Chapter 446-105 WAC
WORK ZONE SPEED SAFETY CAMERA PROGRAM

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

446-105-100 What can I do if I receive a notice of infraction with a $0 penalty? [Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-100, filed 1/7/25, effective 2/7/25.] Repealed by WSR 26-16-005, filed 7/23/26, effective 8/23/26. Statutory Authority: RCW 46.63.200.

WAC 446-105-010 Application of this chapter. This chapter applies to all adjudicative proceedings under the jurisdiction of the Washington state patrol for state highway work zone speed safety camera system infractions issued under RCW 46.63.200.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-010, filed 1/7/25, effective 2/7/25.]

WAC 446-105-020 Adoption of model rules of procedure. Except as they may be inconsistent with RCW 46.63.075, 46.63.200, or the rules in this chapter, the Washington state patrol adopts the model rules of procedure as set forth in chapter 10-08 WAC. Where the rules of this chapter conflict with those of chapter 10-08 WAC, the rules of this chapter govern.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-020, filed 1/7/25, effective 2/7/25.]

WAC 446-105-030 Definitions. The following definitions shall apply throughout this chapter.

(1) "DOL" means the Washington state department of licensing.

(2) "Hearing packet" means the documentary evidence that will be transmitted by the WSDOT to the OAH for each administrative hearing, including, but not limited to:

(a) The notice of infraction;

(b) The vehicle license plate images associated with the notice of infraction;

(c) The radar/lidar calibration certificate;

(d) The vehicle registration information;

(e) The petitioner's hearing request;

(f) Documents establishing worker presence; and

(g) The work zone speed safety camera deployment log.

(3) "Notice of infraction" means the document issued under RCW 46.63.030 and 46.63.200 notifying the registered owner of a work zone speed safety camera system violation.

(4) "OAH" means the Washington state office of administrative hearings.

(5) "Patrol" means the Washington state patrol.

(6) "Penalty" means the penalty assessed for a work zone speed safety camera system violation, as described in RCW 46.63.200(5).

(7) "Petitioner" means a person or business cited for a work zone speed safety camera system violation who requests a hearing in response to a notice of infraction.

(8) "WSDOT" means the Washington state department of transportation or its work zone speed safety camera system vendor.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-030, filed 1/7/25, effective 2/7/25.]

WAC 446-105-040 Brief adjudicative proceedings. (1) Adoption of brief adjudicative proceedings. Under RCW 34.05.410 (1)(a), and except as provided in subsection (2) of this section, the patrol hereby adopts the use of brief adjudicative proceedings for the following matters:

(a) Mitigation hearings in which the petitioner has admitted to the violation, under WAC 446-105-130;

(b) Payment plan hearings in which the petitioner has admitted to the violation, under WAC 446-105-140; and

(c) Contested hearings in which the only issue being raised is a denial of responsibility under RCW 46.63.075.

(2) Infractions sent to businesses, including rental car companies, shall not be considered matters appropriate for brief adjudicative proceedings.

(3) Conversion to a formal adjudicative proceeding. The administrative law judge may, in their sole discretion, convert a brief adjudicative proceeding to a formal adjudicative proceeding whenever it appears that a brief adjudicative proceeding is insufficient to resolve the case.

(a) When a brief adjudicative proceeding is converted to a formal adjudicative proceeding, the OAH shall issue a new notice of hearing for a date not less than 15 calendar days from the date of the notice; and

(b) The OAH shall serve the petitioner and the patrol with the new notice of hearing.

(4) Procedure for brief adjudicative proceedings. The following procedure applies to brief adjudicative proceedings:

(a) An administrative law judge with the OAH will conduct the brief adjudicative proceeding.

(b) Not less than 14 calendar days before the date of the hearing, the OAH shall serve notice on the petitioner that a brief adjudicative proceeding will occur. The notice of hearing will contain the following:

(i) The date of the brief adjudicative proceeding;

(ii) Notice that the petitioner may submit additional relevant documentary evidence and sworn statements, if desired, along with a date by which these submissions must be made and instructions for doing so;

(iii) Notice that the administrative law judge's decision will be based on the written materials unless, within 10 calendar days of receiving the notice of hearing, the petitioner requests in writing to appear telephonically to submit sworn oral testimony.

(c) The administrative law judge, in their sole discretion, may send a written request for additional evidence to the petitioner or the patrol. The request will contain instructions for how to submit the additional evidence and the date by which additional evidence must be submitted.

(d) The administrative law judge's review will be limited to the record identified in subsection (5) of this section.

(e) If the petitioner has submitted a written request to appear telephonically, the administrative law judge will entertain oral testimony from the petitioner at a time and place designated by the administrative law judge.

(f) No witnesses, other than the petitioner, may offer oral testimony.

(g) Formal discovery, including depositions and interrogatories, is not allowed.

(h) The administrative law judge will issue an initial order within 15 calendar days of the date for final submission of written materials or oral testimony, if any.

(5) Record for brief adjudicative proceedings. The record for brief adjudicative proceedings will consist of the following:

(a) The hearing packet;

(b) Any additional records, sworn declarations, or oral testimony submitted by the petitioner; and

(c) Any additional evidence submitted by the parties at the written request of the administrative law judge.

(6) Effectiveness of orders on brief adjudicative proceedings. Initial orders on brief adjudicative proceedings shall become final 21 calendar days after mailing of the initial order unless the petitioner or the patrol files a written petition for review.

(a) A petition for review of the initial order must have resulted in a decision against the petitioning party.

(b) The petition must:

(i) Be filed with the OAH in accordance with WAC 10-08-110 within 21 calendar days of mailing of the initial order; and

(ii) Contain a concise statement of the issue(s) to be reviewed.

(c) The reviewing officer will be an administrative law judge with the OAH.

(d) Review is limited to the evidence and arguments included in the hearing record, as well as any arguments in the petition. Additional evidence will not be considered unless the administrative law

judge expressly reopens the record after notifying the parties of the intention to do so.

(e) The reviewing officer will issue a written final order which must include a brief statement of the reason(s) for the decision, and must be entered within 20 calendar days after the petition for review is filed with the OAH.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-040, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-040, filed 1/7/25, effective 2/7/25.]

WAC 446-105-050 Formal adjudicative proceedings. The OAH will conduct formal adjudicative proceedings for all work zone speed safety camera system infraction hearings other than those identified in WAC 446-105-040(1). At the conclusion of a formal adjudicative proceeding, the administrative law judge shall enter a final order.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-050, filed 1/7/25, effective 2/7/25.]

WAC 446-105-060 What information must be included on a notice of infraction? The notice of infraction shall include the following:

(1) A statement that the notice represents a determination that the infraction has been committed by the person or business named in the notice, and that the determination shall be final unless contested as provided in RCW 46.63.200 and this chapter;

(2) A statement that the infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction, and that the infraction may result in nonrenewal of the vehicle registration if any monetary penalty is not timely paid;

(3) A statement of the amount of the monetary penalty, including any applicable increased penalty for second and subsequent infractions;

(4) A statement of the options provided in this chapter for responding to the notice of infraction and the procedures necessary to exercise these options;

(5) A statement that, at any hearing to contest the determination, the patrol has the burden of proving, by a preponderance of the evidence, that the infraction was committed;

(6) A statement that, at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction or for requesting a payment plan only, the person or business will be deemed to have committed the infraction;

(7) A statement that the person or business must respond to the notice of infraction within 30 days of receipt; and

(8) A statement that failure to appear at a hearing requested for the purpose of contesting the infraction, explaining mitigating circumstances, or seeking a payment plan may result in the registered owner being reported to a collection agency for collection of the unpaid monetary penalty plus fees associated with the cost of collection, or in refusal of the DOL to renew the vehicle registration if any penalties imposed under RCW 46.63.200 or this chapter have not been satisfied.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-060, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-060, filed 1/7/25, effective 2/7/25.]

WAC 446-105-070 Are any vehicles exempt from work zone speed safety camera system infractions? The following vehicles are exempt from receiving an infraction for a work zone speed safety camera system violation:

(1) Any vehicle registered to a fire department;

(2) Any vehicle registered to a general authority law enforcement agency for use by a general authority Washington peace officer, as defined in RCW 10.93.020;

(3) Any vehicle registered to a sovereign tribal government for use by a tribal police officer, as defined in RCW 10.92.010;

(4) Any vehicle registered to a federal law enforcement agency for use by a federal peace officer, as defined in RCW 10.93.020;

(5) Any aid vehicle registered to an aid service, as defined in RCW 18.73.030, equipped with emergency lights and sirens;

(6) Any ambulance registered to a public or private ambulance service, as defined in RCW 18.73.030, equipped with emergency lights and sirens;

(7) Any organ transplant vehicle registered to an organ transplant service, as defined in RCW 18.73.030, equipped with emergency lights and sirens; and

(8) Any vehicle with valid diplomatic license plates.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-070, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-070, filed 1/7/25, effective 2/7/25.]

WAC 446-105-080 What can I do if I received a work zone speed safety camera system infraction but my vehicle is exempt under WAC 446-105-070? Any person or business who receives a work zone speed safety camera system infraction for a vehicle that is exempt under WAC 446-105-070, may request a contested hearing to challenge the infraction.

(1) At the contested hearing, the person or business may be required to submit documentary proof that the vehicle meets the requirements for any of the exemptions listed in WAC 446-105-070.

(2) If the recipient of a notice of infraction fails to contest the infraction, the recipient will be liable for any penalty amount.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-080, filed 1/7/25, effective 2/7/25.]

WAC 446-105-090 How long do I have to request a hearing or pay a penalty? Any person or business that receives a notice of infraction must remit payment for any penalty or request a hearing within 30 calendar days of receiving the notice of infraction. For purposes of determining the date of receipt, a notice of infraction shall be deemed received upon the third day following the day upon which the notice of infraction is placed in the mail, unless the third day falls on a Saturday, Sunday, or legal holiday, in which event the notice of infrac-

tion shall be deemed received on the first day other than a Saturday, Sunday, or legal holiday, following the third day.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-090, filed 1/7/25, effective 2/7/25.]

WAC 446-105-110 What can I do if I receive a notice of infraction? Any person or business that receives a notice of infraction may:

(1) Admit the violation and pay the penalty;

(2) Admit the violation and request a hearing to mitigate the penalty and/or to establish a payment plan; or

(3) Request a hearing to contest the infraction.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-110, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-110, filed 1/7/25, effective 2/7/25.]

WAC 446-105-120 How can I pay a work zone speed safety camera system infraction penalty? (1) Work zone speed safety camera infraction penalties may be paid by credit/debit card, check, or money order.

(2) Payments may be made:

(a) By mail to the following address: WSDOT-Work Zone Speed Safety Camera, P.O. Box 9832, Vancouver, WA 98666-8807;

(b) By telephone, as described on the instructions contained in the notice of infraction; and

(c) Online at www.waworkzonespeedcameras.gov.

(3) All payments must be made in full, unless a payment plan has been approved under WAC 446-105-140.

(a) Partial payments will not be accepted.

(b) If a payment plan has not been approved and a partial payment is received by mail, the payment will be returned to the sender.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-120, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-120, filed 1/7/25, effective 2/7/25.]

WAC 446-105-130 What is a hearing to mitigate the penalty and who can request one? (1) The purpose of a mitigation hearing is to allow the petitioner, after admitting the violation, to offer evidence to explain why they believe the monetary penalty should be reduced.

(2) Any person or business who receives a work zone speed safety camera system notice of infraction with a monetary penalty may request a mitigation hearing after admitting to the violation.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-130, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-130, filed 1/7/25, effective 2/7/25.]

WAC 446-105-140 Who can request a hearing to establish a payment plan? (1) Any person who receives a work zone speed safety camera

system notice of infraction with a monetary penalty may admit the violation and request a hearing to establish a payment plan.

(2) If a person or business requests a contested hearing and liability is established at a hearing, the petitioner may still seek a payment plan at any time.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-140, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-140, filed 1/7/25, effective 2/7/25.]

WAC 446-105-150 Who can request a hearing to contest an infraction and what issues will be addressed at the hearing? (1) Any person or business who receives a work zone speed safety camera system notice of infraction may request a hearing to contest the infraction.

(2) At the time a contested hearing is requested, the petitioner will be asked to identify the issues that they intend to raise at the hearing. The petitioner must identify all issues they intend to raise at the hearing when they make the hearing request. The hearing will be limited to those issues identified when the hearing request is made. The issues the petitioner identifies to raise at hearing will be reflected on the cover sheet of the hearing packet.

(3) The petitioner may choose any of the following general issues at a hearing to contest the infraction:

(a) General denial. The petitioner does not believe they should be found liable for the infraction;

(b) Radar/Lidar. Challenges the proper operation of the radar/lidar equipment, including calibration;

(c) Worker presence. Challenges workers being present in the state highway work zone at the time of the violation, as defined in WAC 468-90-010;

(d) Nonresponsibility. The petitioner denies responsibility per RCW 46.63.075 because the vehicle was stolen, or the petitioner was not the person in control of the vehicle at the time of the violation. A rental car company may not respond to an infraction by claiming nonresponsibility and must respond as described in WAC 446-105-155;

(e) Exempt vehicle. The vehicle is exempt from the issuance of work zone speed safety camera infractions under WAC 446-105-070; and

(f) Other. Issues other than those identified in (a) through (e) of this subsection. The petitioner must describe in detail any other issues they intend to raise at the hearing.

(4) The petitioner will receive a notice of hearing from OAH. Any objection to the issues identified in the notice of hearing must be filed with the OAH within 10 calendar days after the date the hearing notice is mailed. If no timely objections are filed, only the issues identified on the cover sheet of the hearing packet will be considered at the hearing, unless the administrative law judge allows additional issues for good cause shown.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-150, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-150, filed 1/7/25, effective 2/7/25.]

WAC 446-105-155 Rental car companies. (1) A rental car company that receives a rental car business letter pursuant to RCW 46.63.200 (8)(f) must respond within 30 days in the manner provided in RCW

46.63.200 (8)(f)(i). Failure to respond may result in the issuance of a notice of infraction to the rental car business.

(2) At any hearing to contest or seek mitigation of the monetary penalty for a notice of infraction issued to a rental car company after failure to respond to a rental car business letter, the rental car company may not offer evidence or testimony that would have been responsive if offered in the manner provided in RCW 46.63.200 (8)(f)(i).

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-155, filed 7/23/26, effective 8/23/26.]

WAC 446-105-160 How can I request a hearing? All hearing requests may be made by mail, by telephone, or online at https://usview.cite-web.com/ by following the instructions contained in the notice of infraction.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-160, filed 1/7/25, effective 2/7/25.]

WAC 446-105-170 What will happen if I do not respond to a work zone speed safety camera system notice of infraction within 30 days of receipt? (1) A notice of infraction represents a determination that the infraction has been committed, and the determination will be final unless it is contested.

(2) A person or business who receives a work zone speed safety camera system notice of infraction has 30 days from receipt, as defined in WAC 446-105-090, to respond as directed in the notice of infraction.

(3) If a person or business does not respond to the notice of infraction within 30 days of receipt, the infraction will be found committed. After an infraction is found committed, failure to pay the assessed penalty may result in a nonrenewal hold on the vehicle registration, or the registered owner may be reported to a collection agency for collection of the unpaid monetary penalty plus fees associated with the cost of collection.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-170, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-170, filed 1/7/25, effective 2/7/25.]

WAC 446-105-180 What will happen if I request a hearing to seek mitigation, to request a payment plan, or to contest the infraction solely on the basis that I was not in control of the vehicle at the time of the violation? (1) Timely submitted hearing requests will proceed to a brief adjudicative proceeding as described in WAC 446-105-040.

(2) Once a hearing request has been received, a hearing notice will be mailed to the address at which the vehicle is registered, unless the mailing address was updated by the petitioner at the time the hearing was requested.

(3) If a petitioner has submitted a request to appear telephonically, the hearing notice will contain the date and time of the hearing, and instructions for participating.

(a) A petitioner who has requested to appear telephonically must attend the hearing.

(b) If the petitioner cannot attend a scheduled hearing, the petitioner is responsible for contacting the OAH at the phone number provided on the hearing notice to request a new hearing date.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-180, filed 1/7/25, effective 2/7/25.]

WAC 446-105-190 What will happen if I request a formal adjudicative hearing to contest the infraction? (1) Timely submitted hearing requests will proceed to a formal adjudicative hearing consistent with the Administrative Procedure Act and the provisions of this chapter.

(2) Once a request for a formal adjudicative hearing has been received, the OAH will mail a hearing notice to the address at which the vehicle is registered, unless the mailing address was updated by the petitioner at the time the hearing was requested.

(3) The hearing notice will contain the date and time of the hearing, and instructions for participating.

(4) Formal adjudicative proceedings will be held telephonically unless, within 10 calendar days of receiving the hearing notice, one or both parties request in writing to appear by videoconference.

(a) The request to appear by videoconference must be accompanied by a statement of the reason(s) for the request.

(b) The administrative law judge, in their sole discretion, will decide whether the formal adjudicative hearing shall be held by telephone or videoconference.

(5) The parties must attend the scheduled hearing. Failure to attend a scheduled hearing may result in a default order being entered. If the parties cannot attend a scheduled hearing, they are responsible for contacting the OAH in advance of the hearing to request a new hearing date.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-190, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-190, filed 1/7/25, effective 2/7/25.]

WAC 446-105-200 Who can appear in a representative capacity at a work zone speed safety camera system infraction hearing? The following persons may appear in a representative capacity at a hearing:

(1) The registered owner to whom the infraction was issued;

(2) An attorney at law duly qualified and entitled to practice before the supreme court of the state of Washington;

(3) A legal intern admitted to limited practice under Rule 9 of the Washington state supreme court's admission and practice rules. No legal intern, however, may appear without the presence of a supervising lawyer unless the administrative law judge approves the intern's sole appearance in advance; and

(4) A bona fide officer, partner, or owner of a business, association, partnership, or corporation who appears on behalf of such business, association, partnership, or corporation.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-200, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-200, filed 1/7/25, effective 2/7/25.]

WAC 446-105-210 What discovery is allowed in a formal adjudicative proceeding? The parties should informally exchange information and documents relating to the case prior to the adjudicative proceeding. Formal discovery will be available only as follows:

(1) Methods and scope.

(a) The administrative law judge may only allow discovery regarding issues relevant to the subject matter in the pending action. Written discovery may be permitted only at the discretion of the administrative law judge.

(b) The administrative law judge has the power to control the nature and frequency of discovery permitted, and to order discovery conferences to discuss discovery issues.

(c) The administrative law judge shall limit discovery if:

(i) The discovery sought is unreasonably cumulative or duplicative, or can be obtained from another source that is more convenient, less burdensome, or less expensive; or

(ii) The request would be overly burdensome or expensive considering the needs of the case, the parties' resources, and the importance of the issues.

(2) Limitation on discovery. In addition to limitations on discovery, set forth in subsection (1) of this section, discovery does not include:

(a) Depositions; or

(b) Information or documents relating to work zone speed safety camera infractions issued to any person or entity other than the petitioner.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-210, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-210, filed 1/7/25, effective 2/7/25.]

WAC 446-105-215 How are documents served? Service is the act of delivering a document to a party or a party's designated representative.

(1) Unless otherwise provided by law, documents must be served by:

(a) Personal service;

(b) First class, registered, or certified mail;

(c) Fax transmission; or

(d) The parties may agree in writing to service by electronic mail.

(2) Service by the parties to one another does not include filing documents electronically through the use of the OAH participant portal.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-215, filed 7/23/26, effective 8/23/26.]

WAC 446-105-220 What information about my infraction is available to me prior to my administrative hearing? The documents contained in the hearing packet, which is defined in WAC 446-105-030(2), will be available to a petitioner prior to the administrative hearing. The hearing packet can be downloaded from https://usview.cite-web.com/ within 48 hours after a hearing request has been received. A petition-

er may also obtain a copy of the hearing packet by calling the customer service center, toll free, at 1-833-576-0318.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-220, filed 1/7/25, effective 2/7/25.]

WAC 446-105-230 What evidence will be available to the administrative law judge at a formal adjudicative proceeding to contest the infraction? (1) Hearing packet. Upon receipt of a request for a hearing, the hearing packet will be transmitted by the WSDOT to the OAH for consideration by the administrative law judge.

(2) Other evidence. During the hearing, other documentary evidence or oral testimony may be admitted and considered by the administrative law judge. Absent good cause, the parties must follow the instructions in the notice of hearing regarding how to timely file and serve evidence for their case or the evidence may be excluded.

(3) The administrative law judge may exclude evidence that is irrelevant, immaterial, or repetitious.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-230, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-230, filed 1/7/25, effective 2/7/25.]

WAC 446-105-240 How will I be notified of the administrative law judge's decision? An administrative law judge with the OAH will enter an order stating whether the infraction is affirmed or reversed and whether the petitioner is liable for any penalty. Orders issued as a result of a hearing will be provided to the petitioner and the patrol electronically or by mail. Orders that are mailed to the petitioner will be mailed to the address at which the vehicle is registered, unless the mailing address was updated by the petitioner.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-240, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-240, filed 1/7/25, effective 2/7/25.]

WAC 446-105-250 When is payment due if I am found liable for an infraction with a monetary penalty? If a petitioner is found liable for a work zone speed safety camera system infraction with a monetary penalty after an administrative hearing, or due to a failure to respond to the notice of infraction as required by RCW 46.63.200, unless otherwise specified in the order, payment is due within 30 days of the date of the final order. If the petitioner does not pay the amount due within the time allotted, a nonrenewal hold may be placed on the vehicle registration, or the registered owner may be reported to a collection agency for collection of the unpaid monetary penalty plus fees associated with the costs of collection.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-250, filed 1/7/25, effective 2/7/25.]

WAC 446-105-260 What happens if I disagree with a final order? (1) Any party may file a petition for reconsideration of a final order as specified in RCW 34.05.470.

(a) A petition for reconsideration must be served upon the opposing party and filed with the OAH within 10 days of service of the final order.

(b) Unless denied under (c) of this subsection, the petition will be reviewed by the same administrative law judge who entered the order, if reasonably available.

(c) A petition for reconsideration is deemed denied if, within 20 days of the date it is filed, the administrative law judge:

(i) Denies the petition;

(ii) Does not act upon the petition; or

(iii) Does not serve the parties the date by which the administrative law judge will act on the petition.

(d) If the administrative law judge determines to act upon the petition, the opposing party must be provided at least seven business days in which to file a response.

(e) Reconsideration is limited to the evidence and arguments included in the hearing record. Additional evidence may not be considered unless the administrative law judge reopens the record after notifying the parties.

(f) The petition will be resolved by written order, which may deny the petition, grant the petition and modify or dissolve the final order, or grant the petition and set the matter for future hearing.

(2) A petitioner may appeal a final order to superior court as specified in chapter 34.05 RCW.

If a petition for reconsideration is timely filed and complies with the procedural requirements, the time for filing a petition for judicial review does not begin until the agency has served the written order as described in subsection (1)(f) of this section.

[Statutory Authority: RCW 46.63.200. WSR 26-16-005, s 446-105-260, filed 7/23/26, effective 8/23/26; WSR 25-03-026, s 446-105-260, filed 1/7/25, effective 2/7/25.]

WAC 446-105-270 How do I release a hold on my vehicle registration renewal? A person or business can contact the DOL to find out if there is a hold on their vehicle registration renewal. To release a hold, the person or business must remit full payment for any unpaid work zone speed safety camera system infraction penalties. Payment may be initiated by calling the customer service center, toll free, at 1-833-576-0318.

[Statutory Authority: RCW 46.63.200. WSR 25-03-026, s 446-105-270, filed 1/7/25, effective 2/7/25.]