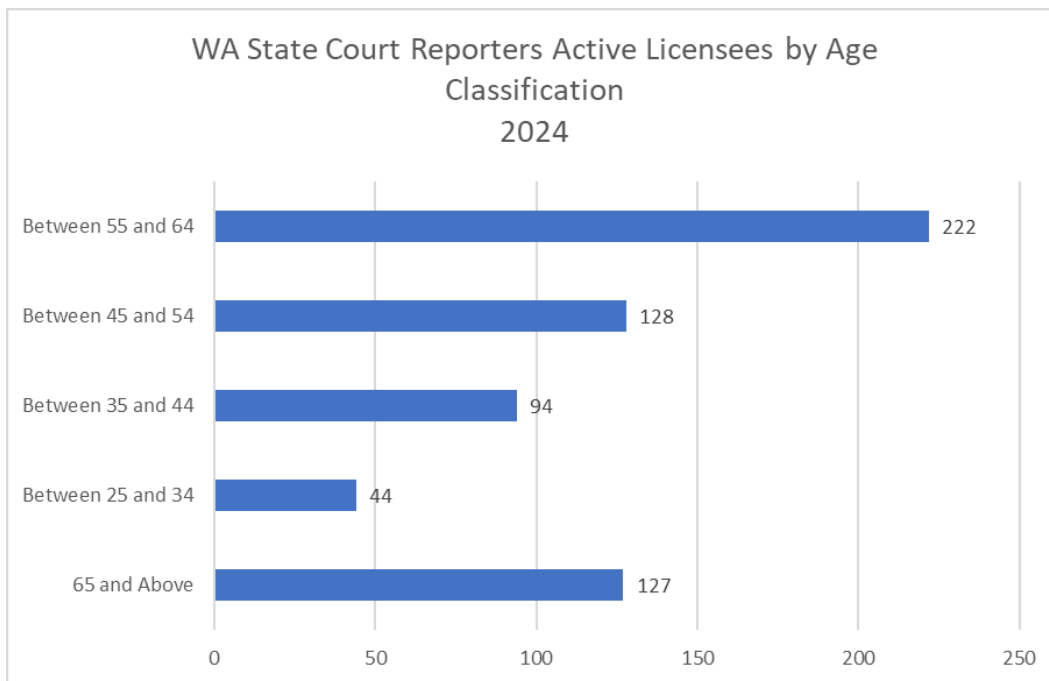


Figure 11. Washington court reporter active licensees by age, 2024.

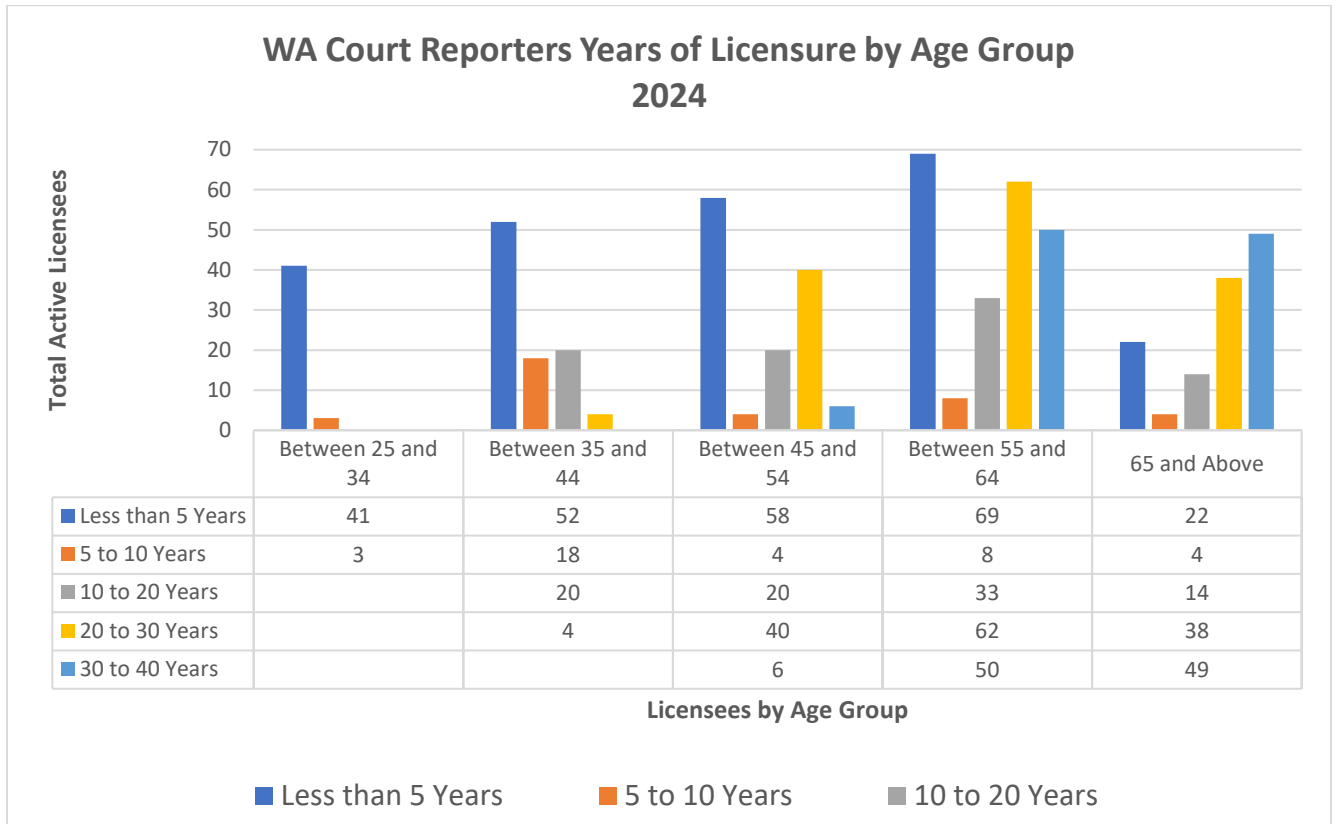


Figure 12. Court reporter years of licensure by age, 2024.

Table 22. Court reporter years of experience by age, 2024.

	10 to 20 Years	20 to 30 Years	30 to 40 Years	5 to 10 Years	Less than 5 Years	Grand Total
Other states	31	39	16	16	210	312
Between 25 and 34				1	29	30
Between 35 and 44	8	1		4	49	62
Between 45 and 54	5	10		3	53	71
Between 55 and 64	14	19	10	6	60	109
65 and above	4	9	6	2	19	40
Washington	56	105	89	21	32	303
Between 25 and 34				2	12	14
Between 35 and 44	12	3		14	3	32
Between 45 and 54	15	30	6	1	5	57
Between 55 and 64	19	43	40	2	9	113
65 and above	10	29	43	2	3	87

Appendix C. Whitewater Outfitters

Table 23. Whitewater outfitter state comparison

State	Individuals licensed?	Who Regulates?	Licensing Fee	Renewal Fee	Renewal Period (Years)	Is there a Board?	Professional Development (Hours/Year)	Medical Training	Ongoing Licensing Cost/Year (renewals)	Surety Bond	Comments
Oregon	Yes	Oregon State Marine Board	\$150	\$150	1	Yes	0	Yes	\$150	\$5,000	
Montana	Yes	Department of Labor (Montana Board of Outfitters)	\$125	\$125	1	Yes	0	Yes	\$125		Additional Fish and wildlife permits depending on location of activity
Idaho	Yes	Division of Occupational and Provisional Licenses	\$105	\$105	1	Yes	0	Yes	\$105	\$10,000	Board covers all outfitters and guides. Businesses are also licensed Training logs required for licensure
California	No	Department of Fish and Wildlife				No	0				Depending on area of operation, federal or local permits are required.
Colorado	No						0				They only license outfitters that are engaged in "the taking or attempted taking of wildlife"
Washington	Yes	Department of Licensing	\$35	\$35	1	No	0	Yes	\$35	\$300,000	
Utah	Yes	Department of Natural Resources	\$50	\$50	1	No	0	Yes	\$50		There is a state test required (for guides)

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