



# PROPOSED RULE MAKING

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

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 17, 2020

TIME: 1:21 PM

WSR 20-23-083

Agency: Department of Licensing

Original Notice

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

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

Preproposal Statement of Inquiry was filed as WSR 20-14-074 ; 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) Adding new section WAC 308-29-085 Remote work requirements; and amending WAC 308-29-010 Definitions.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
January 5, 2020	11:00 am	Telephonic Public Hearing Call-in number(360) 407-3780 Conference PIN code 804766#	In response to the coronavirus disease 2019 (COVID-19) public health emergency, the Department of Licensing will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington State. A virtual public hearing, without a physical space, will be held instead. Board members, presenters, and staff will all participate remotely. The public may call in using the information provided for the telephonic Public hearing.

Date of intended adoption: January 6, 2021 (Note: This is NOT the effective date)

### Submit written comments to:

Name: Julie Konnersman

Address: Department of Licensing  
Washington State Board for Architects  
PO Box 9020  
Olympia, WA 98507-9020

Email: [jkonnersma@dol.wa.gov](mailto:jkonnersma@dol.wa.gov)

Fax: (360) 570-7098

Other:

By (date) January 5, 2021

### Assistance for persons with disabilities:

Contact Kim Hall I

Phone: (360)972-0109

Fax: (360) 570-7098

TTY: 711

Email: [khall@dol.wa.gov](mailto:khall@dol.wa.gov)

Other:

By (date) January 4, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** To codify into permanent rule the option for collection agencies to offer licensees and their employees the ability to remotely work. This would allow them to continue to offer the public their necessary services. This would also outline detailed and necessary security measures and data storage requirements; and detailed definitions and requirements of remote work.

**Reasons supporting proposal:**

As per the Governor's proclamations to keep Washington residents safe and healthy during the Covid-19 pandemic; consistent with other business and professions in this State that are able to perform work from home, it was identified that rule language was needed to allow the option for collection agency licensees and their employees to work remotely. It is necessary to offer licensees the option to remotely work to support the return of commerce in all business sectors.

**Statutory authority for adoption:** RCW 19.16.351

**Statute being implemented:** N/A

**Is rule necessary because of a:**

Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**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:	Rick Storvick	405 Black Lake Boulevard SW, Olympia, WA 98502	(360) 664-1387
Implementation:	Rick Storvick	405 Black Lake Boulevard SW, Olympia, WA 98502	(360) 664-1387
Enforcement:	Rick Storvick	405 Black Lake Boulevard SW, Olympia, WA 98502	(360) 664-1387

**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: The implementation of this rule and its definitions have created an option to licensees and their employees to remotely work. Because it is optional and not required to remotely work, there is no required cost applied to the licensee and their businesses.

**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)(e)  
(Dictated by statute)

RCW 34.05.310 (4)(c)  
(Incorporation by reference)

RCW 34.05.310 (4)(f)  
(Set or adjust fees)

RCW 34.05.310 (4)(d)  
(Correct or clarify language)

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:** November 17, 2020

**Name:** Damon Monroe

**Title:** Agency Rules Coordinator

**Signature:**

*Damon Monroe*