



# RULE-MAKING ORDER

## R-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Licensing

- Permanent Rule
- Emergency Rule

**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)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** As part of an effort to better organize existing and future rules under an existing chapter heading that is more applicable to the subject matter.

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

Repealed: WAC 196-23-030 and 196-23-050  
 Amended:  
 Suspended:

**Statutory authority for adoption:** RCW 18.43.035

**Other authority :**

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

Adopted under notice filed as WSR 06-18-071 on September 5, 2006 (date).  
 Describe any changes other than editing from proposed to adopted version: None

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 \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** October 11, 2006

**NAME (TYPE OR PRINT)**

George A. Twiss

**SIGNATURE**

**TITLE**

Executive Director

**CODE REVISER USE ONLY**

217  
 2:47  
 06-22-033

**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	New	_____	Amended	_____	Repealed	_____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	_____

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

New \_\_\_\_\_ Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted in the agency's own initiative:**

New 2 Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New 2 Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	<u>2</u>	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

## Chapter 196-25

### BUSINESS PRACTICES

#### NEW SECTION

**WAC 196-25-070 Providing direct supervision.** **Direct supervision** is a combination of activities by which a licensee maintains control over those decisions that are the basis for the finding, conclusions, analysis, rationale, details, and judgments that are embodied in the development and preparation of engineering or land surveying plans, specifications, plats, reports, and related activities. **Direct supervision** requires providing personal direction, oversight, inspection, observation and supervision of the work being certified.

Communications between the licensee and those persons who are performing the work include, but are not limited to, use of any of the following ways: Direct face-to-face communications; written communications; U.S. mail; electronic mail; facsimiles; telecommunications, or other current technology: Provided, That the licensee retains, maintains, and asserts continuing control and judgment.

#### NEW SECTION

**WAC 196-25-080 Practice by businesses, organizations or public agencies.** When a business, organization or public agency offers or performs engineering or land surveying services as defined in RCW 18.43.020, the business, organization or public agency shall perform its duties and responsibilities in accordance with chapter 18.43 RCW and applicable rules.