



# PROPOSED RULE MAKING

**CR-102 (June 2024)**  
**(Implements RCW 34.05.320)**  
Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: June 04, 2025

TIME: 9:13 AM

**WSR 25-12-105**

**Agency:** Department of Licensing

☒ **Original Notice**

☐ **Supplemental Notice to WSR** \_\_\_\_\_

☐ **Continuance of WSR** \_\_\_\_\_

☒ **Preproposal Statement of Inquiry was filed as WSR 24-18-120 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 308-101-240 Probation in habitual traffic offender matters

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
July 8, 2025	11:00 a.m.	<b>Join Zoom Meeting</b> <a href="https://us06web.zoom.us/j/82308156923?pwd=WnfsuHHN9wkEe4SLzD5N9DBakVb135.1">https://us06web.zoom.us/j/82308156923?pwd=WnfsuHHN9wkEe4SLzD5N9DBakVb135.1</a>  <b>Meeting ID:</b> 823 0815 6923 <b>Passcode:</b> 734100  ---  One tap mobile +12532158782,,82308156923#,,, ,*734100# US (Tacoma) +12532050468,,82308156923#,,, ,*734100# US  ---  Dial by your location • +1 253 215 8782 US (Tacoma) • +1 253 205 0468 US • +1 669 444 9171 US • +1 719 359 4580 US • +1 720 707 2699 US (Denver) • +1 346 248 7799 US (Houston) • +1 646 558 8656 US (New York) • +1 646 931 3860 US • +1 689 278 1000 US • +1 301 715 8592 US (Washington DC) • +1 305 224 1968 US • +1 309 205 3325 US • +1 312 626 6799 US (Chicago) • +1 360 209 5623 US • +1 386 347 5053 US	Please note that there is both an in-person and a virtual option. If you are not able to sign-in using Zoom, your only option may be phone. Please plan on attending in-person if the call in option is not a preferred method of participating  The in-person public hearing will be held at the Highway and Licenses Building at 1125 Washington St SE Olympia WA 98504.

	<ul style="list-style-type: none"> <li>• +1 507 473 4847 US</li> <li>• +1 564 217 2000 US</li> </ul> <p>Meeting ID: 823 0815 6923 Passcode: 734100</p> <p>Find your local number: <a href="https://us06web.zoom.us/j/kcZlnO9GqN">https://us06web.zoom.us/j/kcZlnO9GqN</a></p>	
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**Date of intended adoption:** July 9, 2025 (Note: This is **NOT** the effective date)

<b>Submit written comments to:</b> Name Ellis Starrett Address 1125 Washington St SE, Olympia, WA, 98504 Email rulescoordinator@dol.wa.gov Fax Other Beginning (date and time) _____ By (date and time) <u>July 8, 2025</u>	<b>Assistance for persons with disabilities:</b> Contact Ellis Starrett Phone 360-902-3846 Fax TTY Email rulescoordinator@dol.wa.gov Other By (date) <u>July 1, 2028</u>
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**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Further define the expected duration of the probation period for Habitual Traffic Offenders, as well as clarify terms and conditions for probation upon reinstatement to remain in effect.

**Reasons supporting proposal:** This rulemaking provides greater clarity around the Department's policy for the duration of the probationary period for Habitual Traffic Offenders and clarifies criteria for violations of the probation or stay agreement.

**Statutory authority for adoption:** RCW 46.01.110 Rule-making authority

**Statute being implemented:** Chapter 46.65 RCW Washington Habitual Traffic Offenders Act; and RCW 46.20.2892 Traffic infractions for moving violations – Suspension – Probation – Notice.

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** N/A

**Name of proponent:** (person or organization) Department of Licensing  
**Type of proponent:** ☐ Private. ☐ Public. ☒ Governmental.

Name of agency personnel responsible for:			
	Name	Office Location	Phone
Drafting	Colton Myers	1125 Washington St SE, Olympia, WA, 98504	564-464-5716
Implementation	Marta Reinhold	1125 Washington St SE, Olympia, WA, 98504	360-664-1488
Enforcement	Marta Reinhold	1125 Washington St SE, Olympia, WA, 98504	360-664-1488

**Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?** ☐ Yes ☐ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name  
 Address  
 Phone  
 Fax  
 TTY  
 Email  
 Other

**Is a cost-benefit analysis required under [RCW 34.05.328](#)?**

- ☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name  
Address  
Phone  
Fax  
TTY  
Email  
Other

- ☒ No: Please explain: There are no costs associated with this rulemaking, as it is only clarifying language already in law to better define DOL's policies related to probationary periods for Habitual Traffic Offenders.

**Regulatory Fairness Act and Small Business Economic Impact Statement**

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

**(1) Identification of exemptions:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

- ☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

- ☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

- ☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

- ☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

- |   |  |
|---|--|
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b)<br>(Internal government operations)         | <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e)<br>(Dictated by statute)  |
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c)<br>(Incorporation by reference)             | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f)<br>(Set or adjust fees)  |
| <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d)<br>(Correct or clarify language) | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g)<br>((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

- ☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4). (Does not affect small businesses).

- ☐ This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule:

**(2) Scope of exemptions:** *Check one.*

- ☒ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- ☐ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- ☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

**(3) Small business economic impact statement:** *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. \_\_\_\_\_
- ☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name  
Address  
Phone  
Fax  
TTY  
Email  
Other

**Signature:**

**Date:** June 4, 2025

**Name:** Ellis Starrett

**Title:** Rules and Policy Manager

A handwritten signature in black ink, appearing to read "Ellis Starrett", is written over a light blue horizontal line.