



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: March 13, 2023

TIME: 4:19 PM

WSR 23-07-074

Agency: Department of Licensing

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: Update procedures, guidelines, and language of the hearings rules to align with the intent of the governing statutes. These updates will bring the hearings in compliance with the governing authority set forth in the RCWs, clarify procedures that are unclear, allow for procedures currently prohibited, clarify portions of the WACs that are no longer procedural, and to bring the WACs more in line with inclusive language.

Citation of rules affected by this order:

New: None

Repealed: None

Amended: WAC 308-101-040 (Eligibility for hearing); WAC 308-101-070 (Signatures); WAC 308-101-090 (Scheduling — Notice of hearing); WAC 308-101-120 (Continuances); WAC 308-101-150 (Subpoenas); WAC 308-101-155 (Filing of exhibits and other documents with the department); WAC 308-101-170 (Video evidence); WAC 308-101-180 (Format and length for briefs); and, WAC 308-101-210 (Conduct of hearings).

Suspended: None

Statutory authority for adoption: RCW 46.01.110 Rule-making authority; RCW 46.01.040(10) Powers, duties, and functions relating to motor vehicle laws vested in department. (10) The administration of the laws relating to reciprocal or proportional registration of motor vehicles as provided in chapter 46.85 RCW

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-01-144 on 12/21/2022 (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	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

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	___	Amended	9	Repealed	___
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The number of sections adopted using:

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	Amended	___	Repealed	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	Amended	___	Repealed	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	Amended	___	Repealed	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

Date Adopted: March 13, 2023
Name: Ellis Starrett
Title: Rules and Policy Manager

Signature:

