
HOUSE BILL 1481

State of Washington

65th Legislature

2017 Regular Session

By Representatives Hayes and Bergquist

Read first time 01/20/17. Referred to Committee on Transportation.

1 AN ACT Relating to creating uniformity in driver training
2 education provided by school districts and commercial driver training
3 schools; amending RCW 28A.220.010, 28A.220.020, 28A.220.030,
4 46.20.055, 46.20.100, 46.82.320, 46.82.330, and 46.82.400; adding new
5 sections to chapter 28A.220 RCW; adding a new section to chapter
6 46.82 RCW; creating new sections; repealing RCW 28A.220.050,
7 28A.220.060, 28A.220.080, and 28A.220.085; providing an effective
8 date; and providing an expiration date.

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

10 NEW SECTION. **Sec. 1.** The legislature finds that there is a need
11 to establish consistency in the quality of driver training education
12 in this state to reduce the number of young driver accidents that are
13 prematurely killing our youth. The traffic safety commission reports
14 that out of two hundred forty-five fatalities in the first half of
15 2016, thirty-one involved young drivers aged sixteen to twenty-five.
16 The intent of this act is to require all driver training education
17 curriculum and instructors to be licensed and regulated by the
18 department of licensing, and to authorize the office of the
19 superintendent of public instruction to establish driver training
20 education courses offered by school districts that exceed the
21 curriculum and rules established by the department of licensing and

1 establish additional requirements for those who teach in school
2 districts. The legislature also finds that there is a need to audit
3 driver training education courses; therefore, the intent of this act
4 is also to provide the department of licensing with resources and
5 authority to provide such accountability.

6 **Sec. 2.** RCW 28A.220.010 and 1977 c 76 s 1 are each amended to
7 read as follows:

8 It is the purpose of this chapter (~~((76, Laws of 1977))~~) to provide
9 the students of the state with an improved quality traffic safety
10 education program and to develop in the youth of this state a
11 knowledge of the motor vehicle laws, an acceptance of personal
12 responsibility on the public highways, an understanding of the causes
13 and consequences of traffic accidents, and to provide training in the
14 skills necessary for the safe operation of motor vehicles(~~(; to
15 provide financial assistance to the various school districts while
16 permitting them to achieve economies through options in the choice of
17 course content and methods of instructions by adopting in whole or
18 with modifications, a program prepared by the office of the
19 superintendent of public instruction, and keeping to a minimum the
20 amount of estimating, bookkeeping and reporting required of said
21 school districts for financial reimbursement for such traffic safety
22 education programs))~~).

23 **Sec. 3.** RCW 28A.220.020 and 1990 c 33 s 218 are each amended to
24 read as follows:

25 (~~The following words and phrases whenever used in chapter
26 28A.220 RCW shall have the following meaning:~~) The definitions in
27 this section apply throughout this chapter unless the context clearly
28 requires otherwise.

29 (1) "Superintendent" or "state superintendent" (~~(shall)~~) means
30 the superintendent of public instruction.

31 (2) (~~Traffic safety~~) Driver training education course"
32 (~~(shall)~~) means (~~(an accredited)~~) a course of instruction in traffic
33 safety education (~~(which shall consist of two phases, classroom
34 instruction, and laboratory experience. "Laboratory experience" shall
35 include on-street, driving range, or simulator experience or some
36 combination thereof. Each phase shall meet basic course requirements
37 which shall be established by the superintendent of public
38 instruction and each part of said course shall be~~) taught by a

1 qualified teacher of ((~~traffic safety~~)) driver training education
2 that consists of classroom and behind-the-wheel instruction using
3 curriculum that meets department of licensing standards and the
4 course requirements established by the superintendent of public
5 instruction under RCW 28A.220.030. Behind-the-wheel instruction is
6 characterized by driving experience. ((Any portions of the course may
7 be taught after regular school hours or on Saturdays as well as on
8 regular school days or as a summer school course, at the option of
9 the local school districts.))

10 (3) "Qualified teacher of ((~~traffic safety~~)) driver training
11 education" ((shall)) means an instructor ((~~certificated under the~~
12 provisions of chapter 28A.410 RCW and ~~certificated by the~~
13 superintendent of public instruction to teach either the classroom
14 phase or the laboratory phase of the traffic safety education course,
15 or both, under regulations promulgated by the superintendent:
16 PROVIDED, That the laboratory experience phase of the traffic safety
17 education course may be taught by instructors certificated under
18 rules promulgated by the superintendent of public instruction,
19 exclusive of any requirement that the instructor be certificated
20 under the provisions of chapter 28A.410 RCW. Professional instructors
21 certificated under the provisions of chapter 46.82 RCW, and
22 participating in this program, shall be subject to reasonable
23 qualification requirements jointly adopted by the superintendent of
24 public instruction and the director of licensing)) who:

25 (a)(i) Is certificated under chapter 28A.410 RCW and has obtained
26 a traffic safety endorsement from the superintendent of public
27 instruction or is certificated by the superintendent of public
28 instruction to teach a driver training education course; and

29 (ii) Is licensed by the department of licensing, in accordance
30 with the requirements of section 5(2)(a) of this act, to teach a
31 driver training education course; or

32 (b) Is an instructor provided by a driver training school that
33 has contracted with a school district's or districts' board of
34 directors under RCW 28A.220.030(3) to teach driver education for the
35 school district.

36 (4) "Realistic level of effort" means the classroom and
37 ((~~laboratory~~)) behind-the-wheel student learning experiences
38 considered acceptable to the superintendent of public instruction
39 under RCW 28A.220.030 that must be satisfactorily accomplished by the

1 student in order to successfully complete the (~~traffic safety~~)
2 driver training education course.

3 (5) "Director" means the director of the department of licensing.

4 (6) "Traffic safety education program" means the administration
5 and provision of driver training education courses offered by
6 secondary schools of a school district or vocational-technical
7 schools that are conducted by such schools in a like manner to their
8 other regular courses.

9 **Sec. 4.** RCW 28A.220.030 and 2011 c 370 s 2 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction is authorized to
12 establish a section of traffic safety education, and through such
13 section shall: Define a "realistic level of effort" required to
14 provide an effective (~~traffic safety~~) driver training education
15 course, establish a level of driving competency required of each
16 student to successfully complete the course, and ensure that an
17 effective statewide program is implemented and sustained(~~(7)~~);
18 administer, supervise, and develop the traffic safety education
19 program; and (~~shall~~) assist local school districts in the conduct
20 of their traffic safety education programs. The superintendent shall
21 verify that the realistic level of effort set for each driver
22 training education course meets or exceeds department of licensing
23 minimum required driver training education curriculum and course
24 delivery standards as described in RCW 46.82.420 and 46.82.430 and
25 associated rules adopted by the department of licensing. The
26 superintendent shall adopt necessary rules (~~and regulations~~)
27 governing the operation and scope of the traffic safety education
28 program; and each school district shall submit a report to the
29 superintendent on the condition of its traffic safety education
30 program: PROVIDED, That the superintendent shall monitor the quality
31 of the program and carry out the purposes of this chapter.

32 (2)(a) The board of directors of any school district maintaining
33 a secondary school which includes any of the grades 10 to 12,
34 inclusive, may establish and maintain a traffic safety education
35 (~~course~~) program.

36 (b) Any school district that offers a driver training education
37 course must certify to the department of licensing that it is
38 operating a traffic safety education program, that the driver
39 training education course complies with the curriculum and course

1 delivery standards promulgated by the department of licensing, and
2 that the school district has verified that all instructors are
3 licensed by the department of licensing to teach a driver training
4 education course.

5 (c) Any portion of a driver training education course offered by
6 a school district may be taught after regular school hours or on
7 Saturdays as well as on regular school days or as a summer school
8 course, at the option of the local school district. If a school
9 district elects to offer a (~~traffic safety~~) driver training
10 education course and has within its boundaries a private accredited
11 secondary school which includes any of the grades 10 to 12,
12 inclusive, at least one (~~class in traffic safety education shall~~)
13 driver training education course must be given at times other than
14 regular school hours if there is sufficient demand (~~therefor~~) for
15 it.

16 (3)(a) A qualified teacher of driver training education must be
17 certificated under chapter 28A.410 RCW and obtain a traffic safety
18 endorsement from the superintendent of public instruction to teach
19 either the classroom instruction or the behind-the-wheel instruction
20 portion of the driver training education course, or both, under rules
21 adopted by the superintendent. The classroom or behind-the-wheel
22 instruction portion of the driver training education course may also
23 be taught by instructors certificated under rules adopted by the
24 superintendent of public instruction, exclusive of any requirement
25 that the instructor be certificated under chapter 28A.410 RCW.

26 (b) The superintendent shall establish a required minimum number
27 of hours of continuing traffic safety education for qualified
28 teachers of driver training education that must meet or exceed the
29 minimum number of hours required for a department of licensing issued
30 instructor license under RCW 46.82.320.

31 (4) The board of directors of a school district, or combination
32 of school districts, may contract with any (~~drivers~~) driver
33 training school licensed under (~~the provisions of~~) chapter 46.82
34 RCW to teach the (~~laboratory phase~~) behind-the-wheel instruction
35 portion of the (~~traffic safety~~) driver training education course.
36 Instructors provided by any such contracting (~~drivers~~) driver
37 training school must be properly (~~qualified~~) licensed teachers of
38 (~~traffic safety~~) driver training education under the joint
39 qualification requirements adopted by the superintendent of public
40 instruction and the director of licensing, which must meet or exceed

1 minimum teacher licensing requirements promulgated by the department
2 of licensing.

3 ~~((4) The superintendent shall establish a required minimum~~
4 ~~number of hours of continuing traffic safety education for traffic~~
5 ~~safety education instructors. The superintendent may phase in the~~
6 ~~requirement over not more than five years.))~~

7 (5) Each school district offering a traffic safety education
8 program must maintain: (a) Documentation of each instructor's name,
9 address, and instructor's license from the department of licensing;
10 and (b) student records that include the student's name, address, and
11 telephone number, the date of enrollment and all dates of
12 instruction, the student's driver's instruction permit or driver's
13 license number, the type of training received, the total number of
14 hours of instruction, and the name of the instructor or instructors.
15 These records must be maintained for three years following the
16 completion of the instruction and are subject to inspection upon
17 request of the department of licensing or the office of the
18 superintendent of public instruction. The superintendent may adopt
19 rules regarding the retention of additional documents that are
20 subject to inspection by the department of licensing or the office of
21 the superintendent of public instruction.

22 (6) A driver training education course may not be offered by a
23 school district to a student who is under the age of fifteen, and
24 behind-the-wheel instruction may not be given by an instructor to a
25 student in a motor vehicle unless the student possesses either a
26 current and valid driver's instruction permit issued under RCW
27 46.20.055 or a current and valid driver's license.

28 (7) School districts that offer a ~~((traffic safety))~~ driver
29 training education ~~((program))~~ course under this chapter may
30 administer the portions of the driver licensing examination that test
31 the applicant's knowledge of traffic laws and ability to safely
32 operate a motor vehicle as authorized under RCW 46.20.120(7). The
33 superintendent shall work with the department of licensing, in
34 consultation with school districts that offer a traffic safety
35 education program, to develop standards and requirements for
36 administering each portion of the driver licensing examination that
37 are comparable to the standards and requirements for driver training
38 schools under RCW 46.82.450.

39 ~~((6))~~ (8) Before a school district may provide a portion of the
40 driver licensing examination, the school district must, after

1 consultation with the superintendent, enter into an agreement with
2 the department of licensing that sets forth an accountability and
3 audit process that takes into account the unique nature of school
4 district facilities and school hours and, at a minimum, contains
5 provisions that:

6 (a) Allow the department of licensing to conduct random
7 examinations, inspections, and audits without prior notice;

8 (b) Allow the department of licensing to conduct on-site
9 inspections at least annually;

10 (c) Allow the department of licensing to test, at least annually,
11 a random sample of the drivers approved by the school district for
12 licensure and to cancel any driver's license that may have been
13 issued to any driver selected for testing who refuses to be tested;
14 and

15 (d) Reserve to the department of licensing the right to take
16 prompt and appropriate action against a school district that fails to
17 comply with state or federal standards for a driver licensing
18 examination or to comply with any terms of the agreement.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.220
20 RCW to read as follows:

21 (1) The department of licensing shall develop and offer a license
22 for individuals to be qualified to teach the classroom instruction
23 and behind-the-wheel instruction portions of a driver training
24 education course for a traffic safety education program operated by a
25 school district.

26 (2)(a) Only a qualified teacher may provide instruction for a
27 driver training education course under this chapter. A qualified
28 teacher of driver training must hold a license issued by the director
29 for that purpose. However, an instructor who is licensed to teach in
30 a traffic safety education program before August 1, 2018, may
31 continue to teach without obtaining a department of licensing issued
32 license to provide instruction until the expiration of an
33 instructor's traffic safety endorsement or conditional certificate,
34 or until August 1, 2020, whichever occurs first.

35 (b) An application for an original or renewal instructor's
36 license must be filed with the director, containing such information
37 as prescribed under this section and by the director, accompanied by
38 an application fee set by rule of the department of licensing that is
39 equal to the fee set under RCW 46.82.320, which may not be refunded.

1 The application fee for an original instructor's license is waived
2 for any applicant who is certificated under chapter 28A.410 RCW and
3 who has obtained a traffic safety endorsement from the superintendent
4 of public instruction; this waiver does not extend to renewal
5 application fees. An application for a renewal instructor's license
6 must be accompanied by proof of the applicant's continuing
7 professional development that meets the standards adopted by the
8 director. If the applicant satisfactorily meets the licensing
9 qualification requirements in this subsection (2)(b) and as
10 prescribed in RCW 46.82.330, or any alternate requirements
11 established under RCW 46.82.440 or 46.82.441, the applicant must be
12 granted a license that is valid for a period of two years from the
13 date of issuance.

14 (c) The director shall issue a license certificate to each
15 qualified applicant.

16 (d) The instructor's license must be available at the location
17 where the instructor provides instruction. Unless revoked, canceled,
18 or denied by the director, the license must remain the property of
19 the licensee.

20 (e) If the director has not received a renewal instructor's
21 license application on or before the date the license expires, the
22 license is void, requiring a new application as provided for in this
23 chapter, including payment of all fees. A renewal instructor's
24 license applicant is only required to retake an examination if his or
25 her license expired more than six months before submission of his or
26 her renewal application.

27 (f) If revoked, canceled, or denied by the director, the license
28 must be surrendered to the department of licensing within ten days
29 following the effective date of such action.

30 (3)(a) Each licensee must be provided with a wallet-size
31 identification card by the director at the time the license is
32 issued, which must be in the instructor's immediate possession at all
33 times while engaged in instructing.

34 (b) In case of the loss, mutilation, or destruction of an
35 instructor's license certificate, the director shall issue a
36 duplicate certificate upon proof of the facts and payment of a fee as
37 adopted by rule of the department of licensing under RCW 46.82.340.

38 (4) Each licensee shall notify the director in writing within ten
39 days of any change of employment or termination of employment and
40 provide the name and address of any new employer.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.220
2 RCW to read as follows:

3 (1) The department of licensing shall develop and maintain a
4 minimum required curriculum for school districts operating a traffic
5 safety education program and furnish to each qualifying applicant for
6 an instructor's license a copy of such curriculum. The curriculum
7 must be identical to or substantially similar to the curriculum
8 required under RCW 46.82.420.

9 (2) The department of licensing shall develop and administer a
10 certification process for a traffic safety education program as
11 required under RCW 28A.220.030 in consultation with the
12 superintendent.

13 (3) The department of licensing shall conduct audits of traffic
14 safety education programs to ensure that the instructors are licensed
15 and teaching the required curriculum material. Each school district
16 may be audited at least once every five years or more frequently. The
17 audit process must take into account the unique nature of school
18 district facilities, operations, and hours. As part of its audit
19 process, the department of licensing may examine all relevant
20 information, including driver training education course curriculum
21 materials and student records, and visit any course in progress that
22 is part of the traffic safety education program. The director shall
23 consult with the superintendent in developing and carrying out these
24 auditing practices.

25 (4) The department of licensing may suspend or revoke a school's
26 or school district's ability to issue certificates of driver training
27 education course completion if the school or school district fails to
28 comply with department of licensing standards or fails to certify its
29 traffic safety education program, or if the school or school district
30 refuses to comply with the department audit process authorized under
31 this chapter.

32 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.220
33 RCW to read as follows:

34 (1) The director may suspend, revoke, deny, or refuse to renew an
35 instructor's license, or impose such other disciplinary action
36 authorized under RCW 18.235.110 (1) (a) through (g), (i), (j) and
37 (4), upon a determination that the applicant or licensee has engaged
38 in unprofessional conduct as described under RCW 18.235.130 (1), (2),

1 (4), (6) (a) through (c), (7), and (14), or for any of the following
2 causes:

3 (a) Upon a determination that the licensee has made a false
4 statement or concealed any material fact in connection with the
5 application or license renewal;

6 (b) Upon a determination that the applicant or licensee has been
7 convicted of a felony, or any crime involving violence, dishonesty,
8 deceit, indecency, degeneracy, or moral turpitude;

9 (c) Upon a determination that the applicant or licensee has
10 committed fraud, induced another to commit fraud, or engaged in
11 fraudulent practices in relation to a driver training education
12 course, or has induced another to resort to fraud in relation to
13 securing for himself, herself, or another a license to drive a motor
14 vehicle;

15 (d) Upon a determination that the applicant or licensee has
16 engaged in conduct that could endanger the educational welfare or
17 personal safety of students or others;

18 (e) Upon a determination that an instructor no longer possesses
19 and meets the qualifications and conditions set out in section 5 of
20 this act; or

21 (f) Upon a determination that the applicant or licensee has
22 failed to satisfy or fails to satisfy the other conditions stated in
23 this chapter or under rules adopted by the director or
24 superintendent.

25 (2) If revoked, canceled, or denied by the director, the license
26 must be surrendered to the department of licensing within ten days
27 following the effective date of such action.

28 (3) The appeal procedures under RCW 46.82.370 and 46.82.380 apply
29 to this section.

30 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.220
31 RCW to read as follows:

32 All moneys collected from instructor licenses must be deposited
33 into the highway safety fund. Expenditures from such moneys in the
34 fund may be used only for expenses incurred in carrying out the
35 traffic safety education licensing activities of the department of
36 licensing, including audits and inspections.

37 **Sec. 9.** RCW 46.20.055 and 2012 c 80 s 5 are each amended to read
38 as follows:

1 (1) **Driver's instruction permit.** The department may issue a
2 driver's instruction permit with or without a photograph to an
3 applicant who has successfully passed all parts of the examination
4 other than the driving test, provided the information required by RCW
5 46.20.091, paid an application fee of twenty-five dollars, and meets
6 the following requirements:

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

8 (b) Is at least fifteen years of age and:

9 (i) Has submitted a proper application; and

10 (ii) Is enrolled in a (~~traffic safety~~) driver training
11 education (~~program~~) course offered(~~(, approved, and accredited by~~
12 ~~the superintendent of public instruction)~~) in accordance with the
13 requirements under chapter 28A.220 RCW or offered by a driver
14 training school licensed and inspected by the department of licensing
15 under chapter 46.82 RCW, that includes practice driving.

16 (2) **Waiver of written examination for instruction permit.** The
17 department may waive the written examination, if, at the time of
18 application, an applicant is enrolled in(~~(+~~

19 ~~(a+)) a (~~traffic safety~~) driver training education course as
20 defined (~~(by RCW 28A.220.020(2); or~~~~

21 ~~(b) A course of instruction offered by a licensed driver training~~
22 ~~school as defined by)) in RCW 46.82.280 or 28A.220.020.~~

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

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

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

29 (b) The person is not using a wireless communications device,
30 unless the person is using the device to report illegal activity,
31 summon medical or other emergency help, or prevent injury to a person
32 or property; and

33 (c) (~~An approved~~) A licensed driver training education course
34 instructor, or a licensed driver with at least five years of driving
35 experience, occupies the seat beside the driver.

36 (4) **Term of instruction permit.** A driver's instruction permit is
37 valid for one year from the date of issue.

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

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

4 (c) A person applying for an additional instruction permit must
5 submit the application to the department in person and pay an
6 application fee of twenty-five dollars for each issuance.

7 **Sec. 10.** RCW 46.20.100 and 2010 1st sp.s. c 7 s 18 are each
8 amended to read as follows:

9 (1) **Application.** The application of a person under the age of
10 eighteen years for a driver's license or a motorcycle endorsement
11 must be signed by a parent or guardian with custody of the minor. If
12 the person under the age of eighteen has no father, mother, or
13 guardian, then the application must be signed by the minor's
14 employer.

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

18 (a) To meet the traffic safety education requirement for a
19 driver's license, the applicant must satisfactorily complete a
20 (~~traffic safety~~) driver training education course as defined in RCW
21 28A.220.020 for a course offered by a school district, or as defined
22 by the department of licensing for a course offered by a driver
23 training school licensed under chapter 46.82 RCW. The course offered
24 by a school district (~~or an approved private school~~) must meet the
25 standards established by the office of the state superintendent of
26 public instruction and the department of licensing under chapter
27 28A.220 RCW. The course offered by a driver training school must meet
28 the standards established by the department of licensing under
29 chapter 46.82 RCW. The (~~traffic safety~~) driver training education
30 course may be provided by:

31 (i) A (~~recognized~~) secondary school within a school district
32 that establishes and maintains a traffic safety education program
33 under chapter 28A.220 RCW; or

34 (ii) A driver training school licensed under chapter 46.82 RCW
35 that is annually approved by the department of licensing.

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

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

4 (i) He or she was unable to take or complete a (~~traffic safety~~)
5 driver training 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
9 such a manner as not to jeopardize the safety of persons or property.

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

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

18 **Sec. 11.** RCW 46.82.320 and 2009 c 101 s 4 are each amended to
19 read as follows:

20 (1) No person affiliated with a driver training school shall give
21 instruction in the operation of an automobile for a fee without a
22 license issued by the director for that purpose. An application for
23 an original or renewal instructor's license shall be filed with the
24 director, containing such information as prescribed by this chapter
25 and by the director, accompanied by an application fee set by rule of
26 the department, which shall in no event be refunded. An application
27 for a renewal instructor's license must be accompanied by proof of
28 the applicant's continuing professional development that meets the
29 standards adopted by the director. If the applicant satisfactorily
30 meets the application requirements (~~and the examination~~
31 ~~requirements~~) as prescribed in RCW 46.82.330, the applicant shall be
32 granted a license valid for a period of two years from the date of
33 issuance. An applicant for a renewal instructor's license is not
34 required to retake the examination specified in RCW 46.82.330 to
35 renew his or her instructor's license if his or her original
36 instructor's license is unexpired or has not been expired for longer
37 than six months before submission of his or her renewal application.

38 (2) The director shall issue a license certificate to each
39 qualified applicant.

1 (a) An employing driver training school must conspicuously
2 display an instructor's license at its established place of business
3 and display copies of the instructor's license at any branch office
4 where the instructor provides instruction.

5 (b) Unless revoked, canceled, or denied by the director, the
6 license shall remain the property of the licensee in the event of
7 termination of employment or employment by another driver training
8 school.

9 (c) If the director has not received a renewal application on or
10 before the date a license expires, the license (~~(will be voided)~~) is
11 void, requiring a new application as provided for in this chapter,
12 including (~~(examination and)~~) payment of all fees, as well as an
13 examination subject to the exception in subsection (1) of this
14 section.

15 (d) If revoked, canceled, or denied by the director, the license
16 must be surrendered to the department within ten days following the
17 effective date of such action.

18 (3) Each licensee shall be provided with a wallet-size
19 identification card by the director at the time the license is issued
20 which shall be in the instructor's immediate possession at all times
21 while engaged in instructing.

22 (4) The person to whom an instructor's license has been issued
23 shall notify the director in writing within ten days of any change of
24 employment or termination of employment, providing the name and
25 address of the new driver training school by whom the instructor will
26 be employed.

27 **Sec. 12.** RCW 46.82.330 and 2010 1st sp.s. c 7 s 21 are each
28 amended to read as follows:

29 (1) The application for an instructor's license shall document
30 the applicant's fitness, knowledge, skills, and abilities to teach
31 the classroom and behind-the-wheel (~~(phases)~~) instruction portions of
32 a driver training education program (~~(in a commercial driver training~~
33 ~~school)~~)).

34 (2) An applicant shall be eligible to apply for an original
35 instructor's certificate if the applicant possesses and meets the
36 following qualifications and conditions:

37 (a) Has been licensed to drive for five or more years and
38 possesses a current and valid Washington driver's license or is a
39 resident of a jurisdiction immediately adjacent to Washington state

1 and possesses a current and valid license issued by such
2 jurisdiction, and does not have on his or her driving record any of
3 the violations or penalties set forth in (a)(i), (ii), or (iii) of
4 this subsection. The director shall have the right to examine the
5 driving record of the applicant from the department of licensing and
6 from other jurisdictions and from these records determine if the
7 applicant has had:

8 (i) Not more than one moving traffic violation within the
9 preceding twelve months or more than two moving traffic violations in
10 the preceding twenty-four months;

11 (ii) No drug or alcohol-related traffic violation or incident
12 within the preceding three years. If there are two or more drug or
13 alcohol-related traffic violations in the applicant's driving
14 history, the applicant is no longer eligible to be a driving
15 instructor; and

16 (iii) No driver's license suspension, cancellation, revocation,
17 or denial within the preceding two years, or no more than two of
18 these occurrences in the preceding five years, excluding driver's
19 license suspensions resulting from certification by the department of
20 social and health services that the applicant was not in compliance
21 with a child support order as provided in RCW 46.20.291;

22 (b) Is a high school graduate or the equivalent and at least
23 twenty-one years of age;

24 (c) Has completed an acceptable application on a form prescribed
25 by the director;

26 (d) Has satisfactorily completed a course of instruction in the
27 training of drivers acceptable to the director that is no less than
28 sixty hours in length and includes instruction in classroom and
29 behind-the-wheel teaching methods and supervised practice behind-the-
30 wheel teaching of driving techniques; and

31 (e) Has paid an examination fee as set by rule of the department
32 and has successfully completed an instructor's examination.

33 **Sec. 13.** RCW 46.82.400 and 1979 ex.s. c 51 s 13 are each amended
34 to read as follows:

35 This chapter shall not apply to or affect in any manner courses
36 of instruction offered in high schools, vocational-technical schools,
37 colleges, or universities which are now or hereafter established(~~(~~
38 ~~nor shall it be applicable to instructors in any such high schools,~~
39 ~~vocational-technical schools, colleges, or universities:~~ PROVIDED,

1 ~~That~~) so long as such course or courses are conducted by such
2 schools in a like manner to their other regular courses. If such
3 course is conducted by any commercial school as herein identified on
4 a contractual basis, such school and instructors must qualify under
5 this chapter.

6 NEW SECTION. **Sec. 14.** A new section is added to chapter 46.82
7 RCW to read as follows:

8 By July 1, 2018, the department shall consult with one or more of
9 Central Washington University's traffic safety education instructors
10 or program content developers and update the curriculum required
11 under RCW 46.82.420.

12 This section expires April 1, 2020.

13 NEW SECTION. **Sec. 15.** The department of licensing and the
14 office of the superintendent of public instruction must work together
15 on the transfer and coordination of responsibilities to comply with
16 this act.

17 NEW SECTION. **Sec. 16.** The following acts or parts of acts are
18 each repealed:

19 (1) RCW 28A.220.050 (Information on proper use of left-hand lane)
20 and 1986 c 93 s 4;

21 (2) RCW 28A.220.060 (Information on effects of alcohol and drug
22 use) and 1991 c 217 s 2;

23 (3) RCW 28A.220.080 (Information on motorcycle awareness) and
24 2007 c 97 s 4 & 2004 c 126 s 1; and

25 (4) RCW 28A.220.085 (Information on driving safely among
26 bicyclists and pedestrians) and 2008 c 125 s 4.

27 NEW SECTION. **Sec. 17.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 18.** Except for section 15 of this act, this
32 act takes effect August 1, 2018.

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