



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: July 21, 2020

TIME: 12:01 PM

WSR 20-15-133

Agency: Washington State Patrol

Title of rule and other identifying information: (describe subject) WAC 446-10-030 Description of central and field organizations of the Washington state patrol and WAC 446-10-050 Availability of public records

Purpose of the proposal and its anticipated effects, including any changes in existing rules: To update the address of the location of the Washington state patrol headquarters and to update methods of requesting a public disclosure request to the Washington state patrol.

Reasons supporting proposal: To provide accurate information to the public.

Statutory authority for adoption: RCW 42.56.040 and 42.56.570

Statute being implemented:

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Name of proponent: (person or organization)

Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kimberly Mathis	106 11 th Avenue SW, Olympia, WA 98504	360-596-4017
Implementation:	Public Records Division	106 11 th Avenue SW, Olympia, WA 98504	360-596-4137
Enforcement:	Public Records Division	106 11 th Avenue SW, Olympia, WA 98504	360-596-4137

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- 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; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- 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 pursuant to RCW 34.05.353(4):

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

Name: Ms. Kimberly Mathis

Agency: Washington State Patrol

Address: 106 11th Avenue SW, Olympia, WA 98504

Phone: 360-596-4017

Fax:

Email: wsprules@wsp.wa.gov

Other:

AND RECEIVED BY (date) September 21, 2020

Date: July 20, 2020

Name: John R. Batiste

Title: Chief

Signature:



WAC 446-10-030 Description of central and field organizations of the Washington state patrol. (1) The Washington state patrol is a law enforcement agency. The Washington state patrol is headquartered in the ((General Administration)) Helen Sommers Building, ((210)) 106 - 11th Avenue S.W., Olympia, Washington 98504. The department has eight district headquarters with working addresses as follows:

- District I - 2502 112th Street East, Tacoma
98445-5104
- District II - 2803 - 156th Avenue S. E.,
Bellevue 98007
- District III - 2715 Rudkin Road, Union Gap
98903
- District IV - West 6403 Rowand Road,
Spokane 99204-5300
- District V - 11018 N.E. 51st Circle,
Vancouver 98682-3812
- District VI - 2822 Euclid Avenue, Wenatchee
98801-5916
- District VII - 2700 116th Street N.E.,
Marysville 98271-9425
- District VIII - 4811 Werner Road, Bremerton
98312-3333

(2) Any person wishing to request access to public records of the Washington state patrol, or seeking assistance in making such a request, shall contact the public records officer of the Washington state patrol:

Public Records Officer
Washington State Patrol
P.O. Box 42631
Olympia, WA 98504
Phone: 360-596-4137
Fax: 360-596-4153
Email: pubrecs@wsp.wa.gov

Information is also available at the Washington state patrol's website at <http://www.wsp.wa.gov/>.

(3) The public records officer shall oversee compliance with the act, but another Washington state patrol staff member may process the request. Therefore, these rules shall refer to the public records officer "or designee." The public records officer or designee and the Washington state patrol shall provide the "fullest assistance" to requestors; create and maintain for use by the public and Washington state patrol officials an index to public records of the Washington state patrol; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the Washington state patrol.

WAC 446-10-050 Availability of public records. (1) **Hours for inspection of records.** Public records are available for inspection and copying during normal business hours of the Washington state patrol; 8:00 a.m. to noon, and 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. Records must be inspected at the offices of the Washington state patrol.

(2) **Records index.** An index of public records is available for use by members of the public. The index includes a list of current manuals of the Washington state patrol, a current list of laws, other than those listed in chapter 42.56 RCW, that exempts or prohibits disclosure of specific information or records, and current *Washington Administrative Code* agency rules. The index may be accessed online at www.wsp.wa.gov/, or at any public Washington state patrol office.

(3) **Organization of records.** The Washington state patrol shall maintain its records in a reasonably organized manner. The Washington state patrol shall take reasonable actions to protect records from damage and disorganization. A requestor shall not take Washington state patrol records from Washington state patrol offices without the permission of the public records officer or designee. Records may be available on the Washington state patrol website at www.wsp.wa.gov/. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(4) **Making a request for public records.**

(a) Any person wishing to inspect or obtain copies of public records of the Washington state patrol (~~((shall))~~) can make (~~((the))~~) their request (~~((in writing using the Washington state patrol request form, or by letter, fax, or email addressed to the public records officer))~~) by:

- Using the Washington state patrol online portal at www.wsp.wa.gov; or
- Submitting a request form (www.wsp.wa.gov); or
- A letter; or
- Email to pubrecs@wsp.wa.gov.

(b) Each request should include the following information:

- Name of requestor;
- Address of requestor;
- Other contact information, including telephone number and/or any email address; and
- Identification of the public records adequate for the public records officer or designee to locate the records.

~~((b))~~ (c) If the requestor wishes to inspect rather than obtain copies of records, they shall indicate this preference in their request. Pursuant to WAC 446-10-090, standard photocopies shall be provided at fifteen cents per page, plus postage.

~~((c) A form is available for use by requestors online at www.wsp.wa.gov/.)~~