

**WSR 12-06-008
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 12-21—Filed February 24, 2012, 10:38 a.m., effective March 26, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: This proposal updates the rules regarding multiple season big game permits by allowing additional hunters to purchase a permit. Expands opportunity for deer and elk hunters.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-294.

Statutory Authority for Adoption: RCW 77.12.047, 77.32.450, and 77.32.370.

Adopted under notice filed as WSR 11-23-179 on November 23, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 3, 2012.

Miranda Wecker, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending Order 10-313, filed 12/6/10, effective 1/6/11)

WAC 232-28-294 Multiple season big game permits.

The commission may, by rule, offer permits for hunters to hunt deer or elk during more than one general season.

An annual drawing will be conducted by the department for multiple season permits.

(1) Multiple season big game hunting permit applications:

(a) To apply for multiple season big game hunting season permits for deer or elk, applicants must purchase a permit application.

(b) No refunds or exchanges for applications will be made for persons applying for multiple season big game hunting season permits after the application has been submitted.

(c) An applicant may purchase only one application for a multiple season big game hunting season permit for each species.

(d) Permits will be randomly drawn by computer selection.

(e) Incomplete applications will not be accepted.

(f) The department will establish application and drawing dates.

(2) The bag limit for this permit is one deer or elk.

(3) Multiple season permits:

(a) Hunters who are drawn will be required to purchase their original deer or elk license, corresponding to their permit, and the multiple season big game permit.

(b) Successful applicants will be allowed to purchase their permit at any time prior to September 1st.

(c) The permits are not transferable.

(4) Permit holders are required to follow all rules and restrictions for general season hunters within the game management unit or area hunted.

Number of Permits	Dates	Game Management Units (GMUs)	Legal Animal	Eligible Hunters
Multiple Season Deer Permits				
((4000)) <u>8500</u>	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Any licensed deer hunter
50	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department
Multiple Season Elk Permits				
((850)) <u>1000</u>	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Any licensed elk hunter

Number of Permits	Dates	Game Management Units (GMUs)	Legal Animal	Eligible Hunters
25	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department

WSR 12-06-013

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 10-09—Filed February 27, 2012, 12:53 p.m., effective March 29, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: This amendment will increase fees for the engineering review of dam construction plans and for periodic safety inspections to better reflect the actual cost of providing these services, and update the mailing address for submitting fees.

Citation of Existing Rules Affected by this Order: Amending chapter 173-175 WAC.

Statutory Authority for Adoption: Chapters 43.21A, 43.27A, 86.16, 90.03, 90.28, and 90.54 RCW. RCW 43.135.055 requires a majority vote of the legislature to raise or add fees. The 2011 legislature authorized ecology in section 302(2) of 2ESHB 1087.SL to increase dam safety fees by up to thirty-five percent in fiscal year 2012, and 4.62 percent in fiscal year 2013 as necessary to recover costs.

Adopted under notice filed as WSR 11-22-056 on October 31, 2011.

A final cost-benefit analysis is available by contacting Water Resources Program Publications, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6872, fax (360) 407-7162, e-mail WRPublications@ecy.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 5, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 26, 2012.

Ted Sturdevant
Director

AMENDATORY SECTION (Amending Order 03-08, filed 8/4/04, effective 9/4/04)

WAC 173-175-360 Construction permit fees for new project construction. (1) Fees for the review of plans and specifications and for construction inspection for new project construction shall be the amounts shown in Table 4A through June 30, 2012, and as shown in Table 4B thereafter, as ~~((adjusted by the fiscal growth factor, and))~~ determined by the nearest values of dam height and crest length, in feet, which correspond to the project's planned dam height and crest length.

~~(2) ((The fees in Table 4 are automatically adjusted annually on July 1st by the fiscal growth factor as calculated under chapter 43.135 RCW. After July 1st of each year, the department shall publish the adjusted fees by providing notice on its internet site and by providing written notification by mail or electronic mail to permit applicants.~~

~~(3))~~ Fees for the review of plans and specifications and for construction inspection for new dairy waste impoundments, and conservation dams, shall be ~~((in the amount of one thousand four hundred dollars))~~ one thousand eight hundred ninety dollars through June 30, 2012, and one thousand nine hundred seventy-seven dollars thereafter, provided the project meets the following requirements:

- (a) The facility has a low downstream hazard classification;
- (b) The maximum embankment height is less than fifteen feet;
- (c) The facility conforms with a set of standard plans and specifications prepared by the Natural Resource Conservation Service (NRCS) and approved by the department; and
- (d) The NRCS or its designee provides periodic oversight of construction to ensure that the facility conforms to the standard plans.

If the project fails to meet any of the above requirements, the standard fees as described under subsection (1) of this section shall apply.

TABLE 4A. CONSTRUCTION PERMIT FEES
For use through June 30, 2012

Dam Height (ft)	Crest Length (ft)															
	50	100	150	200	250	300	350	400	500	600	700	800	1000	1500	2000	4000
400	74451	83068	86270	88200	89756	90979	92016	92911	94181	94181	94181	94181	94181	94181	94181	94181
300	64420	76381	81561	84245	85893	87118	88155	89095	90602	91827	92863	93804	94181	94181	94181	94181
250	57215	71107	77087	80950	82975	84669	85753	86647	88155	89425	90462	91357	92863	94181	94181	94181
200	47561	62442	70636	74827	78217	80666	82032	83304	85187	86412	87447	88389	89896	92627	94181	94181
180	42052	58251	66351	71813	75062	77841	80195	81373	83444	85045	86082	86976	88484	91262	93193	94181
160	36401	53636	61877	67528	71720	74356	76663	78736	81326	82975	84434	85422	86930	89708	91639	94181
150	33670	51046	59287	64984	69553	72520	74780	76805	80195	81843	83257	84528	86082	88861	90791	94181
140	30939	47467	56509	62395	66775	70588	72802	74780	78171	80619	82032	83257	85187	87918	89896	94181
130	28301	43606	53684	59428	63902	67528	70730	72661	75957	78736	80713	81938	83963	86930	88908	93617
120	25664	39556	50245	56273	60889	64420	67528	70306	73603	76334	78736	80478	82551	85893	87824	92534
110	23074	35600	45866	52978	57357	61171	64138	66775	71201	73838	76146	78171	80995	84763	86694	91403
100	20579	31739	40875	48504	53684	57310	60512	63148	67575	71154	73368	75346	78783	83020	85422	90132
95	19354	29808	38426	45960	51846	55285	58440	61265	65550	69318	71955	73885	77229	82080	84763	89472
90	18130	27924	35977	43040	49021	53307	56273	59004	63525	67151	70353	72331	75628	81137	83775	86270
85	16906	26041	33575	40169	46149	50953	54108	56744	61406	64891	68046	70777	73980	80149	81561	81561
80	15728	24204	31221	37343	42947	47844	51894	54437	58911	62630	65645	68376	72284	76852	76852	76852
75	14551	22415	28867	34565	39745	44548	48597	52083	56367	60183	63196	65832	70448	72144	72144	72144
70	13374	20625	26559	31787	36590	40969	45112	48597	53778	57403	60605	63243	67433	67433	67433	67433
65	12243	18883	24298	29101	33434	37484	41299	44878	50764	54531	57639	60417	62725	62725	62725	62725
60	11113	17140	22086	26418	30373	34047	37531	40780	46761	51564	54579	57215	58016	58016	58016	58016
55	10030	15445	19919	23827	27406	30703	33810	36730	42240	47137	51235	53307	53307	53307	53307	53307
50	8947	13797	17753	21285	24440	27406	30186	32775	37720	42240	46431	48597	48597	48597	48597	48597
46	8100	12479	16105	19260	22133	24817	27313	29714	34141	38237	42147	44830	44830	44830	44830	44830
42	7252	11207	14457	17282	19872	22273	24534	26653	30655	34329	37813	41062	41062	41062	41062	41062
38	6451	9936	12808	15352	17659	19778	21802	23687	27218	30515	33575	36543	37296	37296	37296	37296
34	5651	8758	11254	13467	15492	17377	19118	20767	23874	26747	29478	32022	33528	33528	33528	33528
30	4897	7534	9701	11631	13374	14975	16482	17941	20625	23121	25428	27642	29762	29762	29762	29762
28	4521	6970	8947	10736	12337	13844	15210	16529	19024	21332	23450	25523	27877	27877	27877	27877
26	4144	6404	8240	9841	11302	12667	13938	15163	17423	19542	21520	23403	25994	25994	25994	25994
24	3861	5792	7487	8947	10312	11537	12714	13844	15916	17799	19637	21332	24111	24111	24111	24111
22	3626	5274	6781	8100	9324	10454	11489	12526	14362	16105	17753	19260	22180	22226	22226	22226
20	3343	4708	6075	7252	8334	9371	10312	11207	12856	14457	15869	17282	19872	20343	20343	20343
18	3107	4191	5368	6451	7393	8287	9135	9936	11396	12808	14080	15304	17612	18459	18459	18459
16	2872	3767	4708	5651	6451	7252	8005	8664	9983	11160	12337	13374	15398	16576	16576	16576
15	2778	3626	4379	5227	6027	6733	7439	8052	9277	10407	11442	12432	14315	15634	15634	15634
14	2683	3437	4050	4850	5556	6215	6875	7439	8571	9606	10596	11489	13232	14692	14692	14692
13	2590	3249	3813	4473	5132	5745	6309	6875	7911	8853	9748	10596	12150	13751	13751	13751
12	2543	3060	3626	4097	4708	5227	5792	6262	7204	8100	8900	9701	11113	12808	12808	12808
11	2496	2920	3391	3813	4284	4756	5227	5698	6546	7346	8100	8806	10125	11866	11866	11866
10	2448	2778	3154	3578	3908	4284	4708	5132	5886	6593	7299	7911	9088	10925	10925	10925
9	2401	2636	2967	3296	3626	3908	4237	4568	5274	5886	6498	7063	8100	9983	9983	9983
8	2354	2543	2778	3013	3343	3578	3813	4050	4614	5179	5698	6215	7110	9040	9040	9040
7	2354	2448	2590	2825	3013	3249	3484	3673	4002	4473	4945	5368	6169	7958	8100	8100
6	2354	2401	2496	2636	2778	2967	3107	3296	3626	3861	4191	4568	5227	6733	7157	7157
5	2354	2354	2401	2496	2590	2683	2825	2920	3202	3437	3673	3861	4332	5556	6215	6215

TABLE 4B. CONSTRUCTION PERMIT FEES
For use beginning July 1, 2012

Dam Height (ft)	Crest Length (ft)															
	50	100	150	200	250	300	350	400	500	600	700	800	1000	1500	2000	4000
400	77890	86905	90255	92274	93902	95182	96267	97203	98532	98532	98532	98532	98532	98532	98532	98532
300	67396	79909	85329	88137	89861	91142	92227	93211	94787	96069	97153	98137	98532	98532	98532	98532

Dam Height (ft)	Crest Length (ft)																
	50	100	150	200	250	300	350	400	500	600	700	800	1000	1500	2000	4000	
250	59858	74392	80648	84689	86808	88580	89714	90650	92227	93556	94641	95577	97153	98532	98532	98532	98532
200	49758	65326	73899	78284	81830	84392	85821	87152	89122	90404	91487	92472	94049	96906	98532	98532	98532
180	43994	60942	69416	75130	78529	81437	83900	85132	87299	88974	90058	90994	92571	95478	97498	98532	98532
160	38082	56113	64735	70647	75033	77791	80204	82373	85083	86808	88334	89368	90946	93852	95872	98532	98532
150	35225	53404	62026	67986	72766	75870	78234	80353	83900	85624	87103	88433	90058	92966	94985	98532	98532
140	32368	49659	59119	65277	69860	73849	76165	78234	81782	84343	85821	87103	89122	91979	94049	98532	98532
130	29608	45620	56164	62173	66854	70647	73997	76017	79466	82373	84441	85723	87842	90946	93015	97942	97942
120	26849	41383	52566	58872	63702	67396	70647	73554	77003	79860	82373	84196	86364	89861	91881	96809	96809
110	24140	37244	47985	55425	60006	63997	67101	69860	74490	77249	79663	81782	84736	88679	90699	95625	95625
100	21529	33205	42763	50744	56164	59957	63307	66065	70696	74441	76757	78826	82422	86855	89368	94296	94296
95	20248	31185	40201	48083	54241	57839	61139	64095	68578	72520	75279	77298	80796	85872	88679	93605	93605
90	18967	29214	37639	45028	51285	55769	58872	61729	66459	70253	73603	75672	79122	84885	87645	90255	90255
85	17687	27244	35126	42024	48281	53307	56607	59365	64242	67888	71189	74046	77397	83851	85329	85329	85329
80	16454	25322	32663	40454	44931	50054	54291	56951	61632	65523	68677	71534	75623	80402	80402	80402	80402
75	15223	23450	30200	36161	41581	46606	50842	54489	58971	62963	66115	68873	73702	75477	75477	75477	75477
70	13991	21577	27786	33255	38280	42861	47196	50842	56262	60055	63404	66164	70548	70548	70548	70548	70548
65	12808	19755	25420	30445	34978	39215	43207	46951	53109	57050	60301	63208	65622	65622	65622	65622	65622
60	11626	17931	23106	27638	31776	35619	39264	42664	48921	53946	57100	59858	60696	60696	60696	60696	60696
55	10493	16158	20839	24927	28672	32121	35372	38426	44191	49314	53602	55769	55769	55769	55769	55769	55769
50	9360	14434	18573	22268	25569	28672	31580	34289	39462	44191	48576	50842	50842	50842	50842	50842	50842
46	8474	13055	16849	20149	23155	25963	28574	31086	35718	40003	44094	46901	46901	46901	46901	46901	46901
42	7587	11724	15124	18080	20790	23302	25667	27884	32071	35915	39559	42959	42959	42959	42959	42959	42959
38	6749	10395	13399	16061	18474	20691	22809	24781	28475	31924	35126	38231	39019	39019	39019	39019	39019
34	5912	9162	11773	14089	16207	18179	20001	21726	24976	27982	30839	33501	35076	35076	35076	35076	35076
30	5123	7882	10149	12168	13991	15666	17243	18769	21577	24189	26602	28919	31137	31137	31137	31137	31137
28	4729	7292	9360	11232	12906	14483	15912	17292	19902	22317	24533	26702	29164	29164	29164	29164	29164
26	4335	6699	8620	10295	11824	13252	14581	15863	18227	20444	22514	24484	27194	27194	27194	27194	27194
24	4039	6059	7832	9360	10788	12070	13301	14483	16651	18621	20544	22317	25224	25224	25224	25224	25224
22	3793	5517	7094	8474	9754	10936	12019	13104	15025	16849	18573	20149	23204	23252	23252	23252	23252
20	3497	4925	6355	7587	8719	9803	10788	11724	13449	15124	16602	18080	20790	21282	21282	21282	21282
18	3250	4384	5616	6749	7734	8669	9557	10395	11922	13399	14730	16011	18425	19311	19311	19311	19311
16	3004	3941	4925	5912	6749	7587	8374	9064	10444	11675	12906	13991	16109	17341	17341	17341	17341
15	2906	3793	4581	5468	6305	7044	7782	8424	9705	10887	11970	13006	14976	16356	16356	16356	16356
14	2806	3595	4237	5074	5812	6502	7192	7782	8966	10049	11085	12019	13843	15370	15370	15370	15370
13	2709	3399	3989	4679	5369	6010	6600	7192	8276	9262	10198	11085	12711	14386	14386	14386	14386
12	2660	3201	3793	4286	4925	5468	6059	6551	7536	8474	9311	10149	11626	13399	13399	13399	13399
11	2611	3054	3547	3989	4481	4975	5468	5961	6848	7685	8474	9212	10592	12414	12414	12414	12414
10	2561	2906	3299	3743	4088	4481	4925	5369	6157	6897	7636	8276	9507	11429	11429	11429	11429
9	2511	2757	3104	3448	3793	4088	4432	4779	5517	6157	6798	7389	8474	10444	10444	10444	10444
8	2462	2660	2906	3152	3497	3743	3989	4237	4827	5418	5961	6502	7438	9457	9457	9457	9457
7	2462	2561	2709	2955	3152	3399	3644	3842	4186	4679	5173	5616	6454	8325	8474	8474	8474
6	2462	2511	2611	2757	2906	3104	3250	3448	3793	4039	4384	4779	5468	7044	7487	7487	7487
5	2462	2462	2511	2611	2709	2806	2955	3054	3349	3595	3842	4039	4532	5812	6502	6502	6502

AMENDATORY SECTION (Amending Order 03-08, filed 8/4/04, effective 9/4/04)

WAC 173-175-370 Construction permit fees for modifications of existing dams. (1) Fees for the review of plans and specifications and for construction inspections for project modifications involving significant enlargements shall be the (~~greater of one thousand four hundred dollars or the~~) amount determined by those applicable percentages shown in Table 5A of the fees in Table 4A (~~(as adjusted by the fiscal growth factor)~~) through June 30, 2012, or Table 4B thereafter, but no less than one thousand eight hundred ninety dollars through June 30, 2012, or one thousand nine hundred seventy-seven dollars thereafter. The appropriate Table 4A or B fee amount is to be determined using the nearest values of dam height and crest length, in feet, which correspond to the overall dimensions of the modified dam.

~~((TABLE 4. CONSTRUCTION PERMIT FEES – NEW PROJECT CONSTRUCTION~~

Dam Height (ft)	CREST LENGTH (FEET)															
	50	100	150	200	250	300	350	400	500	600	700	800	1000	1500	2000	4000
400	44268	49392	51296	52444	53368	54096	54712	55244	56000	56000	56000	56000	56000	56000	56000	56000
300	38304	45416	48496	50092	51072	51800	52416	52976	53872	54600	55216	55776	56000	56000	56000	56000
250	34020	42280	45836	48132	49336	50344	50988	51520	52416	53172	53788	54320	55216	56000	56000	56000
200	28280	37128	42000	44492	46508	47964	48776	49532	50652	51380	51996	52556	53452	55076	56000	56000
180	25004	34636	39452	42700	44632	46284	47684	48384	49616	50568	51184	51716	52612	54264	55412	56000
160	21644	31892	36792	40152	42644	44212	45584	46816	48356	49336	50204	50792	51688	53340	54488	56000
150	20020	30352	35252	38640	41356	43120	44464	45668	47684	48664	49504	50260	51184	52836	53984	56000
140	18396	28224	33600	37100	39704	41972	43288	44464	46480	47936	48776	49504	50652	52276	53452	56000
130	16828	25928	31920	35336	37996	40152	42056	43204	45164	46816	47992	48720	49924	51688	52864	55664
120	15260	23520	29876	33460	36204	38304	40152	41804	43764	45388	46816	47852	49084	51072	52220	55020
110	13720	21168	27272	31500	34104	36372	38136	39704	42336	43904	45276	46480	48160	50400	51548	54348
100	12236	18872	24304	28840	31920	34076	35980	37548	40180	42308	43624	44800	46844	49364	50792	53592
95	11508	17724	22848	27328	30828	32872	34748	36428	38976	41216	42784	43932	45920	48804	50400	53200
90	10780	16604	21392	25592	29148	31696	33460	35084	37772	39928	41832	43008	44968	48244	49812	51296
85	10052	15484	19964	23884	27440	30296	32172	33740	36512	38584	40460	42084	43988	47656	48496	48496
80	9352	14392	18564	22204	25536	28448	30856	32368	35028	37240	39032	40656	42980	45696	45696	45696
75	8652	13328	17164	20552	23632	26488	28896	30968	33516	35784	37576	39144	41888	42896	42896	42896
70	7952	12264	15792	18900	21756	24360	26824	28896	31976	34132	36036	37604	40096	40096	40096	40096
65	7280	11228	14448	17304	19880	22288	24556	26684	30184	32424	34272	35924	37296	37296	37296	37296
60	6608	10192	13132	15708	18060	20244	22316	24248	27804	30660	32452	34020	34496	34496	34496	34496
55	5964	9184	11844	14168	16296	18256	20104	21840	25116	28028	30464	31696	31696	31696	31696	31696
50	5320	8204	10556	12656	14532	16296	17948	19488	22428	25116	27608	28896	28896	28896	28896	28896
46	4816	7420	9576	11452	13160	14756	16240	17668	20300	22736	25060	26656	26656	26656	26656	26656
42	4312	6664	8596	10276	11816	13244	14588	15848	18228	20412	22484	24416	24416	24416	24416	24416
38	3836	5908	7616	9128	10500	11760	12964	14084	16184	18144	19964	21728	22176	22176	22176	22176
34	3360	5208	6692	8008	9212	10332	11368	12348	14196	15904	17528	19040	19936	19936	19936	19936
30	2912	4480	5768	6916	7952	8904	9800	10668	12264	13748	15120	16436	17696	17696	17696	17696
28	2688	4144	5320	6384	7336	8232	9044	9828	11312	12684	13944	15176	16576	16576	16576	16576
26	2464	3808	4900	5852	6720	7532	8288	9016	10360	11620	12796	13916	15456	15456	15456	15456
24	2296	3444	4452	5320	6132	6860	7560	8232	9464	10584	11676	12684	14336	14336	14336	14336
22	2156	3136	4032	4816	5544	6216	6832	7448	8540	9576	10556	11452	13188	13216	13216	13216
20	1988	2800	3612	4312	4956	5572	6132	6664	7644	8596	9436	10276	11816	12096	12096	12096
18	1848	2492	3192	3836	4396	4928	5432	5908	6776	7616	8372	9100	10472	10976	10976	10976
16	1708	2240	2800	3360	3836	4312	4760	5152	5936	6636	7336	7952	9156	9856	9856	9856
15	1652	2156	2604	3108	3584	4004	4424	4788	5516	6188	6804	7392	8512	9296	9296	9296
14	1596	2044	2408	2884	3304	3696	4088	4424	5096	5712	6300	6832	7868	8736	8736	8736
13	1540	1932	2268	2660	3052	3416	3752	4088	4704	5264	5796	6300	7224	8176	8176	8176
12	1512	1820	2156	2436	2800	3108	3444	3724	4284	4816	5292	5768	6608	7616	7616	7616
11	1484	1736	2016	2268	2548	2828	3108	3388	3892	4368	4816	5236	6020	7056	7056	7056
10	1456	1652	1876	2128	2324	2548	2800	3052	3500	3920	4340	4704	5404	6496	6496	6496
9	1428	1568	1764	1960	2156	2324	2520	2716	3136	3500	3864	4200	4816	5936	5936	5936
8	1400	1512	1652	1792	1988	2128	2268	2408	2744	3080	3388	3696	4228	5376	5376	5376
7	1400	1456	1540	1680	1792	1932	2072	2184	2380	2660	2940	3192	3668	4732	4816	4816
6	1400	1428	1484	1568	1652	1764	1848	1960	2156	2296	2492	2716	3108	4004	4256	4256
5	1400	1400	1428	1484	1540	1596	1680	1736	1904	2044	2184	2296	2576	3304	3696	3696

(2) Fees for the review of plans and specifications and for construction inspection for project modifications not involving significant enlargements shall be the ~~((greater of one thousand four hundred dollars or the))~~ amount determined by those applicable percentages shown in Table 5B of the fees in Table 4A ~~((as adjusted by the fiscal growth factor))~~ through June 30, 2012, or Table 4B thereafter, but no less than one thousand eight hundred ninety dollars through

June 30, 2012, or one thousand nine hundred seventy-seven dollars thereafter. The appropriate Table 4A or B fee amount is to be determined using the nearest values of dam height and crest length, in feet, which correspond to the overall dimensions of the modified dam.

(3) Fees for the review of plans and specifications and for construction inspection for repair of a dam with safety deficiencies as required by the department shall be ~~((one~~

~~thousand four hundred dollars)) one thousand eight hundred ninety dollars through June 30, 2012, or one thousand nine hundred seventy-seven dollars thereafter.~~

(4) Fees for the review of plans and specifications and for construction inspection for the removal or partial removal of a dam with safety deficiencies for the purpose of eliminating a public safety hazard shall be the minimum fee of ten dollars.

(5) Fees for the review of plans and specifications and for construction inspection for the planned abandonment and reclamation of dams and reservoir areas used in mining operations shall be ~~((the minimum fee of one thousand four hundred dollars))~~ one thousand eight hundred ninety dollars through June 30, 2012, or one thousand nine hundred seventy-seven dollars thereafter.

TABLE 5. FEES FOR MODIFICATIONS OF DAMS

MODIFICATION FEE AS PERCENTAGE OF FEE FOR NEW DAM CONSTRUCTION

FEATURES MODIFIED	TABLE 5A MODIFICATIONS INVOLVING SIGNIFICANT ENLARGEMENTS	TABLE 5B MODIFICATIONS NOT INVOLVING SIGNIFICANT ENLARGEMENTS
Spillway(s)	35%	25%
Impounding Barrier	35%	25%
Appurtenant Works and Miscellaneous Construction Elements	10%	10%

AMENDATORY SECTION (Amending Order 03-08, filed 8/4/04, effective 9/4/04)

WAC 173-175-390 Payment of construction permit fees. (1) The amount of the construction permit fee will be determined by the department based upon procedures contained in WAC 173-175-360 and 173-175-370 and information contained in the construction plans.

(a) An initial payment, which may represent all or a portion of the construction permit fee shall be paid in conjunction with the submittal of the construction permit application described in WAC 173-175-120. The amount of the initial payment shall be:

(i) Ten dollars for the removal of a dam with safety deficiencies as described in WAC 173-175-370(3); or

(ii) One thousand ~~((four))~~ eight hundred ninety dollars for construction of a new dam or modification of an existing dam or project through June 30, 2012, and one thousand nine hundred seventy-seven dollars thereafter.

(b) The balance of the fee amount (less the initial payment above) is to be paid following notification by the department of the balance due.

(c) All fees collected are nonrefundable.

(2) No fee shall be required for the review of conceptual plans which describe proposed repairs or improvements to existing dams to correct safety deficiencies. The normal con-

struction permit process will apply at the time plans and specifications are submitted to the department.

(3) No additional fees shall be required for plan and specification changes and resubmittals required by the department as part of the review process.

(4) No additional fees shall be required for review of construction change orders.

AMENDATORY SECTION (Amending Order 05-11, filed 8/31/05, effective 10/1/05)

WAC 173-175-765 Periodic inspection fee schedule.

(1) The inspection fee amounts are based on the downstream hazard classification of the dam, as determined by the department ~~((, and incorporate the fiscal growth factor calculated under chapter 43.135 RCW)).~~ The inspection fees for each five-year inspection are prorated on an annual basis.

~~((a))~~ Equation 1 below is used to calculate the annual inspection fees:

$$\text{Annual Inspection Fee} = (\text{COST}_{\text{FGF}}) \div (\text{Cycle}) \text{ Equation 1}$$

Where:

(i) Cycle = number of years between inspections, with five years being the minimum.

(ii) FGF = an annual fiscal growth factor expressed as a percentage, as determined under chapter 43.135 RCW.

(iii) COST_{FGF} = cost of inspection in dollars including a fiscal growth factor. The cost is obtained by multiplying the inspection cost in the preceding year by the current year's fiscal growth factor as follows:

$$\text{COST}_{\text{FGF}} = \text{Previous year's cost} \times [1 + (\text{FGF})] \text{ Equation 2}$$

(b) For implementation of the fiscal growth factor, the base year for dam inspection fees will be fiscal year 2004, ending June 30, 2004. In the base year, the FGF will be zero.

~~((a))~~ The cost for ~~((an))~~ a periodic inspection by the department ~~((in the base year))~~ starting July 1, 2012, will be as follows:

~~((i)) \$3440.00))~~ (a) For dams with high downstream hazard classifications ~~the fee is six thousand forty dollars,~~ with a prorated annual fee of ~~(((\$688.00))~~ one thousand two hundred eighty dollars for a five-year inspection cycle.

~~((ii)) \$2500.00))~~ (b) For dams with significant downstream hazard classifications ~~the fee is four thousand four hundred five dollars,~~ with a prorated annual fee of ~~(((\$500.00))~~ eight hundred eighty-one dollars if a five-year inspection cycle is implemented, or ~~(((\$250.00))~~ four hundred forty dollars and fifty cents if a ten-year inspection cycle is implemented.

(2) Exceptions to periodic inspection fee schedule.

(a) For any hydraulic works less than ten years old, that the department examined and approved the construction plans and specifications as to its safety when required under RCW 90.03.350, there shall be no fee charged; or

(b) For any hydraulic works more than ten years old, but less than twenty years old, that the department examined and approved the construction plans and specifications as to its safety when required under RCW 90.03.350, the fee charged shall equal the fee for a significant hazard dam.

(3) **Inspection fee for impoundments with multiple dams.** For reservoirs or impoundments with a main dam and one or more saddle dams, a single annual inspection fee will be charged for the facility. The dam with the highest downstream hazard rating will be used for fee computation.

(4) **Inspection fee for multicell impoundments.** For multicell impoundments, such as wastewater lagoons, where two or more cells are located side-by-side or share a common embankment, a single annual inspection fee will be charged for the facility. The cell with the highest downstream hazard classification will be used for fee computation.

(5) **Inspection fee for nonroutine inspections.** For nonroutine inspections as described in WAC 173-175-725, no fees will be charged to the dam owner.

(6) **Inspection fee for inspections at public request.** For inspections done at public request, as described in WAC 173-175-735, no fees will be charged to the dam owner.

AMENDATORY SECTION (Amending Order 03-08, filed 8/4/04, effective 9/4/04)

WAC 173-175-785 Periodic inspection fee payments.

(1) The applicable inspection fee shall be paid by check or money order payable to the department of ecology and mailed to the following address:

Department of Ecology
 ((~~Dam Safety Inspection Fee Program~~)) Cashiering Unit
 P.O. Box ((~~5128~~)) 47611
 ((~~Lacey~~)) Olympia, Washington ((~~98509-5128~~)) 98504-7611.

(2) In the event a check is returned due to insufficient funds, the department shall consider the inspection fee to be unpaid.

(3) **Delinquent accounts.** Dam owners are considered delinquent in the payment of fees if the fees are not received by the first invoice billing due date. Delinquent accounts will be processed in the following manner:

(a) Municipal and government entities shall be notified by certified mail that they have one hundred eighty days to bring the delinquent account up-to-date. Regulatory orders may be issued to enforce a restriction of reservoir filling until all delinquent fees are paid on accounts that remain delinquent after ninety days.

(b) Nonmunicipal or nongovernment dam owners shall be notified by the department by certified mail that they have one hundred eighty days to bring the delinquent account up-to-date. Accounts that remain delinquent after one hundred eighty days may be turned over for collection. In addition, a surcharge totaling twenty percent of the delinquent amount owed will also be added. The surcharge is to recover the costs for collection. If the collection agency fails to recover the delinquent fees after twelve months, the department may issue regulatory orders to enforce restriction of reservoir filling until all delinquent fees are paid.

WSR 12-06-019
PERMANENT RULES
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-23—Filed February 28, 2012, 2:07 p.m., effective March 30, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The purpose of these new rules is to clarify the requirements for confirming that an annuity product is suitable for the customer.

Statutory Authority for Adoption: RCW 48.02.060 and 48.23.015(8).

Adopted under notice filed as WSR 12-03-117 on January 18, 2012.

Changes Other than Editing from Proposed to Adopted Version: WAC 284-17-265 (2)(b), "insurance" was added;

WAC 284-17-265(5), was rewritten to mirror the NAIC model language in response to comments; and

WAC 284-17-265 (5)(a)(i) and (ii), were deleted.

A final cost-benefit analysis is available by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, phone (360) 725-7041, fax (360) 586-3109, e-mail kacys@oic.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 0, Repealed 0.

Date Adopted: February 28, 2012.

Mike Kreidler
 Insurance Commissioner

NEW SECTION

WAC 284-17-265 Sales of annuities—Insurance producer training. (1) A person may not sell, solicit, or negotiate the sale of an annuity product unless he or she is appropriately licensed as an insurance producer and has successfully completed the annuity suitability training that meets the requirements of this section.

(2)(a) After March 29, 2012, prior to selling, soliciting, or negotiating the sale of annuity products, all insurance producers must complete a one-time, four-hour training course approved by the commissioner and provided by an insurance education provider approved in this state.

(b) Insurance producers who hold a life insurance line of authority on March 29, 2012, and who desire to sell annuities must complete the requirements of this section by September 29, 2012.

(c) Persons who obtain a life insurance line of authority on or after March 29, 2012, may not sell, solicit, or negotiate the sale of an annuity product until the annuity training course has been completed.

(3)(a) The annuity suitability training required under this section shall include information on the following topics:

(i) The types of annuities and various classifications of annuities;

(ii) Identification of the parties to an annuity;

(iii) How fixed, variable, and indexed annuity contract provisions affect consumers;

(iv) The application of income taxation of qualified and nonqualified annuities;

(v) The primary uses of annuities; and

(vi) Appropriate sales practices, replacement, and disclosure requirements.

(b) The training required in this section must be sufficient to qualify for at least four continuing education credits.

(c) The training required in this section may be completed by either classroom instruction or self-study in accordance with WAC 284-17-220 through 284-17-256.

(d) The insurance producer education required by this section must not include training that is issuer or company product specific or includes any sales or marketing information and materials.

(e) Approved providers offering the annuity education required by this section must administer the course, issue certificates of completion, report completed training to the commissioner, and maintain records as required by WAC 284-17-270 through 284-17-310.

(4)(a) Resident insurance producers that complete the required training of this section and which are approved in this state may count those credits toward fulfillment of their Washington CE requirement.

(b) A resident or nonresident producer completing the required training of this section in another state which has adopted the annuity suitability requirement shall be deemed as satisfying this state's requirement as required by WAC 284-17-224.

(c) If a resident insurance producer wishes to apply course credits for the required annuity suitability training offered in another state and the course is not otherwise approved for continuing education credit in this state, the training may qualify for individual course credit subject to WAC 284-17-244.

(5) Each insurer must verify that an insurance producer has completed the annuity training course required in this section before allowing the producer to sell an annuity product for that insurer. An insurer may satisfy its responsibility under this section by obtaining certificates of completion of the training course or obtaining reports provided by commissioner-sponsored data base systems or vendors or from a reasonably reliable commercial data base vendor that has a reporting arrangement with approved insurance education providers.

(6) Insurance producers who have completed the annuity suitability training requirements of this section in a state other than Washington which has adopted the annuity suitability requirement prior to March 29, 2012, are deemed to have satisfied the training requirements of this section.

SUITABILITY IN ANNUITY TRANSACTIONS

NEW SECTION

WAC 284-23-390 Duties of insurers and insurance producers. (1) For purposes of this section, "suitability information" means information that is reasonably appropriate to determine the suitability of a recommendation, including the following:

(a) Age;

(b) Annual income;

(c) Financial situation and needs, including the financial resources used for the funding of the annuity;

(d) Financial experience;

(e) Financial objectives;

(f) Intended use of the annuity;

(g) Financial time horizon;

(h) Existing assets, including investment and life insurance holdings;

(i) Liquidity needs;

(j) Liquid net worth;

(k) Risk tolerance; and

(l) Tax status.

(2) In addition to the requirements in RCW 48.23.015, insurers and insurance producers must have reasonable grounds to believe the following requirements in recommending and executing a purchase or exchange of an annuity:

(a) The consumer has been reasonably informed of various features of the annuity, such as the potential surrender period and surrender charge, potential tax penalty if the consumer sells, exchanges, surrenders or annuitizes the annuity, mortality and expense fees, investment advisory fees, potential charges for and features of riders, limitations on interest returns, insurance and investment components, and market risk;

(b) The consumer would benefit from certain features of the annuity, such as tax deferred growth, annuitization, or death or living benefit;

(c) The particular annuity as a whole, the underlying sub-accounts to which funds are allocated at the time of purchase or exchange of the annuity, and riders and similar product enhancements, if any, are suitable (and in the case of an exchange or replacement, the transaction as a whole is suitable) for the particular consumer based on his or her suitability information; and

(d) In the case of an exchange or replacement of an annuity, the exchange or replacement is suitable including taking into consideration whether:

(i) The consumer will incur a surrender charge, be subject to the commencement of a new surrender period, lose existing benefits (such as death, living or other contractual benefits), or be subject to increased fees, investment advisory fees or charges for riders, and similar product enhancements;

(ii) The consumer would benefit from product enhancements and improvements; and

(iii) The consumer has had another annuity exchange or replacement and, in particular, an exchange or replacement within the preceding thirty-six months.

(3) Prior to the execution of a purchase, exchange or replacement of an annuity resulting from a recommendation,

an insurance producer, or an insurer where no producer is involved, shall make reasonable efforts to obtain the consumer's suitability information.

(4) An insurer shall not issue an annuity recommended to a consumer unless there is a reasonable basis to believe the annuity is suitable based on the consumer's suitability information.

(5) An insurer's issuance of an annuity subject to subsection (2) of this section must be reasonable under all the circumstances actually known to the insurer at the time the annuity is issued.

(6) An insurance producer or, where no insurance producer is involved, the responsible insurer representative must at the time of sale:

(a) Make a record of any recommendation subject to this section;

(b) Obtain a customer signed statement documenting a customer's refusal to provide suitability information, if any; and

(c) Obtain a customer signed statement acknowledging that an annuity transaction is not recommended if a customer decides to enter into an annuity transaction that is not based on the insurance producer's or insurer's recommendation.

(7) In addition to the requirements in RCW 48.23.015(4) an insurer must:

(a) Maintain reasonable procedures to inform its insurance producers of the requirements of this regulation and shall incorporate the requirements of this regulation into relevant insurance producer training manuals;

(b) Establish standards for insurance producer product training and must maintain reasonable procedures to require its insurance producers to comply with the requirements of WAC 284-17-265;

(c) Provide product-specific training and training materials which explain all material features of its annuity products to its insurance producers;

(d) Maintain procedures for review of each recommendation prior to issuance of an annuity that are designed to ensure that there is a reasonable basis to determine that a recommendation is suitable. Such review procedures may apply a screening system for the purpose of identifying selected transactions for additional review and may be accomplished electronically or through other means including, but not limited to, physical review. Such an electronic or other system may be designed to require additional review only of those transactions identified for additional review by the selection criteria;

(e) Maintain reasonable procedures to detect recommendations that are not suitable. This may include, but is not limited to, confirmation of consumer suitability information, systematic customer surveys, interviews, confirmation letters and programs of internal monitoring. Nothing in this subsection (8)(e) prevents an insurer from complying with this subsection (8)(e) by applying sampling procedures, or by confirming suitability information after issuance or delivery of the annuity; and

(f) Annually provide a report to senior management, including to the senior manager responsible for audit functions, which details the review, with appropriate testing, reasonably designed to determine the effectiveness of the super-

vision system, the exceptions found, and corrective action taken or recommended, if any.

(8)(a) Nothing in this subsection restricts an insurer from contracting for performance of a function (including maintenance of procedures) required under RCW 48.23.015(4). An insurer is responsible for taking appropriate corrective action and may be subject to sanctions and penalties pursuant to RCW 48.23.015(6) regardless of whether the insurer contracts for performance of a function and regardless of the insurer's compliance with (b) of this subsection.

(b) An insurer's supervision system must include supervision of contractual performance under this subsection. This includes, but is not limited to, the following:

(i) Monitoring and, as appropriate, conducting audits to assure that the contracted function is properly performed; and

(ii) Annually obtaining a certification from a senior manager who has responsibility for the contracted function that the manager has a reasonable basis to represent, and does represent, that the function is properly performed.

(9) An insurance producer shall not dissuade, or attempt to dissuade, a consumer from:

(a) Truthfully responding to an insurer's request for confirmation of suitability information;

(b) Filing a complaint; or

(c) Cooperating with the investigation of a complaint.

WSR 12-06-027

PERMANENT RULES

OFFICE OF

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-29—Filed March 1, 2012, 11:25 a.m., effective April 1, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The rule amends WAC 284-74-340 to reflect changes to the NAIC model upon which this rule is based.

Citation of Existing Rules Affected by this Order: Amending WAC 284-74-340.

Statutory Authority for Adoption: RCW 48.02.060, 48.74.030, and 48.74.080.

Other Authority: RCW 48.74.070.

Adopted under notice filed as WSR 12-01-106 on December 21, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: March 1, 2012.

Mike Kreidler
Insurance Commissioner

AMENDATORY SECTION (Amending WSR 00-07-069, filed 3/13/00, effective 4/13/00)

WAC 284-74-340 General calculation requirements for basic reserves and premium deficiency reserves. (1) At the election of the company for any one or more specified plans of life insurance, the minimum valuation standard of mortality under RCW 48.74.030(1) for basic reserves may be calculated using the 1980 CSO mortality table with select mortality factors (or any other valuation mortality table adopted by the NAIC after the operative date of this regulation and promulgated by regulation by the commissioner for this purpose). If select mortality factors are elected, they may be:

- (a) The ten-year select mortality factors incorporated into the 1980 amendments to the NAIC standard valuation law;
- (b) The select mortality factors in WAC 284-74-380; or
- (c) Any other table of select mortality factors adopted by the NAIC after the operative date of this regulation and promulgated by regulation by the commissioner for the purpose of calculating basic reserves.

(2) Deficiency reserves, if any, are calculated under RCW 48.74.070 for each policy as the excess, if greater than zero, of the quantity A over the basic reserve. The quantity A is obtained by recalculating the basic reserve for the policy using the minimum valuation standards of mortality under RCW 48.74.030(1) and rate of interest under RCW 48.74.030 (3), and replacing the net premium by the actual gross premium in each contract year the actual gross premium is less than the corresponding net premium. The actual gross premiums shall be the maximum gross premiums guaranteed on the valuation date.

The quantity A and the corresponding net premiums used in the determination of quantity A shall be based upon the minimum valuation standard of mortality under subsection (1) of this section for basic reserves: Provided, That at the election of the company for any one or more specified plans of life insurance, the quantity A and the corresponding net premiums used in the determination of the quantity A may be based upon the 1980 CSO mortality table with select mortality factors (or any other valuation mortality table adopted by the NAIC after the operative date of this regulation and promulgated by regulation by the commissioner). If select mortality factors are elected, they may be:

- (a) The ten-year select mortality factors incorporated into the 1980 amendments to the NAIC standard valuation law;
- (b) The select mortality factors in WAC 284-74-380;
- (c) Subject to the conditions in subsection (3) of this section, X percent of the select mortality factors in WAC 284-74-380; or
- (d) Any other table of select mortality factors adopted by the NAIC after the operative date of this regulation and promulgated by regulation by the commissioner for the purpose of calculating deficiency reserves.

(3) If X percent of the select mortality factors in WAC 284-74-380 is elected under subsection (2)(c) of this section, then that election is subject to the following conditions:

(a) X may vary by policy year, policy form, underwriting classification, issue age, or any other policy factor expected to affect mortality experience;

~~(b) ((X shall not be less than twenty percent;~~

~~(e) X shall not decrease in any successive policy years;~~

~~(d))~~ Using the valuation interest rate for basic reserves, subparagraph (i) is greater than or equal to subparagraph (ii);

(i) The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

(ii) The actuarial present value of future death benefits, calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

~~((e))~~ (c) The mortality rates resulting from the application of X are at least as great as anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the first five years after the valuation date;

~~((f))~~ (d) The appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of this subsection (3);

~~((g))~~ (e) The appointed actuary may decrease X at any valuation date ~~((as long as X does not decrease in any successive policy years and))~~ as long as it continues to meet all the requirements of this subsection (3); ~~(and)~~

~~((h))~~ (f) The appointed actuary shall specifically take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums~~(-); and~~

~~((i))~~ (g) If X is less than one hundred percent at any duration for any policy, the following requirements shall be met:

(i) The appointed actuary shall annually prepare an actuarial opinion and memorandum in conformance with the requirements of WAC 284-07-380 through 284-07-400; ~~(and)~~

(ii) The appointed actuary shall disclose in the regulatory asset adequacy issues summary the impact of insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods; and

(iii) The appointed actuary shall annually opine for all policies subject to this regulation as to whether the mortality rates resulting from the application of X meet the requirements of this subsection (3). This opinion shall be included with or attached to the company's annual statement, and shall disclose the lowest X factor used for any policy on the valuation date. This opinion shall be supported by an actuarial report, subject to appropriate actuarial standards of practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience.

(4) This subsection applies to both basic reserves and deficiency reserves. Any set of select mortality factors may

be used only for the first segment. However, if the first segment is less than ten years, the appropriate ten-year select mortality factors incorporated into the 1980 amendments to the NAIC standard valuation law may be used thereafter through the tenth policy year from the date of issue.

(5) In determining basic reserves or deficiency reserves, guaranteed maximum gross premiums without policy fees may be used where the calculation involves the guaranteed maximum gross premium but only if the policy fee is specified in the policy and is a level dollar amount for the entire premium paying period of the policy. In determining deficiency reserves, policy fees may be included in guaranteed maximum gross premiums, even if not included in the actual calculation of basic reserves.

(6) Reserves for policies under which the insurer has changed its guarantees after issue with respect to gross premiums, benefits, charges, or credits, with the new guarantees effective for more than one year after the date of the change, shall be the greatest of the following:

- (a) Reserves calculated ignoring the change;
- (b) Reserves assuming the guarantee was made at issue; and
- (c) Reserves assuming that the policy was issued on the date of the guarantee.

(7) The commissioner may require that the company document the extent of the adequacy of reserves for specified blocks, including, but not limited to, policies issued prior to the operative date of this regulation. This documentation may include a demonstration of the extent to which aggregation with other nonspecified blocks of business is relied upon in the formation of the appointed actuary opinion pursuant to and consistent with the requirements of WAC 284-07-380 and 284-07-400.

WSR 12-06-053
PERMANENT RULES
SECRETARY OF STATE
(Elections Division)

[Filed March 5, 2012, 11:21 a.m., effective April 5, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: To amend existing WAC 434-624-050 Committee meetings, to change the meeting time and frequency from "the first Wednesday of each month at 9:00 a.m." to "at least quarterly."

Citation of Existing Rules Affected by this Order: Amending WAC 434-624-050.

Statutory Authority for Adoption: RCW 40.14.020.

Adopted under notice filed as WSR 12-01-033 on December 13, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: March 5, 2012.

Steve Excell
Assistant Secretary of State

AMENDATORY SECTION (Amending WSR 93-04-001, filed 1/21/93, effective 2/21/93)

WAC 434-624-050 Committee meetings. The state records committee shall meet in open session (~~on the first Wednesday of each month at 9:00 a.m.~~) at least quarterly to consider all business relevant to the duties of the committee, at the office of the state archivist, Olympia, Washington.

WSR 12-06-054
PERMANENT RULES
SECRETARY OF STATE
(Elections Division)

[Filed March 5, 2012, 11:24 a.m., effective April 5, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: To amend existing WAC 434-630-060 Committee meetings, to change the meeting time and frequency from "the last Thursday of each month at 10:00 a.m." to "at least quarterly."

Citation of Existing Rules Affected by this Order: Amending WAC 434-630-060.

Statutory Authority for Adoption: RCW 40.14.020.

Adopted under notice filed as WSR 12-01-034 on December 13, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: March 5, 2012.

Steve Excell
Assistant Secretary of State

AMENDATORY SECTION (Amending WSR 92-18-047, filed 8/28/92, effective 9/28/92)

WAC 434-630-060 Committee meetings. The local records committee shall meet in open public session ~~((on the last Thursday of each month at 10:00 a.m.))~~ at least quarterly to consider all business relevant to the duties of the committee, at the office of the state archivist, Olympia, Washington.

**WSR 12-06-064
PERMANENT RULES
DEPARTMENT OF LICENSING**

[Filed March 6, 2012, 8:21 a.m., effective April 6, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The existing rule needed to be revised to reflect passage of HB 1061, signed by the governor on May 5, 2011. The adoption of this rule lowers the existing renewal fees for designers from \$325 a year to \$116 for a two-year renewal, and inspectors renewals are lowered from \$150 a year to \$116 for a two-year renewal.

Citation of Existing Rules Affected by this Order: Amending WAC 196-30-020 and 196-30-030.

Statutory Authority for Adoption: RCW 43.24.086.

Other Authority: Chapter 18.210 RCW.

Adopted under notice filed as WSR 12-02-002 on December 21, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 6, 2012.

Damon G. Monroe
Rules Coordinator

AMENDATORY SECTION (Amending WSR 07-10-126, filed 5/2/07, effective 6/2/07)

WAC 196-30-020 On-site wastewater treatment designer and inspector fees. The business and professions division of the department of licensing shall assess the following fees:

Title of Fee	Amount (\$)
Designer license application	((€)) 200.00((€))
Designer license application (comity)	((€)) 75.00((€))

Designer license renewal	((€325.00)) 116.00
Designer license re-examination	((€)) 140.00((€))
Late renewal penalty	((€100.00)) 58.00
Certificate of competency (inspector)	
Application	((€)) 175.00((€))
Certificate of competency renewal	((€150.00)) 116.00
Late renewal penalty	58.00
Certificate of competency re-examination	((€)) 140.00((€))

AMENDATORY SECTION (Amending WSR 07-10-126, filed 5/2/07, effective 6/2/07)

WAC 196-30-030 License renewals. (1) Licenses and certificates of competency that expire on or after March 1, 2012, shall be for a two-year period due on the individual's birth date.

~~((2))~~ (2) The initial designer license and certificate of competency will expire on the licensee's or certificate holder's next birth date. However, if the licensee's or certificate holder's next birth date is within three months of the initial date of issuing the license or certificate, the original license or certificate will expire on his or her second birthday following issuance of the original license or certificate. All subsequent renewals shall be for a ~~((one-year))~~ two-year period due on the ~~((individuals))~~ individual's birth date. No refunds will be made, or payments accepted for a partial year.

~~((3))~~ (3) It shall be the licensee's or certificate holder's responsibility to pay the prescribed renewal fee to the department of licensing on or before the date of expiration.

~~((4))~~ (4) Licensees who fail to pay the prescribed renewal fee within ninety days of the license expiration date will be subject to a late penalty fee ~~((€\$100.00))~~ equivalent to the fee for a one-year renewal. However, the license or certificate is invalid the date of expiration (if not renewed) even though an additional ninety days is granted to pay the renewal fee without penalty. After ninety days, the base renewal fee plus the penalty fee must be paid before the license or certificate can be renewed to a valid status.

~~((4))~~ (5) Any designer license that remains expired for more ~~((that))~~ than two years would be canceled. After cancellation, a new application must be made in accordance with chapter 18.210 RCW to obtain another license.

**WSR 12-06-065
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed March 6, 2012, 9:18 a.m., effective April 30, 2012]

Effective Date of Rule: April 30, 2012.

Purpose: The purpose of this rule making is to increase the elevator fees 4.34 percent, which is the office of financial

management's maximum allowable fiscal growth rate factor for fiscal year 2012. The program's budget and projected revenue were evaluated and a fee increase is necessary to help cover the cost of ongoing services for the program.

Citation of Existing Rules Affected by this Order: Amending WAC 296-96-00922 What are the fees associated with licensing?, 296-96-01010 What are the installation permit fees for conveyances, material lifts, and hoists and how are they calculated?, 296-96-01012 What are the permit fees for alterations to conveyances, material lifts, and hoists and how are they calculated?, 296-96-01025 What is the permit fee for personnel and material hoists?, 296-96-01027 Are initial installation permit fees refundable?, 296-96-01030 What is the process for installation and alteration plan approval?, 296-96-01035 Are there inspection fees?, 296-96-01040 What is the fee for testing and inspecting regular elevators used as temporary elevators to provide transportation for construction personnel, tools, and materials only?, 296-96-01045 What are the inspection requirements and fees for conveyances in private residences?, 296-96-01050 How do I get a supplemental inspection?, 296-96-01055 Are technical services available and what is the fee?, 296-96-01057 Does the department charge a fee to perform investigations and what is the fee?, 296-96-01060 Can I request an after hours inspection and what is the fee?, 296-96-01065 What are the annual operating certificate fees?, and 296-96-01070 What are the civil (monetary) penalties for violating the conveyance permit and operation requirements of chapter 70.87 RCW and this chapter?

Statutory Authority for Adoption: Chapter 70.87 RCW and chapter 50, Laws of 2011 (2ESHB 1087).

Adopted under notice filed as WSR 12-01-083 on December 20, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 15, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 15, Repealed 0.

Date Adopted: March 6, 2012.

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-96-00922 What are the fees associated with licensing? The following are the department's elevator license fees:

Type of Fee	Period Covered by Fee	Dollar Amount of Fee
Elevator contractor/mechanic application fee (not required for renewal of valid license)	Per application	\$(54.60) <u>56.90</u>
Elevator contractor/mechanic examination fee	Per application	\$(164.10) <u>171.20</u>
Reciprocity application fee*	Per application	\$(54.60) <u>56.90</u>
Elevator mechanic license	2 years	\$(409.40) <u>114.10</u>
Elevator contractor license	2 years	\$(409.40) <u>114.10</u>
Temporary elevator mechanic license	30 days	\$(27.20) <u>28.30</u>
Elevator mechanic/contractor timely renewal fee**	2 years	\$(409.40) <u>114.10</u>
Elevator mechanic/contractor late renewal fee***	2 years	\$(218.90) <u>228.40</u>
Training provider application/renewal fee	2 years	\$(409.40) <u>114.10</u>
Continuing education course fee by approved training provider****	1 year	Not applicable
Replacement of any licenses		\$(16.30) <u>17.00</u>
Refund processing fee		\$(32.70) <u>34.10</u>

* Reciprocity application is only allowed for applicants who are applying for licensing based upon possession of a valid license that was obtained in state(s) with which the department has a reciprocity agreement.

** Renewals will be considered "timely" when the renewal application is received on or prior to the expiration date of the license.

*** Late renewal is for renewal applications received no later than ninety days after the expiration of the licenses. If the application is not received within ninety days from license expiration, the licensee must reapply and pass the competency examination.

**** This fee is paid directly to the continuing education training course provider approved by the department.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01010 What are the installation permit fees for conveyances, material lifts, and hoists and how are they calculated? Installation permit fees are based on the total cost of the conveyance and the labor to install the conveyance. The following permit fees apply to the construction or relocation of all conveyances and material lifts:

TOTAL COST OF CONVEYANCE	FEE
\$0 to and including \$1,000	\$(54.60) 56.90
\$1,001 to and including \$5,000	\$(81.90) 85.40
\$5,001 to and including \$7,000	\$(136.70) 142.60
\$7,001 to and including \$10,000	\$(164.10) 171.20
\$10,001 to and including \$15,000	\$(218.90) 228.40
OVER \$15,000	\$(306.50) 319.80 plus
Each additional \$1,000 or fraction thereof	\$(7.60) 7.90

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01012 What are the permit fees for alterations to conveyances, material lifts, and hoists and how are they calculated? Permit fees are based on the total cost of the equipment, materials and labor to perform the alteration. The following permit fees apply to the alteration of all conveyances and material lifts:

TOTAL COST OF ALTERATION	FEE
\$0 to and including \$1,000	\$(54.60) 56.90
\$1,001 to and including \$5,000	\$(81.90) 85.40
\$5,001 to and including \$7,000	\$(136.70) 142.60
\$7,001 to and including \$10,000	\$(164.10) 171.20
\$10,001 to and including \$15,000	\$(218.90) 228.40
OVER \$15,000	\$(218.90) 228.40
Each additional \$1,000 or fraction thereof	\$(7.60) 7.90

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01025 What is the permit fee for personnel and material hoists? The fee for each personnel hoist or material hoist installation is ~~\$(218.90)~~ 228.40

See WAC 296-96-01035(2) for requirements for jumps.

Note: An operating certificate is also required for these types of conveyances.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01027 Are initial installation permit fees refundable? Your initial installation permit fees are refundable if the installation work has not been performed, minus a processing fee, unless your permits have expired. No refunds will be issued for expired permits. All requests for refunds must be submitted in writing to the elevator section and must identify the specific permits and the reasons for which the refunds are requested.

The processing fee for each refund is ~~\$(32.70)~~ 34.10

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01030 What is the process for installation and alteration plan approval? Prior to the start of construction, the applicant must submit to the department for approval two copies of plans for new installations or major alterations. To be approved, the plan must comply with the latest adopted edition of the American Society of Mechanical Engineers (ASME), the National Electrical Code (NEC) and applicable Washington Administrative Codes (WAC). In addition, the plans must include all information necessary in determining whether each installation/alteration complies with all applicable codes. The permit holder must keep a copy of the approved plan on the job site until the department has witnessed all acceptance tests. Any alterations to the approved plan must be submitted to the department for approval before a final inspection will be conducted. The nonrefundable fees for reviewing your plans are:

For each installation/major alteration ~~\$(27.20)~~ 28.30

If more than two sets of plans are submitted, the fee for each additional set ~~\$(10.80)~~ 11.20

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01035 Are there inspection fees? Yes. The initial inspection(s) of a conveyance or for the initial inspection of construction, alteration or relocation of a conveyance is included with your permit fee. Once the department has approved the initial installation of the conveyance you will be issued a temporary operating certificate that is valid for 30 days. Prior to the expiration of the 30-day temporary operating certificate the application for an annual operating certificate and the appropriate fees must be paid to the department. Once the department has received the appropriate fees and application the owner will be issued the first annual operating certificate. The owner or owners' representative will receive an invoice from the department for renewal. The owner is required to renew the annual operating certificate yearly.

The following inspections require an additional inspection fee:

(1) **Reinspection.** If a conveyance does not pass an initial inspection and an additional inspection is required, the fee for each reinspection of a conveyance is ~~\$(109.40)~~

114.10 per conveyance plus ~~\$(53.40)~~ 55.40 per hour for each hour in addition to the first hour.

The department may waive reinspection fees.

(2) Inspecting increases in the height (jumping) of personnel and material hoists.

The fee for inspecting an increase in the height (jumping) of each personnel hoist or material hoist is ~~\$(109.40)~~ 114.10 plus ~~\$(54.60)~~ 56.90 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

The permit holder may be allowed to operate a hoist prior to the jump inspection if:

(a) The electrical limits will not allow the lift to operate above the previously inspected landing.

(b) The state elevator inspector is contacted, agrees and can schedule within 3 days.

(3) Variance inspections.

(a) The fee for an on-site variance inspection is ~~\$(164.10)~~ 171.20 per conveyance plus ~~\$(54.60)~~ 56.90 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

(b) The fee for a variance that does not require an on-site inspection is ~~\$(54.60)~~ 56.90 per conveyance. The individual requesting the variance must provide the department with pictures, documentation, or other information necessary for the department to review the variance. The department may conduct an on-site variance inspection to verify the information provided or if it determines that an inspection is necessary. If an on-site variance inspection is performed, the fees in (a) of this subsection will apply.

(4) **"Red tag" status fee.** The annual fee for a conveyance in "Red tag" status is ~~\$(27.20)~~ 28.30.

Note: You must provide the department with written approval from the building official, indicating that the conveyance is not required for building occupancy, when you apply to have the conveyance placed in voluntary red tag status.

(5) **Decommission inspection.** The fee for performing a decommission inspection is ~~\$(54.60)~~ 56.90. Once the decommission inspection has been performed and approved, the conveyance will no longer require annual inspections until such time that the conveyance is brought back into service. Prior to operating the conveyance, a new inspection and annual operating permit must be obtained.

(6) **Voluntary inspections by request.** The owner or potential purchaser of a building within the department's jurisdiction may request a voluntary inspection of a conveyance. The fee for this inspection will be ~~\$(109.40)~~ 114.10 per conveyance and ~~\$(54.60)~~ 56.90 per hour for each hour in addition to 2 hours plus the standard per diem and mileage allowance granted to department inspectors. The owner/potential purchaser requesting the voluntary inspection will not be subject to any penalties based on the inspector's findings.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-96-01040 What is the fee for testing and inspecting regular elevators used as temporary elevators to provide transportation for construction personnel,

tools, and materials only? (1) The fee for the inspecting and testing of regular elevators used as temporary elevators is ~~\$(87.50)~~ 91.20, in addition to any other fees required in this chapter. This fee purchases a 30-day temporary use permit that may be renewed at the department's discretion.

(2) When this temporary use permit is purchased, a notice declaring that the equipment has not received final approval from the department must be conspicuously posted in the elevator.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01045 What are the inspection requirements and fees for conveyances in private residences? (1) Chapter 70.87 RCW requires the department to inspect all new, altered or relocated conveyances operated exclusively for single-family use in private residences. Prior to installation, a licensed elevator contractor must complete a permit application as described in WAC 296-96-01005 and pay the appropriate fee listed in WAC 296-96-01010.

(2) Chapter 70.87 RCW allows the department to inspect conveyances operated exclusively for single-family use in private residences when the department is investigating an accident or an alleged or apparent violation of the statute or these rules.

(3) No annual inspection and operating certificate is required for a private residence conveyance operated exclusively for single-family use unless the owner requests it. When an owner requests an inspection and an annual operating certificate, the following fee must be paid prior to an inspection:

TYPE OF CONVEYANCE	FEE
Each inclined stairway chair lift in private residence	\$(25.50) 26.60
Each inclined wheel chair lift in a private residence	\$(25.50) 26.60
Each vertical wheel chair lift in a private residence	\$(32.20) 33.50
Each dumbwaiter in a private residence.	\$(25.50) 26.60
Each inclined elevator at a private residence	\$(91.00) 94.90
Each private residence elevator	\$(58.60) 61.10
Duplication of a lost, damaged or stolen operating permit	\$(10.80) 11.20

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-96-01050 How do I get a supplemental inspection? Any person, firm, corporation or governmental agency can request a supplemental inspection from the department by paying a fee of ~~\$(65.60)~~ 68.40 per hour (including travel time) plus the standard per diem and mile-

age allowance granted to department inspectors. This fee is for inspections occurring during regular working hours.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-96-01055 Are technical services available and what is the fee? You may request elevator field technical services from the department by paying a fee of \$((65.60)) 68.40 per hour (including travel time) plus the standard per diem and mileage allowance granted to department inspectors. These field technical services may include code evaluation, code consultation, plan examination, code interpretation and clarification of technical data relating to the application of the department's conveyance rules. Field technical services do not include inspections.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01057 Does the department charge a fee to perform investigations and what is the fee? An elevator inspector may charge at a rate of \$((65.50)) 68.40 per hour (including travel time) plus the standard per diem and mileage allowance granted to department inspectors. These services shall include accident investigation relating to any and all accidents. This fee would include an inspection as required during the accident investigation.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-96-01060 Can I request an after hours inspection and what is the fee? You may request an inspection outside of normal business hours, which are 7:00 a.m. to 5:00 p.m., if an inspector is available and the inspection is authorized by the department. The minimum fee for an after-hours inspection is \$((81.90)) 85.40 and \$((81.90)) 85.40 per hour for each hour in addition to the first hour plus the standard per diem and mileage allowance granted to department inspectors. This fee is in addition to any other fees required for your project.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01065 What are the annual operating certificate fees? An annual operating certificate will be issued to you upon payment of the appropriate fee. The owner of record will be invoiced by the department. If a change of owner has occurred, it is the new owner's responsibility to ensure the department has the corrected information. Below is the fee structure table:

TYPE OF CONVEYANCE	FEE
Each hydraulic elevator	\$((409.40)) <u>114.10</u>
Each roped-hydraulic elevator	\$((436.70)) <u>142.60</u>

TYPE OF CONVEYANCE	FEE
plus for each hoistway opening in excess of two	\$((40.80)) <u>11.20</u>
Each cable elevator	\$((136.70)) <u>142.60</u>
plus for each hoistway opening in excess of two	\$((40.80)) <u>11.20</u>
Each cable elevator traveling more than 25 feet without an opening—for each 25 foot traveled	\$((40.80)) <u>11.20</u>
Each limited-use/limited-application (—LULA) elevator	\$((409.40)) <u>114.10</u>
Each escalator	\$((90.90)) <u>94.80</u>
Each dumbwaiter in other than a private residence	\$((58.60)) <u>61.10</u>
Each material lift	\$((409.40)) <u>114.10</u>
Each incline elevator in other than a private residence	\$((417.60)) <u>122.70</u>
Each belt manlift	\$((409.40)) <u>114.10</u>
Each stair lift in other than a private residence	\$((58.60)) <u>61.10</u>
Each wheel chair lift in other than a private residence	\$((58.60)) <u>61.10</u>
Each personnel hoist	\$((409.40)) <u>114.10</u>
Each grain elevator personnel lift	\$((90.90)) <u>94.80</u>
Each material hoist	\$((409.40)) <u>114.10</u>
Each special purpose elevator	\$((409.40)) <u>114.10</u>
Each private residence elevator installed in other than a private residence	\$((409.40)) <u>114.10</u>
Each casket lift	\$((90.90)) <u>94.80</u>
Each sidewalk freight elevator	\$((90.90)) <u>94.80</u>
Each hand-powered manlift or freight elevator	\$((61.60)) <u>64.20</u>
Each boat launching elevator	\$((90.90)) <u>94.80</u>
Each auto parking elevator	\$((90.90)) <u>94.80</u>
Each moving walk	\$((90.90)) <u>94.80</u>
Duplication of a damaged, lost or stolen operating permit	\$((40.80)) <u>11.20</u>

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

WAC 296-96-01070 What are the civil (monetary) penalties for violating the conveyance permit and operation requirements of chapter 70.87 RCW and this chapter? (1) Any licensee, installer, owner or operator of a conveyance who violates a provision of chapter 70.87 RCW or this chapter shall be subject to the following civil penalties:

- (a) Operation of a conveyance without a permit: First violation... Second violation... Each additional violation...
(b) Installation of a conveyance without a permit: First violation... Second violation... Each additional violation...
(c) Relocation of a conveyance without a permit: First violation... Second violation... Each additional violation...
(d) Alteration of a conveyance without a permit: First violation... Second violation... Each additional violation...
(e) (i) Operation of a conveyance for which the department has issued a red tag or has revoked or suspended an operating permit or operation of a decommissioned elevator... (ii) Removal of a red tag from a conveyance...
(f) Failure to comply with a correction notice: After 90 days... After 180 days... After 270 days... After 360 days... Each 30 days after 360 days... Note: Penalties are cumulative
(g) Failure to submit official written notification that all corrections have been completed:

Table with 2 columns: Duration and Amount. Rows include: After 90 days, After 180 days, After 270 days, After 360 days, Each 30 days after 360 days.

- Note: Penalties are cumulative
(h) Failure to notify the department of each accident to a person requiring the services of a physician or resulting in a disability exceeding one day may result in a \$500.00 penalty per day. The conveyance must be removed from service until the department authorizes the operation of the conveyance. This may require an inspection and the applicable fees will be applied. Failure to remove the conveyance from service may result in an additional \$500.00 penalty per day.
(i) Falsifying official written documentation submitted to the department. Each day is a separate violation.

(2) A violation as described in subsection (1)(a), (b), (c), and (d) of this section will be a "second" or "additional" violation only if it occurs within one year of the first violation.

(3) The department must serve notice by certified mail to an installer, licensee, owner, or operator for a violation of chapter 70.87 RCW, or this chapter.

WSR 12-06-066
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 6, 2012, 9:20 a.m., effective April 6, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: RCW 51.36.010, as amended by SSB 5801, chapter 6, Laws of 2011, directs the department of labor and industries (L&I) to establish a statewide medical provider network to treat injured and ill workers. SSB 5801 states that "Once the provider network is established in the worker's geographic area, an injured worker may receive care from a nonnetwork provider only for an initial office or emergency room visit." This amended rule language clarifies "initial visit." The amended rule language informs health care providers and workers as to what services may be provided by a nonnetwork provider and when care must be transferred to a network provider.

Citation of Existing Rules Affected by this Order: Amending WAC 296-20-015, 296-20-025, 296-20-065, 296-20-075, 296-20-12401, and 296-14-400.

Statutory Authority for Adoption: RCW 51.36.010, 51.04.020, and 51.04.030.

Adopted under notice filed as WSR 12-03-091 on January 17, 2012.

Changes Other than Editing from Proposed to Adopted Version: No substantial changes were made. An editing change was made to renumber two subsections for clarity. This change does not modify the intent of the amended section. Additional minor editorial changes were made to clarify the adopted rule. The first section is difficult to read and was broken into two sections for clarity and "provider" references will be singular where applicable. To be consistent, "work-related" was changed to "work related" in all references in the final language.

A final cost-benefit analysis is available by contacting Leah Hole-Curry, Department of Labor and Industries, P.O. Box 44321, Olympia, WA 98504-4321, phone (360) 902-4996, fax (360) 902-6315, e-mail Leah.Hole-Curry@Lni.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 6, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 6, Repealed 0.

Date Adopted: March 6, 2012.

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 04-22-085, filed 11/2/04, effective 12/15/04)

WAC 296-14-400 Reopenings for benefits. The director at any time may, upon the workers' application to reopen for aggravation or worsening of condition, provide proper and necessary medical and surgical services as authorized under RCW 51.36.010. This provision will not apply to total permanent disability cases, as provision of medical treatment in those cases is limited by RCW 51.36.010.

The seven-year reopening time limitation shall run from the date the first claim closure becomes final and shall apply to all claims regardless of the date of injury. In order for claim closure to become final on claims where closure occurred on or after July 1, 1981, the closure must include documentation of medical recommendation, advice or examination. Such documentation is not required for closing orders issued prior to July 1, 1981. First closing orders issued

between July 1, 1981, and July 1, 1985, shall for the purposes of this section only, be deemed issued on July 1, 1985.

The director shall, in the exercise of his or her discretion, reopen a claim provided objective evidence of worsening is present and proximately caused by a previously accepted asbestos-related disease.

In order to support a final closure based on medical recommendation or advice the claim file must contain documented information from a doctor, or nurse consultant (departmental) or nurse practitioner. The doctor or nurse practitioner may be in private practice, acting as a member of a consultation group, employed by a firm, corporation, or state agency.

For the purpose of this section, a "doctor" is defined in WAC 296-20-01002.

When a claim has been closed by the department or self-insurer for sixty days or longer, the worker must file a written application to reopen the claim. An informal written request filed without accompanying medical substantiation of worsening of the condition will constitute a request to reopen, but the time for taking action on the request shall not commence until a formal application is filed with the department or self-insurer as the case may be.

A formal application occurs when the worker and doctor complete and file the application for reopening provided by the department. Upon receipt of an informal request without accompanying medical substantiation of worsening of the worker's condition, the department or self-insurer shall promptly provide the necessary application to the worker for completion. For services or provider types where the department has established a provider network, beginning January 1, 2013, medical treatment and documentation for reopening applications must be completed by network providers.

If, within seven years from the date the first closing order became final, a formal application to reopen is filed which shows by "sufficient medical verification of such disability related to the accepted condition(s)" that benefits are payable, the department, or the self-insurer, pursuant to RCW 51.32.210 and 51.32.190, respectively shall mail the first payment within fourteen days of receiving the formal application to reopen. If the application does not contain sufficient medical verification of disability, the fourteen-day period will begin upon receipt of such verification. If the application to reopen is granted, compensation will be paid pursuant to RCW 51.28.040. If the application to reopen is denied, the worker shall repay such compensation pursuant to RCW 51.32.240.

Applications for reopenings filed on or after July 1, 1988, must be acted upon by the department within ninety days of receipt of the application by the department or the self-insurer. The ninety-day limitation shall not apply if the worker files an appeal or request for reconsideration of the department's denial of the reopening application.

The department may, for good cause, extend the period in which the department must act for an additional sixty days. "Good cause" for such an extension may include, but not be limited to, the following:

(1) Inability to schedule a necessary medical examination within the ninety-day time period;

(2) Failure of the worker to appear for a medical examination;

(3) Lack of clear or convincing evidence to support reopening or denial of the claim without an independent medical examination;

(4) Examination scheduled timely but cannot be conducted and a report received in sufficient time to render a decision prior to the end of the ninety-day time period.

The department shall make a determination regarding "good cause" in a final order as provided in RCW 51.52.050.

The ninety-day limitation will not apply in instances where the previous closing order has not become final.

AMENDATORY SECTION (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

WAC 296-20-015 Who may treat. ~~((1) In order)~~ To treat workers under the Industrial Insurance Act, a health care provider must qualify as an approved provider under the department's rules. The department must approve the health care provider ~~((through the issuance of a provider number))~~ before the health care provider is eligible for payment for services.

(1) A provider must:

(a) Apply and be enrolled in the provider network per WAC 296-20-01010; or

(b) If the provider network scope in WAC 296-20-01010 is not applicable, apply and obtain a provider account number per WAC 296-20-12401.

(2) If the provider or service is within the scope of the provider network under WAC 296-20-01010:

(a) A nonnetwork provider is not authorized to treat and will not be reimbursed by the department or self-insurer for services other than the initial office or emergency room visit. The following services are considered part of the initial office or emergency room visit:

(i) Services that are bundled with those performed during the initial visit where no additional payment is due (as defined in WAC 296-20-01002); and

(ii) In the case of an injured worker directly hospitalized from an initial emergency room visit, all services related to the industrial injury or illness provided through the hospital discharge.

(b) A nonnetwork provider must refer injured workers to network providers when additional treatment is needed, and must provide timely copies of medical records to the other provider.

~~((2))~~ (3) Para-professionals, who are not independently licensed, must practice under the direct supervision of a licensed health care professional whose scope of practice and specialty training includes the service provided by the para-professional. The department may deny direct reimbursement to the para-professional for services rendered, and may instead directly reimburse the licensed and supervising health care professional for covered services. Payment rules for para-professionals may be determined by department policy.

~~((3))~~ (4) Procedures and evaluations requiring specialized skills and knowledge will be limited to board certified or board qualified physicians, or osteopathic physicians as spec-

ified by the American Medical Association or the American Osteopathic Association.

~~((4))~~ (5) The department as a trustee of the medical aid fund has a duty to supervise provision of proper and necessary medical care that is delivered promptly, efficiently, and economically. The department can deny, revoke, suspend, limit, or impose conditions on a health care provider's authorization to treat workers under the Industrial Insurance Act. Reasons for denying issuance of a provider number or imposing any of the above restrictions include, but are not limited to the following:

(a) Incompetence or negligence, which results in injury to a worker or which creates an unreasonable risk that a worker may be harmed.

(b) The possession, use, prescription for use, or distribution of controlled substances, legend drugs, or addictive, habituating, or dependency-inducing substances in any way other than for therapeutic purposes.

(c) Any temporary or permanent probation, suspension, revocation, or type of limitation of a practitioner's license to practice by any court, board, or administrative agency.

(d) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the provider's profession. The act need not constitute a crime. If a conviction or finding of such an act is reached by a court or other tribunal pursuant to plea, hearing, or trial, a certified copy of the conviction or finding is conclusive evidence of the violation.

(e) The failure to comply with the department's orders, rules, or policies.

(f) The failure, neglect, or refusal to:

(i) Provide records requested by the department pursuant to a health care services review or an audit.

(ii) Submit complete, adequate, and detailed reports or additional reports requested or required by the department regarding the treatment and condition of a worker.

(g) The submission or collusion in the submission of false or misleading reports or bills to any government agency.

(h) Billing a worker for:

(i) Treatment of an industrial condition for which the department has accepted responsibility; or

(ii) The difference between the amount paid by the department under the maximum allowable fee set forth in these rules and any other charge.

(i) Repeated failure to notify the department immediately and prior to burial in any death, where the cause of the death is not definitely known and possibly related to an industrial injury or occupational disease.

(j) Repeated failure to recognize emotional and social factors impeding recovery of a worker who is being treated under the Industrial Insurance Act.

(k) Repeated unreasonable refusal to comply with the recommendations of board certified or qualified specialists who have examined a worker.

(l) Repeated use of:

(i) Treatment of controversial or experimental nature;

(ii) Contraindicated or hazardous treatment; or

(iii) Treatment past stabilization of the industrial condition or after maximum curative improvement has been obtained.

(m) Declaration of mental incompetency by a court or other tribunal.

(n) Failure to comply with the applicable code of professional conduct or ethics.

(o) Failure to inform the department of any disciplinary action issued by order or formal letter taken against the provider's license to practice.

(p) The finding of any peer group review body of reason to take action against the provider's practice privileges.

(q) Misrepresentation or omission of any material information in the application for authorization to treat workers, chapter 51.04 RCW. ~~((chapter 51.04 RCW))~~

~~((5))~~ (6) If the department finds reason to take corrective action, the department may also order one or more of the following:

(a) Recoupment of payments made to the provider, including interest, chapter 51.04 RCW; ~~((chapter 51.04 RCW))~~

(b) Denial or reduction of payment;

(c) Assessment of penalties for each action that falls within the scope of subsection ~~((4))~~ (5) (a) through (q) of this section, chapter 51.48 RCW; ~~((chapter 51.48 RCW))~~

(d) Placement of the provider on a prepayment review status requiring the submission of supporting documents prior to payment;

(e) Requirement to satisfactorily complete remedial education courses and/or programs; and

(f) Imposition of other appropriate restrictions or conditions on the provider's privilege to be reimbursed for treating workers under the Industrial Insurance Act.

~~((6))~~ (7) The department shall forward a copy of any corrective action taken against a provider to the applicable disciplinary authority.

AMENDATORY SECTION (Amending WSR 08-24-047, filed 11/25/08, effective 12/26/08)

WAC 296-20-025 ~~((Initial))~~ Initiating treatment and ~~((report of accident))~~ submitting a claim for benefits. ~~((It is the responsibility of))~~ (1) Worker's responsibility: The worker ~~((to))~~ must notify the ~~((practitioner))~~ provider when the worker has reason to believe his/her injury or ~~((condition))~~ illness is ~~((industrial in nature. Conversely, if the attending doctor discovers a))~~ work related. If treatment beyond the initial office or emergency room visit is needed, the worker must seek treatment from a network provider.

(2) Provider's responsibility: The provider must notify the worker if he/she identifies an injury, illness, or condition which he/she has reason to believe ~~((s-to-be))~~ is work related ~~((or has reason to believe an injury is work related, he must so notify the worker))~~.

Once such determination is made by either the ~~((claimant))~~ worker or the attending ~~((doctor))~~ provider, a report of ~~((accident))~~ the injury or illness must be filed with the department or self-insurer.

Failure to comply with this responsibility can result in penalties as outlined in RCW 51.48.060.

~~((It is the practitioner's responsibility to))~~

(3) Additional provider responsibilities: The provider must ascertain whether he/she is the first attending ~~((practitioner. If so, he will take the following action:~~

~~((1))~~ provider and give emergency treatment.

~~((2))~~ The first attending provider must immediately complete and forward ~~((the))~~ a report of ~~((accident,))~~ the injury or illness to the department ~~((and the employer))~~ or self-insurer ~~((and instruct and ~~((give assistance to))~~ assist the injured worker in completing his/her portion of the report of ~~((accident))~~ the injury or illness. In filing a claim, the following information is necessary so there is no delay in adjudication of the claim or payment of compensation.~~

(a) Complete history of the ~~((industrial))~~ work related accident or exposure.

(b) Complete listing of positive physical findings.

(c) Specific diagnosis with ICD-9-CM, or most current version as updated, code(s) and narrative definition relating to the injury.

(d) Type of treatment rendered.

(e) Known medical, emotional or social conditions which may influence recovery or cause complications.

(f) Estimate time-loss due to the injury or illness.

(4) Initial office and emergency room visit services may be performed by a network or nonnetwork provider. Services that are bundled with those performed during the initial visit (as defined in WAC 296-20-01002), with no additional payment being due, are part of the initial visit.

~~((3))~~ (5) When the ~~((patient remains under his care))~~ worker needs treatment beyond the initial office or emergency room visit, the network provider continues with necessary treatment in accordance with medical aid rules. If the provider is not enrolled in the provider network and the injured worker requires additional treatment, the provider will either:

(a) Apply for the provider network (if eligible) at the time he/she files the worker's report of accident; or

(b) Refer the injured worker to a network provider of the worker's choice.

(6) If the ~~((practitioner))~~ provider is not the original attending ~~((doctor))~~ provider, he/she should question the injured worker to determine whether a report of accident has been filed for the injury or condition. If no report of accident has been filed, it should be completed immediately and forwarded to the department or self-insurer, as the case may be, with information as to the name and address of original ~~((practitioner))~~ provider if known, so that he/she may be contacted for information if necessary. A worker must complete a request for transfer as outlined in WAC 296-20-065 if a report of accident has previously been filed ~~((it is necessary to have the worker complete a request for transfer as outlined in WAC 296-20-065, if))~~ and the provider is not enrolled in the provider network or the worker and ~~((practitioner))~~ provider agree that a change in attending ~~((doctor))~~ provider is desirable.

AMENDATORY SECTION (Amending WSR 93-16-072, filed 8/1/93, effective 9/1/93)

WAC 296-20-065 Transfer of ~~((doctors))~~ providers. For services or provider types where the department has

established the provider network, the injured worker must select an attending provider from the provider network for all care beyond the initial visit. If the initial office or emergency room visit was completed with a nonnetwork provider and additional treatment is needed, the worker must transfer care to a network provider and promptly inform the department or self-insurer.

All transfers from one ((~~doctor~~)) network provider to another must be approved by the department or self-insurer. Normally transfers will be allowed only after the worker has been under the care of the attending ((~~doctor~~)) provider for sufficient time for the ((~~doctor~~)) provider to: Complete necessary diagnostic studies, establish an appropriate treatment regimen, and evaluate the efficacy of the therapeutic program.

Under RCW 51.36.010 the worker is entitled to free choice of treating ((~~doctor~~)) provider. Except as provided under subsections (1) through (7) of this section, no reasonable request for transfer to a network provider will be denied. The worker must be advised when and why a transfer is denied.

When a transfer is approved, the new attending ((~~doctor~~)) provider must be provided with a copy of the worker's treatment record by the previous attending ((~~doctor~~)) provider. X rays in the possession of the previous attending ((~~doctor~~)) provider must be immediately forwarded to the new attending ((~~doctor~~)) provider for his or her retention as long as the worker remains under his or her care. Copies of X rays and other records may be provided in lieu of originals.

The department or self-insurer reserves the right to require a worker to select another ((~~doctor~~)) provider or specialist for treatment, under the following conditions:

(1) When more conveniently located ((~~doctors~~)) providers, qualified to provide the necessary treatment, are available.

(2) When the attending ((~~doctor~~)) provider fails to cooperate in observance and compliance with the department rules.

(3) In time loss cases where reasonable progress towards return to work is not shown.

(4) Cases requiring specialized treatment, which the attending ((~~doctor~~)) provider is not qualified to render, or is outside the scope of the attending ((~~doctor's~~)) provider's license to practice.

(5) Where the department or self-insurer finds a transfer of ((~~doctor~~)) provider to be appropriate and has requested the worker to transfer in accordance with this rule, the department or self-insurer may select a new attending ((~~doctor~~)) provider if the worker unreasonably refuses or delays in selecting another attending ((~~doctor~~)) provider.

(6) In cases where the attending ((~~doctor~~)) provider is not qualified to treat each of several accepted conditions. This does not preclude concurrent care where indicated. See WAC 296-20-071.

(7) No transfer will be approved to a consultant or special examiner without the approval of the attending ((~~doctor~~)) provider and the worker.

Transfers will be authorized for the foregoing reasons or where the department or self-insurer in its discretion finds

that a transfer is in the best interest of returning the worker to a productive role in society.

When a worker's care is transferred to another ((~~doctor~~)) provider each ((~~doctor~~)) provider must submit a separate bill to the department or self-insurer for their portion of the care. Payment will be made at rates determined by department policy.

AMENDATORY SECTION (Amending WSR 90-04-057, filed 2/2/90, effective 3/5/90)

WAC 296-20-075 Hospitalization. (1) Hospitalization will be paid for proper and necessary medical treatment of the accepted condition(s). The department may develop and implement utilization management criteria which will be used to review inpatient hospital admissions. Reimbursement for hospitalization is limited to proper and necessary care for an accepted condition. Failure to comply with these criteria may result in delayed or reduced reimbursement to the provider as allowed under chapter 51.48 RCW. Ward or semi-private accommodations will be paid, unless the worker's condition requires special care.

(2) Discharge from the hospital shall be at the earliest date possible consistent with proper health care. If additional treatment is needed, discharge planning must include referral to a network provider. If transfer to a convalescent center or nursing home is indicated, prior arrangements should be made with the department or self-insurer. See WAC 296-20-091 for further information. The department may designate those diagnostic and surgical procedures which will be reimbursed only if performed in an outpatient setting. When procedures so designated must be performed in an inpatient setting for reasons of medical necessity, prior authorization must be obtained.

AMENDATORY SECTION (Amending WSR 00-09-078, filed 4/18/00, effective 7/1/00)

WAC 296-20-12401 ((~~Provider~~)) Application process for providers outside the scope of the provider network. For providers or services not subject to the health care provider network requirements, including treatment at the initial office or emergency room visit, a provider must obtain a provider account number from the department.

(1) **How can a provider obtain a provider account number from the department?** In order to receive a provider account number from the department, a provider must:

- Complete a provider application;
- Sign a provider agreement;
- Provide a copy of any practice or other license held;
- Complete, sign and return a Form W-9; and
- Meet the department's provider eligibility requirements as cited in the department's rules.

Notes: A provider account number is required to receive payment from the department, but is not a guarantee of payment for services.

Self-insured employers may have additional requirements for provider status.

(2) **Provider account status definitions.**

- Active - Account information is current and provider is eligible to receive payment.

• Inactive - Account is not eligible to receive payment based on action by the department or at provider request. These accounts can be reactivated.

• Terminated - Account is not eligible to receive payment based on action by the department or at provider request. These accounts can not be reactivated.

(3) **When may the department inactivate a provider account?** The department may inactivate a provider account when:

- There has been no billing activity on the account for eighteen months; or
- The provider requests inactivation; or
- Provider communications are returned due to address changes; or
- The department changes the provider application or application procedures; or
- Provider does not comply with department request to update information.

(4) **When may the department terminate a provider account?** The department may terminate a provider account when:

- The provider is found ineligible to treat per department rules; or
- The provider requests termination; or
- The provider dies or is no longer in active business status.

(5) **How can a provider reactivate a provider account?** To reactivate a provider account, the provider may call or write the department. The department may require the provider to update the provider application and/or agreement or complete other needed forms prior to reactivation. Account reactivation is subject to department review.

If a provider account has been terminated, a new provider application will be required.

**WSR 12-06-069
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed March 6, 2012, 10:42 a.m., effective April 30, 2012]

Effective Date of Rule: April 30, 2012.

Purpose: The purpose of this rule making is to increase the factory assembled structure fees. The program's budget and projected revenue were evaluated and a fee increase is necessary to help cover the cost of ongoing services for the program.

Citation of Existing Rules Affected by this Order: Amending WAC 296-150C-3000, 296-150F-3000, 296-150M-3000, 296-150P-3000, 296-150R-3000, 296-150T-3000, and 296-150V-3000.

Statutory Authority for Adoption: Chapter 43.22 RCW and chapter 50, Laws of 2011 (2ESHB 1087).

Adopted under notice filed as WSR 12-01-084 on December 20, 2011.

Changes Other than Editing from Proposed to Adopted Version: The department accidentally deleted the "resubmittal" and "addendum" fees in the proposal. The "resubmittal" and "addendum" fees were added back into the fee schedule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 7, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 7, Repealed 0.

Date Adopted: March 6, 2012.

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 08-12-042, filed 5/30/08, effective 6/30/08)

WAC 296-150C-3000 Commercial coach fees.

<u>GENERAL INFORMATION</u>	
<u>Manufacture:</u>	<u>Manufacturer #</u>
<u>1. Building use:</u>	<u>2. Building occupancy:</u>
<u>3. Type of construction: VB</u>	<u>4. Square footage of building:</u>
<u>5. Valuation of the building shall be based on the following:</u>	
• <u>Square footage of the building multiplied by the amount in the</u>	
<u>BVD valuation table</u>	\$
<u>6. Total valuation:</u>	\$
<u>PERMIT FEE</u>	
<u>7. Calculate from building permit fee table using the total valuation</u>	\$

STRUCTURAL PLAN REVIEW FEE*	
8. One year design review: (Valid for one year) multiply the total on line 7 by 0.35	\$
9. Master plan review: (Valid for the code cycle) multiply the total on line 7 by 0.50	\$
* Minimum plan review fee is 2 1/2 hours x \$76.00 per hour	
FIRE AND LIFE-SAFETY PLAN REVIEW FEE (if required)	
10. Fire and life-safety plan review:	
a. One year design—Multiply the total on line 7 by 0.15	\$
b. Master plan design—Multiply the total on line 7 by 0.25	\$
• Required for all structures that are more than 4,000 square feet and for all A and I occupancy	
PLUMBING PLAN-REVIEW FEE	
11. Plumbing \$18.00 + \$6.00 per fixture	\$
12. Medical gas \$18.00 + \$6.00 per gas outlet	\$
DESIGN RENEWAL OR ADDENDUM	
13. 10% of building permit + \$76.00	\$
RESUBMITTAL	
14. 10% of building permit + \$76.00	\$
ELECTRICAL PLAN-REVIEW FEE	
15. See WAC 296-46B-906(9) for electrical review fees	
INSIGNIA FEES	
16. FIRST SECTION	\$ 22.80
17. EACH ADDITIONAL SECTION	\$ 14.10
TOTAL FEES	
18. Total plan review fees: Add lines 8 or 9 and 10 through 15	\$
19. Total fees due: Includes plan fees and insignia fees	\$
20. Total amount paid	\$

Square Foot Construction Costs (BVD Table)^{a, b, c, and d}

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	211.15	203.98	198.73	190.05	178.25	173.30	183.31	162.97	156.05
A-1 Assembly, theaters, without stage	193.16	185.99	180.74	172.06	160.31	155.36	165.32	145.04	138.12
A-2 Assembly, nightclubs	163.22	158.56	154.17	148.00	138.96	135.24	142.52	126.06	121.36
A-2 Assembly, restaurants, bars, banquet halls	162.22	157.56	152.17	147.00	136.96	134.24	141.52	124.06	120.36
A-3 Assembly, churches	195.10	187.93	182.68	174.00	162.21	157.26	167.26	146.94	140.02
A-3 Assembly, general, community halls, libraries, museums	163.81	156.64	150.39	142.71	129.91	125.96	135.97	114.63	108.71
A-4 Assembly, arenas	192.16	184.99	178.74	171.06	158.31	154.36	164.32	143.04	137.12
B Business	164.76	158.78	153.49	145.97	132.45	127.63	139.92	116.43	110.93
E Educational	176.97	170.85	165.64	158.05	146.37	138.98	152.61	127.91	123.09

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
F-1 Factory and industrial, moderate hazard	<u>97.87</u>	<u>93.28</u>	<u>87.66</u>	<u>84.46</u>	<u>75.44</u>	<u>72.26</u>	<u>80.79</u>	<u>62.17</u>	<u>58.48</u>
F-2 Factory and industrial, low hazard	<u>96.87</u>	<u>92.28</u>	<u>87.66</u>	<u>83.46</u>	<u>75.44</u>	<u>71.26</u>	<u>79.79</u>	<u>62.17</u>	<u>57.48</u>
H-1 High hazard, explosives	<u>91.74</u>	<u>87.15</u>	<u>82.53</u>	<u>78.33</u>	<u>70.49</u>	<u>66.31</u>	<u>74.66</u>	<u>57.22</u>	<u>N.P.</u>
H-2, 3, 4 High hazard	<u>91.74</u>	<u>87.15</u>	<u>82.53</u>	<u>78.33</u>	<u>70.49</u>	<u>66.31</u>	<u>74.66</u>	<u>57.22</u>	<u>52.53</u>
H-5 HPM	<u>164.76</u>	<u>158.78</u>	<u>153.49</u>	<u>145.97</u>	<u>132.45</u>	<u>127.63</u>	<u>139.92</u>	<u>116.43</u>	<u>110.93</u>
I-1 Institutional, supervised environment	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
I-2 Institutional, hospitals	<u>277.07</u>	<u>271.09</u>	<u>265.80</u>	<u>258.28</u>	<u>243.90</u>	<u>N.P.</u>	<u>252.23</u>	<u>227.88</u>	<u>N.P.</u>
I-2 Institutional, nursing homes	<u>193.00</u>	<u>187.02</u>	<u>181.74</u>	<u>174.22</u>	<u>160.98</u>	<u>N.P.</u>	<u>168.16</u>	<u>144.96</u>	<u>N.P.</u>
I-3 Institutional, restrained	<u>187.72</u>	<u>181.73</u>	<u>176.45</u>	<u>168.93</u>	<u>156.64</u>	<u>150.82</u>	<u>162.87</u>	<u>140.63</u>	<u>133.13</u>
I-4 Institutional, day care facilities	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
M Mercantile	<u>121.57</u>	<u>116.92</u>	<u>111.53</u>	<u>106.36</u>	<u>96.96</u>	<u>94.25</u>	<u>100.88</u>	<u>84.07</u>	<u>80.36</u>
R-1 Residential, hotels	<u>166.21</u>	<u>160.43</u>	<u>155.99</u>	<u>149.29</u>	<u>137.39</u>	<u>133.80</u>	<u>145.70</u>	<u>123.43</u>	<u>119.10</u>
R-2 Residential, multiple family	<u>139.39</u>	<u>133.61</u>	<u>129.17</u>	<u>122.47</u>	<u>111.23</u>	<u>107.64</u>	<u>119.54</u>	<u>97.27</u>	<u>92.94</u>
R-3 Residential, one and two family	<u>131.18</u>	<u>127.60</u>	<u>124.36</u>	<u>121.27</u>	<u>116.43</u>	<u>113.53</u>	<u>117.42</u>	<u>108.79</u>	<u>101.90</u>
R-4 Residential, care/assisted living facilities	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
S-1 Storage, moderate hazard	<u>90.74</u>	<u>86.15</u>	<u>80.53</u>	<u>77.33</u>	<u>68.49</u>	<u>65.31</u>	<u>73.66</u>	<u>55.22</u>	<u>51.53</u>
S-2 Storage, low hazard	<u>89.74</u>	<u>85.15</u>	<u>80.53</u>	<u>76.33</u>	<u>68.49</u>	<u>64.31</u>	<u>72.66</u>	<u>55.22</u>	<u>50.53</u>
U Utility, miscellaneous	<u>71.03</u>	<u>67.02</u>	<u>62.71</u>	<u>59.30</u>	<u>52.86</u>	<u>49.43</u>	<u>56.33</u>	<u>41.00</u>	<u>39.06</u>

- ^a Private garages use utility, miscellaneous
- ^b Unfinished basements (all use group) = \$15.00 per sq. ft.
- ^c For shell only buildings deduct 20 percent
- ^d N.P. = not permitted

Building Permit Fees

Total Valuation	Fee
<u>\$1.00 to \$500.00</u>	<u>\$23.50</u>
<u>\$501.00 to \$2,000.00</u>	<u>\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00</u>

Total Valuation	Fee
<u>\$2,001.00 to \$25,000.00</u>	<u>\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00</u>
<u>\$25,001.00 to \$50,000.00</u>	<u>\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00</u>
<u>\$50,001.00 to \$100,000.00</u>	<u>\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00</u>
<u>\$100,001.00 to \$500,000.00</u>	<u>\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00</u>
<u>\$500,001.00 to \$1,000,000.00</u>	<u>\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00</u>
<u>\$1,000,001.00 and up</u>	<u>\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof</u>

INITIAL FILING FEE (first time applicants)	\$((36-10)) 37.60
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN (code cycle), 50% of permit fee*	(((\$249.70))
INITIAL FEE - ONE YEAR DESIGN, 35% of permit fee*	(((\$102.10))
RENEWAL FEE - 10% of permit fee +	\$((43.10)) 76.00
RESUBMIT FEE - 10% of permit fee +	\$((72.90)) 76.00
ADDENDUM (approval expires on same date as original plan) - 10% of permit fee +	\$((72.90)) 76.00
ELECTRONIC PLAN SUBMITTAL FEE \$((5.20)) 5.40 per page for the first set of plans and \$((0.30)) 1.00 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
PLUMBING PLAN FEE, \$18.00 + PER FIXTURE FEE of	\$6.00
MEDICAL GAS PLAN FEE, \$18.00 + PER OUTLET FEE of	\$6.00
Note: Mechanical systems are included in the primary plan fee	
FIRE SAFETY PLAN REVIEW AS REQUIRED (Required for all structures that are more than 4,000 square feet and for all A, I, and H occupancy)	
MASTER DESIGN - 25% of permit fee	
One year design 15% of the permit fee	
ELECTRICAL PLAN REVIEW ((Plan review for educational, institutional or health care facilities and other buildings))) - find fees @ http://apps.leg.wa.gov/wac/default.aspx?cite=296-46B-906	
((Electrical Plan submission fee	\$72.90
Service/feeder Ampacity:	
0 - 100	\$32.20
101 - 200	\$40.20
201 - 400	\$75.50
401 - 600	\$89.00
601 - 800	\$114.80
801 - 1000	\$140.50
Over 1000	\$152.50
Over 600 volts surcharge	\$24.00
Thermostats:	
First	\$14.10
Each additional	\$3.20
Low voltage fire alarm and burglar alarm:	
Each control panel and up to four circuits or zones	\$12.90
Each additional circuit or zone	\$2.10

Generators, refer to appropriate service/feeder ampacity fees	
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>	
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	\$86.30
ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders 200-Amperage plus	
Service/feeder	\$212.70
Additional Feeder	\$40.30
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders 200-Amperage plus	
Service/feeder	\$112.80
Additional Feeder	\$28.70
MEDICAL GAS PLAN REVIEW:	
SUBMISSION FEE	\$69.80
FIRST STATION	\$69.80
EACH ADDITIONAL STATION	\$25.40))
RECIPROCAL PLAN REVIEW:	
INITIAL FEE - MASTER DESIGN (minimum 3 hours)	\$((111.30)) 76.00 per hour
INITIAL FEE - ONE YEAR DESIGN (minimum 2 hours)	\$((67.20)) 76.00 per hour
RENEWAL FEE (minimum 1 hour)	\$((67.20)) 76.00 per hour
ADDENDUM (minimum 1 hour)	\$((67.20)) 76.00 per hour
PLANS APPROVED BY PROFESSIONALS - 10% of permit fee ±	\$((50.60)) 76.00
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS - 5% of permit fee ±	\$((13.60)) 76.00
DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION (Per hour** plus travel time* and mileage***)	\$((72.90)) 76.00
TRAVEL (Per hour)	\$((72.90)) 76.00
PER DIEM***	
HOTEL****	
MILEAGE***	
RENTAL CAR****	
PARKING****	
AIRFARE****	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$((72.90)) 76.00
TRAVEL (Per hour*)	\$((72.90)) 76.00
PER DIEM***	
HOTEL****	
MILEAGE***	
RENTAL CAR****	
PARKING****	
AIRFARE****	
ALTERATION INSPECTION (one hour ((plus)) minimum + alteration insignia ((alteration)) fee)	\$((109.10)) 98.80
INSIGNIA FEES:	
FIRST SECTION(♯) (NEW or ALTERATION)	\$((21.90)) 22.80
EACH ADDITIONAL SECTION (NEW OR ALTERATION)	\$((13.60)) 14.10
REISSUED-LOST/DAMAGED	\$((13.60)) 14.10

OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour** plus travel time** and mileage***)	\$((72.99)) 76.00
PUBLICATION PRINTING AND DISTRIBUTION OF ((RCWS)) RCWS AND ((WACS)) WACS (One free copy per year upon request)	\$((13.60)) 14.10
REFUND FEE	\$25.00
* Minimum plan review fee is 2 1/2 hours at the field technical service rate	
** Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments	
*** Per state guidelines	
**** Actual charges incurred	

AMENDATORY SECTION (Amending WSR 08-12-042, filed 5/30/08, effective 6/30/08)

WAC 296-150F-3000 Factory-built housing and commercial structure fees.

GENERAL INFORMATION	
Manufacture:	Manufacturer #
1. Building use:	2. Building occupancy:
3. Type of construction:	4. Square footage of building:
5. Valuation of the building shall be based on the following:	
• Square footage of the building multiplied by the amount in the BVD valuation table	
	\$
6. Total valuation:	\$
PERMIT FEE	
7. Calculate from building permit fee table using the total valuation	\$
STRUCTURAL PLAN REVIEW FEE*	
8. One year design review: (Valid for one year) multiply the total on line 7 by 0.35 ..	\$
9. Master plan review: (Valid for the code cycle) multiply the total on line 7 by 0.50	\$
* Minimum plan review fee is 2 1/2 hours x \$85.50 per hour	
FIRE AND LIFE-SAFETY PLAN REVIEW FEE (if required)	
10. Fire and life-safety plan review:	
a. One year design—Multiply the total on line 7 by 0.15	\$
b. Master plan design—Multiply the total on line 7 by 0.25	\$
• Required for all structures that are more than 4,000 square feet and for all A, I, and H occupancy	
PLUMBING PLAN-REVIEW FEE	
11. Plumbing \$18.00 + \$6.00 per fixture	\$
12. Medical gas \$18.00 + \$6.00 per gas outlet	\$
DESIGN RENEWAL OR ADDENDUM	
13. 10% of building permit + \$85.50	\$
RESUBMITTAL	
14. 10% of building permit + \$85.50	\$
ELECTRICAL PLAN-REVIEW FEE	
15. See WAC 296-46B-906(9) for electrical review fees	
NOTIFICATION TO LOCAL ENFORCEMENT AGENCY (NLEA)	
16. Notification to local enforcement agency fee:	\$ 37.00
INSIGNIA FEES	
17. FIRST SECTION	\$ 273.40
18. EACH ADDITIONAL SECTION	\$ 24.60
TOTAL FEES	
19. Total plan review fees: Add lines 8 or 9 and 10 through 15	\$
20. Total fees due: Includes plan fees, insignia fees, and NLEA fees	\$
21. Total amount paid	\$

Square Foot Construction Costs (BVD Table)^{a, b, c, and d}

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	<u>211.15</u>	<u>203.98</u>	<u>198.73</u>	<u>190.05</u>	<u>178.25</u>	<u>173.30</u>	<u>183.31</u>	<u>162.97</u>	<u>156.05</u>
A-1 Assembly, theaters, without stage	<u>193.16</u>	<u>185.99</u>	<u>180.74</u>	<u>172.06</u>	<u>160.31</u>	<u>155.36</u>	<u>165.32</u>	<u>145.04</u>	<u>138.12</u>
A-2 Assembly, nightclubs	<u>163.22</u>	<u>158.56</u>	<u>154.17</u>	<u>148.00</u>	<u>138.96</u>	<u>135.24</u>	<u>142.52</u>	<u>126.06</u>	<u>121.36</u>
A-2 Assembly, restaurants, bars, banquet halls	<u>162.22</u>	<u>157.56</u>	<u>152.17</u>	<u>147.00</u>	<u>136.96</u>	<u>134.24</u>	<u>141.52</u>	<u>124.06</u>	<u>120.36</u>
A-3 Assembly, churches	<u>195.10</u>	<u>187.93</u>	<u>182.68</u>	<u>174.00</u>	<u>162.21</u>	<u>157.26</u>	<u>167.26</u>	<u>146.94</u>	<u>140.02</u>
A-3 Assembly, general, community halls, libraries, museums	<u>163.81</u>	<u>156.64</u>	<u>150.39</u>	<u>142.71</u>	<u>129.91</u>	<u>125.96</u>	<u>135.97</u>	<u>114.63</u>	<u>108.71</u>
A-4 Assembly, arenas	<u>192.16</u>	<u>184.99</u>	<u>178.74</u>	<u>171.06</u>	<u>158.31</u>	<u>154.36</u>	<u>164.32</u>	<u>143.04</u>	<u>137.12</u>
B Business	<u>164.76</u>	<u>158.78</u>	<u>153.49</u>	<u>145.97</u>	<u>132.45</u>	<u>127.63</u>	<u>139.92</u>	<u>116.43</u>	<u>110.93</u>
E Educational	<u>176.97</u>	<u>170.85</u>	<u>165.64</u>	<u>158.05</u>	<u>146.37</u>	<u>138.98</u>	<u>152.61</u>	<u>127.91</u>	<u>123.09</u>
F-1 Factory and industrial, moderate hazard	<u>97.87</u>	<u>93.28</u>	<u>87.66</u>	<u>84.46</u>	<u>75.44</u>	<u>72.26</u>	<u>80.79</u>	<u>62.17</u>	<u>58.48</u>
F-2 Factory and industrial, low hazard	<u>96.87</u>	<u>92.28</u>	<u>87.66</u>	<u>83.46</u>	<u>75.44</u>	<u>71.26</u>	<u>79.79</u>	<u>62.17</u>	<u>57.48</u>
H-1 High hazard, explosives	<u>91.74</u>	<u>87.15</u>	<u>82.53</u>	<u>78.33</u>	<u>70.49</u>	<u>66.31</u>	<u>74.66</u>	<u>57.22</u>	<u>N.P.</u>
H-2, 3, 4 High hazard	<u>91.74</u>	<u>87.15</u>	<u>82.53</u>	<u>78.33</u>	<u>70.49</u>	<u>66.31</u>	<u>74.66</u>	<u>57.22</u>	<u>52.53</u>
H-5 HPM	<u>164.76</u>	<u>158.78</u>	<u>153.49</u>	<u>145.97</u>	<u>132.45</u>	<u>127.63</u>	<u>139.92</u>	<u>116.43</u>	<u>110.93</u>
I-1 Institutional, supervised environment	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
I-2 Institutional, hospitals	<u>277.07</u>	<u>271.09</u>	<u>265.80</u>	<u>258.28</u>	<u>243.90</u>	<u>N.P.</u>	<u>252.23</u>	<u>227.88</u>	<u>N.P.</u>
I-2 Institutional, nursing homes	<u>193.00</u>	<u>187.02</u>	<u>181.74</u>	<u>174.22</u>	<u>160.98</u>	<u>N.P.</u>	<u>168.16</u>	<u>144.96</u>	<u>N.P.</u>
I-3 Institutional, restrained	<u>187.72</u>	<u>181.73</u>	<u>176.45</u>	<u>168.93</u>	<u>156.64</u>	<u>150.82</u>	<u>162.87</u>	<u>140.63</u>	<u>133.13</u>
I-4 Institutional, day care facilities	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
M Mercantile	<u>121.57</u>	<u>116.92</u>	<u>111.53</u>	<u>106.36</u>	<u>96.96</u>	<u>94.25</u>	<u>100.88</u>	<u>84.07</u>	<u>80.36</u>
R-1 Residential, hotels	<u>166.21</u>	<u>160.43</u>	<u>155.99</u>	<u>149.29</u>	<u>137.39</u>	<u>133.80</u>	<u>145.70</u>	<u>123.43</u>	<u>119.10</u>
R-2 Residential, multiple family	<u>139.39</u>	<u>133.61</u>	<u>129.17</u>	<u>122.47</u>	<u>111.23</u>	<u>107.64</u>	<u>119.54</u>	<u>97.27</u>	<u>92.94</u>

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
R-3 Residential, one and two family	<u>131.18</u>	<u>127.60</u>	<u>124.36</u>	<u>121.27</u>	<u>116.43</u>	<u>113.53</u>	<u>117.42</u>	<u>108.79</u>	<u>101.90</u>
R-4 Residential, care/assisted living facilities	<u>164.82</u>	<u>159.04</u>	<u>154.60</u>	<u>147.90</u>	<u>135.84</u>	<u>132.25</u>	<u>144.15</u>	<u>121.88</u>	<u>117.55</u>
S-1 Storage, moderate hazard	<u>90.74</u>	<u>86.15</u>	<u>80.53</u>	<u>77.33</u>	<u>68.49</u>	<u>65.31</u>	<u>73.66</u>	<u>55.22</u>	<u>51.53</u>
S-2 Storage, low hazard	<u>89.74</u>	<u>85.15</u>	<u>80.53</u>	<u>76.33</u>	<u>68.49</u>	<u>64.31</u>	<u>72.66</u>	<u>55.22</u>	<u>50.53</u>
U Utility, miscellaneous	<u>71.03</u>	<u>67.02</u>	<u>62.71</u>	<u>59.30</u>	<u>52.86</u>	<u>49.43</u>	<u>56.33</u>	<u>41.00</u>	<u>39.06</u>

- ^a Private garages use utility, miscellaneous
- ^b Unfinished basements (all use group) = \$15.00 per sq. ft.
- ^c For shell only buildings deduct 20 percent
- ^d N.P. = not permitted

Table 1-A - Building Permit Fees

Total Valuation	Fee
<u>\$1.00 to \$500.00</u>	<u>\$23.50</u>
<u>\$501.00 to \$2,000.00</u>	<u>\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00</u>
<u>\$2,001.00 to \$25,000.00</u>	<u>\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00</u>
<u>\$25,001.00 to \$50,000.00</u>	<u>\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00</u>
<u>\$50,001.00 to \$100,000.00</u>	<u>\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00</u>
<u>\$100,001.00 to \$500,000.00</u>	<u>\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00</u>
<u>\$500,001.00 to \$1,000,000.00</u>	<u>\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00</u>
<u>\$1,000,001.00 and up</u>	<u>\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof</u>

INITIAL FILING FEE (first time applicants)	\$(64.10) <u>66.80</u>
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN (((CODE CYCLE))) (code cycle), 50% of permit fee*	(\$317.10)
INITIAL FEE - ONE YEAR DESIGN, 35% of permit fee*	(\$185.70)
RENEWAL FEE - 10% of permit fee +	\$(64.10) <u>85.50</u>
RESUBMIT FEE - 10% of permit fee +	\$(92.70) <u>85.50</u>
ADDENDUM (approval expires on same date as original plan((-))) - 10% of permit fee +	\$(92.70) <u>85.50</u>
ELECTRONIC PLAN SUBMITTAL FEE \$(5.10) <u>5.40</u> per page for the first set of plans and \$(0.30) <u>1.00</u> per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
PLUMBING PLAN FEE, \$18.00 + PER FIXTURE FEE of	<u>\$6.00</u>
MEDICAL GAS PLAN FEE, \$18.00 + PER OUTLET FEE of	<u>\$6.00</u>
Note: Mechanical systems are included in the primary plan fee	

FIRE SAFETY PLAN REVIEW AS REQUIRED (Required for all structures that are more than 4,000 square feet and for all A, I, and H occupancy)		
MASTER DESIGN - 25% of permit fee		
One year design - 15% of the permit fee		
ELECTRICAL PLAN REVIEW ((Plan review for educational, institutional or health care facilities and other buildings:)) - Find fees @ http://apps.leg.wa.gov/wac/default.aspx?cite=296-46B-906		
((Electrical Plan submission fee		\$70.50
Service/feeder Ampacity:		
-0	- 100	\$31.20
101	- 200	\$39.00
201	- 400	\$73.10
401	- 600	\$86.30
601	- 800	\$111.30
801	- 1000	\$136.20
	Over 1000	\$147.70
Over 600 volts surcharge		\$23.30
Thermostats:		
First		\$13.80
Each additional		\$3.20
Low voltage fire alarm and burglar alarm:		
Each control panel and up to four circuits or zones		\$12.50
Each additional circuit or zone		\$2.10
Generators, refer to appropriate service/feeder ampacity fees		
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>		
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) will be charged per hour or fraction of an hour*		\$83.50
ELECTRICAL COMMERCIAL/INDUSTRIAL		
Electrical Service /feeders 200 Ampacity plus		
Service/feeder		\$212.70
Additional Feeder		\$40.30
ELECTRICAL MULTIFAMILY RESIDENTIAL		
Electrical Service/feeders 200 Ampacity plus		
Service/feeder		\$112.80
Additional Feeder		\$28.70
MEDICAL GAS PLAN REVIEW:		
SUBMISSION FEE		\$88.10
FIRST STATION		\$88.10
EACH ADDITIONAL STATION		\$(31.90))
RECIPROCAL PLAN REVIEW:		
INITIAL FEE-MASTER DESIGN (minimum 3 hours)		\$(141.70) 85.50 per hour
INITIAL FEE-ONE YEAR DESIGN (minimum 2 hours)		\$(85.60) 85.50 per hour
RENEWAL FEE (minimum 1 hour)		\$(85.60) 85.50
ADDENDUM (minimum 1 hour)		\$(85.60) 85.50 per hour
PLANS APPROVED BY DESIGN PROFESSIONALS - 10% of permit fee ±		\$(64.10) 85.50

APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST THREE SETS - 5% of permit fee ±	\$((16.50)) <u>85.50</u>
DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION (Per hour** plus travel time** and mileage***)	\$((82.10)) <u>85.50</u>
TRAVEL (Per hour**)	\$((82.10)) <u>85.50</u>
PER DIEM***	
HOTEL****	
MILEAGE***	
RENTAL CAR****	
PARKING****	
AIRFARE****	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour**)	\$((82.10)) <u>85.50</u>
TRAVEL (Per hour**)	\$((82.10)) <u>85.50</u>
PER DIEM***	
HOTEL****	
MILEAGE***	
RENTAL CAR****	
PARKING****	
AIRFARE****	
INSIGNIA FEES:	
FIRST SECTION	\$((262.10)) <u>273.40</u>
EACH ADDITIONAL SECTION	\$((23.60)) <u>24.60</u>
REISSUED-LOST/DAMAGED	\$((64.10)) <u>66.80</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour** plus travel time** and mileage***)	\$((82.10)) <u>85.50</u>
NOTIFICATION TO LOCAL ENFORCEMENT AGENCY (NLEA)	\$((35.50)) <u>37.00</u>
PUBLICATION PRINTING AND DISTRIBUTION OF ((RCW'S)) RCW _s AND ((WAC'S)) WAC _s (One free copy per year upon request)	\$((13.20)) <u>13.70</u>
REFUND FEE	<u>\$25.00</u>
* <u>Minimum plan review fee is 2 1/2 hours at the field technical service rate</u>	
** <u>Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.</u>	
*** <u>Per state guidelines.</u>	
**** <u>Actual charges incurred.</u>	

AMENDATORY SECTION (Amending WSR 08-12-042, filed 5/30/08, effective 6/30/08)

WAC 296-150M-3000 Manufactured/mobile home fees.

((INITIAL FILING FEE	<u>\$35.00)</u>
DESIGN PLAN FEES:	
((STRUCTURAL ALTERATION - MASTER DESIGN (CODE CYCLE)	<u>\$141.80)</u>
STRUCTURAL ALTERATION((-ONE YEAR DESIGN))	\$((95.00)) <u>166.20</u>
((RENEWAL FEE	<u>\$42.30)</u>
RESUBMITTAL FEE	\$((70.50)) <u>73.50</u>
ADDENDUM (Approval expires on the same date as original plan.)	\$((70.50)) <u>73.50</u>
ELECTRONIC PLAN SUBMITTAL FEE \$((5.10)) <u>5.20</u> per page for the first set of plans and \$((0.30)) <u>1.00</u> per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
DEPARTMENT INSPECTION FEES:	
((INSPECTION))	
Combination permit - Mechanical and electrical inspections	<u>\$181.60</u>
Heat pump	<u>\$181.60</u>
Air conditioning	<u>\$181.60</u>

Air conditioning with replacement furnace	\$181.60
Gas furnace installation includes gas piping	\$181.60
Fire safety inspection	\$181.60
MECHANICAL	\$80.70
((Heat Pump	\$34.60
Combination Heat Pump (new) and Furnace (replacement)	\$46.20
Air Conditioning	\$34.60
Combination Air Conditioning (new) and Furnace (replacement)	\$46.20
Furnace Installation (gas*** or electric)	\$34.60))
Gas*** Piping	\$((34.60)) 80.70
Wood Stove	\$((34.60)) 80.70
Pellet Stove	\$((34.60)) 80.70
Gas*** Room Heater	\$((34.60)) 80.70
Gas*** Decorative Appliance	\$((34.60)) 80.70
Range: Changing from electric to gas***	\$((34.60)) 80.70
Gas*** Water Heater Replacement	\$((23.10)) 60.50
((Water Heater: Changing from electric to gas***	\$23.10
Any combination of Furnace, Range, and Water Heater changing from electric to gas*** and includes Gas Piping charge	\$69.20))
ELECTRICAL	\$101.00
((Heat Pump	\$46.20
Heat Pump (when home is prewired for a heat pump)	\$11.50
Combination Heat Pump (new) and Furnace (replacement)	\$57.80
Air Conditioner	\$46.20
Air Conditioner (when home is prewired for an air conditioner)	\$11.50
Combination Air Conditioner (new) and Furnace (replacement)	\$57.80
Furnace Installation (gas or electric)	\$46.20
Wood Stove (if applicable)	\$46.20
Pellet Stove (if applicable)	\$46.20
Gas*** Room Heater (if applicable)	\$46.20
Gas*** Decorative Appliance (if applicable)	\$46.20
Range: Changing from gas*** to electric	\$46.20))
Electric Water Heater Replacement	\$((46.20)) 101.00
Electric Water Heater replacing Gas*** Water Heater	\$((46.20)) 101.00
Each added or modified 120 volt circuit (maximum charge is two circuits)	\$((46.20)) 101.00
Each added 240 volt circuit (for other than Heat Pumps, Air Conditioners, Furnaces, Water Heaters, Ranges, Hot Tubs or Spas)	\$((46.20)) 101.00
Hot Tub or Spa (power from home electrical panel)	\$((46.20)) 101.00
Replace main electrical panel/permanently installed transfer equipment	\$((46.20)) 101.00
Low voltage fire/intrusion alarm	\$((46.20)) 101.00
((Fire Safety	\$46.20))
Any combination of Furnace, Range and Water Heater changing from electric to gas***	\$((46.20)) 101.00
PLUMBING	
Fire sprinkler system (((also requires a plan review)))	\$((23.10)) 226.90
Each added fixture	\$((23.10)) 60.50
Replacement of water piping system (this includes two inspections)	\$((104.20)) 202.50
STRUCTURAL	
Inspection as part of a mechanical/fire safety installation (cut truss/floor joist, sheet rocking)	\$((46.20)) 90.60
Reroofs (may require a plan review)	\$((81.00)) 161.90
Changes to home when additions bear loads on home per the design of a professional (also requires a plan review)	\$((81.00)) 161.90
Other structural changes (may require a plan review)	\$((81.00)) 161.90
((Fire Safety (may also require an electrical fire safety inspection)	\$46.20))

MISCELLANEOUS	
OTHER REQUIRED INSPECTIONS (Per hour*)	\$(63.60) <u>66.30</u>
ALL REINSPECTIONS (Per hour*)	\$(63.60) <u>66.30</u>
Refund	\$(11.50) <u>20.10</u>
INSIGNIA FEES:	
((ALTERATION	\$11.50
FIRE SAFETY CERTIFICATE	\$11.50))
REISSUED - LOST/DAMAGED	\$(11.50) <u>20.10</u>
IPIA	
DEPARTMENT AUDIT FEES	
REGULARLY SCHEDULED IPIA AUDIT:	
First inspection on each section (one time only)	\$(32.00) <u>33.30</u>
Second and succeeding inspections of unlabeled sections (Per hour*)	\$(70.50) <u>73.50</u>
OTHER IPIA FEES:	
Red tag removal during a regularly scheduled IPIA audit (Per hour*separate from other fees)	\$(70.50) <u>73.50</u>
Red tag removal at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Increased frequency surveillance (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Attendance at manufacturers training classes (Per hour* only)	\$(70.50) <u>73.50</u>
Subpart "I" investigations (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Alterations to a labeled unit (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
IPIA Issues/Responses (Per hour* Plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Monthly surveillance during a regularly scheduled IPIA audit (Per hour*plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Monthly surveillance at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
Plant certifications, recertifications and addenda updates (Per hour* plus travel time* and mileage** per each inspector)	\$(70.50) <u>73.50</u>
Response to HBT Audit during a regularly scheduled IPIA audit (Per hour*)	\$(70.50) <u>73.50</u>
Response to HBT Audit at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time*and mileage**)	\$(70.50) <u>73.50</u>
Alternative construction (AC) letter inspections at placement site (Per hour* plus travel time*and mileage**)	\$(70.50) <u>73.50</u>
Replacement of HUD labels (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
State Administrative Agency (SAA) inspection fee (Per hour* plus travel time* and mileage**)	\$(70.50) <u>73.50</u>
State Administrative Agency (SAA) dispute resolution filing fee	\$(70.50) <u>73.50</u>
State Administrative Agency (SAA) dispute resolution (Per hour*)	\$(70.50) <u>73.50</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour plus travel time* and mileage**)	\$(65.40) <u>68.20</u>
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year upon request)	\$(12.90) <u>13.40</u>
VARIANCE INSPECTION FEE	\$(92.50) <u>161.80</u>
HOMEOWNER REQUESTED INSPECTION	\$(92.50) <u>161.80</u>
DECERTIFICATION OF A MOBILE/MANUFACTURED HOME	\$(92.50) <u>161.80</u>
DEMOLITION OF A MOBILE/MANUFACTURED HOME	\$(92.50) <u>161.80</u>
ENERGY CONSERVATION PERMIT	\$(15.80) <u>27.60</u>
NOTE: Local jurisdictions may have other fees that apply.	
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Gas means all gases; natural, propane, etc.	

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-150P-3000 Recreational park trailer fees.

INITIAL FILING FEE	\$(33.30) <u>34.70</u>
DESIGN PLAN FEES:	

NEW PLAN REVIEW FEE WITHOUT STRUCTURAL REQUIREMENTS	\$((94.20)) 98.20
NEW PLAN REVIEW FEE WITH STRUCTURAL REQUIREMENTS	\$((124.50)) 129.90
RESUBMITTAL FEE	\$((67.30)) 70.20
ADDENDUM (Approval expires on same date as original plan.)	\$((67.30)) 70.20
ELECTRONIC PLAN SUBMITTAL FEE \$((5.00)) 5.20 per page for the first set of plans and \$((0.30)) 1.00 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
QUALITY CONTROL/MANUAL FEES:	
INITIAL APPROVAL	\$12.40
RESUBMITTAL FEE	\$67.30
ADDENDUM	\$67.30))
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$((67.30)) 70.20
TRAVEL (per hour)*	\$((67.30)) 70.20
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$((67.30)) 70.20
TRAVEL (per hour)*	\$((67.30)) 70.20
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
ALTERATION INSPECTION (One hour plus insignia alteration fee)	\$((100.60)) 104.90
INSIGNIA FEES:	
STATE CERTIFIED	\$((12.40)) 25.00
ALTERATION	\$((33.30)) 34.70
REISSUED-LOST/DAMAGED	\$((12.40)) 12.90
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$((67.30)) 70.20
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year upon request)	\$((12.60)) 13.10
<u>REFUND FEE</u>	<u>\$25.00</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-150R-3000 Recreational vehicle fees.

STATE PLAN	
INITIAL FILING FEE	\$((32.30)) <u>33.70</u>
DESIGN PLAN FEES:	
NEW PLAN REVIEW FEE	\$((90.00)) <u>93.90</u>
RESUBMITTAL FEE	\$((65.00)) <u>67.80</u>
ADDENDUM (Approval expires on same date as original plan.)	\$((65.00)) <u>67.80</u>
QUALITY CONTROL/MANUAL FEES:	
INITIAL APPROVAL	\$12.20
RESUBMITTAL FEE	\$65.00
ADDENDUM	\$65.00))
ELECTRONIC PLAN SUBMITTAL FEE \$((4.90)) <u>5.10</u> per page for the first set of plans and \$((0.30)) <u>1.00</u> per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$((65.10)) <u>67.90</u>
TRAVEL (per hour)*	\$((65.10)) <u>67.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING	
AIRFARE***	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$((65.10)) <u>67.90</u>
TRAVEL (per hour)*	\$((65.10)) <u>67.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
ALTERATION INSPECTION (One hour plus insignia alteration fee)	\$((97.40)) <u>101.60</u>
INSIGNIA FEES:	
STATE CERTIFIED	\$((11.60)) <u>25.00</u>
ALTERATION	\$((32.30)) <u>33.70</u>
REISSUED-LOST/DAMAGED	\$((11.60)) <u>12.10</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$((65.10)) <u>67.90</u>
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$((12.20)) <u>12.70</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

SELF CERTIFICATION	
INITIAL FILING FEE	\$((32.30)) <u>33.70</u>
DESIGN PLAN FEES:	
NEW PLAN REVIEW FEE (one time fee)	\$((91.20)) <u>95.10</u>

RESUBMITTAL FEE	\$((65.10)) 67.90
ADDENDUM (Approval expires on same date as original plan.)	\$((65.10)) 67.90
ELECTRONIC PLAN SUBMITTAL FEE \$((4.90)) 5.10 per page for the first set of plans and \$((0.30)) 1.00 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
((SELF CERTIFICATION/MANUAL FEES:	
INITIAL APPROVAL	\$12.20
RESUBMITTAL FEE	\$65.10
ADDENDUM	\$65.10))
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$((65.10)) 67.90
TRAVEL (per hour)*	\$((65.10)) 67.90
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING	
AIRFARE***	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$((65.10)) 67.90
TRAVEL (per hour)*	\$((65.10)) 67.90
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
SELF CERTIFIED	\$((41.60)) 25.00
ALTERATION	\$((32.30)) 33.70
REISSUED-LOST/DAMAGED	\$((41.60)) 12.10
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$((65.10)) 67.90
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$((12.20)) 12.70
<u>REFUND FEE</u>	25.00
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 08-12-042, filed 5/30/08, effective 6/30/08)

WAC 296-150T-3000 Factory-built temporary worker housing fees.

INITIAL FILING FEE	\$((50.60)) 52.70
DESIGN PLAN FEES:	
INITIAL ONE YEAR DESIGN	\$((146.40)) 152.70
RENEWAL FEE	\$((50.60)) 52.70
RESUBMIT FEE	\$((72.90)) 76.00
ADDENDUM (Approval expires on same date as original plan)	\$((72.90)) 76.00
ELECTRONIC PLAN SUBMITTAL FEE \$((5.10)) 5.30 per page for the first set of plans and \$((0.30)) 1.00 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	

Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	\$((86.40)) 90.10
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS	\$((13.60)) 14.10
DEPARTMENT INSPECTION FEES:	
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)	\$((72.90)) 76.00
TRAVEL (Per hour)*	\$((72.90)) 76.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$((72.90)) 76.00
TRAVEL (Per hour*)	\$((72.90)) 76.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
FIRST SECTION	\$((205.30)) 214.20
EACH ADDITIONAL SECTION	\$((19.90)) 20.70
REISSUED-LOST/DAMAGED	\$((50.60)) 52.70
ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders 200 Amperage plus Service/feeder	\$((212.70)) 221.90
Additional Feeder	\$((40.30)) 42.04
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders 200 Amperage plus Service/feeder	\$((112.80)) 117.60
Additional Feeder	\$((28.70)) 29.90
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$((72.90)) 76.00
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free per year)	\$((13.60)) 14.10
<u>REFUND FEE</u>	<u>\$25.00</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments	
** Per state guidelines	
*** Actual charges incurred	

AMENDATORY SECTION (Amending WSR 08-12-042, filed 5/30/08, effective 6/30/08)**WAC 296-150V-3000 Conversion vendor units and medical units—Fees.**

INITIAL FILING FEE	\$(36.10) <u>37.60</u>
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN	\$(249.70) <u>260.50</u>
INITIAL FEE - ONE YEAR DESIGN	\$(102.10) <u>106.50</u>
RENEWAL FEE	\$(43.40) <u>45.20</u>
RESUBMIT FEE	\$(72.90) <u>76.00</u>
ADDENDUM (Approval expires on same date as original plan)	\$(72.90) <u>76.00</u>
ELECTRONIC PLAN SUBMITTAL FEE \$(5.10) <u>5.30</u> per page for the first set of plans and \$(0.30) <u>1.00</u> per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
ELECTRICAL PLAN REVIEW (((Plan review for educational, institutional or health care facilities and other buildings)). - For medical units, find fees at http://apps.leg.wa.gov/wac/default.aspx?cite=296-46B-906)	
((Electrical plan submission fee	<u>72.90</u>
Service/feeder ampacity:	
0 – 100	<u>32.20</u>
101 – 200	<u>40.20</u>
201 – 400	<u>75.50</u>
401 – 600	<u>89.00</u>
601 – 800	<u>114.80</u>
801 – 1000	<u>140.50</u>
Over 1000	<u>152.50</u>
Over 600 volts surcharge	<u>24.00</u>
Thermostats:	
First	<u>14.10</u>
Each additional	<u>3.20</u>
Low voltage fire alarm and burglar alarm:	
Each control panel and up to four circuits or zones	<u>12.90</u>
Each additional circuit or zone	<u>2.10</u>
Generators, refer to appropriate service/feeder ampacity fees	
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>	
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	<u>86.30</u>)
RECIPROCAL PLAN REVIEW:	
INITIAL FEE - MASTER DESIGN	\$(111.30) <u>116.10</u>
INITIAL FEE - ONE YEAR DESIGN	\$(67.20) <u>70.10</u>
RENEWAL FEE	\$(67.20) <u>70.10</u>
ADDENDUM	\$(67.20) <u>70.10</u>
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS	\$(13.60) <u>14.10</u>
DEPARTMENT INSPECTION FEES:	
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)	\$(72.90) <u>76.00</u>
TRAVEL (Per hour)*	\$(72.90) <u>76.00</u>
PER DIEM**	
HOTEL***	

MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
ALTERATION INSPECTION (One hour plus insignia alteration fee)	\$((109.10)) 113.80
((DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$72.90
TRAVEL (Per hour*)	\$72.90
PER-DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***))	
INSIGNIA FEES:	
FIRST SECTION/ALTERATION	\$((21.00)) 21.90
REISSUED-LOST/DAMAGED	\$((13.60)) 14.10
EXEMPT	\$((36.10)) 37.60
((ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders 200-Amperage plus	
Service/feeder	\$212.70
Additional Feeder	\$40.30
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders 200-Amperage plus	
Service/feeder	\$112.80
Additional Feeder	\$28.70))
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$((72.90)) 76.00
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year upon request)	\$((13.60)) 14.10
REFUND FEE	\$25.00
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

WSR 12-06-070
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)
(Community Services Division)

[Filed March 6, 2012, 11:45 a.m., effective April 6, 2012]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is amending WAC 388-406-0035, 388-412-0005, 388-446-0005, 388-450-0025, 388-450-0245, and 388-472-0005, to eliminate reference to general assistance or the disability lifeline and include reference to aged, blind, or disabled (ABD) assistance program and pregnant women program established November 1, 2011,

through an emergency rule filed February 9, 2012, (WSR 12-05-033) extending emergency rule filed October 12, 2011, under WSR 11-21-049.

These amendments are necessary to comply with the changes outlined in ESHB 2082, Laws of 2011.

Citation of Existing Rules Affected by this Order: Amending WAC 388-406-0035, 388-412-0005, 388-446-0005, 388-450-0025, 388-450-0245, and 388-472-0005.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.100, 74.04.770, 74.04.0052, 74.04.655, 74.08.043, 74.08.335.

Other Authority: ESHB 2082, chapter 36, Laws of 2011 1st sp. sess.

Adopted under notice filed as WSR 12-02-083 on January 4, 2012.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 8, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 8, Repealed 0.

Date Adopted: March 2, 2012.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 09-19-129, filed 9/22/09, effective 11/1/09)

WAC 388-406-0035 How long does the department have to process my application? (1) We must process your application as quickly as possible. We must respond promptly to your application and to any information you give us. We cannot delay processing your request by using the time limits stated in this section as a waiting period for determining eligibility.

(2) Unless your eligibility determination is delayed for good cause under WAC 388-406-0040, we process your application for benefits within thirty calendar days, except:

(a) If you are pregnant, we must process your application for medical within fifteen working days;

(b) If you are applying for (~~general assistance (GA-U))~~ aged, blind, or disabled (ABD) assistance, alcohol or drug addiction treatment (ADATSA), or medical assistance, we must process your application within forty-five calendar days unless there is good cause as described in WAC 388-406-0045; and

(c) If you are applying for medical assistance that requires a disability decision, we must process your application within sixty calendar days.

(3) For calculating time limits, "day one" is the date following the date:

(a) The department received your application for benefits under WAC 388-406-0010;

(b) Social Security gets a request for food benefits from a Basic Food assistance unit in which all members either get or are applying for Supplemental Security Income (SSI);

(c) You are released from an institution if you get or are authorized to get SSI and request Basic Food through Social Security prior to your release.

AMENDATORY SECTION (Amending WSR 11-19-047, filed 9/13/11, effective 10/14/11)

WAC 388-412-0005 General information about your cash benefits. (1) Each separate cash assistance unit (AU) gets a separate benefit amount. If several AUs live in the same house, each AU gets a separate benefit amount.

(2) You cannot receive the same type of benefits in:

(a) Two states in the same month; or

(b) Two AUs in the same month; unless

(c) You left the AU to live in a shelter for battered women and children. See WAC 388-408-0045.

(3) If you are married and both you and your spouse get (~~Disability Lifeline~~) aged, blind, or disabled (ABD) assistance, you and your spouse are one AU.

(4) Your grant is rounded down to the next whole dollar amount unless:

(a) You get a clothing and personal incidental (CPI) allowance; or

(b) Your benefits are reduced to pay an overpayment.

(5) We do not issue any cash benefits if you are eligible for less than ten dollars unless:

(a) You get a CPI allowance;

(b) Your benefits are reduced to pay an overpayment; or

(c) You get Supplemental Social Security (SSI) interim assistance payments.

(6) You may use your cash benefits to pay for basic living expenses as detailed under WAC 388-412-0046 (1)(c).

(7) You may not use your electronic benefit transfer (EBT) cards or cash obtained with EBT cards for any of the activities specified under WAC 388-412-0046 (1)(d).

(8) If you choose to withdraw your cash benefits using an automated teller machine (ATM), our EBT vendor may charge a fee for the transaction in addition to any charges by the bank or ATM owner.

AMENDATORY SECTION (Amending WSR 04-13-097, filed 6/21/04, effective 7/22/04)

WAC 388-446-0005 Disqualification period for cash assistance. (1) An applicant or recipient who has been convicted of unlawful practices in obtaining cash assistance is disqualified from receiving further cash benefits if:

(a) For TANF/SFA, the conviction was based on actions which occurred on or after May 1, 1997; or

(b) For (~~general assistance~~) aged, blind, or disabled (ABD) assistance, the conviction was based on actions which occurred on or after July 23, 1995.

(2) The disqualification period must be determined by the court and will be:

(a) For a first conviction, no less than six months; and

(b) For a second or subsequent conviction, no less than twelve months.

(3) The disqualification applies only to the person convicted and begins on the date of conviction.

(4) A recipient's cash benefits are terminated following advance or adequate notice requirements as specified in WAC 388-458-0030.

AMENDATORY SECTION (Amending WSR 02-20-069, filed 9/30/02, effective 10/31/02)

WAC 388-450-0025 What is unearned income? This section applies to cash assistance, food assistance, and medical programs for families, children, and pregnant women.

(1) Unearned income is income you get from a source other than employment or self-employment. Some examples of unearned income are:

- (a) Railroad retirement;
- (b) Unemployment compensation;
- (c) Social Security benefits (including retirement benefits, disability benefits, and benefits for survivors);
- (d) Time loss benefits as described in WAC 388-450-0010, such as benefits from the department of labor and industries (L&I); or
- (e) Veteran Administration benefits.

(2) For food assistance we also count the total amount of cash benefits due to you before any reductions caused by your failure (or the failure of someone in your assistance unit) to perform an action required under a federal, state, or local means-tested public assistance program, such as TANF/SFA, ((GA)) ABD assistance, PWA, and SSI.

(3) When we count your unearned income, we count the amount you get before any taxes are taken out.

AMENDATORY SECTION (Amending WSR 03-21-029, filed 10/7/03, effective 11/1/03)

WAC 388-450-0245 When are my benefits suspended? (1) For TANF/SFA, RCA, ((GA)) ABD assistance and Basic Food, "suspend" means the department stops your benefits for one month.

(2) We suspend your AU's benefits for one month when your expected total countable income under WAC 388-450-0162:

- (a) Is more than the dollar limit for your AU; and
- (b) If over these limits for only that one month.

AMENDATORY SECTION (Amending WSR 11-19-047, filed 9/13/11, effective 10/14/11)

WAC 388-472-0005 What are my rights and responsibilities? For the purposes of this chapter, "we" and "us" refer to the department and "you" refers to the applicant or recipient.

(1) If you apply for or get cash, food or medical assistance benefits you have the right to:

- (a) Have your rights and responsibilities explained to you and given to you in writing;
- (b) Have us explain the legal use of DSHS benefits to you;
- (c) Be treated politely and fairly no matter what your race, color, political beliefs, national origin, religion, age, gender, disability or birthplace;

(d) Request benefits by giving us an application form using any method listed under WAC 388-406-0010. You can ask for and get a receipt when you give us an application or other documents;

(e) Have your application processed as soon as possible. Unless your application is delayed under WAC 388-406-

0040, we process your application for benefits within thirty days, except:

(i) If you are eligible for expedited services under WAC 388-406-0015, you get food assistance within seven days. If we deny you expedited services, you have a right to ask that the decision be reviewed by the department within two working days from the date we denied your request for expedited services;

(ii) If you are pregnant and otherwise eligible, you get medical within fifteen working days;

(iii) ((Disability-lifeline (DL))) Aged, blind, or disabled (ABD) assistance, alcohol or drug addiction treatment (ADATSA), or medical assistance may take up to forty-five days; and

(iv) Medical assistance requiring a disability decision may take up to sixty days.

(f) Be given at least ten days to give us information needed to determine your eligibility and be given more time if you ask for it. If we do not have the information needed to decide your eligibility, then we may deny your request for benefits;

(g) Have the information you give us kept private. We may share some facts with other agencies for efficient management of federal and state programs;

(h) Ask us not to collect child support or medical support if you fear the noncustodial parent may harm you, your children, or the children in your care;

(i) Ask for extra money to help pay for temporary emergency shelter costs, such as an eviction or a utility shutoff, if you get TANF;

(j) Get a written notice, in most cases, at least ten days before we make changes to lower or stop your benefits;

(k) Ask for an administrative hearing if you disagree with a decision we make. You can also ask a supervisor or administrator to review our decision or action without affecting your right to a fair hearing;

(l) Have interpreter or translator services given to you at no cost and without delay;

(m) Refuse to speak to a fraud investigator. You do not have to let an investigator into your home. You may ask the investigator to come back at another time. Such a request will not affect your eligibility for benefits; and

(n) Get help from us to register to vote.

(2) If you get cash, food, or medical assistance, you are responsible to:

(a) Tell us if you are pregnant, in need of immediate medical care, experiencing an emergency such as having no money for food, or facing an eviction so we can process your request for benefits as soon as possible;

(b) Report the following expenses so we can decide if you can get more food assistance:

- (i) Shelter costs;
- (ii) Child or dependent care costs;
- (iii) Child support that is legally obligated;
- (iv) Medical expenses; and
- (v) Self-employment expenses.

(c) Report changes as required under WAC 388-418-0005 and 388-418-0007.

(d) Give us the information needed to determine eligibility;

(e) Give us proof of information when needed. If you have trouble getting proof, we help you get the proof or contact other persons or agencies for it;

(f) Cooperate in the collection of child support or medical support unless you fear the noncustodial parent may harm you, your children, or the children in your care;

(g) Apply for and get any benefits from other agencies or programs prior to getting cash assistance from us;

(h) Complete reports and reviews when asked;

(i) Look for, get, and keep a job or participate in other activities if required for cash or food assistance;

(j) Give your Provider One services card to your medical care provider;

(k) Cooperate with the quality control review process;

(l) Keep track of your EBT card for cash and food assistance and keep your personal identification number (PIN) secure. If you receive multiple replacement EBT cards, this may trigger an investigation to determine if you are trafficking benefits as described under WAC 388-412-0046 (2)(d); and

(m) Use your cash and food assistance benefits only as allowed under WAC 388-412-0046.

(3) If you are eligible for necessary supplemental accommodation (NSA) services under chapter 388-472 WAC, we help you comply with the requirements of this section.