

WSR 20-01-130
EXPEDITED RULES
DEPARTMENT OF LICENSING

[Filed December 17, 2019, 9:02 a.m.]

Title of Rule and Other Identifying Information: WAC 308-96A-545 Gold Star license plates.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SB 5085 (2015) and SHB 1197 (2019) expanded the qualified applicants for a Gold Star license plate to include siblings and modified what licensing fees are paid by the qualified applicants, based on the applicant's relationship. This amendment updates agency rules to reflect these changes in the law.

Reasons Supporting Proposal: This amendment updates the qualified applicants for a Gold Star license plate to reflect current law.

Statutory Authority for Adoption: RCW 46.01.110, 46.18.020.

Statute Being Implemented: RCW 46.18.245.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of licensing, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kyle Strozyk, 1125 Washington Street S.E., Olympia, WA 98507, 360-902-3998.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: None.

This notice meets the following criteria to use the expedited adoption process for these rules:

Content is explicitly and specifically dictated by statute.
 Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This amendment is making clerical changes only to follow state statute and recent legislation.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kyle Strozyk, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, phone 360-902-3998, fax 360-570-7827, email kstrozyk@dol.wa.gov, AND RECEIVED BY February 19, 2020.

December 17, 2019
 Damon Monroe
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 15-10-005, filed 4/22/15, effective 5/23/15)

WAC 308-96A-545 Gold Star license plate. (1) **What is a Gold Star license plate?** The Gold Star license plate recognizes the eligible family members of United States armed forces members who have died while in service to their country or as a result of such service.

(2) **Who qualifies as an eligible family member of a member of the United States armed forces?** Eligible family members are listed in RCW 46.18.245. For purposes of this section, a widow or widower includes the surviving member of a registered domestic partnership.

~~(3) **What is required to purchase a Gold Star plate?** A copy of the certification letter to a qualifying widow, widower, parent, or child provided by the Washington state department of veterans affairs (WDVA) is required. The letter will be used in addition to a special plate application to purchase the plate. No other documentation is required.~~

~~(4) **Can a Gold Star plate be transferred to a new owner?** No. The plate may only be transferred to a vehicle owned by the same registered owner ~~((who was certified as a qualifying widow, widower, parent, or child by WDVA. The plate cannot be transferred to a different registered owner))~~. If the ~~((widow, widower, parent, or child))~~ qualified applicant transfers the plate to a new ~~((ear))~~ motor vehicle registered to them, they are required to pay the plate transfer fee.~~

~~((5) **What fees are required to purchase the plate?** There is no special plate fee or special plate renewal fee for the Gold Star plate. The registered owner must pay all licensing and filing fees.~~

~~(6) **Can a Gold Star plate ((background)) be personalized?** Yes. A Gold Star plate ~~((background))~~ can be personalized~~((; however,))~~. The customer is required to pay all fees associated with a personalized plate original purchase or renewal.~~

~~((7) **Is a commercial vehicle eligible for a Gold Star plate as long as it is in the name of the qualifying widow, widower, parent, or child and not a business name?** Yes.~~

~~(8) **Can I use a Gold Star plate on a commercial vehicle?** Yes, provided the commercial vehicle is owned by a qualified applicant.~~

~~(6) **Can a prorated vehicle display a Gold Star plate if the vehicle is under the name of the ~~((widow, widower, parent, or child))~~ qualified applicant that is eligible for this plate?** No per chapter 46.87 RCW.~~

WSR 20-01-138
EXPEDITED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed December 17, 2019, 11:17 a.m.]

Title of Rule and Other Identifying Information: Chapter 392-164 WAC, Special services program—Chapter 1 Migrant Of The Education Consolidation And Improvement Act Of 1981, financial assistance to state educational agencies.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to expedite the repeal of chapter 392-164 WAC, Special services program—Chapter 1 Migrant Of The Education Consolidation And Improvement Act Of 1981, financial assistance to state educational agencies. The rules were adopted in 1988 to implement the provisions of the federal Migrant Education Program then in effect under Title I, Chapter 1 of the Elementary and Secondary Education Act (ESEA), as amended by the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. No. 100-297). With the United States Congress's subsequent reauthorizations of the ESEA and the Migrant Education Program in 1994, 2002, and 2015, the rules are obsolete, and their repeal will have no substantive effect.

Reasons Supporting Proposal: This proposal to repeal chapter 392-164 WAC is for housekeeping reasons only. The federal Migrant Education Program is currently authorized under Title I, Part C of the ESEA, as amended by the Every Child Succeeds Act of 2015 (Pub. L. 114-95). According to WAC 392-164-105, chapter 392-164 WAC was adopted in 1988 for the purpose of ensuring "compliance with provisions governing financial assistance to local school districts and other subgrantee's [sic] of Chapter 1 Migrant of the Elementary and School Improvement [ECIA] amendments of 1988 and accompanying federal rules and regulations," including 34 C.F.R. Part 201.

Since then, however, the ECIA and 34 C.F.R. Part 201 have been repealed and replaced. Following the 1994 reauthorization of the ESEA and substantial revisions to the statutory provisions governing the Migrant Education Program, the United States Department of Education removed Part 201 and recodified the federal regulations implementing Title I, Part C at 34 C.F.R. Part 200. After the subsequent 2002 reauthorization of the ESEA, the Title I, Part C regulations were again revised and recodified at Part 200, Subpart C, §§ 200.81-200.89. The ESEA was reauthorized once again in 2015, and the Migrant Education Program regulations in Part 200, Subpart C were amended in 2018 to implement the new statute. OSPI's implementation of the migrant education program is governed by these new federal statute[s] and regulations.

Statutory Authority for Adoption: Not applicable.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Dierk Meierbachtol, OSPI, P.O. Box 47200, Olympia, WA 98504, 360-725-6004.

This notice meets the following criteria to use the expedited repeal process for these rules:

The rule is no longer necessary because of changed circumstances.

Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The provisions of chapter 392-164 WAC have been superseded by the

reauthorizations of Title I, Part C and subsequent adoption of and revisions to 34 C.F.R. Part 200, Subpart C. The new federal statute and regulations govern the same activity that chapter 392-164 WAC governed, making the state rule obsolete, redundant, and unnecessary.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Dierk Meierbachtol, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6004, fax 360-753-6712, email dierk.meierbachtol@k12.wa.us, AND RECEIVED BY February 19, 2020.

December 16, 2019
Chris P. S. Reykdal
State Superintendent
of Public Instruction

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 392-164-100 Authority.
- WAC 392-164-105 Purpose.
- WAC 392-164-115 Accountability.
- WAC 392-164-120 Chapter 1 Migrant—Definition.
- WAC 392-164-125 Agricultural activity—Definition.
- WAC 392-164-130 Fishing activity—Definition.
- WAC 392-164-135 Migratory agricultural worker—Definition.
- WAC 392-164-140 Migratory fisher—Definition.
- WAC 392-164-145 Currently migratory child—Definition.
- WAC 392-164-150 Formerly migratory child—Definition.
- WAC 392-164-155 Migratory children—Definition.
- WAC 392-164-160 Children—Definition.
- WAC 392-164-165 Preschool children—Definition.
- WAC 392-164-170 Eligible migratory children—Definition.
- WAC 392-164-175 Guardian—Definition.
- WAC 392-164-180 Other subgrantee—Definition.
- WAC 392-164-185 Object of expenditure—Definition.
- WAC 392-164-190 Activity—Definition.
- WAC 392-164-195 Indirect expenditure—Definition.
- WAC 392-164-200 Direct expenditure—Definition.

- WAC 392-164-205 Service model—Definition.
- WAC 392-164-210 Supplement—Definition.
- WAC 392-164-215 Operating agency—Definition.
- WAC 392-164-220 Project—Definition.
- WAC 392-164-225 Academic instruction—Definition.
- WAC 392-164-230 Greatest need of special assistance—
Definition.
- WAC 392-164-235 Consultation with parents and teachers
of participating children—Definition.
- WAC 392-164-240 Definition—Participating children.
- WAC 392-164-245 Annual needs assessment.
- WAC 392-164-250 Service priorities.
- WAC 392-164-255 Application required.
- WAC 392-164-260 Substance of annual application.
- WAC 392-164-265 Basis of project planning and funding.
- WAC 392-164-270 Board approval.
- WAC 392-164-275 Board certification.
- WAC 392-164-280 Supervisory costs.
- WAC 392-164-285 Approval of Chapter 1 Migrant project
applications for a subgrant by the super-
intendent of public instruction.
- WAC 392-164-290 Amount of subgrant.
- WAC 392-164-295 Effect of approval.
- WAC 392-164-300 Budget revision—Ten percent allowed.
- WAC 392-164-305 Budget revisions—Updating planned
expenditures.
- WAC 392-164-310 Budget revision—Approval.
- WAC 392-164-315 Program update.
- WAC 392-164-320 Identification of migratory children.
- WAC 392-164-325 Student accident insurance.
- WAC 392-164-330 Construction and portable lease/pur-
chase.
- WAC 392-164-335 Property, facilities, and equipment.
- WAC 392-164-340 Day care.
- WAC 392-164-345 Preschool services.
- WAC 392-164-350 Fiscal requirements.
- WAC 392-164-355 Chapter 1 Migrant audit.
- WAC 392-164-360 Notification of parents.
- WAC 392-164-365 Local parent advisory councils—Com-
position and procedures.
- WAC 392-164-368 Consultation with parents.
- WAC 392-164-370 Annual meeting of parents.
- WAC 392-164-375 State advisory committee.
- WAC 392-164-380 Report of services—Annual require-
ment.
- WAC 392-164-385 Report of services—Summer school
addendum.
- WAC 392-164-390 Program evaluation.
- WAC 392-164-395 Project program and budget revisions.
- WAC 392-164-400 Program compliance review.
- WAC 392-164-405 Subgrantee accountability.
- WAC 392-164-410 Withholding of Chapter 1 Migrant pay-
ments.
- WAC 392-164-415 Compliance agreement.
- WAC 392-164-420 General requirements for new program.
- WAC 392-164-425 Subgrant allocation formula.
- WAC 392-164-430 Supply purchase.