



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Licensing

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 13-08-050 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

Uniform Commercial Code  
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

### Hearing location(s):

Department of Licensing  
Business & Professions Division  
405 Black Lake Blvd. SW Bldg. 2 , 1st Floor, Room 2105  
Olympia, WA 98502

Date: August 25, 2015 Time: 10:00 AM

### Submit written comments to:

Name: Jessica Parraz  
Address: PO Box 9660  
Olympia, WA 98507-9660  
e-mail UCC@dol.wa.gov  
fax (360)570-7052 by (date) August 24, 2015

### Assistance for persons with disabilities: Contact

Jessica Parraz by August 24, 2015  
TTY (360) 664-0116 or (360) 664-1530

Date of intended adoption: August 26, 2015

(Note: This is NOT the effective date)

### Purpose of the proposal and its anticipated effects, including any changes in existing rules:

#### 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, which are stated 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 industry and meets exemption criteria outlines in Executive Order 10-06.

Statutory authority for adoption: RCW 62A.9A-526

Statute being implemented: RCW 62A.9A

### Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 06, 2015

TIME: 11:47 AM

WSR 15-15-015

DATE  
July 6, 2015

NAME (type or print)  
Damon Monroe

SIGNATURE  
*Damon Monroe*

TITLE  
Rules Coordinator

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Department of Licensing

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Kim Summers	Olympia	(360) 664-1530
Implementation.... Kim Summers	Olympia	(360) 664-1530
Enforcement..... Kim Summers	Olympia	(360) 334-1530

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

A small business economic impact statement is not required pursuant to RCW 19.85.025(3) and 34.05.310(4)(b).

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: RCW 34.05.328 does not apply to this proposed rule under the provisions or RCW 34.05.328(5)(a)(i).