



## NOTICE OF RULE MAKING – Proposed Rules #13-13

The Washington State Liquor Control Board would like your input on the attached proposed rule to define “trade area” as used in Initiative 1183 (RCW 66.24.630).

On March 13, 2013 the board approved filing proposed rules (CR 102) to define “trade area” as created in Initiative 1183. At the public hearing held on April 24, 2013, stakeholders requested the board change the proposed rules. Changes in the proposed rules requires the board to file a supplemental CR 102 with the code Reviser’s Office.

Permanent rules are needed to define “trade area” in RCW 66.24.630 which was created with the passing of Initiative 1183. A definition is needed to determine if a location for a spirits retail license in a premises less than 10,000 square feet of retail space meets the requirements for the license.

This notice can be found at <http://www.liq.wa.gov/laws/laws-and-rules> under Proposed Rules.

The Liquor Control Board encourages you to give input on this rule to define “trade area”.

### Public Comment

Please forward your initial comments to the Liquor Control Board by mail, e-mail, or fax by **June 26, 2013**.

<b>By mail:</b>	Rules Coordinator Liquor Control Board P.O. Box 43080 Olympia, WA 98504-3080	<b>By e-mail:</b>	<a href="mailto:rules@liq.wa.gov">rules@liq.wa.gov</a>	<b>By fax:</b>	360-360-664-9689
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<b>Public Hearing:</b>	<b>June 26, 2013</b> <b>10:00 a.m.</b> Washington State Liquor Control Board – Board Room 3000 Pacific Ave. S.E., Olympia, WA
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## What changes are being proposed?

### NEW SECTION

**WAC 314-02-1071 What is "trade area"?** (1) "Trade area" as used in RCW 66.24.630 means an area where there is no spirits retail license within a twenty mile travel distance at the time of license application.

(2) The board will use the following criteria when determining to accept a spirits retail license application where the proposed premises location is less than ten thousand square feet of fully enclosed retail space:

(a) There is no spirits retail license holder or auction title holder within twenty travel miles at the time of license application; and

(b) The board will determine travel distance by a publicly available mapping tool which may be accessed on the board's web site. The web address of this site at the time of rule adoption is <http://wslcb.maps.arcgis.com/home/>.

(3) Former contract liquor stores and title holders by those who purchased a state store at auction are exempt from the ten thousand square foot minimum required by law. Should either choose to locate within an established trade area and they are in compliance with board relocation criteria, they may be issued a license.

(4) The board may make an exception to the twenty mile travel distance for the following:

(a) A spirits retail license application is for a location where the significant mode of travel is other than by automobile; and

(b) A spirits retail application from a tribal entity located on tribal land.