

WSR 23-05-062  
PERMANENT RULES  
OFFICE OF MINORITY AND  
WOMEN'S BUSINESS ENTERPRISES

[Filed February 13, 2023, 10:28 a.m., effective March 16, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The proposed amendment adds a provision allowing the office of minority and women's business enterprises (OMWBE) to waive processing fees for businesses applying for certification. This change will give OMWBE the flexibility to waive fees to promote certification and reduce barriers for businesses, increasing the number of certified minority- and women-owned businesses in Washington.

Citation of Rules Affected by this Order: Amending WAC 326-20-125.

Statutory Authority for Adoption: RCW 39.19.210, 39.19.030.

Adopted under notice filed as WSR 22-20-036 on September 26, 2022.

Date Adopted: February 13, 2023.

Julie Bracken  
Public Records Officer  
Records Manager  
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**OTS-4120.1**

AMENDATORY SECTION (Amending WSR 04-08-074, filed 4/5/04, effective 5/6/04)

**WAC 326-20-125 Processing fee.** The office shall charge a nonrefundable fee for certification or recertification based upon the legal organizational structure of the business, as follows: Fifty dollars for a sole proprietorship, (~~seventy-five dollars~~) \$75 for a partnership (general or limited), and (~~one hundred dollars~~) \$100 for all other legal organizational structures; e.g., corporation or limited liability company: Provided, however, That the office shall only charge a (~~twenty-five dollar~~) \$25 fee when the application requests DBE-only certification or recertification for all business legal organizational structures. The office shall also charge a nonrefundable (~~twenty-dollar~~) \$20 fee for processing annual updates for all business legal organizational structures. The business must submit the fee with the application for certification, recertification, or annual update. The business applying for DBE-only certification may request a waiver of the fee. The request for fee waiver must be submitted to the office in writing. The office will review the request and make a determination in accordance with the Washington state department of transportation (WSDOT) DBE plan. An application is not deemed to be received by the office until the required fee is received by the office or the request of waiver of the fee has been approved by the office. The office may waive processing fees for the purpose of reducing barriers to certification. When the office waives fees, the office will publish notice of the conditions and duration of the waiver prominently on its website.

[Statutory Authority: RCW 39.19.210. WSR 04-08-074, § 326-20-125, filed 4/5/04, effective 5/6/04. Statutory Authority: RCW 39.19.030. WSR 94-11-115, § 326-20-125, filed 5/18/94, effective 6/18/94. Statutory Authority: 1993 c 195. WSR 93-16-080, § 326-20-125, filed 8/3/93, effective 9/3/93.]