
HOUSE BILL 1339

State of Washington

55th Legislature

1997 Regular Session

By Representative Sterk

Read first time 01/22/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to graduated driver's licensing; amending RCW
2 46.20.100 and 46.20.120; adding a new section to chapter 46.20 RCW;
3 creating a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the number of
6 motor vehicle accidents and fatalities involving younger drivers
7 warrants the establishment of a graduated licensing system. This
8 system will improve highway safety by progressively developing and
9 improving the skills of younger drivers in the safest possible
10 environment, thereby reducing the number of vehicle accidents.

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

13 (1) A person under eighteen years of age is ineligible for a
14 regular driver's license until satisfactory completion of the
15 provisional driver's license requirements of this section, for a period
16 of not less than six months. An applicant for a provisional license
17 must:

18 (a) Pay a fee of five dollars; and

1 (b) Pass a road test under RCW 46.20.130(3).

2 (2) A provisional license allows unsupervised driving from 5:00
3 a.m. to 9:00 p.m. At all other times the provisional licensee must be
4 accompanied by a licensed driver who has had at least five years of
5 driving experience and is occupying a seat beside the driver. The
6 supervising licensed driver must be the only other occupant of the
7 front passenger section of the vehicle.

8 (3) The provisional licensee shall not place the vehicle in motion
9 until every occupant of the vehicle has a seat belt properly fastened
10 about his or her body.

11 (4) A provisional licensee who has maintained a satisfactory
12 driving record for one year may upon proper application and payment of
13 the fee prescribed in RCW 46.20.161 be issued a regular driver's
14 license.

15 (5) If a provisional licensee drives a motor vehicle in violation
16 of the provisional license conditions specified in this section, the
17 conditions will remain in effect for an additional six months, unless
18 a stricter penalty of suspension or revocation for the offense is
19 provided elsewhere in statute.

20 **Sec. 3.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read
21 as follows:

22 The department of licensing shall not consider an application of
23 any minor under the age of eighteen years for a regular driver's
24 license or the issuance of a motorcycle endorsement for a particular
25 category unless:

26 (1) The application is also signed by a parent or guardian having
27 the custody of such minor, or in the event a minor under the age of
28 eighteen has no father, mother, or guardian, then a driver's license
29 shall not be issued to the minor unless his or her application is also
30 signed by the minor's employer; ((and))

31 (2) The applicant has satisfactorily completed a traffic safety
32 education course as defined in RCW 28A.220.020, conducted by a
33 recognized secondary school, that meets the standards established by
34 the office of the state superintendent of public instruction or the
35 applicant has satisfactorily completed a traffic safety education
36 course, conducted by a commercial driving instruction enterprise, that
37 meets the standards established by the office of the superintendent of
38 public instruction and is officially approved by that office on an

1 annual basis: PROVIDED, HOWEVER, That the director may upon a showing
2 that an applicant was unable to take or complete a driver education
3 course waive that requirement if the applicant shows to the
4 satisfaction of the department that a need exists for the applicant to
5 operate a motor vehicle and he or she has the ability to operate a
6 motor vehicle in such a manner as not to jeopardize the safety of
7 persons or property, under rules to be promulgated by the department in
8 concert with the supervisor of the traffic safety education section,
9 office of the superintendent of public instruction. For a person under
10 the age of eighteen years to obtain a motorcycle endorsement, he or she
11 must successfully complete a motorcycle safety education course that
12 meets the standards established by the department of licensing.

13 The department may waive any education requirement under this
14 subsection for an applicant previously licensed to drive a motor
15 vehicle or motorcycle outside this state if the applicant provides
16 proof satisfactory to the department that he or she has had education
17 equivalent to that required under this subsection;

18 (3) The applicant possessed a valid instruction permit under RCW
19 46.20.055 for a period of not less than six months, during which time
20 no conviction of drug, driver under twenty-one consuming alcohol under
21 RCW 46.61.503, seat belt under RCW 46.61.688, or other driver-related
22 safety laws occurred;

23 (4) The applicant has satisfied the provisional driver licensing
24 requirements of section 2 of this act; and

25 (5) The applicant has maintained a satisfactory driving record.
26 For purposes of this section, a person's driving record is deemed
27 satisfactory if he or she has not been found to have committed or been
28 convicted of any traffic regulations governing the movement of
29 vehicles, and has not violated any state drug, driver under twenty-one
30 consuming alcohol under RCW 46.61.503, seat belt under RCW 46.61.688,
31 or other driver-related safety law of any state for at least the period
32 of one year immediately before the date of the application for a
33 regular license.

34 **Sec. 4.** RCW 46.20.120 and 1990 c 9 s 1 are each amended to read as
35 follows:

36 No new driver's license, including a provisional driver's license
37 as prescribed in section 2 of this act, may be issued and no previously
38 issued license may be renewed until the applicant therefor has

1 successfully passed a driver licensing examination. However, the
2 department may waive all or any part of the examination of any person
3 applying for the renewal of a driver's license except when the
4 department determines that an applicant for a driver's license is not
5 qualified to hold a driver's license under this title. The department
6 may also waive the actual demonstration of the ability to operate a
7 motor vehicle by a person who surrenders a valid driver's license
8 issued by the person's previous home state and who is otherwise
9 qualified to be licensed. For a new license examination a fee of seven
10 dollars shall be paid by each applicant, in addition to the fee charged
11 for issuance of the license. A new license is one issued to a driver
12 who has not been previously licensed in this state or to a driver whose
13 last previous Washington license has been expired for more than four
14 years.

15 Any person renewing his or her driver's license more than sixty
16 days after the license has expired shall pay a penalty fee of ten
17 dollars in addition to the renewal fee under RCW 46.20.181. The
18 penalty fee shall be deposited in the highway safety fund.

19 Any person who is outside the state at the time his or her driver's
20 license expires or who is unable to renew the license due to any
21 incapacity may renew the license within sixty days after returning to
22 this state or within sixty days after the termination of any such
23 incapacity without the payment of the penalty fee.

24 The department shall provide for giving examinations at places and
25 times reasonably available to the people of this state.

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