

WSR 21-23-111

EXPEDITED RULES

DEPARTMENT OF LICENSING

[Filed November 17, 2021, 11:23 a.m.]

Title of Rule and Other Identifying Information: SHB 1504 increased the ignition interlock device fee from \$20.00 to \$21.00. This requires an update to WAC 308-107-060, which currently states the fee is \$20.00.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 308-107-060 (1)(a), (2), and (3) will all be amended to reflect the new fee of \$21.00, which is explicitly dictated by statute.

Reasons Supporting Proposal: SHB 1504 amended RCW 46.20.385, increasing the current fee for an ignition interlock device to \$21.00. The fee had been \$20.00.

Statutory Authority for Adoption: RCW 46.20.385 and 46.01.110.

Statute Being Implemented: SHB 1504.

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

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Dani Rannow, 1125 Washington Street S.E., Olympia, WA, 360-902-3745.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

This notice meets the following criteria to use the expedited adoption process for these rules:

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: SHB 1504 requires the department to increase the fee for an ignition interlock device from \$20.00 to \$21.00. This fee is in WAC 308-107-050.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Ellis Starrett, Department of Licensing, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, AND RECEIVED BY January 17, 2022.

November 17, 2021
Ellis Starrett
Rules and Policy Manager

OTS-3494.1

AMENDATORY SECTION (Amending WSR 12-17-076, filed 8/14/12, effective 9/14/12)

WAC 308-107-050 Ignition interlock device revolving account.

(1) (a) As required under RCW 46.20.385 (6) (a), unless determined by the department to be indigent under WAC 308-107-060, a person who is applying for or has been issued an ignition interlock driver's license, or (b) a person who is restricted under RCW 46.20.720, must pay an additional fee of (~~twenty dollars~~) \$21 per month or partial month for which the ignition interlock driver's license is valid or an ignition interlock device is installed to the manufacturer of the device(s) installed in the motor vehicle(s) driven by the person. Payment may be made directly to the manufacturer, or through the authorized service provider, depending upon the manufacturer's business practices.

(2) A manufacturer providing devices to persons who are required to have an ignition interlock device, either directly or through an authorized service provider, must enter into an agreement with the department for the collection and transmittal of the (~~twenty dollar~~) \$21 monthly fee required under RCW 46.20.385 (6) (a) or 46.20.720 (6). Any agreement made under this section must include appropriate reporting requirements and accounting practices to permit the department to audit the handling of the fees that must be remitted to the department. The department may terminate an agreement with a manufacturer upon a showing of good cause. Good cause may include, but not be limited to;

(a) Violation of the agreement;

(b) Violation of the laws and rules governing the installation of devices; or

(c) Violation of this chapter.

An agreement between the department and a manufacturer will be valid for no more than four years, provided that the department may extend an agreement for up to an additional four years at its discretion.

(3) As provided by RCW 46.20.385 (6) (b) and 46.20.720 (6), the department shall deposit the proceeds of the (~~twenty dollar~~) \$21 fee into the ignition interlock device revolving account.

[Statutory Authority: RCW 46.01.110, 46.20.385, and 46.20.720. WSR 12-17-076, § 308-107-050, filed 8/14/12, effective 9/14/12. Statutory Authority: RCW 46.01.110 and 46.20.385. WSR 11-01-037, § 308-107-050, filed 12/6/10, effective 1/6/11. Statutory Authority: RCW 46.01.110, 46.20.385, 46.20.391, and 46.20.745. WSR 08-24-059, § 308-107-050, filed 11/26/08, effective 1/1/09.]