



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 06, 2024

TIME: 4:33 PM

WSR 25-01-023

Agency: Office of Minority & Women's Business Enterprises

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: OMWBE is the sole certifying agency for small minority, women, and socially and economically disadvantaged business enterprises. OMWBE has both a state and federal certification program with similar rules. On April 9, 2024, the U.S. Department of Transportation (USDOT) announced that the Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) rules will change and become effective on May 9, 2024. The USDOT rules are codified in 49 CFR Parts 23 and 26 and used for OMWBE's federal certification. To align OMWBE's state certification program with its federal program, OMWBE proposes changes to the above-listed Certification rules, which are found in Chapter 326-20.

Citation of rules affected by this order:

New:

Repealed:

Amended: Chapter 326-20 Washington Administrative Code (WAC)

Suspended:

Statutory authority for adoption: RCW 34.05.353 (1)(b)

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-18-064 on August 28, 2024 (date).

Describe any changes other than editing from proposed to adopted version:

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

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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:

Federal statute:	New	1	Amended	1	Repealed	<u>0</u>
Federal rules or standards:	New	1	Amended	1	Repealed	<u>0</u>
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

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 on the agency's own initiative:

New	<u>0</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:

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	Repealed	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	Repealed	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	Repealed	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

Date Adopted: 12/6/2024

Name: Julie Bracken

Title: Public Records Officer, Records Manager, Rules Coordinator

Signature:

