

## WSR 23-20-131

## PROPOSED RULES

## DEPARTMENT OF LICENSING

[Filed October 4, 2023, 11:15 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-14-116.

Title of Rule and Other Identifying Information: WAC 308-56A-275 Certification of signature and 308-93-470 Certification of signatures.

Hearing Location(s): On November 8, 2023, at 10:00 a.m., via Zoom meeting [https://dol-wa.zoom.us/j/81285681948?](https://dol-wa.zoom.us/j/81285681948?pwd=QUFYV2l5eDh0QWZTYzBJRFRSYlZidz09)

pwd=QUFYV2l5eDh0QWZTYzBJRFRSYlZidz09, Meeting ID 812 8568 1948, Passcode 870613; One-tap mobile +12532050468,,81285681948#,,,,\*870613# US, +12532158782,,81285681948#,,,,\*870613# US (Tacoma); or dial by your location. Find your local number [https://dol-wa.zoom.us/u/kvhSWRxCP](https://dol-wa.zoom.us/j/81285681948?pwd=QUFYV2l5eDh0QWZTYzBJRFRSYlZidz09), Meeting ID 812 8568 1948, Passcode 870613. If you are having difficulty joining the Zoom meeting at the time of the public hearing, please call 360-902-0131. An in-person option is available at Highways and Licensing Building, 1125 Washington Street S.E., Olympia, WA 98504.

Date of Intended Adoption: November 9, 2023.

Submit Written Comments to: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, email [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), by November 7, 2023.

Assistance for Persons with Disabilities: Contact Kelsey Stone, phone 360-902-0131, email [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), by October 29, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amending WAC 308-56A-275 and 308-93-470 to clarify the certification process and eliminate outdated references to "operator numbers."

Reasons Supporting Proposal: This clean up will help to simplify compliance for customers.

Statutory Authority for Adoption: RCW 46.01.110 Rule-making authority and 88.02.320 Department—Powers and duties.

Statute Being Implemented: WAC 308-56A-275 Certification of signature and 308-93-470 Certification of signatures.

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

Name of Agency Personnel Responsible for Drafting: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98501, 360-902-0131; Implementation and Enforcement: Stacy Allen, 1125 Washington Street S.E., Olympia, WA 98501, 360-902-0122.

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. This rule does not constitute a "significant legislative rule" as defined in RCW 34.05.328. The rules under amendment are procedural rules, governing the consistency of agency internal operations as they relate to vehicle licensing. Additionally, no costs are imposed by the proposed amendments; amendments merely reflect current practice.

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 rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of exemptions: This rule corrects an outdated reference to a bureaucratic identifier that no longer exists. Removal of this reference does not change the effect of the rule.

Scope of exemption for rule proposal:

Is fully exempt.

October 4, 2023

Ellis Starrett

Rules and Policy Manager

## OTS-4941.1

AMENDATORY SECTION (Amending WSR 03-08-055, filed 3/31/03, effective 5/1/03)

### **WAC 308-56A-275 Certification of signature. Who may certify signatures?**

(1) Signatures must be notarized by a notary public or certified by an agent or subagent appointed by the director to conduct vehicle title and registration activities on behalf of the department. The certification must include the signature (~~(and the)~~), county, and office (~~(, and operator numbers)~~) of the person certifying the signature. Signatures may also be certified by one of the following:

(a) Employees authorized by the director to certify signatures.

These employees are:

- (i) Deputy director; and
  - (ii) Assistant director for vehicle services; and
  - (iii) Administrator and managers of the division primarily responsible for vehicle title and registration; and
  - (iv) Persons assigned to liaison duties between the department and its agents and subagents; and
  - (v) Persons assigned the responsibility of accepting title and registration applications at the department's offices; and
  - (vi) Persons assigned the responsibility for investigating vehicle dealer activities; and
- (b) Persons authorized by a Washington licensed vehicle dealer, if the vehicle is sold by that dealer. The certification must include the dealer number, signature, and title of the person certifying the signature.

(2) The person certifying the signatures shall require proof of identification. Approved identification includes:

- (a) Drivers license; or
- (b) Any nationally or regionally recognized government issued photo identification card; or
- (c) Any two of the following:
  - (i) A nationally or regionally recognized credit card (signed);
  - (ii) Any certificate or other document issued by a government agency for the purpose of establishing identity; or
- (d) Other documentation satisfactory to the department.

[Statutory Authority: RCW 46.01.110. WSR 03-08-055, § 308-56A-275, filed 3/31/03, effective 5/1/03; WSR 99-08-065, § 308-56A-275, filed 4/5/99, effective 5/6/99; WSR 88-20-035 (Order TL/RG 44), §

308-56A-275, filed 9/30/88; Order MV 208, § 308-56A-275, filed 7/31/74.]

## OTS-4942.1

AMENDATORY SECTION (Amending WSR 00-23-028, filed 11/7/00, effective 12/8/00)

**WAC 308-93-470 Certification of signatures.** (1) **Who may certify or notarize vessel certificate of ownership and registration activities on behalf of the department?** Signatures must be notarized by a notary public or certified by agents and subagents appointed by the director. The certification must include the signature (~~(and the)~~), county, and office (~~(, and operator number)~~) of the person certifying the signature. Signatures may also be certified by one of the following:

(a) Employees authorized by the director to certify signatures. The employees are:

- (i) Deputy director; and
  - (ii) Assistant director for vehicle services; and
  - (iii) Administrator and managers of the division primarily responsible for vessel title and registration; and
  - (iv) Persons assigned to liaison duties between the department and its agents and subagents; and
  - (v) Persons assigned the responsibility of accepting title and registration applications at the department's offices; and
  - (vi) Persons assigned the responsibility for investigating vessel dealer activities.
- (b) Persons named on a Washington vessel dealers bond, filed with the department, if the vessel is sold by that licensed vessel dealer. The certification must include the dealer number, signature, and title, of the person certifying the signature.

(2) **What proof of identification must be presented to the person certifying the signature(s)?** The person certifying the signatures shall require proof of identification. Approved identification includes:

- (a) Drivers license; or
- (b) Any signed photo identification card; or
- (c) Any two of the following:
  - (i) A nationally or regionally recognized credit card (signed);
  - (ii) A signed ID card issued by a city, county, state or federal government agency;
  - (iii) Any certificate or other document issued by a government agency for the purpose of establishing identity; or
- (d) Other documentation satisfactory to the person certifying the signature.

[Statutory Authority: RCW 88.02.070 and 88.02.100. WSR 00-23-028, § 308-93-470, filed 11/7/00, effective 12/8/00. Statutory Authority: RCW 88.02.070. WSR 98-09-023, § 308-93-470, filed 4/8/98, effective 5/9/98. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. WSR 83-23-076 (Order 736-DOL), § 308-93-470, filed 11/18/83.]