



# 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: November 20, 2023

TIME: 11:35 AM

WSR 23-23-142

**Agency:** Employment Security Department

**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:** This rulemaking is necessary to amend current rules in accordance with the Department's 2022 legislative report on transportation network companies and to integrate transportation network companies and their drivers into the unemployment insurance system as set forth in SHB 1570 (2023). Transportation network companies are required to submit quarterly reports to the Department that include the total hours worked by each driver, in accordance with RCW 50.12.070. This rulemaking will set forth the method for transportation network companies to calculate and report hours worked by drivers in their quarterly reports to the Department.

**Citation of rules affected by this order:**

New:

Repealed:

Amended: WAC 192-310-040

Suspended:

**Statutory authority for adoption:** RCW 50.12.010, RCW 50.12.040, and RCW 50.12.070.

**Other authority:** None

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 23-19-004 on September 6, 2023 (date).

Describe any changes other than editing from proposed to adopted version: No changes were made.

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

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Web site: <https://esd.wa.gov/newsroom/rulemaking/transportation-network-companies>

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Federal statute:	New	Amended		Repealed
Federal rules or standards:	New	Amended		Repealed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	Repealed

**The number of sections adopted at the request of a nongovernmental entity:**

	New	Amended		Repealed
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**The number of sections adopted on the agency's own initiative:**

	New	Amended	<u>1</u>	Repealed
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

	New	Amended		Repealed
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**The number of sections adopted using:**

Negotiated rule making:	New	Amended		Repealed
Pilot rule making:	New	Amended		Repealed
Other alternative rule making:	New	Amended		Repealed

**Date Adopted:** November 20, 2023

**Name:** Joy Adams

**Title:** Acting Director, Employment System Policy & Integrity

**Signature:**

