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HOUSE BILL 1736

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Horn, Cairnes, Hickel, Mitchell, L. Thomas and Thompson

Read first time 02/07/95. Referred to Committee on Transportation.

1 AN ACT Relating to commercial driving instructors; and amending RCW  
2 46.82.320 and 46.82.330.

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

4 **Sec. 1.** RCW 46.82.320 and 1989 c 337 s 18 are each amended to read  
5 as follows:

6 (1) No person, including the owner, operator, partner, officer, or  
7 stockholder of a driver training school shall give instruction in the  
8 operation of an automobile for a fee without a license issued by the  
9 director for that purpose. An application for an instructor's license  
10 shall be filed with the director, containing such information as  
11 prescribed by the director, accompanied by an application fee of  
12 twenty-five dollars which shall in no event be refunded. If the  
13 application is approved by the director and the applicant  
14 satisfactorily meets the examination requirements as prescribed in RCW  
15 46.82.330, the applicant shall be granted a license valid for a period  
16 of one year from the date of issuance. An instructor shall take a  
17 requalification examination every five years.

18 (2) The annual fee for renewal of an instructor's license shall be  
19 five dollars. The director shall issue a license certificate to each

1 licensee which shall be conspicuously displayed in the place of  
2 business of the employing driver training school. Unless revoked,  
3 canceled, or denied by the director, the license shall remain the  
4 property of the licensee in the event of termination of employment or  
5 employment by another driver training school. If a renewal application  
6 has not been received by the director within sixty days from the date  
7 a notice of license expiration was mailed to the licensee, the license  
8 will be voided requiring a new application as provided for in this  
9 chapter, including examination and payment of all fees.

10 (3) Persons who qualify under the rules jointly adopted by the  
11 superintendent of public instruction and the director of licensing to  
12 teach (~~only~~) both the classroom phase and the laboratory phase, shall  
13 be subject to a ten dollar examination fee.

14 (4) Each licensee shall be provided with a wallet-size  
15 identification card by the director at the time the license is issued  
16 which shall be carried on the instructor's person at all times while  
17 engaged in instructing.

18 (5) The person to whom an instructor's license has been issued  
19 shall notify the director in writing within thirty days of any change  
20 of employment or termination of employment, providing the name and  
21 address of the new driver training school by whom the instructor will  
22 be employed.

23 **Sec. 2.** RCW 46.82.330 and 1979 ex.s. c 51 s 6 are each amended to  
24 read as follows:

25 (1) Upon receipt and approval of an application accompanied by the  
26 proper fees, the director shall arrange for the examination of each  
27 applicant for an instructor's license and shall notify each applicant  
28 of the time and place to appear for examination.

29 (2)(a) The examination prepared by the advisory committee shall  
30 consist of a knowledge test and an actual driving test conducted in a  
31 vehicle provided by the applicant. The examination shall determine:  
32 The applicant's knowledge of driving laws, rules, and regulations; the  
33 applicant's ability to safely operate a motor vehicle; and the  
34 applicant's ability to impart this knowledge to others.

35 (b) Experienced instructors who meet the requirements of subsection  
36 (5) of this section may teach persons under the age of eighteen if they  
37 satisfactorily complete any examination required jointly by the  
38 department of licensing and the superintendent of public instruction.

1 (3) No applicant shall be permitted by the director to take the  
2 examination for an instructor's license until it is determined that the  
3 applicant meets the following requirements:

4 (a) Possesses a current and valid Washington driver's license and  
5 does not have on his driving record any of the violations or penalties  
6 set forth in (3)(a) (i), (ii), or (iii) of this section. The director  
7 shall have the right to examine the driving record of the applicant  
8 from the department of licensing and from other jurisdictions and from  
9 these records determine if the applicant has had:

10 (i) Not more than three moving traffic violations within the  
11 preceding twelve months or more than four moving traffic violations in  
12 the preceding twenty-four months;

13 (ii) No alcohol-related traffic violation within the preceding  
14 three years; and

15 (iii) No driver's license suspension, cancellation, revocation, or  
16 denial within the preceding three years;

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

19 (c) Has completed an acceptable application on a form prescribed by  
20 the director; and

21 (d) Has satisfactorily completed a sixty-hour course of instruction  
22 in the training of drivers acceptable to the director. The course  
23 shall include at least twelve hours of instruction in behind-the-wheel  
24 teaching methods and at least six hours supervised practice behind-the-  
25 wheel teaching of driving techniques.

26 (4) Any person with a valid instructor's license in effect as of  
27 September 1, 1979, shall not be required to take the examination, or  
28 complete the revised course of instruction, otherwise required under  
29 this section.

30 (5) Any person with a valid instructor's license who has  
31 successfully completed at least one thousand hours of behind-the-wheel  
32 teaching and who has completed an eighty-hour instructor's training  
33 program approved by the superintendent of public instruction may teach  
34 the classroom phase of instruction in the operation of an automobile to  
35 persons under the age of eighteen.

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