

Chapter 43.42A RCW
STATE AGENCY BUSINESS PERMIT MANAGEMENT SYSTEMS

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RCW 43.42A.005 Intent—Finding. On December 30, 2013, the Washington state auditor's office issued a performance audit report, finding that state agencies could shorten the time it takes to submit, review, and make decisions on business permit applications through simple improvements. In response to the performance audit findings, the legislature intends to improve the predictability and efficiency of permit decisions by making information about permitting assistance and timelines more readily available to the public. The legislature finds that providing citizens and businesses with better information about permit decisions will assist their planning and decision making, promoting economic development. Making permit performance data readily accessible to citizens helps them hold government accountable to a high level of customer service and timeliness. Finally, requiring agencies to track the time it takes to issue permits equips agency leaders with key information that can assist them in improving overall project schedules, better allocating resources, and identifying additional opportunities to better serve the public. [2014 c 68 s 1.]

RCW 43.42A.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Agency" means the following executive branch agencies and offices of statewide elected officials:
 - (a) Department of agriculture;
 - (b) Department of archaeology and historic preservation;
 - (c) Department of ecology;
 - (d) Department of fish and wildlife;
 - (e) Gambling commission;
 - (f) Department of health;
 - (g) Department of labor and industries;
 - (h) Department of licensing;
 - (i) *Liquor control board;
 - (j) Department of natural resources;
 - (k) Parks and recreation commission;
 - (l) Department of revenue;
 - (m) Department of transportation; and
 - (n) Utilities and transportation commission.

(2) "Office" means the office of regulatory assistance. [2014 c 68 s 2.]

***Reviser's note:** The "state liquor control board" was renamed the "state liquor and cannabis board" by 2015 c 70 s 3.

RCW 43.42A.020 Inventory of business permits—Information to be tracked and recorded—Performance data—Reports. (1) By June 30, 2014, each agency shall prepare and submit to the office an inventory of all the business permits indicated in the December 30, 2013, performance audit report by the state auditor.

(2)(a) Each agency shall track and record the time it takes to make permitting decisions.

(b) Agencies are encouraged to track all relevant information that can assist Washington businesses in determining how long a permit process will take so that the businesses may successfully plan their activities and make sound investment choices, reduce permitting costs to the taxpayers in the form of unnecessary or duplicate staff work, and avoid permitting decision delays that can result in higher costs and lost revenue.

(c) At a minimum, each agency shall track and record the following information for each permit application it receives or decision it issues:

(i) The application completion time, which is the time elapsed from the initial submission of an application by an entity seeking a permit to the time at which the agency has determined that the application is complete; and

(ii) The permit decision time, which is the time elapsed from receipt of a complete application to the agency's issuance of a decision approving or denying the permit.

(3) Each agency shall calculate, for each permit it has identified in its inventory, the following performance data:

(a) The average application completion and permit decision times for each permit, as measured by the times tracked for ninety percent of applications or permit decisions, excluding the five percent that took the shortest and the five percent that took the longest;

(b) The maximum application completion time, excluding applications that were withdrawn or never completed; and

(c) The maximum permit decision time.

(4) Each agency shall report to the office, as provided in this subsection (4).

(a) By March 1, 2016, each agency shall report the times calculated under subsection (3) of this section for the period from January 1, 2015, to January 1, 2016.

(b) By March 1, 2018, and March 1, 2020, each agency shall report based on the times tracked and calculated since the previous reporting period.

(c) In each of the reports required under this section, each agency shall submit an updated inventory of permits. Each agency shall identify any permits listed in its inventory for which the agency has not yet posted permit processing times and other information as required under RCW 43.42A.030 and an estimated date for such posting prior to June 30, 2015.

(5) The office shall make available to the legislature, upon request, the individual agency reports submitted under subsection (4) of this section. [2014 c 68 s 3.]

RCW 43.42A.030 Information available to permit applicants—Links from agencies' websites to office of regulatory assistance's website—Central repository of information—Searchability of information on central repository.

(1) To provide meaningful customer service that informs project planning and decision making by the citizens and businesses served, each agency must make available to permit applicants the following information through a link from the agency's website to the office's website, as provided in subsection (4) of this section:

- (a) A list of the types of permit assistance available and how such assistance may be accessed;
- (b) An estimate of the time required by the agency to process a permit application and issue a decision;
- (c) Other tools to help applicants successfully complete a thorough application, such as:
 - (i) Examples of model completed applications;
 - (ii) Examples of approved applications, appropriately redacted to remove sensitive information; and
 - (iii) Checklists for ensuring a complete application.

(2) Each agency shall update at reasonable intervals the information it posts pursuant to this section.

(3) (a) Agencies must post the information required under subsection (1) of this section for all permits as soon as practicable, and no later than the deadlines established in this section.

(b) The agency shall post the permit inventory for that agency and the information required under subsection (1)(a) and (c) of this section no later than June 30, 2014.

(c) The agency shall post the estimates of application completion and permit decision times required under subsection (1)(b) of this section based on actual data for calendar year 2015 by March 1, 2016, and update this information for the previous calendar year, by March 1st of each year thereafter.

(d) Agencies must consider the customer experience in ensuring all permit assistance information is simple to use, easy to access, and designed in a customer-friendly manner.

(4) To ensure agencies can post the required information online with minimal expenditure of agency resources, Washington technology solutions shall, in consultation with the office of regulatory assistance, establish a central repository of this information, hosted on the office of regulatory assistance's website. Each agency shall include at least one link to the central repository from the agency's website. Agencies shall place the link or links in such locations as the agency deems will be most customer-friendly and maximize accessibility of the information to users of the website.

(5) The office shall ensure the searchability of the information posted on the central repository, applying industry best practices such as search engine optimization, to ensure that the permit performance and assistance information is readily findable and accessible by members of the public. [2024 c 54 s 51; 2014 c 68 s 4.]

RCW 43.42A.040 Comprehensive progress report—Identification of permits with processing and decision times that are most improved and those most in need of improvement. (1) By September 30th of 2016 and each even-numbered year thereafter up to and including 2020, the office shall publish a comprehensive progress report to the economic

development committees of the house of representatives and the senate and to the governor on the performance of agencies in tracking permit timelines and other efforts to improve clarity and predictability of regulatory permitting. The report must include at a minimum for each agency a summary of the data reported by the agency to the office under RCW 43.42A.020(4).

(2) The office shall post the comprehensive progress report on its website. The report must be easily accessible and designed in a customer-friendly format.

(3) Beginning with the 2016 report, the office must identify permits with processing and decision times that are most improved and processing and decision times that are most in need of improvement, as indicated by the performance data collected under RCW 43.42A.020. Each agency may include a statement describing any process improvements the agency has identified for implementation in order to improve processing and decision times. [2014 c 68 s 5.]