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HOUSE BILL 2263

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State of Washington

57th Legislature 2001 First Special Session

By Representatives Schual-Berke, Doumit, Haigh, Kenney, McIntire, Tokuda, Fisher, Fromhold, Hurst, Veloria, Hunt, Edmonds, Wood, Kagi and Quall

Read first time . Referred to Committee on .

1 AN ACT Relating to funding for traffic safety education; amending  
2 RCW 46.20.055 and 46.68.041; and reenacting and amending RCW 46.20.120.

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

4 **Sec. 1.** RCW 46.20.055 and 1999 c 274 s 13 are each amended to read  
5 as follows:

6 (1) **Driver's instruction permit.** The department may issue a  
7 driver's instruction permit with a photograph to an applicant who has  
8 successfully passed all parts of the examination other than the driving  
9 test, provided the information required by RCW 46.20.091, paid a  
10 (~~five-dollar~~) thirty-dollar fee, and meets the following  
11 requirements:

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

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

14 (i) Has submitted a proper application; and

15 (ii) Is enrolled in a traffic safety education program approved and  
16 accredited by the superintendent of public instruction that includes  
17 practice driving.

18 (2) **Nonphoto permit fee.** An applicant who meets the requirements  
19 of subsection (1) of this section other than payment of the (~~five-~~

1 dollar)) thirty-dollar fee may obtain a driver's instruction permit  
2 without a photograph by paying a fee of ((~~four~~)) twenty-nine dollars.

3 (3) **Waiver of written examination for instruction permit.** The  
4 department may waive the written examination, if, at the time of  
5 application, an applicant is enrolled in:

6 (a) A traffic safety education course as defined by RCW  
7 28A.220.020(2); or

8 (b) A course of instruction offered by a licensed driver training  
9 school as defined by RCW 46.82.280(1).

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

12 (4) **Effect of instruction permit.** A person holding a driver's  
13 instruction permit may drive a motor vehicle, other than a motorcycle,  
14 upon the public highways if:

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

16 (b) An approved instructor, or a licensed driver with at least five  
17 years of driving experience, occupies the seat beside the driver.

18 (5) **Term of instruction permit.** A driver's instruction permit is  
19 valid for one year from the date of issue.

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

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

24 **Sec. 2.** RCW 46.20.120 and 1999 c 308 s 1 and 1999 c 199 s 3 are  
25 each reenacted and amended to read as follows:

26 An applicant for a new or renewed driver's license must  
27 successfully pass a driver licensing examination to qualify for a  
28 driver's license. The department shall give examinations at places and  
29 times reasonably available to the people of this state.

30 (1) **Waiver.** The department may waive:

31 (a) All or any part of the examination of any person applying for  
32 the renewal of a driver's license unless the department determines that  
33 the applicant is not qualified to hold a driver's license under this  
34 title; or

35 (b) The actual demonstration of the ability to operate a motor  
36 vehicle if the applicant:

37 (i) Surrenders a valid driver's license issued by the person's  
38 previous home state; and

1 (ii) Is otherwise qualified to be licensed.

2 (2) **Fee.** Each applicant for a new license must pay an examination  
3 fee of ((seven)) twenty-four dollars.

4 (a) The examination fee is in addition to the fee charged for  
5 issuance of the license.

6 (b) "New license" means a license issued to a driver:

7 (i) Who has not been previously licensed in this state; or

8 (ii) Whose last previous Washington license has been expired for  
9 more than five years.

10 (3) A person whose license expired or will expire on or after  
11 January 1, 1998, while he or she was or is living outside the state  
12 may:

13 (a) Apply to the department to extend the validity of his or her  
14 license for no more than twelve months. If the person establishes to  
15 the department's satisfaction that he or she is unable to return to  
16 Washington before the date his or her license expires, the department  
17 shall extend the person's license. The department may grant  
18 consecutive extensions, but in no event may the cumulative total of  
19 extensions exceed twelve months. An extension granted under this  
20 section does not change the expiration date of the license for purposes  
21 of RCW 46.20.181. The department shall charge a fee of five dollars  
22 for each license extension;

23 (b) Apply to the department to renew his or her license by mail.  
24 If the person establishes to the department's satisfaction that he or  
25 she is unable to return to Washington within twelve months of the date  
26 that his or her license expires, the department shall renew the  
27 person's license by mail. If a person qualifies for a mail-in renewal  
28 he or she is not required to pass an examination nor provide an updated  
29 photograph. He or she must, however, pay the fee required by RCW  
30 46.20.181 plus an additional five-dollar mail-in renewal fee. A  
31 license renewed by mail that does not include a photograph of the  
32 licensee must be labeled "not valid for identification purposes."

33 (4) If a person's driver's license is extended or renewed under  
34 subsection (3) of this section while he or she is outside the state, he  
35 or she must submit to the examination required under this section  
36 within sixty days of returning to this state. The department will not  
37 assess a penalty or examination fee for the examination.

1       **Sec. 3.** RCW 46.68.041 and 1998 c 212 s 3 are each amended to read  
2 as follows:

3       (1) (~~Except as provided in subsection (2) of this section,~~) The  
4 department shall forward all funds accruing under the provisions of  
5 chapter 46.20 RCW together with a proper identifying, detailed report  
6 to the state treasurer (~~who shall deposit such moneys to the credit of~~  
7 ~~the highway safety fund~~)).

8       (2) The treasurer shall deposit twenty-five dollars of each  
9 driver's instruction permit fee and seventeen dollars of each driver's  
10 license examination fee to the credit of the public safety and  
11 education account for use in traffic safety education in public  
12 schools.

13       (3) The treasurer shall deposit sixty-three percent of each fee  
14 collected by the department under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii),  
15 and (3)(b) (~~shall be deposited in~~) to the credit of the impaired  
16 driving safety account.

17       (4) The treasurer shall deposit the balance of the funds forwarded  
18 under subsection (1) of this section to the credit of the highway  
19 safety fund.

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