

WAC 308-100-150 Third-party examiner—Qualifications. A person applying to be a third-party examiner must meet the following requirements:

- (1) Hold an active CDL;
- (2) Have two years or more experience operating commercial motor vehicles representative of the class of vehicle for which he or she would conduct testing;
- (3) Have five years of total driving experience;
- (4) A check of the person's driving record shows: The person has not been convicted or found to have committed any of the following offenses within the three year period preceding the date of application:
 - (a) Driving a motor vehicle while under the influence of alcohol or any drug;
 - (b) Driving a commercial motor vehicle while the alcohol concentration in the person's system is 0.04 or more as determined by any testing methods approved by law in this state or any other state or jurisdiction;
 - (c) Leaving the scene of an accident involving a commercial motor vehicle driven by the person;
 - (d) Using a commercial motor vehicle in the commission of a felony;
 - (e) Refusing to submit to a test to determine the driver's alcohol concentration while driving a motor vehicle; and
 - (f) Convicted of and found to have committed any of the following felony offenses or any crime involving fraud, moral turpitude, dishonesty, or corruption.
- (5) The applicant has not been convicted of no more than one conviction or finding that the person committed two or more serious traffic violations, as defined in WAC 308-100-130, within three years preceding the date of application;
- (6) The applicant has not been convicted of four or more moving traffic violations, as defined in WAC 308-104-160, within three years preceding the date of application;
- (7) The applicant has not been convicted of two or more moving traffic violations, as defined in WAC 308-104-160, within one year preceding the date of application;
- (8) No driver's license suspension, cancellation, revocation, disqualification, or denial within three years preceding the date of application;
- (9) Maintain or be employed by a business or agency in which driver testing records would be maintained and available to the state or federal representatives for announced or unannounced inspections and audits;
- (10) Be or be employed by a licensed business or government agency within the state of Washington or within fifty miles of state boundaries;
- (11) Submit to announced or unannounced audits;
- (12) Attend all training required by the department of licensing;
- (13) Must test a minimum of ten different applicants per calendar year or at the discretion of the department, complete recertification requirements; and
- (14) Failure to maintain the above qualifications will result in the termination of a third-party examiner.

[Statutory Authority: RCW 46.01.110, 46.25.010, 46.25.060, 46.25.140 and 49 C.F.R., Parts 380, 383, and 384. WSR 19-01-078, § 308-100-150,

filed 12/17/18, effective 1/17/19. Statutory Authority: RCW 46.01.110, 46.25.010, 46.25.060, and 46.25.140. WSR 00-18-068, § 308-100-150, filed 9/1/00, effective 10/2/00. Statutory Authority: RCW 46.01.110 and 1989 c 178 §§ 3, 5, 8 and 16. WSR 89-18-003, § 308-100-150, filed 8/24/89, effective 9/24/89.]