

Washington Administrative Code Notice of Permanent Rules for the **Uniform Commercial Code Program**

This explanatory statement concerns the **Washington State Department of Licensing's adoption of:**

WAC 308-391-101 (1) Methods to deliver UCC records – time of filing

WAC 308-391-202 Grounds for refusal

WAC 308-391-203 Procedure upon refusal

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who gave comment about the proposed rule making.

Once persons who gave comment during this rule making have had a chance to receive this document, the Department of Licensing will file the amended rules with the Office of the Code Reviser. These rule changes will become effective 31 days after filing (approximately October 5, 2015).

The Department of Licensing appreciates your involvement in this rule making process. If you have any questions, please contact Damon Monroe, Agency Rules Coordinator, at (360) 902-3843 or e-mail at dmonroe@dol.wa.gov.

What are the agency's reasons for adopting this rule?

WAC 308-391-101(1)

Eliminate counter hours from this rule, and post hours on the internet in lieu of.

WAC 308-391-202 and WAC 308-391-203

The UCC program currently has about 18,000 fraudulent filings in the UCC database, with about 4,000 added each year. Fraudulent filings are used to harass or defraud others, and can affect victim's ability to get credit. These records are nonconsensual common law liens, as provided in RCW 60.70.030. DOL has the duty to establish criteria via the rule making process to reject and remove these liens filings. The proposed rule amendment is supported by the industry.

Summary of all public comments received on this rule proposal and the agency's response to those comments:

No one attended and no written comments were received.

WAC Changes: None