



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Washington State Patrol

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:**

With the passage of ESSB 5158 there is a need to adopt rules to provide clarification regarding timelines and formatting for reporting to the Patrol.

**Citation of existing rules affected by this order:**

Repealed:

Amended:

Suspended:

**Statutory authority for adoption:** Chapter 190 Laws of 2015 Section 1

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 15-15-127 on July 17, 2015 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone \_\_\_\_\_  
Address: \_\_\_\_\_ fax \_\_\_\_\_  
e-mail \_\_\_\_\_

**Date adopted:**

9-15-15

**NAME (TYPE OR PRINT)**

John R. Batiste

**SIGNATURE**

*John R. Batiste*  
TITLE  
Chief

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: September 18, 2015**

**TIME: 8:28 AM**

**WSR 15-19-104**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>2</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in the agency's own initiative:**

	New	<u>2</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	<u>2</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Pilot rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Other alternative rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**Chapter 446-90 WAC**  
**EMERGENCY TELECOMMUNICATIONS DATA BASE**

NEW SECTION

**WAC 446-90-010 Wireless telecommunication provider emergency contact information.** (1) For the purpose of RCW 80.36.XXX (section 1, chapter 190, Laws of 2015) the following definitions will apply:

(a) "Emergency contact information" means a phone number at which an employee of a wireless telecommunications provider registered to do business in the state of Washington or a reseller of wireless telecommunications services is available twenty-four hours a day, seven days a week to provide information in its possession concerning the current or most recent location of a telecommunications device and call information of a user of the device when requested by law enforcement.

(b) "Immediately" means that updates must be provided to the Washington state patrol district 1 communications (Tacoma) within one hour of any contact information change.

(2) Emergency contact information required under RCW 80.36.XXX (section 1, chapter 190, Laws of 2015) must be provided to the Washington state patrol via e-mail to: g-d-dlcommsupervisors@wsp.wa.gov.

NEW SECTION

**WAC 446-90-020 Address confidentiality program name information.** The secretary of state will provide an updated PDF format list of names to the Washington state patrol on a daily basis, during normal office hours. The list will distinguish between those participants requesting disclosure and those who request nondisclosure to a law enforcement agency of the location of a telecommunications device and call information of the user as prescribed in RCW 40.24.070 by the addition of one column which will indicate a Y for disclosure or an N for nondisclosure.