

WAC 478-117-320 Appeals of fines, immobilization, and impoundments. (1) Any immobilization, impoundment, or fine under this chapter may be appealed in writing, or when available, appealed through the online parking portal, within twenty calendar days from the date of the citation, the notice of immobilization, or the notice of impoundment. The notice of appeal must be addressed to the location indicated on the citation, notice of immobilization, or notice of impoundment. Commuter services will make appeal forms available at the commuter services office. The notice of appeal must explain the reasons for contesting the citation, immobilization, or impoundment. If the person who files a notice of appeal desires an opportunity to make an oral statement in the appeal, the request to make an oral statement must be included in the notice of appeal. Online appeal instructions can be accessed through the commuter services website.

(2) The hearing on the appeal shall be a brief adjudicative hearing as provided by RCW 34.05.482 et seq. If a request for an oral statement was made, the presiding officer or officers shall provide reasonable notice of the time and place for receiving the oral statement. The presiding officer(s) shall review the notice of appeal and provide a written decision to the person submitting the appeal within ten calendar days of taking action. If the appeal is denied, the decision shall include a brief statement of its reasons and information about the opportunity for further review. Any fine owed on a written decision that is not further appealed as provided in subsection (3) of this section shall be paid within twenty-one calendar days after service of the decision.

(3) A person wishing to contest the written decision may request a review by contacting the institution in writing within twenty-one calendar days after service of the decision. The request for review shall explain why the decision was incorrect. The reviewing officer shall, within twenty calendar days of the date of the request, review the matter and render a final written decision, which shall include a brief statement of its reasons and information about the opportunity to appeal the decision to the district court. Any final decision of the reviewing officer not appealed as provided in subsection (4) of this section shall be paid within ten calendar days after service of the decision.

(4) A person wishing to appeal a final decision of the citation hearing office to the district court may, within ten calendar days of service of the final decision, file a written notice with the institution. Documents relating to the appeal shall immediately be forwarded to the district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. WSR 19-11-048, § 478-117-320, filed 5/10/19, effective 6/10/19; WSR 02-08-023, § 478-117-320, filed 3/26/02, effective 5/1/02.]