



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: October 09, 2024

TIME: 12:29 PM

WSR 24-21-049

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: Title 314 WAC. The Washington State Liquor and Cannabis Board (LCB) is considering amending the following sections of Title 314 WAC and amending any other sections of Title 314 WAC and repealing or creating new sections of Title 314 WAC as necessary to address two petitions for rulemaking accepted in April 2023 and accepted in part in July 2023 regarding acceptable forms of identification.

WAC 314-01-005 - Definitions

WAC 314-11-025 – What are the acceptable forms of identification?

WAC 314-17-025 – Does a permit holder have to carry his or her class 12 or 13 permit?

WAC 314-17-110 – May the board impose sanctions or penalties other than those described in WAC 314-17-105?

WAC 314-55-150 – What are the acceptable forms of identification?

While the two petitions were submitted only regarding alcohol, the LCB is considering amending the section regarding acceptable forms of identification for cannabis licensees, WAC 314-55-150, alongside WAC 314-11-025.

Statutes authorizing the agency to adopt rules on this subject: RCW 66.08.030 (alcohol); RCW 66.20.330 (alcohol servers); RCW 66.98.070 (alcohol); RCW 69.50.342 (cannabis); RCW 69.50.345 (cannabis).

Reasons why rules on this subject may be needed and what they might accomplish: In April 2023, the LCB accepted a petition for rulemaking from a member of the public requesting to amend WAC 314-11-025 to add an additional form of identification issued by the U.S. government that satisfies the requirements of WAC 314-11-025 to the list of acceptable forms of identification in WAC 314-11-025(3). The petition exemplifies that WAC 314-11-025(3) does not contain an exhaustive list of forms of identification that are acceptable under WAC 314-11-025. In July 2023, the LCB accepted in part a petition for rulemaking from a member of the public to replace references to an obsolete statute in WAC 314-01-005, WAC 314-17-025, and WAC 314-17-110 with WAC 314-11-025. Because both petitions address acceptable forms of identification regarding the sale, service, possession, and consumption of alcohol, it is logical and cost-effective to combine these two petitions into a single rulemaking project.

In addition to the requested changes, it may be appropriate to examine the overall flow and structure of WAC 314-11-025, which has not been revised since 2019. Its companion in cannabis rules, WAC 314-55-150, has not been revised in content since it was first created in 2013. This rulemaking project provides the LCB an opportunity to examine the rules regarding acceptable forms of identification at large, and to make these rules more consistent with other state law.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

(If necessary)

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Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the LCB website at lcb.wa.gov.

Date: October 9, 2024

Name: David Postman

Title: Chair

Signature:

