



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Financial Institutions, Division of Consumer Services

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>09-10-065</u> ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or                  | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).   | <input type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** (Describe Subject)  
Amending the rules (chapter 208-620 WAC) under the Consumer Loan Act (chapter 31.04 RCW).

**Hearing location(s):** John A. Cherberg Senate Building  
Senate Hearing Room 1  
Capitol Campus, Capitol Way  
Olympia, Washington 98504

**Date:** November 5, 2009 Time: 1 – 3 pm

**Date of intended adoption:** November 24, 2009  
(Note: This is NOT the effective date)

**Submit written comments to:**  
Name: Elizabeth Hampton  
Address: P.O. Box 41200  
Olympia, WA 98504-120  
e-mail [elizabeth.hampton@dfi.wa.gov](mailto:elizabeth.hampton@dfi.wa.gov)  
fax (360)586-5068 by (date) November 13, 2009

**Assistance for persons with disabilities:** Contact  
Elizabeth Hampton by October 30, 2009  
TTY (360) 664-8126 or (360) 902-8786

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** To implement chapters 120, 149 and 311, Laws of 2009, and to amend the rules generally for clarity and consistency. The rule amendments are necessary to provide specificity and guidance to the Laws of 2009 amendments.

**Reasons supporting proposal:** The changes to the law are significant and specific information is necessary to guide the industry in complying with the laws.

**Statutory authority for adoption:** chapter 43.320 RCW, chapters 120, 149, and 311, Laws of 2009

**Statute being implemented:** chapter 31.04 RCW

**Is rule necessary because of a:**

- |                         |   |  |
|-------------------------|---|--|
| Federal Law?            | <input checked="" type="checkbox"/> Yes | <input 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:  
The SAFE Act, Title V of Pub. Law 110-289

### CODE REVISER USE ONLY

**DATE**  
September 22, 2009

**NAME** (type or print)  
Deborah Bortner

**SIGNATURE** *Deborah Bortner*

**TITLE** Director, Division of Consumer Services

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Department of Financial Institutions

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Cindy Fazio	150 Israel Road, Olympia, Washington	(360) 902-8800
Implementation....Deborah Bortner	150 Israel Road, Olympia, Washington	(360) 902-8800
Enforcement.....Deborah Bortner	150 Israel Road, Olympia, Washington	(360) 902-8800

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:  
 Address:  
  
 phone ( )  
 fax ( )  
 e-mail

No. Explain why no statement was prepared.

The rule amendments will not impose more than minor costs on the businesses impacted by the proposed rules.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

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

No: Please explain: Not applicable to the proposed rules.