

Concise Explanatory Statement
Changes to WAC 220-55-180 Related to Transaction Fees

Rules amended as part of this rulemaking:

WAC 220-55-180 Point-of-sale transaction fee

1. Background/Summary of Project:

The Department proposed changes to WAC 220-55-180 to align the WAC language to allow for the use of transaction fee funds as provided in RCW 77.32.050. RCW 77.32.050 states that a transaction fee on commercial and recreational license documents issued through an automated licensing system may be set by the Fish and Wildlife Commission and collected from licensees. RCW 77.32.050 also provides that the Department may authorize all or part of such fee to be paid directly to a contractor providing automated licensing services. The Department sets this transaction fee in WAC 220-55-180.

The language in WAC 220-55-180 narrows the use of funds generated by the transaction fee further than the restrictions already in place under RCW 77.32.050. The Department proposed a reversion to the restrictions on fee use to those under the RCW while including language that ensures the funds will be used for the automated licensing system (WILD) or for other uses that support providing fish and wildlife related opportunities, customer service, and enhanced experiences for department license holders.

2. Reasons for adopting the rule:

WAC 220-55-180 is amended to remove language that narrowed the use of the funds generated by the transaction fee and align the WAC language with statute to allow for the use of transaction fee funds as provided in RCW 77.32.050. Safeguards to ensure that WDFW users will benefit from the use of transaction fee funds were placed within the changes to rule language.

The Department briefed the Fish and Wildlife Commission and held a public hearing on this rule change proposal at the December 11, 2015, Fish and Wildlife Commission meeting. The Commission adopted the amendments to WAC 220-55-180 as proposed by the Department at the same meeting.

3. Differences between the text of the proposed rule and the rule as adopted:

None.

4. Public comments, response to comments, and consideration of comments

The Department received no written comments or testimony on this rule making.