EXPEDITED RULE MAKING

CR-105 (June 2024)
(Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: December 18, 2025
TIME: 10:35 AM

WSR 26-01-132

Agency: Department of Licensing

Title of rule and other identifying information: (describe subject) WAC 308-101-020 Hearings examiners; WAC 308-101-040 Eligibility for hearing; WAC 308-101-080 Requests for hearing; WAC 308-101-100 Place of hearing; WAC 308-101-120 Continuances; WAC 308-101-130 Agreements to schedule hearings under RCW 46.20.308 past the time frame required by law; WAC 308-101-150 Subpoenas; WAC 308-101-155 Filing of exhibits and other documents with the department and calling expert witnesses; WAC 308-101-160 Evidence; WAC 308-101-170 Video evidence; WAC 308-101-180 Briefs, motions, memoranda, and other pleadings; WAC 308-101-200 Testimony under oath or affirmation; WAC 308-101-210 Conduct of hearings; and WAC 308-101-220 Default..

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department of Licensing (DOL) is updating references to hearing examiners, after they were renamed to law judges in July 2025, and making corrections to language including grammar and using more inclusive pronouns.

Reasons supporting proposal: Rule updates are correcting titles used for staff assigned by the agency Director to decide application of administrative sanctions.

Statutory authority for adoption: RCW 46.01.110 Rule-making authority; and RCW 46.25.140 Rules.

Statute being implemented: Chapter 46.20 RCW Drivers' Licenses – Identicards; Chapter 46.25 RCW Uniform Commercial Driver's License Act; and Chapter 46.65 RCW Washington Habitual Traffic Offenders Act

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

Name of proponent: (person or organization) Department of Licensing

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Marguerite Friedlander	1125 Washington St SE, Olympia, WA 98504	360-664-1528
Implementation:	Marguerite Friedlander	1125 Washington St SE, Olympia, WA 98504	360-664-1528
Enforcement:	Marguerite Friedlander	1125 Washington St SE, Olympia, WA 98504	360-664-1528

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

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

☐ Relates only to internal governmental operations that are not subject to violation by a person;

☐ Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;

☒ Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;

☐ Content is explicitly and specifically dictated by statute;

☐ Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or

☐ Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

☐ The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;

☐ The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;

☐ The rule is no longer necessary because of changed circumstances; or

☐ Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): DOL is correcting agency staff titles and typographical errors.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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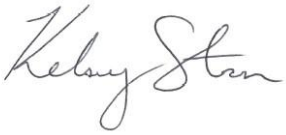
BEGINNING (date/time) January 7, 2026 **AND RECEIVED BY** (date/time) February 24, 2026

Date: December 18, 2025

Name: Kelsey Stone

Title: Legislative Policy Analyst

Signature: