



PROPOSED RULE MAKING

CR-102 (June 2012)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 15-11-064 ; 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).

- Original Notice
Supplemental Notice to WSR
Continuance of WSR

Title of rule and other identifying information: (Describe Subject) WAC Chapter 296-17, General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Workers' Compensation Insurance and WAC Chapter 296-17A, Classifications for Washington Workers' Compensation Insurance

Hearing location(s):

Tukwila Community Center
Banquet A
12424 42nd Ave S
Tukwila, WA 98168

Date: August 25, 2015 Time: 10:00 a.m.

Submit written comments to:

Name: Jo Anne Attwood
Address: PO Box 44148
Olympia, WA 98504-4148

e-mail JoAnne.Attwood@lni.wa.gov
fax (360) 902-4799 by August 25, 2015, 5:00 p.m.

Assistance for persons with disabilities: Contact
Office of Information & Assistance by August 14, 2015
TTY (360) 902-5797

Date of intended adoption: September 15, 2015
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This rulemaking is being performed to implement requirements of Engrossed Substitute Senate Bill 5550 which exempts from workers' compensation insurance the taxi, for hire, and limousine drivers who own vehicles or lease them from others; and commercial transportation service (CTS) drivers as defined in Title 48. The legislation allows for elective coverage for these exempt employments. Reporting and classification rules are being updated to reflect the law.

Amend:

- WAC 296-17-35203 Special reporting instructions
WAC 296-17A-1401 Classification 1401 (Taxi companies)
WAC 296-17A-1404 Classification 1404 (Cabulance and paratransit)
WAC 296-17A-6301 Classification 6301 (Limousine drivers)

New:

WAC 296-17-35205 Special reporting for taxi, for hire, limousine drivers and entities; and commercial transportation service drivers

Reasons supporting proposal: Workers' compensation coverage is no longer mandatory for individuals who meet the law's criteria. L&I must change reporting and classification rules affected by the law.

Statutory authority for adoption: RCW 51.04.020 and RCW 51.16.035

Statute being implemented: RCW 51.16.035

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No
If yes, CITATION:

DATE

July 21, 2015

NAME (type or print)

Joel Sacks

SIGNATURE

Handwritten signature of Joel Sacks

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 21, 2015

TIME: 7:53 AM

WSR 15-15-149

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

Name of proponent: (person or organization)

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jo Anne Attwood	Tumwater, WA	(360) 902-4777
Implementation.... Mike Ratko	Tumwater, WA	(360) 902-6369
Enforcement.....Victoria Kennedy	Tumwater, WA	(360) 902-4997

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.

The agency is exempt from conducting a small business economic impact statement since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.310(4)(f) and do not change current coverage options for employers and workers.

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:

Since the proposed rules do not change any existing coverage options for employers or workers and adjust fees pursuant to legislative standards, they are exempted by RCW 34.05.328(5)(b)(vi) from the requirement for a cost-benefit analysis.