

WSR 22-17-127
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 23, 2022, 9:15 a.m.]

Subject of Possible Rule Making: Transportation network companies (TNC) reporting and classification amendments. Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance; and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035, 51.04.020, and 51.32.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to implement requirements of ESHB 2076, which removes the exemption from workers' compensation coverage for TNC drivers, requiring TNCs to report and pay quarterly for driver coverage. Drivers will be covered effective January 1, 2023, during dispatch platform time and passenger platform time, as defined by ESHB 2076. The department of labor and industries (L&I) will review the reporting and classification rules to determine amendments needed to implement the bill.

Process for Developing New Rule: L&I will solicit input from the business community by way of the internet. L&I will use input to formulate proposed changes to the existing rules and advise customers of future rule making by the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jo Anne Attwood, L&I, Insurance Services, Employer Services, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4777, fax 360-902-4988, email JoAnne.Attwood@Lni.wa.gov, website www.Lni.wa.gov/rulemaking-activity.

August 23, 2022
Joel Sacks
Director