

WAC 182-526-0216 The authority of the administrative law judge and the review judge is limited. (1) The authority of the administrative law judge and the review judge is limited to those powers granted by statute or rule. The ALJ and the review judge do not have any inherent or common law powers.

(2) Neither an administrative law judge nor a review judge may decide that a rule is invalid or unenforceable. Only a court may decide this issue.

(3) If the validity of a rule is raised during the hearing, the ALJ or review judge may allow only argument for court review.

[Statutory Authority: 2011 1st sp.s. c 15 § 53, chapters 74.09, 34.05 RCW, and 10-08 WAC. WSR 13-02-007, § 182-526-0216, filed 12/19/12, effective 2/1/13.]