

**WAC 296-96-00805 Appeal rights and hearings.** (1) Chapter 70.87 RCW provides the authority for the duties and responsibilities of the department. Except as provided in chapter 70.87 RCW and this chapter, all appeals and hearings will be conducted according to chapter 34.05 RCW, the Administrative Procedure Act and chapter 10-08 WAC, Model Rules of Procedure.

(2) A person who contests a notice of violation or infraction issued by the department may request a hearing. The request for a hearing shall be:

(a) In writing;

(b) Accompanied by a certified or cashier's check, payable to the department, for the amount specified in the RCW; and

(c) Postmarked or received by the department within 15 days after the person receives the department's violation notice.

(3) In all appeals of chapter 70.87 RCW and this chapter the appellant has the burden of proof by a preponderance of the evidence.

[Statutory Authority: Chapter 70.87 RCW. WSR 18-18-070, § 296-96-00805, filed 8/31/18, effective 10/1/18. Statutory Authority: RCW 70.87.020, 70.87.030, 70.87.034, 70.87.120, 70.87.185, 70.87.190, 2002 c 98, 2003 c 143 and 2004 c 66. WSR 04-12-047, § 296-96-00805, filed 5/28/04, effective 6/30/04.]