



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, 2018

TIME: 11:54 AM

WSR 19-01-012

Agency: Department of Social and Health Services, Division of Vocational Rehabilitation

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: The department is amending WAC 388-891A-1174 "When does DVR purchase and loan a vehicle to you?". The amendment is a typographical correction in sub-section 2(c) of WAC 388-891A-1174. This change is to ensure that a reference contained in the rule is accurate. Currently, the reference is to WAC 388-891A-1178; the correct reference is to WAC 388-891A-1175.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-891A-1174
 Suspended: None

Statutory authority for adoption: RCW 74.29.020(8).

Other authority: 34 Code of Federal Regulations, Part 361; 34 Code of Federal Regulations, Part 363; 34 Code of Federal Regulations, Part 397

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-18-079 on September 4, 2018 (date).
 Describe any changes other than editing from proposed to adopted version: None

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Federal statute:	New	Amended	_____	Repealed	_____
Federal rules or standards:	New	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted on the agency's own initiative:

New		Amended	<u>1</u>	Repealed	_____
-----	--	---------	----------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New		Amended		Repealed	
-----	--	---------	--	----------	--

The number of sections adopted using:

Negotiated rule making:	New	Amended	_____	Repealed	_____
Pilot rule making:	New	Amended	_____	Repealed	_____
Other alternative rule making:	New	Amended	<u>1</u>	Repealed	

Date Adopted: December 6, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-891A-1174 When does DVR purchase and loan a vehicle to you? (1) DVR only purchases and loans a vehicle to you under exceptional circumstances and when providing a vehicle would be the least cost service to meet your transportation needs. In such exceptional circumstances, no other transportation options are available and it is not feasible for you to relocate or use other transportation options.

(2) You or the driver of your vehicle must participate in an assessment to determine that you, or if you are riding as the passenger in the vehicle, that the driver, can safely operate the vehicle. As part of that assessment, you, or if you are the passenger, the driver, must provide:

(a) A copy of a current, valid driver's license;

(b) A current copy of a driving record disclosing any moving violations and indicating no criminal convictions related to driving a vehicle;

(c) Documentation of your insurability and the anticipated expense of insuring the vehicle to meet DVR's minimum requirements, as outlined in WAC (~~(388-891A-1178)~~) 388-891A-1175; and

(d) Documentation of your ability to maintain insurance coverage.

(3) If the assessment described in subsection (2) of this section reveals any fact that raises a question regarding driving safety, the DVR counselor must require a driving evaluation conducted by a state-certified driver training instructor, or another relevant evaluation, as appropriate.

(4) When the vehicle has been or will be modified for your use, the driving evaluation described in subsection (3) of this section must be conducted by a certified driver rehabilitation specialist.

(5) The DVR director must approve the purchase of the vehicle and the loan to you.