

**WAC 390-28-070 Hearing to modify reporting—By affidavit or sworn statement.** (1) An applicant may choose to waive a personal appearance at a hearing conducted pursuant to chapter 390-28 WAC. In the event that an applicant chooses to waive such appearance, the applicant must submit a written, sworn statement setting out in detail the rationale for requesting modification or suspension.

(2) The commission or presiding officer will decide the application in the same manner as if an appearance were made. However, in the event the commission, or presiding officer is not able to reach a conclusion on the request because of an insufficiency of the evidence, the hearing may be adjourned for the purposes of gathering further evidence, or the application may be denied.

[Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-28-070, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17.370. WSR 07-14-117, § 390-28-070, filed 7/3/07, effective 8/3/07. Statutory Authority: RCW 42.17.370(1). WSR 85-22-029 (Order 85-04), § 390-28-070, filed 10/31/85; Order 64, § 390-28-070, filed 11/25/75; Order 62, § 390-28-070, filed 8/26/75; Order 24, § 390-28-070, filed 2/21/74. Formerly WAC 390-28-080.]