

**RCW 34.05.030 Exclusions from chapter or parts of chapter. (1)**

This chapter shall not apply to:

- (a) The state militia, or
- (b) The board of clemency and pardons [clemency and pardons board], or
- (c) The department of corrections or the indeterminate sentencing review board with respect to persons who are in their custody or are subject to the jurisdiction of those agencies.

(2) The provisions of RCW 34.05.410 through 34.05.598 shall not apply:

- (a) To adjudicative proceedings of the board of industrial insurance appeals except as provided in RCW 7.68.110 and 51.48.131;
- (b) Except for actions pursuant to chapter 46.29 RCW, to the denial, suspension, or revocation of a driver's license by the department of licensing;
- (c) To the department of labor and industries where another statute expressly provides for review of adjudicative proceedings of a department action, order, decision, or award before the board of industrial insurance appeals;
- (d) To actions of the Washington personnel resources board, the director of financial management, and the department of enterprise services when carrying out their duties under chapter 41.06 RCW;
- (e) To adjustments by the department of revenue of the amount of the surcharge imposed under RCW 82.04.261;
- (f) To actions to implement the provisions of chapter 70A.02 RCW, except as specified in RCW 70A.02.130; or
- (g) To the extent they are inconsistent with any provisions of chapter 43.43 RCW.

(3) Unless a party makes an election for a formal hearing pursuant to RCW 82.03.140 or 82.03.190, RCW 34.05.410 through 34.05.598 do not apply to a review hearing conducted by the board of tax appeals.

(4) The rule-making provisions of this chapter do not apply to:

- (a) Reimbursement unit values, fee schedules, arithmetic conversion factors, and similar arithmetic factors used to determine payment rates that apply to goods and services purchased under contract for clients eligible under chapter 74.09 RCW; and
- (b) Adjustments by the department of revenue of the amount of the surcharge imposed under RCW 82.04.261.

(5) All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act. [2021 c 314 s 24; 2015 3rd sp.s. c 1 s 309; 2011 1st sp.s. c 43 s 431; 2006 c 300 s 4; 2002 c 354 s 225; 1994 c 39 s 1; 1993 c 281 s 15; 1989 c 175 s 2; 1988 c 288 s 103; 1984 c 141 s 8; 1982 c 221 s 6; 1981 c 64 s 2; 1979 c 158 s 90; 1971 ex.s. c 57 s 17; 1971 c 21 s 1; 1967 ex.s. c 71 s 1; 1967 c 237 s 7; 1963 c 237 s 1; 1959 c 234 s 15. Formerly RCW 34.04.150.]

**Conflict with federal requirements—2021 c 314:** See note following RCW 70A.02.005.

**Effective date—Purpose—2011 1st sp.s. c 43:** See notes following RCW 43.19.003.

**Effective dates—Contingent effective date—2006 c 300:** See note following RCW 82.04.261.

**Short title—Headings, captions not law—Severability—Effective dates—2002 c 354:** See RCW 41.80.907 through 41.80.910.

**Effective date—1993 c 281:** See note following RCW 41.06.022.

**Effective date—1989 c 175:** See note following RCW 34.05.010.