

2 **SB 5374** - H AMD

3 By Representatives K. Schmidt and Fisher

4 ADOPTED 4/16/99

5 On page 23, after line 21, insert the following:

6 "**Sec. 9.** RCW 46.20.120 and 1999 c 6 s 19 are each amended to read
7 as follows:

8 An applicant for a new or renewed driver's license must
9 successfully pass a driver licensing examination to qualify for a
10 driver's license. The department shall give examinations at places and
11 times reasonably available to the people of this state.

12 (1) **Waiver.** The department may waive:

13 (a) All or any part of the examination of any person applying for
14 the renewal of a driver's license unless the department determines that
15 the applicant is not qualified to hold a driver's license under this
16 title; or

17 (b) The actual demonstration of the ability to operate a motor
18 vehicle if the applicant:

19 (i) Surrenders a valid driver's license issued by the person's
20 previous home state; and

21 (ii) Is otherwise qualified to be licensed.

22 (2) **Fee.** Each applicant for a new license must pay an examination
23 fee of seven dollars.

24 (a) The examination fee is in addition to the fee charged for
25 issuance of the license.

26 (b) "New license" means a license issued to a driver:

27 (i) Who has not been previously licensed in this state; or

28 (ii) Whose last previous Washington license has been expired for
29 more than (~~four~~) six years.

30 **Sec. 10.** RCW 46.20.161 and 1999 c 6 s 22 are each amended to read
31 as follows:

32 The department, upon receipt of a fee of (~~fourteen~~) thirty
33 dollars, unless the driver's license is issued for a period other than
34 six years, in which case the fee shall be five dollars for each year
35 that the license is issued, which includes the fee for the required

1 photograph, shall issue to every qualifying applicant a driver's
2 license. The license must include a distinguishing number assigned to
3 the licensee, the name of record, date of birth, Washington residence
4 address, photograph, a brief description of the licensee, and either a
5 facsimile of the signature of the licensee or a space upon which the
6 licensee shall write his or her usual signature with pen and ink
7 immediately upon receipt of the license. No license is valid until it
8 has been so signed by the licensee.

9 **Sec. 11.** RCW 46.20.181 and 1999 c 6 s 23 are each amended to read
10 as follows:

11 (1) Except as provided in subsection (4) of this section, every
12 driver's license expires on the (~~fourth~~) sixth anniversary of the
13 licensee's birthdate following the issuance of the license.

14 (2) A person may renew his or her license on or before the
15 expiration date by submitting an application as prescribed by the
16 department and paying a fee of (~~fourteen~~) thirty dollars. This fee
17 includes the fee for the required photograph.

18 (3) A person renewing his or her driver's license more than sixty
19 days after the license has expired shall pay a penalty fee of ten
20 dollars in addition to the renewal fee, unless his or her license
21 expired when:

22 (a) The person was outside the state and he or she renews the
23 license within sixty days after returning to this state; or

24 (b) The person was incapacitated and he or she renews the license
25 within sixty days after the termination of the incapacity.

26 (4) During the period from July 1, 2000, to July 1, 2006, the
27 department may issue or renew a driver's license for a period other
28 than six years, or may extend by mail a license that has already been
29 issued, in order to evenly distribute, as nearly as possible, the
30 yearly renewal rate of licensed drivers. The fee for a driver's
31 license issued or renewed for a period other than six years, or that
32 has been extended by mail, is five dollars for each year that the
33 license is issued, renewed, or extended. The department may adopt any
34 rules as are necessary to carry out this subsection.

35 **Sec. 12.** RCW 46.20.470 and 1989 c 178 s 21 are each amended to
36 read as follows:

1 There shall be an additional fee for issuing any class of
2 commercial driver's license in addition to the prescribed fee required
3 for the issuance of the original driver's license. The additional fee
4 for each class shall not exceed (~~twelve~~) twenty-four dollars for the
5 original commercial driver's license or subsequent renewals, unless the
6 commercial driver's license is renewed or extended for a period other
7 than six years, in which case the fee for each class shall not exceed
8 four dollars for each year that the commercial driver's license is
9 renewed or extended. The fee shall be deposited in the highway safety
10 fund.

11 **Sec. 13.** RCW 46.20.505 and 1993 c 115 s 1 are each amended to read
12 as follows:

13 Every person applying for a special endorsement or a new category
14 of endorsement of a driver's license authorizing such person to drive
15 a motorcycle or a motor-driven cycle shall pay an examination fee of
16 two dollars which is not refundable. In addition, the endorsement fee
17 for the initial or new category motorcycle endorsement shall (~~be six~~)
18 not exceed twelve dollars, and the subsequent renewal endorsement fee
19 shall (~~be fourteen~~) not exceed thirty dollars, unless the endorsement
20 is renewed or extended for a period other than six years, in which case
21 the subsequent renewal endorsement fee shall not exceed five dollars
22 for each year that the endorsement is renewed or extended. The initial
23 or new category and renewal endorsement fees shall be deposited in the
24 motorcycle safety education account of the highway safety fund.

25 NEW SECTION. **Sec. 14.** Sections 9 through 13 of this act take
26 effect July 1, 2000."

27 Correct the title.

28 **SB 5374** - H COMM AMD

29 By Committee on Transportation

30 ADOPTED 4/16/99

31 On page 23, after line 21, insert the following:

1 **Sec. 9.** RCW 46.20.500 and 1997 c 328 s 3 are each amended to read
2 as follows:

3 No person may drive a motorcycle or a motor-driven cycle unless
4 such person has a valid driver's license specially endorsed by the
5 director to enable the holder to drive such vehicles(~~(, nor may a~~
6 ~~person drive a motorcycle of a larger engine displacement than that~~
7 ~~authorized by such special endorsement or by an instruction permit for~~
8 ~~such category)).~~ However, a person sixteen years of age or older,
9 holding a valid driver's license of any class issued by the state of
10 the person's residence, may operate a moped without taking any special
11 examination for the operation of a moped. No driver's license is
12 required for operation of an electric-assisted bicycle if the operator
13 is at least sixteen years of age. Persons under sixteen years of age
14 may not operate an electric-assisted bicycle.

15 **Sec. 10.** RCW 46.20.505 and 1993 c 115 s 1 are each amended to read
16 as follows:

17 Every person applying for a special endorsement (~~(or a new category~~
18 ~~of endorsement))~~ of a driver's license authorizing such person to drive
19 a motorcycle or a motor-driven cycle shall pay an examination fee of
20 two dollars which is not refundable. In addition, the endorsement fee
21 for the initial (~~(or new category))~~ motorcycle endorsement shall be six
22 dollars and the subsequent renewal endorsement fee shall be fourteen
23 dollars. The initial (~~(or new category))~~ and renewal endorsement fees
24 shall be deposited in the motorcycle safety education account of the
25 highway safety fund.

26 **Sec. 11.** RCW 46.20.510 and 1999 c 6 s 25 are each amended to read
27 as follows:

28 (1) (~~**Categories.**—There are three categories for the special~~
29 ~~motorcycle endorsement of a driver's license. Category one is for~~
30 ~~motorcycles or motor-driven cycles having an engine displacement of one~~
31 ~~hundred fifty cubic centimeters or less. Category two is for~~
32 ~~motorcycles having an engine displacement of five hundred cubic~~
33 ~~centimeters or less. Category three includes categories one and two,~~
34 ~~and is for motorcycles having an engine displacement of five hundred~~
35 ~~one cubic centimeters or more.~~

36 (2)) **Motorcycle instruction permit.** A person holding a valid
37 driver's license who wishes to learn to ride a motorcycle (~~(or obtain~~

1 ~~an endorsement of a larger category~~) may apply for a motorcycle
2 instruction permit. The department may issue a motorcycle instruction
3 permit after the applicant has successfully passed all parts of the
4 motorcycle examination other than the driving test. The director shall
5 collect a two dollar and fifty cent fee for the motorcycle instruction
6 permit or renewal, and deposit the fee in the motorcycle safety
7 education account of the highway safety fund.

8 ~~((+3))~~ (2) **Effect of motorcycle instruction permit.** A person
9 holding a motorcycle instruction permit may drive a motorcycle upon the
10 public highways if the person has immediate possession of the permit
11 and a valid driver's license ~~((with current endorsement, if any))~~. An
12 individual with a motorcyclist's instruction permit may not carry
13 passengers~~((7))~~ and may not operate a motorcycle during the hours of
14 darkness ~~((or on a fully controlled, limited access facility, and shall
15 be under the direct visual supervision of a person with a motorcycle
16 endorsement of the appropriate category and at least five years' riding
17 experience))~~.

18 ~~((+4))~~ (3) **Term of motorcycle instruction permit.** A motorcycle
19 instruction permit is valid for ninety days from the date of issue.

20 (a) The department may issue one additional ninety-day permit.

21 (b) The department may issue a third motorcycle instruction permit
22 if it finds after an investigation that the permittee is diligently
23 seeking to improve driving proficiency.

24 **Sec. 12.** RCW 46.20.515 and 1982 c 77 s 4 are each amended to read
25 as follows:

26 The motorcycle endorsement examination ~~((for each displacement
27 category shall))~~ must emphasize maneuvers necessary for on-street
28 operation, including emergency braking and turning as may be required
29 to avoid an impending collision."

30 Correct the title.

31 On page 1, line 6, strike all of section 1, renumber the remaining
32 sections consecutively, and correct internal references accordingly.

33 On page 23, after line 21, insert the following:

1 **"Sec. 9.** RCW 46.20.041 and 1999 c 6 s 9 are each amended to read
2 as follows:

3 (1) If the department has reason to believe that a person is
4 suffering from a physical or mental disability or disease that may
5 affect that person's ability to drive a motor vehicle, the department
6 must evaluate whether the person is able to safely drive a motor
7 vehicle. As part of the evaluation:

8 (a) The department shall permit the person to demonstrate
9 personally that notwithstanding the disability or disease he or she is
10 able to safely drive a motor vehicle.

11 (b) The department may require the person to obtain a statement
12 signed by a licensed physician or other proper authority designated by
13 the department certifying the person's condition.

14 (i) The ((~~certificate~~)) statement is for the confidential use of
15 the director and the chief of the Washington state patrol and for other
16 public officials designated by law. It is exempt from public
17 inspection and copying notwithstanding chapter 42.17 RCW.

18 (ii) The ((~~certificate~~)) statement may not be offered as evidence
19 in any court except when appeal is taken from the order of the director
20 canceling or withholding a person's driving privilege. However, the
21 department may make the ((~~certificate~~)) statement available to the
22 director of the department of retirement systems for use in determining
23 eligibility for or continuance of disability benefits and it may be
24 offered and admitted as evidence in any administrative proceeding or
25 court action concerning the disability benefits.

26 (2) On the basis of the evaluation the department may:

27 (a) Issue or renew a driver's license to the person without
28 restrictions;

29 (b) Cancel or withhold the driving privilege from the person; or

30 (c) Issue a restricted driver's license to the person. The
31 restrictions must be suitable to the licensee's driving ability. The
32 restrictions may include:

33 (i) Special mechanical control devices on the motor vehicle
34 operated by the licensee;

35 (ii) Limitations on the type of motor vehicle that the licensee may
36 operate; or

37 (iii) Other restrictions determined by the department to be
38 appropriate to assure the licensee's safe operation of a motor vehicle.

1 (3) The department may either issue a special restricted license or
2 may set forth the restrictions upon the usual license form.

3 (4) The department may suspend or revoke a restricted license upon
4 receiving satisfactory evidence of any violation of the restrictions.
5 In that event the licensee is entitled to a driver improvement
6 interview and a hearing as provided by RCW 46.20.322 or 46.20.328.

7 (5) Operating a motor vehicle in violation of the restrictions
8 imposed in a restricted license is a traffic infraction.

9 **Sec. 10.** RCW 46.20.055 and 1999 c 6 s 11 are each amended to read
10 as follows:

11 (1) **Driver's instruction permit.** (~~((a) A person who is at least~~
12 ~~fifteen and one-half years of age may apply to the department for a~~
13 ~~driver's instruction permit.))~~ The department may issue a driver's
14 instruction permit (~~((after the))~~) with a photograph to an applicant who
15 has successfully passed all parts of the examination other than the
16 driving test, provided the information required by RCW 46.20.091,
17 (~~and~~) paid a five-dollar fee((-)), and meets the following
18 requirements:

19 (a) Is at least fifteen and one-half years of age; or

20 ~~((The department may issue a driver's instruction permit to an~~
21 ~~applicant who))~~ Is at least fifteen years of age ((if he or she)) and:

22 (i) Has submitted a proper application; and

23 (ii) Is enrolled in a traffic safety education program approved and
24 accredited by the superintendent of public instruction that includes
25 practice driving.

26 (2) **Nonphoto permit fee.** An applicant who meets the requirements
27 of subsection (1) of this section other than payment of the five-dollar
28 fee may obtain a driver's instruction permit without a photograph by
29 paying a fee of four dollars.

30 (3) **Waiver of written examination for instruction permit.** The
31 department may waive the written examination, if, at the time of
32 application, an applicant is enrolled in:

33 (a) A traffic safety education course as defined by RCW
34 28A.220.020(2); or

35 (b) A course of instruction offered by a licensed driver training
36 school as defined by RCW 46.82.280(1).

37 The department may require proof of registration in such a course
38 as it deems necessary.

1 (~~(3)~~) (4) **Effect of instruction permit.** A person holding a
2 driver's instruction permit may drive a motor vehicle, other than a
3 motorcycle, upon the public highways if:

4 (a) The person has immediate possession of the permit; and

5 (b) (~~The seat beside the driver is occupied by~~) An approved
6 instructor, or a licensed driver with at least five years of driving
7 experience, occupies the seat beside the driver.

8 (~~(4)~~) (5) **Term of instruction permit.** A driver's instruction
9 permit is valid for one year from the date of issue.

10 (a) The department may issue one additional one-year permit.

11 (b) The department may issue a third driver's permit if it finds
12 after an investigation that the permittee is diligently seeking to
13 improve driving proficiency.

14 **Sec. 11.** RCW 46.20.100 and 1999 c 6 s 16 are each amended to read
15 as follows:

16 (1) **Application.** The application of a person under the age of
17 eighteen years for a driver's license or a motorcycle endorsement must
18 be signed by a parent or guardian with custody of the minor. If the
19 (~~minor~~) person under the age of eighteen has no father, mother, or
20 guardian, then the application must be signed by the minor's employer.

21 (2) **Traffic safety education requirement.** For a person under the
22 age of eighteen years to obtain a driver's license he or she must meet
23 the traffic safety education requirements of this subsection.

24 (a) To meet the traffic safety education requirement for a driver's
25 license the applicant must satisfactorily complete a traffic safety
26 education course as defined in RCW 28A.220.020. The course must meet
27 the standards established by the office of the state superintendent of
28 public instruction. The traffic safety education course may be
29 provided by:

30 (i) A recognized secondary school; or

31 (ii) A commercial driving enterprise that is annually approved by
32 the office of the superintendent of public instruction.

33 (b) To meet the traffic safety education requirement for a
34 motorcycle endorsement, the applicant must successfully complete a
35 motorcycle safety education course that meets the standards established
36 by the department of licensing.

1 (c) The department may waive the traffic safety education
2 requirement for a driver's license if the applicant demonstrates to the
3 department's satisfaction that:

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

6 (ii) A need exists for the applicant to operate a motor vehicle;
7 and

8 (iii) He or she has the ability to operate a motor vehicle in such
9 a manner as not to jeopardize the safety of persons or property(~~(~~
10 ~~under rules adopted by)~~)).

11 The department may adopt rules to implement this subsection (2)(c) in
12 concert with the supervisor of the traffic safety education section of
13 the office of the superintendent of public instruction.

14 (d) The department may waive the traffic safety education
15 requirement if the applicant was licensed to drive a motor vehicle or
16 motorcycle outside this state and provides proof that he or she has had
17 education equivalent to that required under this subsection.

18 **Sec. 12.** RCW 46.20.117 and 1999 c 6 s 18 are each amended to read
19 as follows:

20 (1) **Issuance.** The department shall issue (~~(a resident of the state~~
21 ~~of Washington))~~ an identicard, containing a picture, if (~~(he or she)~~)
22 the applicant:

23 (a) Does not hold a valid Washington driver's license;

24 (b) Proves his or her identity as required by RCW 46.20.035; and

25 (c) Pays the required fee. The fee is four dollars unless an
26 applicant is a recipient of continuing public assistance grants under
27 Title 74 RCW, who is referred in writing by the secretary of social and
28 health services. For those persons the fee must be the actual cost of
29 production of the identicard.

30 (2) **Design and term.** The identicard must:

31 (a) Be distinctly designed so that it will not be confused with the
32 official driver's license; and

33 (b) Expire on the fifth anniversary of the applicant's birthdate
34 after issuance.

35 (3) **Cancellation.** The department may cancel an identicard if the
36 holder of the identicard used the card or allowed others to use the
37 card in violation of RCW 46.20.336 (as recodified by chapter 6, Laws of
38 1999)."

1 Correct the title.

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