
HOUSE BILL 1768

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Ballard, Paris, Bowman, Ferguson, Brough,
Hochstatter, Moyer, Neher, P. Johnson and Tate.

Read first time February 8, 1991. Referred to Committee on Education.

1 AN ACT Relating to limiting issuance of drivers' licenses to
2 persons under eighteen; amending RCW 46.04.480 and 46.20.311; adding
3 new sections to chapter 46.20 RCW; providing an effective date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the public
7 policy which encourages universal public education through grade twelve
8 can be promoted by conditioning the ability to obtain a driver's
9 license or instructional permit for youth under eighteen years of age
10 on school enrollment or high school graduation.

11 NEW SECTION. **Sec. 2.** Except as provided in this chapter a
12 driver's license or instructional permit to operate a motor vehicle may
13 be issued to an individual under eighteen years of age only if the
14 individual is enrolled in an elementary or secondary school, in a

1 course leading to a high school diploma or its equivalent, or has
2 obtained a high school diploma or its equivalent.

3 NEW SECTION. **Sec. 3.** Except as provided in this chapter a
4 driver's license or instructional permit of an individual under
5 eighteen years of age shall be suspended or revoked if such individual
6 withdraws from school or a course leading to a high school diploma, or
7 its equivalent, other than to enroll in another school or course. An
8 individual who, without excuse, misses ten consecutive school days or
9 misses fifteen school days in any ninety-day period is presumed to have
10 withdrawn from school for the purposes of this chapter.

11 NEW SECTION. **Sec. 4.** Notwithstanding the requirements of
12 sections 2 and 3 of this act the superintendent of public instruction,
13 or the designee of the superintendent, may on a case-by-case basis
14 allow individuals who are not in compliance with this chapter to obtain
15 or retain a driver's license or instructional permit in accordance with
16 rules and standards to be adopted by the superintendent of public
17 instruction.

18 NEW SECTION. **Sec. 5.** A school district that enrolls and signs
19 a student to an attendance agreement or individual education plan,
20 where that student has not been enrolled in a school in that district
21 and who is deemed to have withdrawn from a school under section 3 of
22 this act, shall be reimbursed by the state at one hundred ten percent
23 of the regular funding rate.

24 **Sec. 6.** RCW 46.04.480 and 1988 c 148 s 8 are each amended to read
25 as follows:

1 "Revoke," in all its forms, means the invalidation for a period of
2 one calendar year and thereafter until reissue(~~(: PROVIDED, That)~~)
3 except under the provisions of RCW 46.20.285, 46.20.311, 46.20.265,
4 section 3 of this act, or 46.61.515 and chapter 46.65 RCW the
5 invalidation may last for a period other than one calendar year.

6 **Sec. 7.** RCW 46.20.311 and 1990 c 250 s 45 are each amended to read
7 as follows:

8 (1) The department shall not suspend a driver's license or
9 privilege to drive a motor vehicle on the public highways for a fixed
10 period of more than one year, except as permitted under RCW 46.20.342,
11 section 3 of this act, or 46.61.515. Whenever the license or driving
12 privilege of any person is suspended by reason of a conviction, a
13 finding that a traffic infraction has been committed, pursuant to
14 chapter 46.29 RCW, or pursuant to RCW 46.20.291, the suspension shall
15 remain in effect until the person gives and thereafter maintains proof
16 of financial responsibility for the future as provided in chapter 46.29
17 RCW. The department shall not issue to the person a new, duplicate, or
18 renewal license until the person pays a reissue fee of twenty dollars.
19 If the suspension is the result of a violation of RCW 46.61.502 or
20 46.61.504, the reissue fee shall be fifty dollars.

21 (2) Any person whose license or privilege to drive a motor vehicle
22 on the public highways has been revoked, unless the revocation was for
23 a cause which has been removed, is not entitled to have the license or
24 privilege renewed or restored until: (a) After the expiration of one
25 year from the date the license or privilege to drive was revoked; (b)
26 after the expiration of the applicable revocation period provided by
27 RCW 46.61.515(3) (b) or (c); (c) after the expiration of two years for
28 persons convicted of vehicular homicide; (d) after the expiration of
29 one year in cases of revocation for the first refusal within five years

1 to submit to a chemical test under RCW 46.20.308; (e) after the
2 expiration of two years in cases of revocation for the second refusal
3 within five years to submit to a chemical test under RCW 46.20.308;
4 ((or)) (f) after the expiration of the applicable revocation period
5 provided by RCW 46.20.265; or (g) for persons whose license is revoked
6 under section 3 of this act: Upon attaining eighteen years of age;
7 enrolling in an elementary or secondary school; enrolling in a course
8 leading to a high school diploma or its equivalent; or obtaining a high
9 school diploma or its equivalent. After the expiration of the
10 appropriate period, the person may make application for a new license
11 as provided by law together with a reissue fee in the amount of twenty
12 dollars, but if the revocation is the result of a violation of RCW
13 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be fifty
14 dollars. Except for a revocation under RCW 46.20.265 or section 3 of
15 this act, the department shall not then issue a new license unless it
16 is satisfied after investigation of the driving ability of the person
17 that it will be safe to grant the privilege of driving a motor vehicle
18 on the public highways, and until the person gives and thereafter
19 maintains proof of financial responsibility for the future as provided
20 in chapter 46.29 RCW. For a revocation under RCW 46.20.265, the
21 department shall not issue a new license unless it is satisfied after
22 investigation of the driving ability of the person that it will be safe
23 to grant that person the privilege of driving a motor vehicle on the
24 public highways.

25 (3) Whenever the driver's license of any person is suspended
26 pursuant to Article IV of the nonresident violators compact or RCW
27 46.23.020, the department shall not issue to the person any new or
28 renewal license until the person pays a reissue fee of twenty dollars.
29 If the suspension is the result of a violation of the laws of another
30 state, province, or other jurisdiction involving (a) the operation or

1 physical control of a motor vehicle upon the public highways while
2 under the influence of intoxicating liquor or drugs, or (b) the refusal
3 to submit to a chemical test of the driver's blood alcohol content, the
4 reissue fee shall be fifty dollars.

5 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act are
6 each added to chapter 46.20 RCW.

7 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and shall take
10 effect on July 1, 1991.