WSR 26-19-132
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed September 23, 2026, 8:10 a.m.]

Subject of Possible Rule Making: The department of licensing (DOL) intends to create a new section in chapter 308-101 WAC to further clarify requirements for law enforcement on what to include in sworn reports. RCW 46.20.308 (5)(d) provides that law enforcement will transmit their sworn report to DOL with specified contents, including "any other information that the director may require by rule." RCW 46.20.308 (5)(D)(iii).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 46.20.308 (5)(d)(iii).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The change is needed to clarify what law enforcement should provide DOL in its sworn reports, to include the driving under the influence packet front page, law enforcement summary of events (narrative), and breath (breath or blood alcohol concentration) or blood (toxicology results) test evidence or test refusal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOL is adopting rules in accordance with RCW 46.20.308 (5)(d)(iii). DOL will notify partner agencies and organizations and invite their input on these rules. These partners include, but are not limited to, Washington state patrol, Washington Association of Sheriffs and Police Chiefs, Washington Council of Police and Sheriffs, and the Washington state bar association. These rules govern what law enforcement must include in sworn reports, and DOL anticipates the impact of these rules to be limited to law enforcement entities.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504 [98501], phone 360-902-3846, email rulescoordinator@dol.wa.gov, website https://dol.wa.gov/about/rulemaking/current-activity.

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