

**WAC 308-102-260 Presiding officer—Duties.** (1) The presiding officer, in making his, her, or their decision at the formal hearing held on request of a person for failing to deposit security, shall consider:

(a) Evidence as allowed under RCW 34.05.452;

(b) Court records of convictions submitted to the department of licensing and arising out of the accident in question;

(c) Traffic collision reports completed by a police officer who investigated the accident, all reports and other information submitted to the department by the individual(s) who sustained the loss or the insurance carrier who has a subrogated interest therein, records and documents in the possession of the department of which it desires to avail itself, repair estimates, repair and medical bills, towing bills and any other reasonable accounting of a loss proximately arising from an accident or photocopies thereof; and

(d) Any other evidence related to the issues before the hearing which have probative value commonly accepted by reasonable, prudent persons in the conduct of their affairs.

(2) The presiding officer, in making his, her, or their decision, at the formal hearing, held at the request of a person who failed to satisfy a judgment, shall consider whether the department received all the certificates required by RCW 46.29.310.

[Statutory Authority: RCW 46.01.110 and 46.01.040(10). WSR 23-07-073, § 308-102-260, filed 3/13/23, effective 4/13/23. Statutory Authority: RCW 46.01.110. WSR 92-08-045, § 308-102-260, filed 3/25/92, effective 4/25/92; WSR 82-03-046 (Order 668 DOL), § 308-102-260, filed 1/19/82; Order 466-DOL, § 308-102-260, filed 12/30/77; Order MV-302, § 308-102-260, filed 3/31/75.]