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**SENATE BILL 5816**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Liias, Benton, Rivers, Jayapal, and McAuliffe

AN ACT Relating to reducing traffic fatalities and serious injuries through improved traffic safety education; amending RCW 46.20.285; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.68 RCW; adding new sections to chapter 46.82 RCW; creating a new section; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that the goals and objectives of reaching zero fatalities and crashes on our highways and roads by 2030 needs to start now. The legislature further finds that the "Strategic Highway Safety Plan, Target Zero," has identified motor vehicle crashes as a leading cause of death in young drivers between ages sixteen and twenty-five, making this group a priority level one, along with speeding, impaired driving, and distracted driving of any driver age group in the state. The legislature further finds that while some young drivers are receiving a driver's education in their early teens, the research studies have shown young drivers are more likely to crash for two principal reasons: Inexperience and immaturity. For these reasons, it is the intent of the legislature to not only help these young drivers save their lives but to make our roads and highways safe for all drivers by requiring that young drivers who have had no driver's education attend and pass a young driver risk prevention traffic safety course before becoming licensed to drive in Washington state.

NEW SECTION. **Sec.**  A new section is added to chapter 46.20 RCW to read as follows:

(1) Any person eighteen to twenty-four years of age who is applying for his or her first Washington state driver's license and who did not complete a course in traffic safety education as required under RCW 46.20.100 must complete a young driver risk prevention traffic safety course that complies with the requirements of section 5 of this act and is offered by a licensed driver training school under chapter 46.82 RCW.

(2) Any person who holds a valid driver's license from another state and who is applying for a Washington state driver's license is exempt from the requirements in this section if:

(a) He or she has held that out-of-state driver's license for at least one year;

(b) He or she completed a driver training course in the other state that was comparable to Washington driver training course standards as determined by the department; or

(c) He or she is an active member of the armed forces.

(3) The director may waive the course requirement under this section if the applicant demonstrates to the department's satisfaction that:

(a) He or she was unable to take or complete a traffic safety education course;

(b) A need exists for the applicant to operate a motor vehicle; and

(c) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

(4) The director must assess a fee of no more than five dollars upon every applicant for a driver's license that is required to complete a young driver risk prevention traffic safety course under this section. Fees collected under this section must be deposited in the high-risk and young driver safety education account created in section 4 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 46.20 RCW to read as follows:

(1) The high-risk and young driver safety education program is created within the department to provide financial assistance to indigent persons who are required to enroll in a young driver risk prevention traffic safety course under section 2 of this act or high-risk driver traffic safety course under RCW 46.20.285(2). For purposes of this subsection, "indigent" has the same meaning as defined in RCW 10.101.010, as determined by the department.

(2) The department may receive gifts, grants, or endowments from private sources, which must be deposited in the high-risk and young driver safety education account created in section 4 of this act.

(3) The department may adopt rules as necessary to carry out this section.

NEW SECTION. **Sec.**  A new section is added to chapter 46.68 RCW to read as follows:

The high-risk and young driver safety education account is created in the highway safety fund. All receipts from fees collected under section 2(4) of this act and RCW 46.20.285(3) and from contributions under section 3(2) of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the administration of the high-risk and young driver safety education program under section 3 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 46.82 RCW to read as follows:

(1)(a) In addition to a course that meets curriculum standards under RCW 46.82.420 intended for persons seeking a driver's license under RCW 46.20.100, a licensed driver training school must offer a young driver risk prevention traffic safety course that complies with the requirements of subsection (2) of this section.

(b) The director may waive the requirement under (a) of this subsection if a driver training school can demonstrate that offering a young driver risk prevention traffic safety course is a hardship.

(2) A young driver risk prevention traffic safety course required under section 2 of this act must comply with the following requirements:

(a) The course must be no more than ten hours, three hours of which must include behind-the-wheel instruction and the remainder of which may be online;

(b) The course must be able to be completed in a reasonable time, as determined by the department, to not unduly delay an applicant from obtaining a Washington state driver's license;

(c) The course must meet minimum curriculum requirements as determined by the department, in consultation with the traffic safety commission and other stakeholders, providing information about, among other things: (i) The dangers of distracted driving; (ii) safe driving techniques concerning hazards, such as severe weather, sharing the road with other vehicles and pedestrians, and driving in construction and school zones; (iii) the duties incumbent upon drivers, such as insurance and registration requirements and steps drivers must take after an accident; and (iv) the effects of alcohol and drug use on motor vehicle operators, including information on drug and alcohol-related traffic injury and mortality rates in the state of Washington and the current penalties for driving under the influence of drugs or alcohol; and

(d) Behind-the-wheel instruction must consist of basic skills and maneuvers to be determined by the department.

(3) The department must establish standards and requirements to ensure timely access to high-quality, affordable young driver risk prevention traffic safety courses throughout the state.

**Sec.**  RCW 46.20.285 and 2005 c 288 s 4 are each amended to read as follows:

(1) The department shall revoke the license of any driver for the period of one calendar year unless otherwise provided in this section, upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

((~~(1)~~))(a) For vehicular homicide the period of revocation shall be two years. The revocation period shall be tolled during any period of total confinement for the offense;

((~~(2)~~))(b) Vehicular assault. The revocation period shall be tolled during any period of total confinement for the offense;

((~~(3)~~))(c) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle, for the period prescribed in RCW 46.61.5055;

((~~(4)~~))(d) Any felony in the commission of which a motor vehicle is used;

((~~(5)~~))(e) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another or resulting in damage to a vehicle that is driven or attended by another;

((~~(6)~~))(f) Perjury or the making of a false affidavit or statement under oath to the department under this title ((~~46 RCW~~)) or under any other law relating to the ownership or operation of motor vehicles;

((~~(7)~~))(g) Reckless driving upon a showing by the department's records that the conviction is the third such conviction for the driver within a period of two years.

(2) Prior to reinstatement of a driver's license that was revoked under this section, the driver must complete a high-risk driver traffic safety course that complies with the requirements of section 7 of this act and is offered by a licensed driver training school.

(3) The director must assess a fee of no more than five dollars upon every applicant for a driver's license that is required to complete a high-risk driver traffic safety course under this section. Fees collected under this section must be deposited in the high-risk and young driver safety education account created in section 4 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 46.82 RCW to read as follows:

(1)(a) In addition to a course that meets curriculum standards under RCW 46.82.420 intended for persons seeking a driver's license under RCW 46.20.100, a licensed driver training school must offer a high-risk driver traffic safety course that complies with the requirements of subsection (2) of this section.

(b) The director may waive the requirement under (a) of this subsection if a driver training school can demonstrate that offering a high-risk driver traffic safety course is a hardship.

(2) A high-risk driver traffic safety course required under RCW 46.20.285(2) must comply with the following requirements:

(a) The course must be no more than ten hours, three hours of which must include behind-the-wheel instruction and the remainder of which may be conducted online;

(b) The course must be able to be completed in a reasonable time, as determined by the department, to not unduly delay an applicant from reinstatement of a Washington state driver's license;

(c) The course must meet minimum curriculum requirements as determined by the department, in consultation with the traffic safety commission and other stakeholders, providing information about, among other things: (i) The dangers of distracted driving; (ii) safe driving techniques concerning hazards, such as severe weather, sharing the road with other vehicles and pedestrians, and driving in construction and school zones; (iii) the duties incumbent upon drivers, such as insurance and registration requirements and steps drivers must take after an accident; and (iv) the effects of alcohol and drug use on motor vehicle operators, including information on drug and alcohol-related traffic injury and mortality rates in the state of Washington and the current penalties for driving under the influence of drugs or alcohol; and

(d) Behind-the-wheel instruction must consist of basic skills and maneuvers to be determined by the department.

(3) The department must establish standards and requirements to ensure timely access to high-quality, affordable high-risk driver traffic safety courses throughout the state.

NEW SECTION. **Sec.**  This act takes effect January 1, 2017.

**--- END ---**