Chapter 308-300 WAC
CONSOLIDATED LICENSING SYSTEM

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER
308-300-075 Handling fee. [Statutory Authority: RCW 34.05.220 and 1990 c 264, 90-17-062, § 308-300-075, filed 8/15/90, effective 9/15/90.] Repealed by 10-13-039, effective 2/16/98, by order 1000, RCW 43.24.086, 86-15-037. [Order 476-DOL, § 308-300-075, filed 12/30/77.]

WAC 308-300-010 Declaration of purpose and authority. This chapter is enacted to implement chapter 19.02 RCW the Business License Center Act, chapter 319, Laws of 1977 ex. sess., wherein the department of licensing has been directed to establish a consolidated master license system for businesses in the state. It is the belief of the department of licensing that the passage of the Business License Center Act by the legislature has, in certain instances, expressly and by implication amended, repealed or otherwise modified existing statutes and rules in those areas addressed by the act.

Therefore, the following rules are promulgated and published pursuant to the authority granted by sections 3(6) and 6 of the Business License Center Act RCW 19.02.030(6) and 19.02.060 to interpret for affected businesses and state agencies the process by which the licenses, permits, registrations, certificates, and other forms of licensing authorization referred to in this chapter of the regulations are to be administered by the department of licensing.

(6/8/10)

The department of licensing hereby phases the grocery related consolidated licensing program heretofore operated by the department of commerce and economic development into the department of licensing division entitled the business license center, to further the purposes of the Business License Center Act.

WAC 308-300-020 Definitions. The following definitions apply to use of these terms in relation to the Business License Center Act.

(1) "Act" means the Business License Center Act, RCW 19.02, chapter 319, Laws of 1977 ex. sess.
(2) "Agencies" means all state agencies having jurisdiction over businesses covered under this act.
(3) "BLC" means the business license center.
(4) "Business" means any business covered under the terms of this chapter (see WAC 308-300-040).
(5) "Chapter" means this chapter of the administrative code.
(6) "Department" means the department of licensing.
(7) "Grant" means to authorize or approve the issuance of an individual license and granted individual license stickers to businesses covered by this chapter.
(8) "Individual license" means any of the licenses, registrations, permits, certificates or other forms of authorization covered under this chapter (see WAC 308-300-040).
(9) "Issue" means to process fees and applications and transmit master licenses.
(10) "Master application" means a document incorporating pertinent data from existing applications for licenses covered under this chapter.
(11) "Master license" means the single document to be issued by the department of licensing incorporating all individual licenses approved for a business covered under this chapter.
(12) "Person" means any individual, partnership, cooperative, or private corporation, attempting to establish a grocery operation in a new location, or seeking to continue an existing grocery operation.
(13) "Station" means any of the department's driver license examining stations located throughout the state.
(14) "Standard industrial classification (SIC)" is a system for classifying establishments by activity, prepared by the United States Office of Statistical Standards.
(15) "Supplemental license" means a license which is part of the master license issued after a master license has been issued to a business covered by this chapter.
(16) "Unique identifier" is a designation assigned to each master license by which the person licenses [licensed], and the individual licenses issued, may be identified.

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WAC 308-300-030 Licenses which are included on the master license. The following registrations, licenses and permits as required for those businesses in WAC 308-300-040 shall be included within this chapter:

- Registration
- Corporate License (renewal only)
- Corporate Annual Report
- *Registration for Industrial Insurance
- Registration for Unemployment Insurance
- Permit to Employ Minors
- Cigarette Dealer License
- Cigarette Dealer Vending Machine License
- Nursery License
- Egg Dealer License
- Seed Dealer License
- Bakery and Bakery Distributor's License
- Pesticide Dealer License
- Refrigerated Locker License
- **Class E Beer License
- **Class F Wine License
- Furniture and Bedding Certificate
- Shopkeepers License

* If risk classification of industrial insurance other than those required of businesses within SIC group 54 is involved, the applicant must apply directly to the department of labor and industries.

** If A, B, C, or D classes of liquor licenses are required in combination with Class E and/or F licenses, the E and F license(s) shall not be available under this program and the applicant must apply directly to the liquor control board.

WAC 308-300-050 Qualified applicants. Any person requiring a license or other form of authorization for businesses in WAC 308-300-040 shall apply for a master license. A person wishing to do business as a corporation must be duly registered and in good standing with the secretary of state. Prior to issuance of a master license the department will verify corporate status.

WAC 308-300-060 Participation. No agency will issue licenses directly to any business within the scope of WAC 308-300-040. It shall be the responsibility of each agency to direct any persons covered by this program to the business license center and to the provisions for licensing herein which must be followed to lawfully engage in the business covered by this chapter.

WAC 308-300-070 Authority to prepare forms. The department shall prepare a master application, master license and other forms as required to implement this act. Revisions will be made as appropriate.

WAC 308-300-080 Procedures for obtaining master application. (1) Master application forms, along with appropriate written instructions, will be available at the business license center in the department of licensing, Olympia, Washington. Application forms will also be available at such other locations as the director in the director's discretion elects.

(2) All completed application forms, along with appropriate fees, shall be returned to the business license center. Inquiries concerning the master application form will be directed to the business license center.

WAC 308-300-090 Transfer of master license. Transfer of the master license, including each license held thereunder, is prohibited, except as specifically provided below.

Persons obtaining such businesses, or interests in such businesses, as require that a new master license be issued, or that any new individual license included under this chapter be issued under the rules of the subject granting agency or agencies, prior to the expiration of the then current master license must submit application for licensure themselves, together with all required fees, to the business license center and themselves receive licensure prior to operating a business. If a reduced fee is, or reduced fees are, permitted by the granting agency(ies) when licensing persons to whom a business has been transferred, or who have acquired interest in the business, those fees shall be used in computing the total fee due for such licensure.

Persons operating or conducting a business or businesses covered by this chapter without first having obtained a master
license which includes such business or businesses, shall be subject to all applicable penalties for operating such business or businesses without licensure.

In the event of the proven incapacity, death, receivership, bankruptcy, or assignment for benefit of creditors of any licensee, the license may be transferred to a court appointed or court confirmed guardian, executor or administrator, receiver, trustee, or assignee for the benefit of creditors, who may continue to operate the activity under the license, subject to the rules of the individual agencies.

[Order 476-DOL, § 308-300-090, filed 12/30/77.]

**WAC 308-300-100 Notification of changes.** When information filed with the business license center, or in connection with, a master license application, or otherwise, changes, or becomes inaccurate in any way, or additions or deletions are necessary to reflect changes in the circumstances of the licensee or applicant, the department, upon receipt of the application and fee payment, the department, upon approval of the appropriate agency, shall issue the license upon proper receipt of those items. This subsection applies to:

(a) Department of revenue; registration, cigarette dealer license, cigarette dealer vending machine license.

(b) Secretary of state, corporate license (renewal only), corporate annual report.

(c) Department of labor and industries; registration for industrial insurance.

(d) Department of employment security; registration for unemployment insurance.

(e) Department of agriculture; nursery license, egg dealer license, seed dealer license.

(f) Department of social and health services; furniture and bedding certificate.

(g) Board of pharmacy; shopkeepers license.

(3) For each of the supplemental licenses specified below, each agency shall, within 21 days of its notification of license application by the department, inform the department of its approval or denial of the licenses sought. This subsection applies to:

(a) Department of agriculture; refrigerated locker license, pesticide dealer license, bakery and bakery distributors license.

(b) Department of labor and industries; minor work permit.

(4) Due to special investigative procedures, liquor licenses and other licenses, permits, certificates, and registrations which require lengthy investigative procedures will be handled as supplemental licenses in accordance with subsection (5). Upon approval by the appropriate agency, the license will be mailed to the licensee by the department to be affixed to the master license.

(5) The department shall be notified of reasons for delay if approval or denial of those licenses in subsection (3) has not been given within 21 days, and of reasons for delay if approval or denial of those licenses in subsection (4) has not been given within 60 days.

(6) This section shall not apply to the renewal of a license to the original licensee. In such a case individual licenses shall be issued pending approval or denial by the agencies in accordance with RCW 34.04.170 and WAC 308-300-140(1).

(7) It shall remain the responsibility of the appropriate agencies to provide the applicant with materials, information, and instructions pertinent to their periodic reports and other requirements.

[Statutory Authority: RCW 19.02.030(3). 05-05-029, § 308-300-110, filed 2/10/05, effective 3/13/05. Statutory Authority: RCW 19.02.030(6), 79-01-088 (Order 524-DOL), § 308-300-110, filed 1/3/79; Order 476-DOL, § 308-300-110, filed 12/30/77.]

**WAC 308-300-120 Assignment of renewal schedules.** (1) Upon compliance with WAC 308-300-160 on payment of fees, the department will issue and mail the applicant a master license incorporating all individual licenses approved at that time. Initial coverage under this chapter will be acknowledged by issuance of a master license with individual stickers affixed for each individual license issued.

An applicant may request that no master license be issued pending approval of liquor licenses and other licenses within subsection (4) in which event the department will withhold processing of all licenses until determination of liquor licenses has been made.

(2) In those instances where a license is granted by an agency upon receipt of the application and fee payment, the department, upon approval of the appropriate agency, shall issue the license upon proper receipt of those items. This subsection applies to:

(a) Department of revenue; registration, cigarette dealer license, cigarette dealer vending machine license.

(b) Secretary of state, corporate license (renewal only), corporate annual report.

(c) Department of labor and industries; registration for industrial insurance.

(d) Department of employment security; registration for unemployment insurance.

(e) Department of agriculture; nursery license, egg dealer license, seed dealer license.

(f) Department of social and health services; furniture and bedding certificate.

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(3) For each of the supplemental licenses specified below, each agency shall, within 21 days of its notification of license application by the department, inform the department of its approval or denial of the licenses sought. This subsection applies to:

(a) Department of agriculture; refrigerated locker license, pesticide dealer license, bakery and bakery distributors license.

(b) Department of labor and industries; minor work permit.

(4) Due to special investigative procedures, liquor licenses and other licenses, permits, certificates, and registrations which require lengthy investigative procedures will be handled as supplemental licenses in accordance with subsection (5). Upon approval by the appropriate agency, the license will be mailed to the licensee by the department to be affixed to the master license.

(5) The department shall be notified of reasons for delay if approval or denial of those licenses in subsection (3) has not been given in 21 days, and of reasons for delay if approval or denial of those licenses in subsection (4) has not been given within 60 days.

(6) This section shall not apply to the renewal of a license to the original licensee. In such a case individual licenses shall be issued pending approval or denial by the agencies in accordance with RCW 34.04.170 and WAC 308-300-140(1).

(7) It shall remain the responsibility of the appropriate agencies to provide the applicant with materials, information, and instructions pertinent to their periodic reports and other requirements.

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(2) Each business shall be assigned a master license expiration date on the following schedule. Fees for such licenses will be charged at the full annual rate, except as set forth in WAC 308-300-170(2):

(a) New applicants; last day of the month of receipt of the application.
(b) Existing business brought into the system; distributed evenly on a monthly basis throughout the year.
(c) New branches; expiration date will be adjusted as required to conform to a common date simultaneous to the majority of the applicant's business branches.
(d) Supplemental license(s); will expire on the same date as the master.

(3) The department will consider requests from applicants for exceptions to assigned renewal dates. Approval will be at the discretion of the department.

[Order 476-DOL, § 308-300-120, filed 12/30/77.]

WAC 308-300-130 Renewal notices and procedures. Renewal notices indicating fees to be paid for the licenses then held by the licensee will be mailed to the licensee approximately 45 days prior to license expiration. Applications for renewals shall be made by current licensees by providing the information requested and remitting required fees to the department in accordance with WAC 308-300-160. Renewal acknowledgement will be sent to the licensee by the department in the form of a renewal registration sticker to be affixed to the existing master license.

[Order 476-DOL, § 308-300-130, filed 12/30/77.]

WAC 308-300-140 Renewal of licenses. (1) Following issuance of the master license, individual licenses will be renewed and issued by the department under conditions originally imposed by the agencies unless specific instructions have been received by the department from an agency to deny or otherwise restrict a license. The department will verify corporate status with the secretary of state.
(2) It will be the responsibility of the liquor control board to initiate any special investigations sufficiently in advance of the license expiration date to be able to notify the department of appropriate actions 15 days prior to expiration. Provision will be made for the liquor control board to obtain a listing of all expiring licenses at least 60 days prior to the expiration date.
(3) The department will not issue renewals prior to 15 days before the expiration date.
(4) Following issuance of each renewal license, appropriate agencies will be notified of the licenses issued and corresponding expiration dates.

[Order 476-DOL, § 308-300-140, filed 12/30/77.]

WAC 308-300-150 Voiding notices and procedures. (1) The agencies will notify the department of any suspensions, revocations, or denials. Nothing contained herein changes the agencies' rules and regulations for determining when suspensions, revocations, or denials are required. The department will provide stickers for voiding individual licenses on the master license document. When an agency orders denial of an individual license, a voiding sticker shall be placed over the individual license to be terminated. Voiding stickers may be handled either by mail or affixed by an inspector or enforcement officer when immediate action is necessary.
(2) When a licensee desires to delete any individual license from their master license, they shall notify the department and the department shall send the voiding stickers to be affixed to the master license by the licensee.

[Order 476-DOL, § 308-300-150, filed 12/30/77.]

WAC 308-300-160 Total fee payable—Handling of fees. (1) The fee payable will be the total amount of all individual license fees, late filing fees, other penalty fees, and handling fees, and may include additional fees charged to cover credit or debit card processing.

(2) The department will distribute the fees received for individual licenses issued or renewed to the appropriate agencies on an established schedule.

(3) The master license will not be issued until the full amount of the total fee payable is collected. When the fee payment received is less than the total fee payable, the department will bill the applicant for the balance.

(4) The master license service application and renewal handling fees collected under RCW 19.02.075 are not refundable. When a license is denied or when an applicant withdraws an application, a refund of any other refundable portion of the total payment will be made in accordance with the applicable licensing laws.

[Statutory Authority: RCW 19.02.030(3), 6/8/10, effective 7/9/10; Order 476-DOL, § 308-300-160, filed 6/8/10, § 308-300-160, filed 6/8/10, effective 7/9/10; Order 476-DOL, § 308-300-160, filed 12/30/77.]

WAC 308-300-170 Prorating of fees. (1) When additional licenses are added to WAC 308-300-030 or additional businesses are added to WAC 308-300-040, or when licenses within the scope of WAC 308-300-030 and 308-300-040, referred to above are encompassed in the system for the first time there will be a prorating of fees, where necessitated by renewal dates authorized by the department. This prorating of fees shall be computed on a monthly basis (i.e., one-twelfth of the annual payment per month) and added to or subtracted from the regular annual fee. Prorating shall be based on the number of whole months between the previous expiration date and the next renewal date.

(2) Prorated fees will be made for supplemental licenses and new branch licenses based on the number of whole months to the expiration of the master license, if authorized by the appropriate agency.

[Order 476-DOL, § 308-300-170, filed 12/30/77.]

WAC 308-300-180 Late filing procedures. A late filing penalty may be charged for licenses not renewed by the expiration date. The late filing fee shall be computed according to existing agency statutes. Agency late filing dates are superseded by the date given by the department on the master license. Penalty fees will be deposited in the department's undistributed receipts fund to be forwarded to each appropriate agency. The department shall notify the other agencies of delinquent renewals.

[Order 476-DOL, § 308-300-180, filed 12/30/77.]

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**WAC 308-300-190 Posting.** The master license shall be posted on the licensee’s premises, preferably in the office area, and shall be visible and easily accessible for inspection purposes by the agencies.

[Order 476-DOL, § 308-300-190, filed 12/30/77.]

**WAC 308-300-200 Misuse of master license.** Defacing, remarking, or misusing the master license in any manner, including noncompliance with official requests of the department, will expose the violator to all penalties applicable to any of the individual licenses appearing on the master license.

[Order 476-DOL, § 308-300-200, filed 12/30/77.]

**WAC 308-300-210 Declaration of purpose and authority.** This chapter is enacted to implement sections 1 and 3, chapter 22, Laws of 1979 1st ex. sess.; wherein the director of the department of licensing is given the duty to administer chapter 19.80 RCW and is empowered to promulgate rules and regulations.

[Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-210, filed 9/5/79.]

**WAC 308-300-215 Master license service (MLS) state grant program.** (1) The department's master license service (MLS) will provide information about the grant program, established in RCW 19.02.310, to Washington cities, towns, other state agencies and counties, at least once each calendar year, beginning in 2006.

(a) The MLS state grant program will begin in 2006. Applications will be accepted beginning January 3, 2006. Subject to the ongoing availability of funds, applicants will be notified about the department's decision on their completed application within sixty days. The department may fund all or portions of eligible grant applications.

(b) Prospective grant applicants may contact MLS staff for assistance with completion of the grant application, to include assistance by way of telephone or in-person contact.

(c) Applications and further information may be obtained from the Grants Coordinator, Master License Service, P.O. Box 9034, Olympia, WA 98507-9034.

(2) Eligible activities and expenses for grant funds can include, but are not limited to, reasonable expenses for: Information technology hardware and software, consultants and temporary staff.

(3) Two types of grants may be awarded: Phased grants, such as eighty percent initially and twenty percent upon completion, or reimbursement grants, in which payments are tied to deliverables or milestones.

(4) Before grant funds are provided, an agreement will be signed by the grantee and MLS that includes provisions for managing the grant, expenditure tracking and performance reporting.

(5) In determining the readiness of a prospective state agency or local government partner applicant to obtain a grant, the MLS may consider factors such as:

(a) Identified limitations or obstacles to becoming partnered with MLS;

(b) Flexibility within the entity's internal infrastructure;

(c) The scope of the project for which the grant funds are requested;

(d) The prospective partner's budget, including in-kind commitments and estimated transition costs;

(e) Project management experience;

(f) The cost/benefit ratio for a city partnership with MLS.

The cost/benefit ratio shall be determined by estimating the cost for a city applicant to become a feasible partner with MLS and

(g) Proposed performance measures.

(6) The department may convene an objective review panel to evaluate grant applications.

[Statutory Authority: RCW 19.02.030. 06-05-037, § 308-300-215, filed 2/9/06, effective 3/12/06.]

**WAC 308-300-220 Definitions.** The following definitions apply to use of these terms in RCW 19.80.010:

(1) Style means: As used in these rules, title or appellation of a person.

(2) Trade name, as used in these rules, means assumed name, that is:

(a) The name taken up or adopted by a person or persons which does not include the true and real name of that person or persons, for the conduct of or intent to conduct business; or

(b) Any name that does not include the true and real names of all persons conducting that business or with an interest therein; or

(c) Any name that includes words which suggest additional parties of interest such as "company, " "and sons," "and associates."

(3) Application means the master application as prescribed by chapter 19.02 RCW.

(4) Director means the director of the department of licensing.

(5) Department means the department of licensing.

[Statutory Authority: RCW 19.80.045. 92-10-010, § 308-300-220, filed 4/24/92, effective 6/1/92. Statutory Authority: Chapter 19.80 RCW. 81-02-038 (Order 601-DOL), § 308-300-220, filed 1/6/81. Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-220, filed 9/5/79.]

**WAC 308-300-230 Required registration of trade name.** Any person or persons who conduct or intend to conduct a business under a trade name must register that name with the department. The person or all the persons conducting that business or having an interest therein shall register a trade name with the department. The application for registration of trade name shall set forth:

(1) The designation, name or style under which the business is to be conducted.

(2) The real and true name of each person conducting or intending to conduct the business, or having an interest therein, together with the mailing address and an authorized signature of a person having an interest therein.

(3) Every county in the state of Washington in which the trade name or other designation, name or style is used or intended to be used to carry on, conduct or transact business.

(4) Any other information as the director may require.

Upon receipt of a properly completed application for trade name registration and proper fee payment, the depart-
(1) A notice of cancellation shall be filed with the department when use of a trade name is discontinued.

(2) A notice of cancellation, together with a new application for registration of trade name shall be filed when:

(a) There is an addition, deletion or any change of person or persons set forth on the application for registration of trade name as those conducting or intending to conduct business under the registered trade name;

(b) There is a change in the wording or spelling of the registered trade name.

WAC 308-300-250 Forms. The department shall provide forms for registration of trade name, which must be used to make the required filings and which will be available from the following:

(1) Business license services of the department of licensing; and

(2) Other distribution points as the director deems appropriate.

WAC 308-300-260 Records—Transfer from counties to department. (1) Trade name records filed with the county clerks prior to the 1979 act, related files, and cross-referenced materials will be transferred to the department no later than October 1, 1979.

(2) Once the records are transferred, the director shall provide for preservation, storage, and access of such records.

WAC 308-300-270 Searches. Upon request and the payment of fees as specified in WAC 308-300-280, the department shall make a comprehensive search of the master license service's records to determine any of the following facts:

(1) Persons conducting business under a trade name;

(2) Registered trade names;

(3) Firm names;

(4) Legal owner names; and

(5) Verification of business existence.

WAC 308-300-280 Fees and refunds. (1) The department shall charge and collect:

(a) Five dollars for registration of trade name;