

RCW 82.38.120 Issuance of license—Refusal, suspension, revocation. (1) The department may refuse to issue to, or suspend or revoke a license of any licensee or applicant:

(a) Who formerly held a license issued under chapter *82.36, 82.38, 82.42, or 46.87 RCW which has been suspended or revoked for cause;

(b) Who is a subterfuge for the real party in interest whose license issued under chapter *82.36, 82.38, 82.42, or 46.87 RCW has been revoked for cause;

(c) Who, as an individual licensee, or partner, officer, director, owner, or managing employee of a licensee, has had a license issued under chapter *82.36, 82.38, 82.42, or 46.87 RCW denied, suspended, or revoked for cause;

(d) Who has an unsatisfied debt to the state assessed under either chapter *82.36, 82.38, 82.42, or 46.87 RCW;

(e) Who formerly held as an individual, partner, officer, director, owner, managing employee of a licensee, or subterfuge for a real party in interest, a license issued by the federal government or a state that allowed a person to buy or sell untaxed motor vehicle, special, or aircraft fuel, which has been suspended or revoked for cause;

(f) Who pleaded guilty to or was convicted as an individual, partner, officer, director, owner, or managing employee of a licensee in this or any other state, Canadian province, or in any federal jurisdiction of a gross misdemeanor or felony crime directly related to the fuel distribution business or has been subject to a civil judgment involving fraud, misrepresentation, conversion, or dishonesty, notwithstanding chapter 9.96A RCW;

(g) Who misrepresented or concealed a material fact in obtaining a license or reinstating a license;

(h) Who violated a statute or administrative rule regulating fuel taxation or distribution;

(i) Who failed to cooperate with the department's investigations by:

(i) Not furnishing papers or documents;

(ii) Not furnishing in writing a full and complete explanation regarding a matter under investigation by the department; or

(iii) Not responding to subpoenas issued by the department, whether or not the recipient of the subpoena is the subject of the proceeding;

(j) Who failed to comply with an order issued by the director; or

(k) Upon other sufficient cause being shown.

(2) Refusals, suspensions, and revocations under this section become final 30 days after notice is served upon the licensee or applicant of the intention to refuse, suspend, or revoke the authority granted in this chapter.

(3) Before a refusal, suspension, or revocation under this section becomes final, the department must offer the applicant a review by the department and must grant the applicant at least 20 days written notice of the time, place, and method thereof. [2024 c 1 s 6; 2013 c 225 s 114. Prior: 1998 c 176 s 64; 1998 c 115 s 4; 1996 c 104 s 9; 1995 c 274 s 21; 1990 c 250 s 85; 1979 c 40 s 8; 1973 1st ex.s. c 156 s 5; 1971 ex.s. c 175 s 13.]

***Reviser's note:** Chapter 82.36 RCW was repealed in its entirety by 2013 c 225 s 501.

Effective date—2024 c 1: See note following RCW 46.87.020.

Effective date—2013 c 225: See note following RCW 82.38.010.