



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) December 31, 2011 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The purpose of this rulemaking is to update the contractor registration rules in response to:

- Chapter 15, Laws of 2011 (Engrossed Substitute House Bill 1055), which changes the time period for a contractor to appeal an infraction from 20 to 30 days.
- Chapter 301, Laws of 2011 (Substitute Senate Bill 5067), which allows the program to send certified mail by other methods that can be tracked or the delivery can be confirmed.

The contractor registration rules are being amended to be consistent with statute by:

- Changing the contractor appeal period from 20 to 30 days.
- Amending requirements to send correspondence via certified mail to include other methods by which mail can be tracked or the delivery can be confirmed.
- Updating the definition of infraction to include the notice of assessment.
- Adding a new section to clarify when the notice of infraction and notice of assessment become final and the department may begin collection activity on past due accounts.

Citation of existing rules affected by this order:

Repealed:
 Amended: See attachment 1.
 Suspended:

Statutory authority for adoption: Chapter 18.27 RCW, Chapter 15, Laws of 2011 (Engrossed Substitute House Bill 1055), and Chapter 301, Laws of 2011 (Substitute Senate Bill 5067)

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-19-084 on September 20, 2011.
 Describe any changes other than editing from proposed to adopted version: There were no changes between the proposed and adopted versions.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: na

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted: November 22, 2011

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 22, 2011
TIME: 9:04 AM

WSR 11-23-140

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>6</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>1</u>	Amended	<u>6</u>	Repealed	_____

AMENDED SECTIONS:

- WAC 296-200A-015, What terms do I need to know to understand this chapter?
- WAC 296-200A-040, What can cause the suspension of a contractor's registration?
- WAC 296-200A-065, What procedures must be followed when surety bonds and/or other securities approved by the department become impaired?
- WAC 296-200A-080, How is a suit filed against a contractor?
- WAC 296-200A-305, How does the department notify registered contractors about unregistered subcontractors they have employed?
- WAC 296-200A-320, How can a notice of infraction be served?
- WAC 296-200A-340, How does a contractor appeal a notice of infraction?