

WAC 16-228-1129 Penalties for other violations of chapter 15.58 or 17.21 RCW, or the rules adopted thereunder. (1) This section covers all violations of chapter 15.58 or 17.21 RCW, or the rules adopted thereunder, that do not have a more specific penalty assignment schedule described in WAC 16-228-1126, 16-228-1127, and 16-228-1128.

(2) The penalties in this section will be calculated by selecting the appropriate level of violation, then selecting the appropriate base penalty, and then adjusting the base penalty for aggravating and mitigating factors. The base penalty shall be assessed unless either a deviation is warranted or there are either aggravating or mitigating factors present, or both.

(3) Except as provided in WAC 16-228-1120(5), when penalties are calculated under this section, and the department determines that one or more aggravating factors are present, the department may increase the penalty by a factor of no more than 25 percent of the base penalty for each aggravating factor.

(4) Except as provided in WAC 16-228-1120(5), when penalties are calculated under this section, and the department determines that one or more mitigating factors are present, the department may decrease the penalty by a factor of no more than 25 percent of the base penalty for each mitigating factor.

(5) Violations described in this section are assessed in accordance with the penalty assignment schedule in WAC 16-228-1130 Table III.

[Statutory Authority: RCW 15.58.040 and 17.21.030. WSR 23-04-041, § 16-228-1129, filed 1/26/23, effective 4/1/23.]