

**WAC 308-102-255 Determination of possibility of judgment.** For the purposes of WAC 308-102-250 (1)(c), the department may presume that there is a reasonable possibility of a judgment being entered against a person if:

(1) The person was convicted of a traffic violation arising out of the accident; or

(2) A law enforcement officer investigating the accident completed a report which specified that a violation of a rule of the road contributed to the accident regardless of whether a citation was issued; or

(3) The person was negligent, having committed an act which a reasonably careful and prudent person would not have done under the same or similar circumstances, or failed to act in a way which a reasonably careful and prudent person would have acted under the same or similar circumstances, and such act or omission was a proximate cause of the accident.

[Statutory Authority: RCW 46.01.110 and 46.01.040(10). WSR 23-07-073, § 308-102-255, filed 3/13/23, effective 4/13/23. Statutory Authority: RCW 46.01.110. WSR 92-08-045, § 308-102-255, filed 3/25/92, effective 4/25/92.]