

WSR 22-16-008

PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed July 21, 2022, 12:28 p.m.]

Subject of Possible Rule Making: The employment security department is engaging in rule making regarding brief adjudicative proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.410 (1)(a), 50.32.060, 50.32.080, 34.05.220, 50.12.040, 50.12.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to unprecedented unemployment insurance claims during the COVID-19 pandemic, the department and the office of administrative hearings (OAH) have a backlog of 40,947 pending appeals as of December 31, 2021. For comparison, there were 27,127 pending appeals at the end of 2020, and 2,470 at the end of 2019. This backlog has led to an average wait time of 167.3 days for appeals closed during December of 2021, compared to an average wait time of 31.58 days during December of 2019. The United States Department of Labor's (USDOL) performance metric calls for 60 percent of appeals to be resolved within 30 days and 80 percent of appeals to be resolved within 45 days. In December 2019, the department closed 71 percent of cases within 30 days and 94 percent of cases within 45 days. In December 2021, only two percent of appeals were resolved within 30 days and four percent of appeals within 45 days.

Currently, the department is referring between 400 and 500 cases per day (2,000 to 2,500 per week) to OAH. This trend is expected to continue through the end of the year with continued unemployment insurance claims processing associated with federal pandemic programs, such as the mixed earner unemployment compensation program.

Using the brief adjudicative proceedings authorized by emergency rule filed in WSR 22-08-045, administrative law judges (ALJs) were able to process between 60 and 75 proceedings each week, up from 24 per week for full hearings. From May 16, through June 24, 2022, OAH processed 1,656 claims.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDOL reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay [service] 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/>.

July 21, 2022

Dan Zeitlin

Employment Security Policy Director

WSR 22-16-016

PREPROPOSAL STATEMENT OF INQUIRY

UNIVERSITY OF WASHINGTON

[Filed July 22, 2022, 1:18 p.m.]

Subject of Possible Rule Making: Chapter 478-04 WAC, Organization; chapter 478-140 WAC, Rules and regulations for the University of Washington governing student education records; chapter 478-156 WAC, Rules for the University of Washington, Seattle campus residence halls, single student and family housing apartments; and chapter 478-276 WAC, Governing access to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The above listed rules contain outdated information regarding operations and processes. The university is in the process of conducting a complete review to bring these chapters up-to-date with current operational practices and allow for additional standardization of business operations.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting University of Washington, University and Policy Rules Office, Box 351210 Seattle, WA 98195, email rules@uw.edu, website <https://www.washington.edu/rules/wac/>.

July 22, 2022
Barbara Lechtanski, Director
University Policy and Rules Office

**WSR 22-16-018
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed July 22, 2022, 5:03 p.m.]

The aging and long-term support administration requests the withdrawal of Preproposal statement of inquiry notice filed as WSR 18-17-178 on August 22, 2018 (chapter 388-107 WAC, Licensing requirements for enhanced services facilities, including WAC 388-107-1205, 388-107-1210, 388-107-1215, 388-107-1220, 388-107-1230, 388-107-1240, 388-107-1250, 388-107-1252, 388-107-1260, 388-107-1270, 388-107-1280, 388-107-1290, 388-107-1300, and 388-107-1310) regarding licensing requirements for enhanced services facilities.

Katherine I. Vasquez
Rules Coordinator

**WSR 22-16-022
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed July 25, 2022, 2:33 p.m.]

The aging and long-term care administration requests the withdrawal Preproposal statement of inquiry notice filed as WSR 19-12-109 on June 5, 2019, (chapter 388-97 WAC, including WAC 388-97-1090) regarding nursing homes and direct care hours.

Katherine I. Vasquez
Rules Coordinator

WSR 22-16-032

PREPROPOSAL STATEMENT OF INQUIRY

HEALTH CARE AUTHORITY

[Filed July 26, 2022, 10:37 a.m.]

Subject of Possible Rule Making: WAC 182-550-6400 Outpatient hospital diabetes education; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-550-6400 to apply it to all eligible providers and update diabetes education provider criteria and billing requirements. During this review, health care authority may identify additional related changes that are required to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of health.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brian Jensen, Rulemaking Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email brian.jensen@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Krista McClellan, Program Questions, P.O. Box 45502, Olympia, WA 98504-5502, phone 360-725-1611, fax 360-586-9727, TRS 711, email krista.mcclellan@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

July 26, 2022
Wendy Barcus
Rules Coordinator

WSR 22-16-043
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed July 27, 2022, 3:12 p.m.]

Subject of Possible Rule Making: WAC 458-40-540 Forest land values—2022 and 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). The department anticipates amending the forest land values rule (WAC 458-40-540) to adjust the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2023.

RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the first half of 2023.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but it is not necessary to involve them in the valuation revisions provided in this rule.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nikki Bizzarri, 6400 Linderson Way S.W., P.O. Box 47453, Tumwater, WA 98504, phone 360-534-1582, fax 360-534-1606, TTY 800-833-6384, email nikkib@dor.wa.gov.

Additional comments: A preliminary draft of possible rule changes will be available upon request shortly before the public meeting. Written comments may be submitted by email and should be directed to Nikki Bizzarri using one of the contact methods above. Written and oral comments will be accepted at the public meeting and until October 21, 2022.

[Meeting on] October 18, 2022, at 9:00 a.m., telephonic/internet meeting only. Contact Sierra Crumbaker at sierrac@dor.wa.gov for dial-in/login information.

July 27, 2022
Atif Aziz
Rules Coordinator

WSR 22-16-055

PREPROPOSAL STATEMENT OF INQUIRY
STATE INVESTMENT BOARD

[Filed July 28, 2022, 1:01 p.m.]

Subject of Possible Rule Making: Amending the rules (chapter 287-04 WAC) relating to state investment board ethics and compliance for board members and staff.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.33A.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments and updates are required by statute for technical and clarifying changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The executive ethics board regulates state ethics; however, this rule making will not conflict with the Executive Ethics Act and associated rules.

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 Isaac Williamson, P.O. Box 40916, Olympia, WA 98504-0916, phone 360-956-4742, email isaac.williamson@sib.wa.gov, website www.sib.wa.gov.

July 28, 2022
Isaac Williamson
Investment Compliance Office

WSR 22-16-056
PREPROPOSAL STATEMENT OF INQUIRY
NOXIOUS WEED
CONTROL BOARD

[Filed July 28, 2022, 2:42 p.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject:
RCW 17.10.010, 17.10.070, 17.10.080, 17.10.350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The [Washington] state noxious weed control board (WSNWCB) is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects the noxious weed control priorities and noxious weed distribution, as well as updating its by-laws that are codified in chapter 16-750 WAC. WSNWCB may also consider other updates to chapter 16-750 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agency regulates this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: WSNWCB annually solicits proposed changes to the noxious weed list from county weed boards, weed districts, state agencies, federal agencies, interest groups, and the general public. The noxious weed committee of the board (which includes representation from the Washington Native Plant Society, county weed boards, the nursery industry, and several scientific advisors) meets at least twice to review and research these suggestions. A public hearing is scheduled, and a press release and information regarding the proposed changes are widely distributed to newspapers.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Fee, 1111 Washington Street S.E., phone 360-902-2053, fax 360-902-2094, TTY 800-833-6388, email mfee@agr.wa.gov, website www.nwcb.wa.gov.

July 28, 2022
Mary Fee
Executive Secretary

WSR 22-16-058
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed July 28, 2022, 3:32 p.m.]

Subject of Possible Rule Making: WAC 458-12-030 County appraisers' salary and classification plan, and 458-12-035 Standard forms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.08.010 and 84.08.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to repeal WAC 458-12-030 because the rule is outdated, and the department is not the agency responsible for establishing and maintaining the salary and classification plans for appraisers employed by county assessors as described in RCW 36.21.011.

The department is proposing to update WAC 458-12-035 to clarify the process used by county assessors and county treasurers wanting to amend forms statutorily required to be provided by the department.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leslie Mullin, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1589, fax 360-534-1606, TTY 800-833-6384, email LeslieMu@dor.wa.gov, website dor.wa.gov.

Additional comments: Written comments may be submitted by mail or email and should be directed to Leslie Mullin using one of the contact methods above. Written and oral comments will be accepted at the public meeting.

[Meeting on] August 31, 2022, at 10:00 a.m., telephonic/internet meeting only. Contact Sierra Crumbaker at SierraC@dor.wa.gov for dial-in/login information.

July 28, 2022
Atif Aziz
Rules Coordinator

WSR 22-16-061

**PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY**

[Filed July 29, 2022, 8:51 a.m.]

Subject of Possible Rule Making: Chapter 172-121, Student conduct code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update Eastern Washington University's student conduct code to clarify jurisdiction, update types of violations, reorganize sections to make it easier to follow, and provide additional clarification in areas where needed.

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 Annika Scharosch, 211 Tawanka Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-6724, email ascharosch@ewu.edu, website <https://inside.ewu.edu/policies/>.

July 29, 2022
Annika Scharosch
Associate Vice President

WSR 22-16-066
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed July 29, 2022, 10:07 a.m.]

Subject of Possible Rule Making: WAC 388-829B-200, 388-829B-300, 388-829B-400, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 and 71A.12.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Developmental disabilities administration (DDA) is planning to amend sections in chapter 388-829B WAC to expand enhanced case management capacity as directed by the legislature. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.

Process for Developing New Rule: Department of social and health services (DSHS) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, fax 360-407-0955, TTY 1-800-833-6388, email chantelle.diaz@dshs.wa.gov.

July 29, 2022
Katherine I. Vasquez
Rules Coordinator

WSR 22-16-088
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 2, 2022, 9:00 a.m.]

Subject of Possible Rule Making: Amendments under consideration to the electrical rules, WAC 296-46B-945 Qualifying for master, journey level, specialty electrician examinations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 6126, chapter 249, Laws of 2018; and chapter 19.28 RCW, Electricians and electrical installations, including RCW 19.28.031 and 19.28.251.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are required to implement SSB 6126 (chapter 249, Laws of 2018). SSB 6126 enacted apprenticeship requirements for journey-level electrician examination candidates that take effect July 1, 2023. SSB 6126 gives department of labor and industries (L&I) the authority, until July 1, 2025, to permit applicants that have obtained experience and training equivalent to a journey level apprenticeship program to take the examination, if the applicant has "good cause" for not completing the minimum hours of work applicable on July 1, 2023 (RCW 19.28.195).

This rule making considers amendments to the journey-level electrician examination qualifications under WAC 296-46B-945. The amendments under consideration provide for exceptions to electrician registered apprenticeship completion for "good cause," until July 1, 2025. This rule making also considers updates and housekeeping amendments.

Process for Developing New Rule: Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. The electrical board reviews all rule proposals.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, L&I, Field Services and Public Safety, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5282, email Alicia.Curry@Lni.wa.gov, website <https://lni.wa.gov/licensing-permits/electrical/laws-rules-policies>.

August 2, 2022
Joel Sacks
Director

WSR 22-16-089
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 2, 2022, 9:00 a.m.]

Subject of Possible Rule Making: WAC 296-14-8810 Pension tables, pension discount rate and mortality tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.44.070(1), 51.44.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to amend the rule by lowering the pension discount rate to better align with the rate of return for long-term treasuries for self-insured pensions. These reductions allow our financial statements to more accurately reflect our liabilities and overall financial position, and are consistent with recommendations from our annual independent actuarial review of our rate making.

Process for Developing New Rule: Parties interested in this rule may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Suzy Campbell, Department of Labor and Industries, Insurance Services, Legal Services, P.O. Box 44270, Olympia, WA 98504-4270, phone 360-902-5003, fax 360-902-5029, TTY 360-902-4252, email suzanne.campbell@Lni.wa.gov.

August 2, 2022
Joel Sacks
Director

WSR 22-16-093

PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY

[Filed August 2, 2022, 10:20 a.m.]

Subject of Possible Rule Making: WAC 4-30-040 What are the requirements concerning integrity and objectivity?, 4-30-042 When is independence required?, 4-30-044 What restrictions govern commissions, referral, and contingent fees?, 4-30-046 What are the requirements concerning competence?, 4-30-048 Compliance is required with which rules, regulations and professional standards?, 4-30-050 Records and clients confidential information, 4-30-051 Client records, 4-30-052 What acts are considered discreditable?, 4-30-054 What are the limitations on advertising and other forms of solicitation?, 4-30-056 What are the limitations regarding individual and firm names?, and 4-30-058 Does the board authorize the use of any other titles or designations?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The intent of the rule changes is to simplify the rules by paralleling the rules with the AICPA Code of Professional Conduct (AICPA Code) and specifically listing any exceptions to the AICPA Code.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kirsten Donovan, Rules Coordinator, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-664-9191, fax 360-664-9190, TTY 1-800-833-6388, email Kirsten.donovan@acb.wa.gov, website <https://acb.wa.gov/>.

August 2, 2022
Jennifer Sciba
Acting Executive Director

WSR 22-16-094

PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY

[Filed August 2, 2022, 10:59 a.m.]

Subject of Possible Rule Making: WAC 4-30-060 What are the education requirements to qualify to apply for the CPA examination?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The intent of this rule change is to change the number of college credits required to sit for the CPA examination.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kirsten Donovan, Rules Coordinator, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-664-9191, fax 360-664-9190, TTY 1-800-833-6388, email Kirsten.donovan@acb.wa.gov, website <https://acb.wa.gov/>.

August 2, 2022

Jennifer Sciba

Acting Executive Director

WSR 22-16-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed August 2, 2022, 2:34 p.m.]

Subject of Possible Rule Making: The department is considering rule making to amend commercial Eulachon fishing regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to commercial fishing rules to correspond with the reduced status of the species and to address conservation objectives.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: These rules are coordinated with Oregon department of fish and wildlife.

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 Kelly Henderson, phone 855-925-2801, project code 4237, TTY 1-800-833-6388 or 711, email EulachonFishing@PublicInput.com, website <https://publicinput.com/EulachonFishing>.

Additional comments: Assistance for additional accessibility and persons with disabilities, contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email Title6@dfw.wa.gov.

August 2, 2022
Annie Szvetcz
Rules Coordinator

WSR 22-16-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed August 2, 2022, 2:37 p.m.]

Subject of Possible Rule Making: The department is considering rule making to amend rules regarding reporting requirements for fresh-water game fish guides, food fish guides, and combination game fish and food fish guides.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.12.045, 77.04.055, 77.04.020, and 77.04.012.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions to WAC 220-352-245 will strengthen compliance of logbook reporting rule and the usefulness of the data collected to fisheries' managers.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kelly Henderson, phone 855-925-2801, project code 4215, TTY 1-800-833-6388 or 711, email GuideLogbook@PublicInput.com, website <https://publicinput.com/GuideLogbook>.

Additional comments: Assistance for additional accessibility and persons with disabilities, contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email Title6@dfw.wa.gov.

August 2, 2022
Annie Szvetcz
Rules Coordinator

WSR 22-16-102

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed August 2, 2022, 4:21 p.m.]

Subject of Possible Rule Making: Updating responsive Title 308 WAC chapters to clarify language and reflect current business practices and guidelines.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority. RCW 46.01.040(10) Powers, duties, and functions relating to motor vehicle laws vested in department.

(10) The administration of the laws relating to reciprocal or proportional registration of motor vehicles as provided in chapter 46.85 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provide clear guidance on acceptable processes for receipt of documents, signatures, criteria for rescheduling administrative interviews and formal hearings, and submission of subpoena requests.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ellis Starrett, P.O. Box 9020, Olympia, WA 98507-9020, phone 360-902-3846, email rulescoordinator@dol.wa.gov; or Marta Reinhold, P.O. Box 9031, Olympia, WA 98507, phone 360-664-1488, fax 360-570-4950, email mreinhold@dol.wa.gov, hearings@dol.wa.gov.

August 2, 2022

Ellis Starrett

Rules and Policy Manager

WSR 22-16-103

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed August 2, 2022, 4:33 p.m.]

Subject of Possible Rule Making: Update Title 308 WAC chapters to clarify business practices, procedures, and guidelines as it pertains to financial responsibility hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.030 (2)(b) and 46.01.110 Rule-making authority. RCW 46.01.040(10) Powers, duties, and functions relating to motor vehicle laws vested in department.

[RCW 46.01.040](10) The administration of the laws relating to reciprocal or proportional registration of motor vehicles as provided in chapter 46.85 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update procedures, guidelines, and language of the financial responsibility judgment hearings in align [alignment] with the intent of chapter 46.29 RCW.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ellis Starrett, P.O. Box 9020, Olympia, WA 98507-9020, phone 360-902-3846, email rulescoordinator@dol.wa.gov; or Miriam Norman, P.O. Box 9031, Olympia, WA 98507-9031, phone 360-634-5127, fax 360-570-4950, email Miriam.norman@dol.wa.gov, hearings@dol.wa.gov.

August 2, 2022

Ellis Starrett

Rules and Policy Manager

WSR 22-16-104

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed August 2, 2022, 4:38 p.m.]

Subject of Possible Rule Making: Makes changes in chapter 308-104 WAC to adopt requirements in ESSB 5226 related to an accumulation of traffic offenses and the safe driving course.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority, and 46.20.119 Reasonable rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is making changes to chapter 308-104 WAC to adopt new requirements established in ESSB 5226 related to suspensions resulting from an accumulation of traffic offenses and a required safe driving course. The law decreases the number of accumulated traffic offenses that result in a license suspension and requires individuals who are suspended under this law to complete a safe driving course. Section 7 of the bill states "Whenever the official records of the department show that a person has committed a traffic infraction for a moving violation on three or more occasions within a one-year period, or on four or more occasions within a two-year period, the department must suspend the license of the driver for a period of 60 days and establish a period of probation for one calendar year to begin when the suspension ends. Prior to reinstatement of a license, the person must complete a safe driving course as recommended by the department."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, website dol.wa.gov/about/rules.

August 2, 2022
Ellis Starrett
Rules and Policy Manager

WSR 22-16-105

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed August 2, 2022, 4:40 p.m.]

Subject of Possible Rule Making: WAC 308-104-160 Moving and non-moving violations defined.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority, and 46.20.119 Reasonable rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending WAC 308-104-160 Moving and nonmoving violations defined to add additional qualifying offenses.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, website dol.wa.gov/about/rules.

August 2, 2022

Ellis Starrett

Rules and Policy Manager

WSR 22-16-108

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed August 2, 2022, 5:03 p.m.]

Subject of Possible Rule Making: Makes changes in chapter 308-104 WAC to adopt requirements in ESSB 5226 related to an accumulation of traffic offenses and the safe driving course.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority, and 46.20.119 Reasonable rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is making changes to chapter 308-104 WAC to adopt new requirements established in ESSB 5226 related to suspensions resulting from an accumulation of traffic offenses and a required safe driving course. The law decreases the number of accumulated traffic offenses that result in a license suspension and requires individuals who are suspended under this law to complete a safe driving course. Section 7 of the bill states "Whenever the official records of the department show that a person has committed a traffic infraction for a moving violation on three or more occasions within a one-year period, or on four or more occasions within a two-year period, the department must suspend the license of the driver for a period of 60 days and establish a period of probation for one calendar year to begin when the suspension ends. Prior to reinstatement of a license, the person must complete a safe driving course as recommended by the department."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, website dol.wa.gov/about/rules.

August 2, 2022
Ellis Starrett
Rules and Policy Manager

WSR 22-16-110
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL
[Filed August 3, 2022, 7:57 a.m.]

Subject of Possible Rule Making: Fireworks; WAC 212-17-021 Adoption of code, 212-17-223 Pyrotechnic operator license types, and 212-17-225 Application for license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.77.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The list of specialized pyrotechnic operator license types in WAC 212-17-223 and 212-17-225 needs to be removed as they are not licensed within the state fire marshal's office (SFMO). SFMO currently license and test for pyrotechnic operator license only. Additionally, there is a need to update the National Fire Protection Standards in WAC 212-17-021.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable. Washington state patrol (WSP) anticipates providing draft language to impacted stakeholders for review and input as part of the process.

Process for Developing New Rule: Agency review; WSP welcomes the public to take part in developing the rules. Anyone interested should contact the staff members identified below. At a later date, WSP will file a Proposed rule making (CR-102) with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kimberly Mathis, Agency Rules Coordinator, 106 11th Avenue S.W., Olympia, WA 98507, phone 360-596-4017, email wsprules@wsp.wa.gov, website wsp.wa.gov/rules-development/; or Esther Hernandez, Chief Duty State Fire Marshal, 106 11th Avenue S.W., Olympia, WA 98507, phone 360-596-3913, email esther.hernandez@wsp.wa.gov, website wsp.wa.gov.

July 25, 2022
John R. Batiste
Chief

WSR 22-16-115
PREPROPOSAL STATEMENT OF INQUIRY
LOWER COLUMBIA COLLEGE

[Filed August 3, 2022, 10:13 a.m.]

Subject of Possible Rule Making: Lower Columbia College's (LCC) code of student conduct rules that pertain to how LCC defines hazing and provides disciplinary sanctions for hazing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; and RCW 28B.50.140(13); 2SHB 1751 (2022) amending RCW 28B.10.900.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: LCC must amend WAC 132M-126-015, 132M-126-020, and 132M-126-030; and must adopt WAC 132M-126-036 in order to meet its obligations under "Sam's Law" 2SHB 1751 (2022) amending RCW 28B.10.900 regarding hazing prevention.

Process for Developing New Rule: Normal rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bryanna Smith, 1600 Maple Street, P.O. Box 3010, Longview, WA 98632, phone 360-442-2100, fax 360-442-2129, TTY 800-833-6388, email rulemaking@lowercolumbia.edu, website <https://lowercolumbia.edu/disclosure/rulemaking.php>; or Kendra Sprague, 1600 Maple Street, P.O. Box 3010, Longview, WA 98632, phone 360-442-2121, fax 360-442-2129, TTY 800-833-6388, email ksprague@lowercolumbia.edu, website <https://lowercolumbia.edu/disclosure/rulemaking.php>.

July 12, 2022
Kendra Sprague
Vice President of Foundation
Human Resources and Legal Affairs