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HOUSE BILL 2679

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State of Washington                      57th Legislature                      2002 Regular Session

By Representatives Mulliken and Boldt

Read first time 01/23/2002. Referred to Committee on Transportation.

1            AN ACT Relating to requiring all applicants for a commercial  
2 driver's license to demonstrate a working knowledge of the English  
3 language; amending RCW 46.25.060; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.**    The legislature finds that a working  
6 knowledge of the English language is essential for applicants wishing  
7 to be issued a commercial driver's license. The legislature finds that  
8 it is essential for the safety and security of Washington's traveling  
9 public that those persons issued a commercial driver's license be able  
10 to understand directions given by law enforcement personnel, and be  
11 able to understand and communicate with law enforcement personnel.

12            **Sec. 2.**    RCW 46.25.060 and 1989 c 178 s 8 are each amended to read  
13 as follows:

14            (1)(a) No person may be issued a commercial driver's license unless  
15 that person is a resident of this state and has passed a knowledge and  
16 skills test for driving a commercial motor vehicle that complies with  
17 minimum federal standards established by federal regulation enumerated  
18 in 49 C.F.R. part 383, subparts G and H, and has satisfied all other

1 requirements of the CMVSA in addition to other requirements imposed by  
2 state law or federal regulation. The tests must be prescribed and  
3 conducted by the department, and must include a section requiring the  
4 applicant to demonstrate a sufficient working knowledge of the English  
5 language to enable the applicant to communicate with and understand  
6 directions from law enforcement personnel. In addition to the fee  
7 charged for issuance or renewal of any license, the applicant shall pay  
8 a fee of no more than ten dollars for each classified knowledge  
9 examination, classified endorsement knowledge examination, or any  
10 combination of classified license and endorsement knowledge  
11 examinations. The applicant shall pay a fee of no more than fifty  
12 dollars for each classified skill examination or combination of  
13 classified skill examinations conducted by the department.

14 (b) The department may authorize a person, including an agency of  
15 this or another state, an employer, a private driver training facility,  
16 or other private institution, or a department, agency, or  
17 instrumentality of local government, to administer the skills test  
18 specified by this section under the following conditions:

19 (i) The test is the same which would otherwise be administered by  
20 the state;

21 (ii) The third party has entered into an agreement with the state  
22 that complies with the requirements of 49 C.F.R. part 383.75; and

23 (iii) The director has adopted rules as to the third party testing  
24 program and the development and justification for fees charged by any  
25 third party.

26 (2) The department may waive the skills test specified in this  
27 section for a commercial driver's license applicant who meets the  
28 requirements of 49 C.F.R. part 383.77.

29 (3) A commercial driver's license or commercial driver's  
30 instruction permit may not be issued to a person while the person is  
31 subject to a disqualification from driving a commercial motor vehicle,  
32 or while the person's driver's license is suspended, revoked, or  
33 canceled in any state, nor may a commercial driver's license be issued  
34 to a person who has a commercial driver's license issued by any other  
35 state unless the person first surrenders all such licenses, which must  
36 be returned to the issuing state for cancellation.

37 (4)(a) A commercial driver's instruction permit may be issued to an  
38 individual who holds a valid automobile or classified driver's license.

1 (b) A commercial driver's instruction permit may not be issued for  
2 a period to exceed six months. Only one renewal or reissuance may be  
3 granted within a two-year period. The holder of a commercial driver's  
4 instruction permit may drive a commercial motor vehicle on a highway  
5 only when accompanied by the holder of a commercial driver's license  
6 valid for the type of vehicle driven who occupies a seat beside the  
7 individual for the purpose of giving instruction in driving the  
8 commercial motor vehicle. An application for a commercial driver's  
9 instruction permit shall be accompanied by a fee of five dollars. The  
10 department shall forthwith transmit the fees collected for commercial  
11 driver's instruction permits to the state treasurer.

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