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**SENATE BILL 6594**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senators Liias, Rivers, Fain, Habib, and King

AN ACT Relating to improving the safety of young drivers on the road in Washington state through improved traffic safety education and the expansion of current law regarding intermediate licenses; amending RCW 46.20.075; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.82 RCW; adding a new section to chapter 46.68 RCW; and providing effective dates.

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

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

(1) Any person eighteen to twenty-one 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 3 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; and

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

(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 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 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 1 of this act. Financial assistance may include a full or partial subsidy voucher. For the purposes of this section, indigency criteria must be determined by the department in consultation with a statewide organization that represents disadvantaged communities.

(2) The department may receive gifts, grants, or endowments from private sources, which must be deposited in the 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 46.82 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 1 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.

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

The young driver safety education account is created in the highway safety fund. All receipts from fees collected under section 1(4) of this act and from contributions under section 2(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 young driver safety education program under section 2 of this act.

**Sec.**  RCW 46.20.075 and 2011 c 60 s 44 are each amended to read as follows:

(1) An intermediate license authorizes the holder to drive a motor vehicle under the conditions specified in this section. An applicant for an intermediate license must be at least sixteen years of age and:

(a) Have possessed a valid instruction permit for a period of not less than ((~~six months~~)) one year;

(b) Have passed a driver licensing examination administered by the department;

(c) Have passed a course of driver's education in accordance with the standards established in RCW 46.20.100;

(d) Present certification by his or her parent, guardian, or employer to the department stating (i) that the applicant has had at least fifty hours of driving experience, ten of which were at night, during which the driver was supervised by a person at least twenty-one years of age who has had a valid driver's license for at least three years, and (ii) that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application for the intermediate license;

(e) Not have been convicted of or found to have committed a traffic violation within the last six months before the application for the intermediate license; and

(f) Not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.

(2) For the first ((~~six months~~)) year after the issuance of an intermediate license or until the holder reaches eighteen years of age, whichever occurs first, the holder of the license may not operate a motor vehicle that is carrying any passengers under the age of twenty who are not members of the holder's immediate family as defined in RCW 42.17A.005. For the remaining period of the intermediate license, the holder may not operate a motor vehicle that is carrying more than three passengers who are under the age of twenty who are not members of the holder's immediate family.

(3) The holder of an intermediate license may not operate a motor vehicle between the hours of ((~~1 a.m.~~)) 9:00 p.m. and 5:00 a.m. except when the holder is accompanied by a parent, guardian, or a licensed driver who is at least twenty-five years of age.

(4) The holder of an intermediate license may not operate a moving motor vehicle while using a wireless communications device unless the holder is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property.

(5) It is a traffic infraction for the holder of an intermediate license to operate a motor vehicle in violation of the restrictions imposed under this section.

(6) Except for a violation of subsection (4) of this section, enforcement of this section by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

(7) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if necessary for agricultural purposes.

(8) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if, for the twelve-month period following the issuance of the intermediate license, he or she:

(a) Has not been involved in an accident involving only one motor vehicle;

(b) Has not been involved in an accident where he or she was cited in connection with the accident or was found to have caused the accident;

(c) Has not been involved in an accident where no one was cited or was found to have caused the accident; and

(d) Has not been convicted of or found to have committed a traffic offense described in chapter 46.61 RCW or violated restrictions placed on an intermediate licensee under this section.

NEW SECTION. **Sec.**  Section 5 of this act takes effect January 1, 2017.

NEW SECTION. **Sec.**  Except for section 5 of this act, this act takes effect January 1, 2018.

**--- END ---**