



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: August 19, 2020

TIME: 11:15 AM

WSR 20-17-145

Agency: Department of Licensing

Original Notice

Supplemental Notice to WSR \_\_\_\_\_

Continuance of WSR \_\_\_\_\_

Preproposal Statement of Inquiry was filed as WSR 19-24-097 ; or

Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 36-12-195 License fees, renewals and requirements; WAC 36-13-010 License fees, renewals and requirements; WAC 36-14-110 License fees, renewals and requirements; WAC 308-11-030 Auctioneer fees; WAC 308-14-200 Court reporter fees; WAC 308-17-150 Private investigative agency, private investigator, and armed private investigator fees; WAC 308-18-150 Private security guard company, private security guard, and armed private security guard fees; WAC 308-19-130 Bail bond recovery agent, bail bond agency, branch office and bail bond agent fees; WAC 308-20-210 Fees; WAC 308-22-050 Fees; WAC 308-29-045 Collection agency fees; WAC 308-30-060 Application fees; WAC 308-33-105 Employment agency fees; WAC 308-124A-775 Real estate fees; WAC 308-127-160 Fees; WAC 308-129-110 Seller of travel registration fees; WAC 308-312-060 Fees; WAC 308-320-050 Registration fees; WAC 308-320-060 Annual renewal dates, forms, and fees; WAC 308-408A-090 Home inspector fees; WAC 308-420-420 Fees and charges; .

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
September 22, 2020	9:30 a.m.	Call (360) 407-3815 Use Conference ID: 2868139	Hearing will be held over the phone. Participants should plan on calling the phone number and entering the meeting ID when prompted.

**Date of intended adoption:** September 23, 2020 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name: Ellis Starrett  
Address: 1125 Washington St SE  
Olympia, WA 98504  
Email: [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov)  
Fax:  
Other:  
By (date) September 21, 2020

**Assistance for persons with disabilities:**

Contact Ellis Starrett  
Phone: (360) 902-3846  
Fax:  
TTY:  
Email: [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov)  
Other:  
By (date) September 18, 2020

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The department is increasing fees by 25% across various programs to continue covering the costs to administer these programs as these costs have increased over the years. Fees impacted by this rulemaking are: Appraisers, Bail Bond, Body Art and Tattoo, Camping Resorts, Collections, Combative Sports, Cosmetologists and other personal services licensees, Employment Agencies, Home Inspection, Notaries Public, Private Investigators, Real Estate (Real Estate fees will be increased by 35%), Security Guard, Timeshare, Sellers of Travel, Commercial Telephone Solicitors, and Whitewater River Outfitters.

**Reasons supporting proposal:** The Department is required to set fees for each professional, occupational, or business licensing program at a sufficient level to defray the costs of administering that program. Many programs have not had an increase in fees since at least 2010, some dating back to 1993.

**Statutory authority for adoption:** RCW 43.24.086 – Fee policy for professions, occupations, and businesses – Determination by rule.

**Statute being implemented:** N/A

**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:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** Anticipated date for fee increases are November 1, 2020.

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

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Ellis Starrett	1125 Washington St SE, Olympia, WA. 98504	(360) 902-3846
Implementation:	Lorin Doyle	405 Black Lake Blvd SW Olympia, WA 98502	(360) 664-1445
Enforcement:	Lorin Doyle	405 Black Lake Blvd SW Olympia, WA 98502	(360) 664-1445

**Is a school district fiscal impact statement required under RCW 28A.305.135?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**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:  
TTY:  
Email:  
Other:

No: Please explain: These fees are exempt from the requirements in RCW 34.05.328 because they set or adjust fees or rates pursuant to legislative standards, specifically RCW 43.24.086.

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** August 19, 2020

**Name:** Damon Monroe

**Title:** Agency Rules Coordinator

**Signature:**

*Damon Monroe*