



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: September 16, 2024

TIME: 6:49 PM

WSR 24-19-071

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

**Subject of possible rule making:** Fee increase related to information system required pursuant to the Check Casher and Seller Act, chapter 31.45 RCW. This rule making would amend WAC 208-630-556(11) and (13).

**Statutes authorizing the agency to adopt rules on this subject:** RCW 31.45.093 and RCW 43.320.040.

**Reasons why rules on this subject may be needed and what they might accomplish:** Since January 1, 2010, borrowers are not permitted to receive more than eight small loans from any payday lender in any 12-month period. RCW 31.45.073(4). Payday lenders are required to verify the number of small loans a borrower has received to ensure the eight small loan limit is not exceeded by checking the required information database. RCW 31.45.093; WAC 208-630-555; WAC 208-630-556. Payday lenders must pay \$1 per small loan registered. WAC 208-630-556. This \$1 fee has not been amended or increased since 2010. The Division of Consumer Services is increasing the fee to ensure the information database can continue to be used to assist and inform lenders on a borrower's eligibility to take out a small loan.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Consumer Financial Protection Bureau (CFPB) implements a number of federal laws and regulations that industry must comply with.

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

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

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

	(If necessary)
Name: Rochelle Henderson	Name:
Address: P.O. Box 41200, Olympia, WA 98504-1200	Address:
Phone: 360-701-0581	Phone:
Fax:	Fax:
TTY:	TTY:
Email: rochelle.henderson@dfi.wa.gov	Email:
Web site: www.dfi.wa.gov	Web site:
Other:	Other:

Additional comments:

**Date:** September 16, 2024

**Name:** Ali Higgs

**Title:** Director, Division of Consumer Services

**Signature:**