H-1628.1

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**HOUSE BILL 1585**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Graham and Jacobsen

AN ACT Relating to improving driver's education related to traffic stops in order to avoid inadvertent hostile confrontations; amending RCW 28A.220.035 and 46.82.420, adding a new section to chapter 46.82 RCW; creating new sections; and providing expiration dates.

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

NEW SECTION. **Sec.**  The legislature finds there is a need for drivers to be provided better education to avoid inadvertently causing conflicts with law enforcement when stopped for a traffic infraction. Driver education training curriculum and courses should inform new drivers of the best practices to use when detained by law enforcement while driving. The education is intended to provide comprehensive training to prevent hostile driver and law enforcement interactions.

**Sec.**  RCW 28A.220.035 and 2017 c 197 s 4 are each amended to read as follows:

The office of the superintendent of public instruction and the department of licensing shall jointly develop and maintain a required curriculum for school districts and approved private schools operating a traffic safety education program. ((~~The jointly developed curriculum must be prepared by August 1, 2018.~~)) The curriculum and instructional materials must comply with the course content requirements of RCW 46.82.420(2) ((~~and~~)) , 46.82.430, and section 4 of this act. In developing the curriculum, the office of the superintendent of public instruction and the department of licensing shall consult with one or more of Central Washington University's traffic safety education instructors or program content developers.

**Sec.**  RCW 46.82.420 and 2017 c 197 s 12 are each amended to read as follows:

(1) The department and the office of the superintendent of public instruction shall jointly develop and maintain a required curriculum as specified in RCW 28A.220.035. The department shall furnish to each qualifying applicant for an instructor's license or a driver training school license a copy of such curriculum.

(2) In addition to information on the safe, lawful, and responsible operation of motor vehicles on the state's highways, the required curriculum shall include information on:

(a) Intermediate driver's license issuance, passenger and driving restrictions and sanctions for violating the restrictions, and the effect of traffic violations and collisions on the driving privileges;

(b) 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;

(c) Motorcycle awareness, approved by the director, to ensure new operators of motor vehicles have been instructed in the importance of safely sharing the road with motorcyclists;

(d) Bicycle safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with bicyclists; ((~~and~~))

(e) Pedestrian safety, to ensure that operators of motor vehicles have been instructed in the importance of safely sharing the road with pedestrians; and

(f) Driver-law enforcement interactive training, to prevent hostile and life-threatening interactions related to traffic enforcement actions in accordance with section 4 of this act.

(3) Should the director be presented with acceptable proof that any licensed instructor or driver training school is not showing proper diligence in teaching the required curriculum, the instructor or school shall be required to appear before the director and show cause why the license of the instructor or school should not be revoked for such negligence. If the director does not accept such reasons as may be offered, the director may revoke the license of the instructor or school, or both.

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

(1) The Washington state patrol, the department of licensing, and the office of the superintendent of public instruction shall develop and maintain the required curriculum in this section.

(2) The curriculum in this section must include driver-law enforcement interactive training that provides best practices for when a driver is detained by law enforcement officers in many common situations related to driving.

(a) The curriculum must explain the rights and responsibilities drivers have when they are detained by law enforcement for traffic infractions or driving under the influence of liquor, cannabis, or drugs.

(b) The curriculum must address differences in expectations of law enforcement officers caused by: The time of day or night and available light; weather conditions; the location of the interaction (interstate, urban, rural); and any common circumstances that could cause law enforcement officers to draw weapons or use force.

(c) Training should include discussion with drivers of scenarios that have resulted in use of force or officers to draw their weapons and ways to avoid similar situations.

(d) For training courses where driving students are operating a vehicle or using driving simulations, there should be at least one activity where the student undergoes a simulation of being detained by law enforcement for a violation of the rules of the road.

NEW SECTION. **Sec.**  (1) No later than December 1, 2022, the Washington state patrol must provide on its website at least one public information video and written steps providing the best actions drivers can take when they are detained for a traffic infraction. The intent of these materials is to prevent drivers inadvertently taking actions that patrol officers may view as threatening and provide drivers with a comprehensive understanding of the process that occurs during a traffic stop. These materials are to help prevent hostile driver-law enforcement interactions.

(2) The Washington state patrol is directed to notify county sheriffs once the materials in subsection (1) of this section are posted on its website, and is encouraged to share the information more broadly with law enforcement agencies, associations, high schools, and driver education organizations.

(3) This section expires December 31, 2022.

NEW SECTION. **Sec.**  (1) Once the Washington state patrol posts its materials in section 5 of this act, county sheriffs are encouraged to provide a link to those materials on their office website, or provide public information in video or written forms about the best actions drivers can take when they are detained for a traffic infraction. The intent of these materials is to prevent drivers inadvertently taking actions that law enforcement officers may view as threatening and provide drivers with a comprehensive understanding of the process that occurs during a traffic stop. These materials are to help prevent hostile driver-law enforcement interactions.

(2) This section expires December 31, 2022.

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