

WSR 24-17-106

EXPEDITED RULES

DEPARTMENT OF AGRICULTURE

[Filed August 19, 2024, 8:53 a.m.]

Title of Rule and Other Identifying Information: Chapter 16-674 WAC, Weights and measures—Exemptions, weighmasters and device registration.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In response to a petition for rule making, the department of agriculture (department) is proposing to clarify current rule language by replacing all gender-specific pronouns with modern gender-inclusive pronouns.

Reasons Supporting Proposal: RCW 43.01.160 requires state agencies to use gender-neutral terms in rules unless a specification of gender is intended. Replacing gender-specific terminology supports the department's commitment to integrate inclusive policies and procedures as outlined in the department's 22-25 strategic plan.

Gender-inclusive pronouns are pronouns that are not specifically gendered and can be utilized when referring to each other in the third person. They are linguistic tools that we use to refer to people. Using gender-neutral pronouns can help create a more inclusive and welcoming environment and show respect for people's gender identities.

Statutory Authority for Adoption: RCW 19.94.010, 43.01.160.

Statute Being Implemented: Chapter 19.94 RCW.

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

Name of Proponent: Skye Theriot, private.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Gloriann Robinson, 1111 Washington Street S.E., Olympia, WA, 360-902-1802.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The amendments in this proposal meet the criteria for expedited rule making specified in RCW 34.05.353 (1)(c) by clarifying the rule, without changing its effect, by replacing gender-specific pronouns with gender-inclusive pronouns.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Gloriann Robinson, Rules Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1802, fax 360-902-2092, email wsdarulescomments@agr.wa.gov, AND RECEIVED BY October 22, 2024.

August 19, 2024  
Jason Ferrante  
Deputy Director

OTS-5750.1

AMENDATORY SECTION (Amending WSR 08-20-070, filed 9/25/08, effective 10/26/08)

**WAC 16-674-030 Weighmaster license issuance, expiration and fees.** (1) Weighmaster licenses issued under RCW 15.80.460 shall expire on June 30th following the date of issuance.

(2) Upon expiration, suspension or revocation of the license, the weighmaster must surrender their impression seal to the director or ~~((his/her))~~ the director's representative within ~~((ten))~~ 10 days if they do not renew their license, if their license is suspended or if their license is revoked. The seal may be surrendered by sending the seal to the department or by surrendering the seal to the director or ~~((his/her))~~ the director's duly appointed representative.

(3) Businesses or individuals applying to renew their license or applying for their initial license with the department must have a current bond in the amount specified in RCW 15.80.480 and that bond must remain in force and effect for not less than the entire licensing period.

(4) Weighing and measuring devices used by weighmasters are considered to be in commercial use and must be registered. Registrations are accomplished through the department of licensing as part of the master license service under chapter 19.02 RCW.

(5) Proof of a scale test within the last ~~((twelve))~~ 12 months must be submitted with the application.

(6) Applications must be submitted with the proper fees as specified in chapter 15.80 RCW.

(7) Applications received without subsections (3), (4), (5) and (6) of this section will be considered incomplete applications and will be returned to the applicant.

AMENDATORY SECTION (Amending WSR 08-20-070, filed 9/25/08, effective 10/26/08)

**WAC 16-674-055 Weighing and measuring devices.** (1) Weighing and measuring devices used by weighmasters must meet all legal requirements for commercial weighing and measuring devices.

(2) Weighmaster scales must be tested not less than every ~~((twelve))~~ 12 months and must conform to the tolerances and specifications in the edition of NIST Handbook 44, "*Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices*," adopted by the department in chapter 16-662 WAC. Inspections must be performed by either service agents registered with the department or by the department. The department is under no obligation to provide this inspection service.

(3) A legible copy of the current scale inspection and current master business license must be maintained at the same site as the scale and must be immediately made available to the director or ~~((his))~~ the director's representative upon request.