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SENATE BILL 5816

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State of Washington                      64th Legislature                      2015 Regular Session

By Senators Llias, Benton, Rivers, Jayapal, and McAuliffe

Read first time 02/04/15. Referred to Committee on Transportation.

1            AN ACT Relating to reducing traffic fatalities and serious  
2 injuries through improved traffic safety education; amending RCW  
3 46.20.285; adding new sections to chapter 46.20 RCW; adding a new  
4 section to chapter 46.68 RCW; adding new sections to chapter 46.82  
5 RCW; creating a new section; and providing an effective date.

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

7            NEW SECTION.    **Sec. 1.** The legislature finds that the goals and  
8 objectives of reaching zero fatalities and crashes on our highways  
9 and roads by 2030 needs to start now. The legislature further finds  
10 that the "Strategic Highway Safety Plan, Target Zero," has identified  
11 motor vehicle crashes as a leading cause of death in young drivers  
12 between ages sixteen and twenty-five, making this group a priority  
13 level one, along with speeding, impaired driving, and distracted  
14 driving of any driver age group in the state. The legislature further  
15 finds that while some young drivers are receiving a driver's  
16 education in their early teens, the research studies have shown young  
17 drivers are more likely to crash for two principal reasons:  
18 Inexperience and immaturity. For these reasons, it is the intent of  
19 the legislature to not only help these young drivers save their lives  
20 but to make our roads and highways safe for all drivers by requiring  
21 that young drivers who have had no driver's education attend and pass

1 a young driver risk prevention traffic safety course before becoming  
2 licensed to drive in Washington state.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20  
4 RCW to read as follows:

5 (1) Any person eighteen to twenty-four years of age who is  
6 applying for his or her first Washington state driver's license and  
7 who did not complete a course in traffic safety education as required  
8 under RCW 46.20.100 must complete a young driver risk prevention  
9 traffic safety course that complies with the requirements of section  
10 5 of this act and is offered by a licensed driver training school  
11 under chapter 46.82 RCW.

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

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

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

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

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

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

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

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

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

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.20  
37 RCW to read as follows:

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

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

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

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.68  
14 RCW to read as follows:

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

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.82  
24 RCW to read as follows:

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

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

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

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

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

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

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

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

22 **Sec. 6.** RCW 46.20.285 and 2005 c 288 s 4 are each amended to  
23 read as follows:

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

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

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

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

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

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

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

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

13       (2) Prior to reinstatement of a driver's license that was revoked  
14 under this section, the driver must complete a high-risk driver  
15 traffic safety course that complies with the requirements of section  
16 7 of this act and is offered by a licensed driver training school.

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

23       NEW SECTION. Sec. 7. A new section is added to chapter 46.82  
24 RCW to read as follows:

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

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

33       (2) A high-risk driver traffic safety course required under RCW  
34 46.20.285(2) must comply with the following requirements:

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

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

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

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

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

22 NEW SECTION. **Sec. 8.** This act takes effect January 1, 2017.

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