

WAC 220-220-410 Issuing orders of revocation or suspension.

Upon a determination that there are grounds for an order of revocation or suspension provided by statute, the director, or the director's authorized designee, is authorized to issue a revocation or suspension order.

(1) Time limit for orders. An order shall be issued no later than two years from the last conviction or other event that provides the grounds for the order.

(2) Effective date of orders. An order shall not be effective until the 21st calendar day following the mailing date of the order and shall remain in effect through the entire period of suspension, or the remaining period of the revoked license, unless the order is withdrawn, or unless recipient files a timely request for an adjudicative proceeding under WAC 220-220-430 to contest the order. When there is a timely request for an adjudicative proceeding, the effective date, if any, shall be set by the final order that results from the adjudicative proceeding.

(3) Exception for orders that take effect immediately. If the director makes a finding that public health, safety, or welfare requires emergency action, the order may provide that revocation or suspension take effect immediately, or at any time prior to an adjudicative proceeding. A person subject to such an order may seek an adjudicative proceeding and that proceeding shall include an opportunity to seek expedited review of the determination that the order take effect immediately.

(4) Finality of orders. If there is no timely request for an adjudicative proceeding, then the order shall be final. An order contested in an adjudicative proceeding is final when that proceeding ends in a final order pursuant to the Administrative Procedure Act, or is otherwise dismissed. There shall be no collateral attack nor relitigation of any final order.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-220-410, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080. WSR 00-01-101 (Order 99-209), § 220-125-020, filed 12/16/99, effective 1/16/00.]