

WSR 25-03-116
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed January 21, 2025, 8:57 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-21-135.

Title of Rule and Other Identifying Information: Contractor registration rules; WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal, reregistration, and reinstatement of certificates of registration?

Hearing Location(s): On February 25, 2025, at 10:00 a.m., at the Department of Labor and Industries (L&I), 7273 Linderson Way S.W., Tumwater, WA 98501; or join electronically (Zoom) at <https://lni-wa.gov.zoom.us/j/83338607370?pwd=LZl18Lshkw7yTRbgRSo2WbBh0jLND1C.1>, Passcode HE.HuW7#; or join by phone (audio only) 253-215-8782, Meeting ID 833 3860 7370, Passcode 14603885. The in-person and virtual/telephonic hearing starts at 10:00 a.m. and will continue until all oral comments are received.

Date of Intended Adoption: April 22, 2025.

Submit Written Comments to: Meagan Edwards, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, email Meagan.Edwards@lni.wa.gov, fax 360-704-1980, beginning January 22, 2025, at 8:00 a.m., by February 25, 2025, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Meagan Edwards, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@lni.wa.gov, by February 11, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule making is to propose amendments to the contractor registration fees under WAC 296-200A-900. The proposed amendments would increase fees by the fiscal growth factor of 6.41 percent to cover operating expenses for L&I's contractor registration program (program). This is the office of financial management's maximum allowable fiscal growth factor rate for fiscal year 2026. The current fee levels are insufficient to cover current program expenses. The fee increase is necessary to ensure that revenues match expenditures.

Reasons Supporting Proposal: The program registers contractors to ensure that all general and specialty contractors operating in Washington state have appropriate bonding and insurance. The current fee levels are not adequate to cover current program expenses. A fee increase is needed to ensure the program's revenues match expenditures.

Statutory Authority for Adoption: Chapter 18.27 RCW.

Statute Being Implemented: Chapter 18.27 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: L&I, governmental.

Name of Agency Personnel Responsible for Drafting: Melissa McBride, Program Manager, Tumwater, Washington, 360-902-5571; Implementation and Enforcement: Steve Reinmuth, Assistant Director, Tumwater, Washington, 360-902-6348.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule proposal is exempt from the cost-benefit analysis requirement under the Administrative Procedure Act. RCW 34.05.328 (5) (b) (vi) exempts

rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

Scope of exemption for rule proposal:

Is fully exempt.

January 21, 2025
Joel Sacks
Director

OTS-6067.1

AMENDATORY SECTION (Amending WSR 24-10-086, filed 4/30/24, effective 7/1/24)

WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal, reregistration, and reinstatement of certificates of registration? The department charges the following fees:

(1) (~~(\$132.60)~~) \$141.10 for each issuance, renewal or reregistration of a certificate of registration for contractors. This registration is valid for two years from date of issuance, renewal or reregistration or until it is suspended or revoked.

(2) (~~(\$62.60)~~) \$66.60 for the reinstatement of a certificate of registration.

(3) (~~(\$14.60)~~) \$15.50 for providing a duplicate certificate of registration.

(4) (~~(\$29.90)~~) \$31.80 for each requested certified letter prepared by the department.

(5) (~~(\$189.50)~~) \$201.60 for the construction and electrical contractor listing publication on CD ROM per year, prorated according to the number of issues left in the subscription year, which runs from November 1 through October 31. Each issue costs (~~(\$15.70)~~) \$16.70.

(6) (~~(\$2.20)~~) \$2.30 per copy for documents copied from a contractor's file. The maximum copy charge for copies from one contractor's file will be (~~(\$32.70)~~) \$34.80.

(7) (~~(\$58.50)~~) \$62.20 is required to cover the costs for the service of process in an action against a contractor, the contractor's bond, or the deposit under RCW 18.27.040.

(8) (~~(\$29.20)~~) \$31.00 is required to cover the costs for the service of processing refunds.