

Chapter 468-305 WAC

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WAC 468-305-001 Definitions. The following terms and acronyms shall have the meanings set forth as below.

"Active account" means an open Good To Go!™ toll account to which tolls and fees may be recorded by the customer service center system.

"Administrative fee" means the fee imposed by WSDOT for toll collection processing and other activities as set forth in chapter 468-270 WAC.

"Administrative hearing" means an in-person hearing before an administrative law judge to contest a notice of civil penalty (NOCP).

"Administrative law judge" means a judge provided by the office of administrative hearings authorized to conduct administrative hearings.

"Automatic replenishment" means the addition of money to a toll account using a customers' predesignated payment method according to the Good To Go!™ terms and conditions.

"Branded debit card" means a debit card that can be used as a credit card.

"Civil penalty" means the penalty assessed for a toll violation.

"Closed account" means a toll account that has been closed.

"Commercial account" means a uniquely identifiable type of account for a toll customer who requests more than six Passes for their account.

"Commission" means the transportation commission appointed by the governor of the state of Washington. The commission is responsible for setting toll rates, fees and schedules.

"Customer-initiated payment" means the method used to pay a photo toll when there is no regular toll account and the customer pays the photo toll no later than three days after the toll transaction.

"Customer service center (CSC)" means the place that customers can contact by phone, mail, in person, fax or the internet to open and manage a toll account, and receive services regarding their account and information about state toll facilities.

"Day" means that time period reckoned from midnight to midnight.

"Department" means the Washington state department of transportation (WSDOT).

"Department of licensing (DOL)" means the agency that maintains vehicle registration information.

"Dishonored check" means any check returned to WSDOT by a financial institution for any reason of nonacceptance, nonpayment or stop payment, unless a justifiable stop payment order exists.

"Dishonored credit card transaction" means a credit card transaction that is not approved by the entity that issued the credit card.

"Dynamic toll pricing" means varying the toll rate charged to toll customers to maintain specific performance standards of traffic management.

"Eligible toll facility (toll facility)" means any portion(s) of the state highway system upon which tolling has been specifically identified by the legislature including, but not limited to, transportation corridors; bridges; crossings; interchanges; on-ramps; off-ramps; approaches; bi-state facilities; and interconnections between highways.

"Final order" means the decision provided by the administrative law judge (ALJ) in response to an administrative hearing or written dispute and waiver of hearing to contest an NOCP.

"Good To Go!™" means the name of the department's toll collection system and is a registered trademark.

"Good To Go!™ customer" means a toll customer who participates in the department's Good To Go!™ tolling program.

"Government agency transponder account" means a uniquely identifiable type of account for a public agency.

"High occupancy vehicle (HOV)" means a bus, van-pool or a carpool vehicle with minimum occupancy requirements depending upon the posted roadway HOV signage and as further described in WAC 468-510-010 and RCW 46.74.-010.

"High-occupancy toll lanes (HOT lanes)" means one or more lanes of a highway that charges tolls as a means of regulating access to or the use of the lanes in order to maintain travel speed and reliability. HOT lane supporting facilities include, but are not limited to, approaches, enforcement areas, improvements, buildings, and equipment as defined in RCW 47.56.401 and 47.56.403.

"Inactive account" means a toll account that has had no toll transaction activity during a predefined period of time as defined by the Good To Go!™ terms and conditions.

"Insufficient funds account" means a toll account with a balance less than the single toll rate or fee at the time the customer's transaction is processed.

"Nonsufficient funds" means a dishonored check presented to WSDOT in payment of any toll transaction.

"Notice of civil penalty (NOCP)" means the notice that is sent to notify the registered vehicle owner of a toll violation for failure to pay a toll by the toll payment due date, and for which a civil penalty is assessed.

"Notice of dishonored credit card transaction" means a transaction authorized by a toll customer that is not honored by the financial institution for any reason except for the existence of a stop payment order.

"Notice of nonsufficient funds (NSF)" means the notice sent to a toll customer who presented a nonsufficient funds check to WSDOT in payment of any toll transaction or fee. This notice will be mailed to the toll customer at the address noted on the check returned from the financial institution.

"Pass (Good To Go!™ Pass)" means the transponder device used on WSDOT toll facilities.

"Pay By Mail" means the method used to pay a photo toll when a toll bill is mailed to the vehicle's registered owner.

"Pay By Plate" means the method used to pay a photo toll by a customer who has a toll account through the use of a photo toll system.

"Payment transaction" means a record of activity created by the customer service center as a result of a customer payment.

"Person" means an individual, firm, partnership, corporation, association, or public agency.

"Photo toll" means a charge associated with a particular vehicle that is identified by its license plate and includes Pay By Mail, Pay By Plate and Customer-Initiated Payment.

"Photo toll system" means a camera-based imaging system that uses digital video or still image formats to record license plate images of vehicles using toll lanes for the purpose of collecting photo tolls.

"RCW" means the Revised Code of Washington.

"Registered toll account" means a toll account that contains customer contact information.

"State" means the state of Washington.

"Statewide tolling program" means the single, integrated tolling operations used by all eligible state toll facilities and includes both toll collection and toll enforcement processes.

"Tacoma Narrows Bridge" means the toll facility located on SR 16 in Pierce County, Washington.

"Toll" means the charge for the use of a state toll facility that may be paid by Good To Go!™ Pass, Pay By Plate (or a registered license plate account), Customer-Initiated Payment, Pay By Mail, or cash (where available).

"Toll account (Good To Go!™ toll account)" means an account that is linked to a Pass or license plate, or both, in order to pay a toll by automatic debit.

"Toll bill (Pay by Mail Toll Bill)" means a bill that is sent to the registered owner of a vehicle which has incurred a photo toll. A toll bill will state the total amount due including photo tolls at the Pay By Mail rate and all associated administrative fees.

"Toll collection system (TCS)" means any system that creates a toll transaction and includes both electronic and photo toll collection systems, and cash where available.

"Toll customer" means anyone who passes through a toll transportation facility.

"Toll enforcement office" means the division within WSDOT responsible for toll enforcement activities associated with the notices of civil penalty (NOCPs) as well as the written disputes and administrative hearings.

"Toll enforcement officer" means any person authorized by WSDOT to review and certify notices of civil penalty (NOCP).

"Toll facility" means a toll transportation facility.

"Toll payment due date" means the date when a toll bill must be paid to avoid a toll violation and civil penalty. The toll payment due date is eighty days from the date the vehicle uses the toll facility and incurs the toll charge.

"Toll transaction" means a record of activity created by the toll collection system as a result of a vehicle traveling through a tolling point.

"Toll violation" means the violation of statutes requiring that a toll be paid by the toll payment due date which is eighty days from the toll transaction date.

"Transponder disabling device (shield)" means an authorized WSDOT device that is used to render inoperative the radio transmission of the vehicle identification code from a transponder to a roadside transponder reader.

"Transponder (Good To Go!™ Pass)" means a device attached to a toll customer's vehicle that automatically identifies the toll customer's vehicle as it passes through the toll facility.

"Transponder toll transaction" means a toll transaction has posted in the customer service center system based on a transponder number.

"Unregistered toll account" means a uniquely identifiable type of account that does not contain customer name, address, or vehicle information and requires the use of a Pass (transponder).

"Variable pricing" means a method of varying a toll rate by time of day.

"Written dispute and waiver of hearing" means a completed form containing a written statement disputing a notice of civil penalty that is reviewed and decided by an administrative law judge. There is no appeal of a decision in response to a written dispute.

"WSDOT" means Washington state department of transportation, any division, section, office, unit or other entity within Washington state department of transportation, and any of the officers or other officials lawfully representing Washington state department of transportation.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-001, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-002 What is the purpose of these rules? The purpose of these rules is to explain how the Washington state department of transportation (WSDOT) will operate its tolling programs and specifically to:

- (1) Establish a uniform toll collection and enforcement system for transportation facilities across Washington state;
- (2) Establish efficient processes for both photo and electronic toll collection including an effective toll bill system; and
- (3) Ensure fair and efficient toll enforcement and adjudication processes including the accurate issuance of notices of civil penalty (NOCP) and the opportunity for an impartial resolution of NOCP disputes.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-002, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-010 Who collects the toll charges on WSDOT toll roads and bridges? (1) To ensure that tolls at all WSDOT toll facilities are collected in a timely, effective and efficient manner, WSDOT may contract with one or more independent toll collection companies to manage the day-to-day toll collection and customer service activities for its various toll facilities.

(12/2/11)

(2) All toll related revenues collected by any independent toll collection company through WSDOT are payable to the state of Washington.

(3) Although WSDOT may contract with independent toll collection companies to manage the day-to-day toll collection activities of its toll facilities, WSDOT retains ultimate oversight authority for all toll collection operations at those facilities.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-010, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-015 What is "dynamic toll pricing"?

Dynamic toll pricing is a toll pricing method that changes based upon live traffic conditions to maximize the performance of the toll facility. For example, in a HOT lane, the toll rate charged to enter the lane will be lower when more lane space is available, and higher when less lane space is available.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-015, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-020 What is "variable toll pricing"?

The variable toll pricing method changes based on time of day rather than live traffic conditions, but like dynamic toll pricing, is also intended to maximize the performance of the highway facility being tolled.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-020, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-030 What is the State Route 167 high-occupancy toll (HOT) lanes pilot project? (1) The SR 167 HOT lanes are high occupancy vehicle (HOV) lanes which also serve as toll lanes for single occupancy vehicles. Single occupancy vehicles that choose to use the HOT lanes must pay a toll using an interior mounted Good To Go!™ Pass.

(2) The purpose of the project is to help determine if HOT lanes can more efficiently move people and vehicles within the SR 167 corridor by allowing drivers of single occupant vehicles, who pay a toll, to use SR 167 HOV lanes when excess capacity exists.

(3) Photo tolling is not available on the SR 167 HOT lanes. Customers must have an interior mounted Good To Go!™ Pass to use the toll facility. A violation of the high-occupancy toll lane restrictions may result in a traffic infraction issued by a law enforcement officer.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-030, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

TOLL COLLECTION

WAC 468-305-100 What toll payment methods are available on WSDOT toll facilities? The following toll payment methods are available on WSDOT toll facilities:

(1) **Payment by Pass:** This toll payment option uses a Good To Go!™ Pass (transponder device) to debit funds from an associated valid toll account.

[Ch. 468-305 WAC p. 3]

Note: This is the ONLY payment method available on the SR 167 HOT lanes pilot project. Single occupancy vehicles must pay by an interior Good To Go!™ Pass and may receive a traffic infraction for failure to pay using the Pass.

(2) **Photo toll payments:** This payment method uses a photograph of a license plate to assess the toll. The photo toll may be paid by toll account; a Customer-Initiated Payment; by individual payment online, mail, fax, over the phone or in person at a customer service center; or in response to a Pay By Mail toll bill.

(3) **Manual payment:** This payment method is available only on the Tacoma Narrows Bridge. It requires payment at a tollbooth using cash, a credit card or branded debit card. This option also requires you to stop your vehicle at the tollbooth facility to pay.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-110, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-110 Why should I use a Good To Go!™ Pass? Paying your toll by Good To Go!™ Pass is quick and simple, and offers you the lowest toll rate. This method reads a Good To Go!™ Pass (transponder device) installed in your vehicle as you drive through the toll facility and automatically debits your toll from your toll account.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-110, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-120 What is a photo toll? When a vehicle crosses a toll facility and does not pay electronically using a Good To Go!™ Pass (transponder) or with cash where accepted, an image of the vehicle's license plate will be captured and the toll will be charged. This is called a "photo toll." The photo toll may be paid:

- (1) Automatically if you have a valid toll account linked to your license plate;
- (2) By Customer-Initiated Payment; or
- (3) In response to a Pay By Mail toll bill.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-120, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-122 What is a Pay By Plate? A customer may pay the photo toll by establishing a Good To Go!™ toll account and registering the vehicle license plate(s). Each time an image of the license plate is captured it will be linked to your account and the photo toll will be debited from your account. This is called "Pay By Plate."

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-122, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-124 What is a Customer-Initiated Payment? When a vehicle is detected through the photo toll system, the customer may initiate payment prior to the issuance of a toll bill. The Customer-Initiated Payment may be made ten days in advance or up to three days after the photo toll is incurred. The customer must provide the vehicle license plate information in order to process the payment.

[Ch. 468-305 WAC p. 4]

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-124, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-130 What is a Pay By Mail toll bill? If the photo toll is unpaid after three days, a toll bill may be sent to the registered owner of the vehicle. The toll bill may contain one or more photo toll transactions.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-130, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-132 What information will be included in a Pay By Mail toll bill? Pay By Mail toll bills will include the following information:

- (1) Registered owner's name and current known address;
- (2) Details of the toll charges and fees assessed; and payments, if any;
- (3) A request for payment within fifteen days of the toll bill invoice date;
- (4) A warning of the potential consequences for not paying the toll bill and tolls;
- (5) Information on how to dispute the toll bill;
- (6) Contact information for the CSC, including the web site address; and
- (7) Information about establishing a toll account.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-132, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-135 What happens if I don't pay my Pay By Mail toll bill? If you do not pay the toll bill by the payment request date, you will be sent a subsequent toll bill that will include a reprocessing fee and may include any additional photo toll transactions which may have occurred since the issuance of the previous toll bill.

If you fail to pay any toll listed on the toll bill within eighty days from the date of the toll transaction, you have committed a toll violation for which a notice of civil penalty may be issued.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-135, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-140 How do I dispute a toll charge? A customer may dispute the toll charges to a toll account or in a toll bill by completing a Toll Dispute Form which is available online or at the customer service center. A toll may be dismissed or adjusted if the customer provides documentation that the vehicle was stolen or sold at the time of the transaction or that the toll bill contained an error in the vehicle identification, or vehicle registration information as to the proper registered owner of the vehicle.

A Good To Go!™ customer with an account in good standing at the time of the transaction but who failed to update their vehicle information may be entitled to an adjustment.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-140, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

(12/2/11)

WAC 468-305-200 Are any vehicles exempt from paying a toll? Only those vehicles authorized by the commission are exempt from paying tolls. The list of qualified vehicles and qualified uses may vary depending on the toll facility.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-200, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-210 What is required for a qualified vehicle to claim an exemption? (1) In order to establish a vehicle's exemption approved by the commission, you may be required to meet the following procedures:

(a) Establish that the vehicle(s) is eligible for exemption by submitting a certification of exemption eligibility; and review and monitor toll usage as requested by WSDOT;

(b) Establish and maintain a Good To Go!™ toll account in good standing and equip the qualified vehicle with a Pass; and

(c) Equip the vehicle with identification signage.

(2) To claim exemptions for specific toll transactions debited from a toll account, the registered owner or its authorized representative must submit a written request which:

(a) Includes the toll account number;

(b) Identifies the date and time of the transaction(s) for which a credit is being sought;

(c) Includes a statement that the qualified vehicle's use of the road met the exemption requirements; and

(d) Submit the written request within eighty days of the toll transaction date. The department may then issue a credit to the toll account.

(3) To claim exemption from specific toll transactions where the registered owner receives a Pay By Mail toll bill, the registered owner or its authorized representative must submit a written request which:

(a) Includes the toll bill number;

(b) Identifies the date and time of the toll transaction(s) for which a credit or waiver is being sought;

(c) Includes a statement that the qualified vehicle's use of the road met the exemption requirements; and

(d) Submit the written request within eighty days of the toll transaction date. The department may then waive the toll.

(4) Failure to submit a certification of vehicle(s) exemption eligibility or timely submit a written request for toll transaction credit will result in a waiver of the ability to claim a toll exemption.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-210, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-220 How are rental car transactions processed? When a vehicle registered to a rental agency uses a toll facility without making the proper payment, the rental agency will receive notification of the toll charge, time, date, location and amount due. The rental agency may elect to pay WSDOT directly for the toll and seek reimbursement from the renter or they may provide WSDOT with the information regarding the rentee and rental vehicle as required under RCW 46.63.160(10) within thirty days of the notice mailing. WSDOT may then issue a toll bill to the rentee. If the rental agency fails to timely provide the requested information it

may be held liable for the toll charges. To facilitate toll operations and collections, the department may use and allow various processes for toll transactions associated with rental agency vehicles.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-220, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

TOLL ACCOUNTS

WAC 468-305-300 How can I open a Good To Go!™ toll account? (1) To open a toll account, you must complete the account application including the optional electronic check authorization if chosen.

(2) Prepay at least the minimum fund balance into the account. If you have any amounts due to the toll division they must be resolved prior to opening an account;

(3) Purchase and install a Good To Go!™ Pass (transponder device) for Pass transactions; and

(4) Register your vehicle license plate(s) for Pay By Plate transactions.

A toll account may be set up to include Pass transactions and Pay By Plate transactions.

Note: The "Good To Go!™" customer contract contains a full explanation of the Good To Go!™ terms and conditions associated with the WSDOT "Good To Go!™" toll collection program.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-300, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-302 Do I need to establish a separate Good To Go!™ account for each Good To Go!™ toll road or bridge that I use? No. If you open a Good To Go!™ account, you may use any Good To Go!™ toll facility without establishing a separate toll account.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-302, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-310 What are the different types of Good To Go!™ toll accounts available and what information is required for each? The department offers four different toll accounts to meet the needs of its customer.

(1) **Registered toll account.** This account contains customer contact information and will allow for Pass and Pay By Plate transactions. For Pass transactions, the vehicle or vehicles must be equipped with a transponder. For Pay By Plate transactions, the customer must provide the license plate numbers of the vehicles that will be authorized to use the account.

(2) **Unregistered toll account.** This account does not require or contain the customer's contact or identifying information. All vehicles that the customer intends to use the account must be equipped with a Pass. Automatic replenishment and account refunds are not available for this account type.

(3) **Commercial account.** This is a registered account that has more than six Good to Go!™ Passes registered to it and may have a higher account establishment level.

(4) **Government agency transponder account.** This account is a uniquely identifiable toll account for government

agencies. The agency must provide customer contact information.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-310, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-315 How do I replenish my account?

You may replenish your account either manually or have it replenished automatically.

(1) **Automatic account replenishment.** A customer who has a registered toll account may choose to have that account replenished automatically by using an electronic check (ACH) from your bank account, credit card, or branded debit card and according to the following requirements:

(a) **Electronic check (ACH).** You must designate a bank account (electronic check) to be used for replenishment as well as the replenishment range to be used. The replenishment amount will remain within your authorized range, but will never go below the WSDOT established minimum replenishment amount. You must also complete the electronic check – ACH Authorization Form.

(b) **Credit card or branded debit card.** You must designate a credit card or branded debit card to be used for replenishment, and designate the payment amount to be used.

The automatic replenishment amount can be raised by the customer but cannot be lowered online. The customer can call a customer service representative to lower the replenishment amount but it cannot be lowered below the WSDOT established minimum replenishment amount. The automatic replenishment is not available on unregistered accounts.

(2) **Manual account replenishment.** If you choose to manually replenish your account, you are responsible for monitoring your account balance and making deposits as needed to maintain a positive balance sufficient to cover toll charges.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-315, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-316 What happens if my payment does not go through when opening or replenishing an account?

(1) **Opening an account.** If your payment cannot be processed (if the initial payment failed during account establishment), the account will not be opened unless another form of payment is tendered and cleared. If the payment was not submitted in person (the ACH or bank card payments received by mail or fax), the CSC will attempt to notify the customer within three days to provide another form of payment.

(2) **Replenishing an account.** If your payment cannot be processed to automatically replenish your account, the CSC shall attempt to resubmit the payment request a second time. If your payment does not go through and your account goes negative, you may receive a toll bill(s) for any toll transactions that occur while your account was negative.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-316, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-320 What are the various statuses that my account could be in? (1) A toll account may be designated with one of the following statuses:

(a) **Proposed.** An account is in this status prior to becoming active.

(b) **Active.** An account is considered active if it is funded and eligible to receive toll transactions.

(c) **Closed.** An account may be closed upon a customer's written request to close it; or closed by the CSC after twenty-four months of inactivity or if the account has a zero or negative balance.

(d) **Suspended.** An account may be suspended for up to twenty-four months at the request of the customer. Transactions and payments cannot post to a suspended toll account.

(2) The CSC will not allow a customer to close an account with a negative balance and reopen a new account. The CSC will notify the customer of the amount due, in writing, when an attempt is made to close an account with a negative balance. Unpaid balances on a toll account may be forwarded to a collections agency.

(3) If an account is suspended, closed or has insufficient funds to cover a toll transaction, the customer will receive a Pay By Mail toll bill for any transactions that do not post to the account.

(4) If funds are available on the account at the time of closure, the customer will be refunded the balance, minus any outstanding tolls and fees.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-320, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-330 How can I get a refund if I close my Good To Go!™ account?

When you close your toll account, you may request a refund by mail or in person if you have a registered toll account. Account closure forms may be obtained online, in person or by calling the customer service center. Any outstanding fees or tolls will be deducted from the account balance prior to issuing an account refund. Refunds shall be issued within fifteen days from receipt of the completed account closure form. Refunds shall be made in the form of the original payment, when possible. For example, if deposit was made by credit card, the refund would be credited to the same credit card.

For accounts that cannot be refunded electronically, the customer will be issued a check by WSDOT to the account's last recorded mailing address. Refunds will not be issued to unregistered transponder accounts.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-330, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-340 In what order will my payment be applied to what I owe in toll charges? The CSC will apply each customer payment including Customer-Initiated Payments in the following order:

(1) Payment shall be applied to the oldest outstanding unpaid toll transaction based on transaction posting date and time, unless otherwise directed by customer.

(2) For each toll transaction, payment will be applied first to the administrative fees then to the toll transaction amount.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-340, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-350 What happens if my check does not clear my bank? The process for handling dishonored checks described in WAC 468-20-900, Dishonored checks.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-350, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-400 What forms of payment will be accepted by the customer service center? (1) Credit card. The CSC will accept and process the following types of credit cards as a customer's method of payment:

- (a) MasterCard;
- (b) VISA;
- (c) American Express;
- (d) Discover;
- (e) Branded debit cards.

(2) Debit card. The CSC will accept and process debit cards. Debit cards that require a pin for processing will be accepted only for in-person transactions.

(3) Check. The CSC will accept the following forms of checks as a customer's method of payment:

- (a) Personal check;
- (b) Business check;
- (c) Electronic check (automatic clearing house - ACH);
- (d) Money order;
- (e) Cashier's check;
- (f) Traveler's check;
- (g) Bank or teller's check;
- (h) Government check (warrant);
- (i) Voucher or similar draft guaranteed by a U.S. bank.

(4) Cash. The CSC will accept cash in the form of U.S. coin or currency.

(5) Electronic benefits transfer. The CSC will accept and process electronic benefits transfer (EBT) at walk-in CSC locations.

(6) Inter agency payment. The CSC will accept and process inter/intra agency payment (IAP) for accounts flagged as a state agency.

(7) Electronic check (ACH).

(a) The CSC will accept direct payment from your bank account via electronic check (also known as automatic clearing house - ACH) at the walk-in centers, mobile units, online, via phone, mail and fax. Foreign banks will not be accepted.

(b) ACH payments will require either a signed authorization or electronic signature authorization from the customer. The authorization can also be verbal for payments by phone.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-400, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-410 What toll payment methods are accepted at the TNB toll booths? The following forms of payments may be used to pay at the Tacoma Narrows Bridge tollbooths and the conditions under which payments will be accepted:

- (1) U.S. coin and currency;

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(2) Credit cards (MasterCard, VISA, Discover, or American Express);

(3) Branded debit cards (no pin); and

(4) Other noncash instruments authorized by the department.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-410, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-420 What administrative services are provided to WSDOT toll customers without charge? The WSDOT provides the following administrative services to WSDOT toll customers without charge:

(1) Electronic statements are free and are available to Good To Go!™ customers at wsdot.gov/goodtoago;

(2) The interactive voice response (IVR) phone system provides previous day account balance information and information regarding the last ten account transactions and the last five payments to call-in customers without charge; and

(3) Customer service representatives will provide account balance information to call-in customers without charge and answer any concerns regarding your account.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-420, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

TOLL VIOLATIONS AND PENALTIES

WAC 468-305-500 What is a toll violation? If a customer does not pay a photo toll by the toll payment due date, it becomes a toll violation. The toll payment due date is eighty days from the toll transaction date.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-500, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-502 What is a civil penalty? When a customer commits a toll violation a civil penalty may be assessed. The civil penalty is forty dollars, plus the toll transaction amount and associated administrative fee. The registered owner of the vehicle incurring the toll is liable for the civil penalty.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-502, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-505 What is a notice of civil penalty (NOCP)? A notice of civil penalty (NOCP) is sent by WSDOT to notify the registered vehicle owner of a toll violation for which a civil penalty has been assessed. The NOCP will be served by U.S. first class mail to the registered owner of the vehicle at the address of record. The notice of civil penalty shall include:

(1) A certification of the toll by an authorized WSDOT toll enforcement officer;

(2) The amount of the penalty plus the toll including any administrative fees; and

(3) Instructions for payment or dispute of the NOCP.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-505, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-510 How do I pay a NOCP? (1) If the registered owner does not contest the NOCP, the owner must pay the appropriate penalty amount within fifteen days of the date on the NOCP to the WSDOT toll enforcement office. Payment may be made in cash, check, certified check, credit or debit card, or by money order.

(2) Payment of the penalty or failure to contest within fifteen days shall constitute a waiver of the right to contest the civil penalty.

(3) Failure to either pay the fine or timely contest the civil penalty shall automatically result in liability for the civil penalty.

(4) If the notice of civil penalty is unpaid after fifteen days, a hold will be placed on the vehicle registration renewal and the penalty may be transferred to a collections agency.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-510, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-515 How can I contest or dispute a notice of civil penalty? If the registered owner chooses to contest the notice of civil penalty, the owner may submit a Written Dispute and Waiver of Hearing Form, or request an in-person administrative hearing as follows:

(1) Administrative hearing. The registered owner may request an in-person administrative hearing before an administrative law judge in order to contest one or more NOCP(s) within fifteen days of the date of the NOCP. The hearing will be consistent with the Administrative Procedure Act brief adjudicative proceedings described in RCW 34.05.482 through 34.05.494.

(2) Written dispute and waiver of hearing. The registered owner may contest an NOCP by completing and submitting a Written Dispute and Waiver of Hearing Form to the toll enforcement office within fifteen days of the date of the NOCP. However, where a registered owner chooses to dispute in writing, he or she waives the right to an in-person hearing, and the right to appeal the final order issued in response to the written dispute and waiver.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-515, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-520 How do I submit a written dispute and waiver of hearing? You must complete the Written Dispute and Waiver of Hearing Form which is available online or in person at the WSDOT toll enforcement office or any of the Good To Go!™ customer service centers. The Written Dispute and Waiver of Hearing Form must be completed, signed and submitted according to the instructions on the form within fifteen days of the date of the NOCP.

The Written Dispute and Waiver of Hearing Form shall include a full written statement explaining the reasons for disputing the NOCP. You may also submit documentary evidence that is relevant to your dispute. The information included with the Written Dispute and Waiver of Hearing Form will be considered a final submittal and be the only information reviewed in your defense.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-520, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

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WAC 468-305-525 Who reviews the Written Dispute and Waiver of Hearing Form? (1) An administrative law judge will review the Written Dispute and Waiver of Hearing Form together with the evidence provided by WSDOT and make a written determination (final order on dispute and waiver) within thirty days of receiving the completed form.

(2) If the dispute is denied, the final order will include a brief statement of the reasons for the decision. Any fine owed shall be paid within ten days after issuance of the final order.

(3) The order on the written dispute and waiver is final. There is no right to appeal the final order to WSDOT or superior court.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-525, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-530 How do I request an in-person administrative hearing? (1) You can request an administrative hearing by checking the appropriate box on the NOCP and returning it to the address provided on the NOCP, or by contacting the WSDOT toll enforcement office in person or by phone.

(2) Once you request a hearing, you will receive a notice of hearing which will contain:

(a) The date and time of your hearing;

(b) The legal authority and jurisdiction under which the hearing is to be held;

(c) A reference to the statutes and rules involved;

(d) A short plain statement of the matters asserted by WSDOT in the NOCP; and

(e) A statement that a party who fails to attend or participate in a hearing may be held in default.

(3) If you cannot appear on the date scheduled, you may reschedule your hearing date one time only. To reschedule your hearing you must contact the WSDOT toll enforcement office and reschedule your hearing date at least one business day prior to the hearing date. A business day is Monday through Friday and excludes weekends and holidays. You may contact WSDOT in writing or by phone to reschedule your hearing date. Written requests for rescheduling must be received no later than one business day prior to the hearing. If your hearing date is not rescheduled, and you do not appear at your scheduled hearing time, you will be in default and a final order of liability will be issued against you.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-530, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-540 What information about my toll charges is available prior to the administrative hearing or submission of a written dispute? The registered owner may request a copy of the evidence package which will include the NOCPs, toll bills and other customer information at issue in the administrative hearing or written dispute. Discovery, as described in superior court civil rules 26 through 36, is not available.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-540, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

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WAC 468-305-542 What evidence will be before the administrative law judge at the hearing or when reviewing the written dispute and waiver of hearing? (1) WSDOT evidence. The department will provide for consideration by the administrative law judge the following:

(a) The vehicle license plate images associated with the NOCP(s);

(b) The vehicle registration information from department of licensing;

(c) The Pay By Mail toll bill(s); and

(d) Any other documentary or oral evidence pertaining to the toll violation.

(2) Other evidence.

(a) The registered owner will be afforded the opportunity to respond to the evidence with an oral statement and to present evidence that is reasonably related to the toll violation.

(b) All testimony of parties will be made under oath or affirmation.

(c) Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference.

(d) The administrative law judge may exclude evidence that is irrelevant, immaterial or repetitious.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-542, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-550 What is the burden of proof at the hearing or for the written dispute and waiver of hearing?

The burden of proof is upon WSDOT to establish the toll violation occurred. Legible photographic evidence that the vehicle listed in the notice of civil penalty used the toll facility at the respective time, date and location, and was assessed a photo toll together with evidence that the person named in the notice of civil penalty is the registered owner of the vehicle constitutes prima facie evidence of the toll violation. It is not a defense to a toll violation and notice of civil penalty:

(1) That a person other than the registered owner was driving the vehicle when using the toll facility; or

(2) That the person did not know to pay a toll.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-550, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-560 What is the final order? The decision provided by the administrative law judge (ALJ) in response to an administrative hearing or written dispute and waiver of hearing to contest an NOCP is a final order.

After consideration of the evidence and argument as presented in either the Written Dispute and Waiver of Hearing Form, or at the administrative hearing, the administrative law judge will determine whether the toll violation was committed. When the evidence does not support the toll violation, a final order will dismiss the notice of civil penalty. When it has been established that the violation was committed, a final order affirming the toll violation and civil penalty will be issued.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-560, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

(12/2/11)

WAC 468-305-562 Can I appeal a final order? (1) Administrative hearing. The final order from an in-person administrative hearing may be appealed to the superior court.

(2) Written Dispute and Waiver of Hearing Form. No appeal is available from the final order issued in response to a Written Dispute and Waiver of Hearing Form.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-562, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-570 When is payment due if I am found to have committed the toll violation? If you have been issued a final order finding the toll violation was committed your payment of the NOCP is due within ten days of issuance. If you do not pay the violation a hold will be placed on your vehicle registration and the unpaid penalty will be transferred to a collections agency to collect payment.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-570, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-572 Will interest be charged if an NOCP is not paid? Simple interest will begin accruing after the NOCP due date. Interest is calculated at one percent simple interest per month thereafter.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-572, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-580 How do I find out if I have a lien on my vehicle registration and how can I get it released? You can check with the department of licensing to find out if there is a hold on your vehicle registration renewal. To release the hold, you must pay your civil penalty to either WSDOT toll enforcement office or the collection agency as appropriate.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-580, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]

WAC 468-305-582 How do I pay amounts forwarded to a collection agency? Once an unpaid civil penalty has been forwarded to a collection agency, you must contact the collection agency and pay them directly the civil penalty and fees owed.

[Statutory Authority: RCW 46.63.160, 47.46.105, 47.56.010, 47.56.030(1), 47.56.070, 47.56.403, 47.56.785, 47.56.795. WSR 11-07-039, § 468-305-582, filed 3/14/11, effective 12/3/11 at 12:00 a.m. per WSR 11-24-042.]