

WSR 24-13-125  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING  
[Filed June 20, 2024, 10:19 a.m.]

Subject of Possible Rule Making: Chapter 308-77 WAC, Fuel tax rules and regulations; chapter 308-78 WAC, Aircraft fuel tax; chapter 308-91 WAC, Reciprocity and proration; and a new chapter in Title 308 WAC to cover discovery/investigation procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.38.260 Administration and enforcement, 82.41.120 Implementing rules required, and 82.42.130 Administration and enforcement.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HB 1964, passed during the 2024 legislative session, allows the department of licensing (DOL) to implement E-Withhold procedures, change the appeals procedure from informal hearing to department review, establish reinstatement procedures, add an escalated penalty path, and requires the development of fuel tax discovery and investigative procedures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOL is the regulatory agency and the Washington State Patrol, who is responsible for enforcement, has already been notified of changes to RCW 82.38.260 and will be notified of the proposed changes to WAC.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98501, phone 360-902-3846, email [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), website [dol.wa.gov/about/rulemaking-activity](http://dol.wa.gov/about/rulemaking-activity); or Lynn Briscoe, 405 Black Lake Boulevard S.W., Olympia, WA 98502, phone 360-480-1717, TTY 711, email [lbriscoe@dol.wa.gov](mailto:lbriscoe@dol.wa.gov).

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