

WSR 22-21-132

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed October 19, 2022, 8:24 a.m.]

Continuance of WSR 22-18-104.

Preproposal statement of inquiry was filed as WSR 22-03-102.

Title of Rule and Other Identifying Information: WAC 308-29-045
Collection agency fees.

Hearing Location(s): On November 28, 2022, at 10:00 a.m., Zoom meeting <https://dol-wa.zoom.us/j/81463953820?pwd=ZDRFU3ZlZlREhpRmQ1ZlJldz09>, Meeting ID 814 6395 3820, Passcode 382787; One-tap mobile +12532158782,,81463953820#,,,,*382787# US (Tacoma), +13462487799,,81463953820#,,,,*382787# US (Houston); dial by your location +1 253 215 8782 US (Tacoma), +1 346 248 7799 US. Find your local number <https://dol-wa.zoom.us/j/81463953820?pwd=ZDRFU3ZlZlREhpRmQ1ZlJldz09>. Persons wishing to attend in person can come to the Highways and Licensing Building, 1125 Washington Street S.E., Olympia, WA 98501. If you are having issues accessing the public hearing at the time of the scheduled hearing, please call 360-902-3846.

Date of Intended Adoption: November 29, 2022.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, by November 28, 2022.

Assistance for Persons with Disabilities: Contact Ellis Starrett, phone 360-902-3846, email rulescoordinator@dol.wa.gov, by November 21, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is increasing fees for collection agencies to continue covering the costs to administer the program, as these costs have increased over the years.

Reasons Supporting Proposal: The department is required to set fees for each professional, occupational, or business licensing program at a sufficient level to defray the costs of administering that program. Current fees are insufficient to sustain these programs. The department is considering fee increases that would go into effect in January of 2023.

Statutory Authority for Adoption: RCW 43.24.086 Fee policy for professions, occupations, and businesses—Determination by rule.

Statute Being Implemented: Not applicable.

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

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

Name of Agency Personnel Responsible for Drafting: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0131; Implementation and Enforcement: Julie Japhet, 405 Black Lake Boulevard S.W., Olympia, WA 98502, 360-664-1442.

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. These fees are exempt from the requirements in RCW 34.05.328 because they set or adjust fees or rates pursuant to legislative standards, specifically RCW 43.24.086.

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 rule content is explicitly and specifically dictated by statute; and 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.

October 18, 2022
Ellis Starrett
Rules and Policy Manager

OTS-3951.3

AMENDATORY SECTION (Amending WSR 11-23-159, filed 11/22/11, effective 12/23/11)

WAC 308-29-045 Collection agency fees. The following fees will be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Collection agency—Main office:	
Original application	((\$850.00)) <u>\$890.00</u>
Renewal	((\$475.00)) <u>\$515.00</u>
Reregistration fee after 30 days	((\$1,325.00)) <u>\$1,365.00</u>
Branch office (with WA main office):	
Original application	((\$550.00)) <u>\$590.00</u>
Renewal	((\$300.00)) <u>\$340.00</u>
Reregistration fee after 30 days	((\$850.00)) <u>\$890.00</u>
Out-of-state collection agency—Main office:	
Original application	((\$425.00)) <u>\$445.00</u>
Renewal	((\$237.50)) <u>\$257.50</u>
Reregistration fee after 30 days	((\$662.50)) <u>\$682.50</u>
Branch office—With out-of-state main office:	
Original application	((\$275.00)) <u>\$295.00</u>
Renewal	((\$150.00)) <u>\$170.00</u>
Reregistration fee after 30 days	((\$425.00)) <u>\$445.00</u>
<u>License print fee</u>	<u>\$5.00</u>

[Statutory Authority: RCW 19.16.140, 43.24.086, and 2011 1st sp.s. c 50. WSR 11-23-159, § 308-29-045, filed 11/22/11, effective 12/23/11. Statutory Authority: RCW 19.16.140, 43.24.086. WSR 04-18-043, § 308-29-045, filed 8/26/04, effective 10/1/04. Statutory Authority: [RCW 19.16.410]. WSR 01-11-132, § 308-29-045, filed 5/22/01, effective 6/22/01. Statutory Authority: RCW 43.24.086. WSR 90-06-052, § 308-29-045, filed 3/2/90, effective 4/2/90; WSR 87-10-028 (Order PM 650), § 308-29-045, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. WSR 83-22-060 (Order PL 446), § 308-29-045, filed 11/2/83; WSR 83-17-031 (Order PL 442), § 308-29-045, filed 8/10/83. Formerly WAC 308-29-040.]