

WAC 308-101-130 Agreements to schedule hearings under RCW 46.20.308 past the time frame required by law. (1) The department presumes any of the following actions taken by the petitioner is a request that the department agree to extend the hearing beyond the time frame required by RCW 46.20.308:

- (a) A request for a continuance;
- (b) A request to hold an in-person hearing when the request cannot be accommodated within the time frame required;
- (c) A request to set aside a default order;
- (d) A request for a subpoena when service cannot be accommodated within the time frame required;
- (e) Remitting insufficient funds to satisfy the hearing fee;
- (f) Any other action taken by the petitioner that makes the scheduling of the hearing within the time frame required by law impracticable.

(2) A hearings examiner's decision to grant any of the petitioner's requests in subsection (1) of this section constitutes the department's assent to extend the hearing past the time frame required by law.

(3) If a person requests one of the actions in subsection (1) of this section but affirmatively declines to agree to extend the time frame required by law, the hearings examiner may direct the hearing to proceed as originally scheduled or may take any other action that protects the petitioner's right to be heard and the public's interest in a speedy resolution of the matter.

(4) The department must stay a driver's license suspension any time a timely hearing request has been received but it is otherwise impracticable to hold the hearing within the time frame required by law.

[Statutory Authority: RCW 46.01.110. WSR 18-11-098, § 308-101-130, filed 5/21/18, effective 9/4/18.]