

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2560

57th Legislature
2002 Regular Session

Passed by the House March 13, 2002
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 12, 2002
Yeas 45 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2560** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2560

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Quall, O'Brien, Lovick, Mitchell, Clements, Sump, Simpson, Sehlin, Cooper, Delvin, Boldt, Morell, Kessler, Buck, Hankins, Fisher, Armstrong, Mielke, Rockefeller, Haigh, Nixon, Kenney and Jackley)

Read first time . Referred to Committee on .

1 AN ACT Relating to driver training schools; amending RCW 46.20.100,
2 46.20.055, 46.20.070, and 46.82.300; and adding a new section to
3 chapter 46.82 RCW.

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

5 **Sec. 1.** RCW 46.20.100 and 1999 c 274 s 14 are each amended to read
6 as follows:

7 (1) **Application.** The application of a person under the age of
8 eighteen years for a driver's license or a motorcycle endorsement must
9 be signed by a parent or guardian with custody of the minor. If the
10 person under the age of eighteen has no father, mother, or guardian,
11 then the application must be signed by the minor's employer.

12 (2) **Traffic safety education requirement.** For a person under the
13 age of eighteen years to obtain a driver's license he or she must meet
14 the traffic safety education requirements of this subsection.

15 (a) To meet the traffic safety education requirement for a driver's
16 license the applicant must satisfactorily complete a traffic safety
17 education course as defined in RCW 28A.220.020 for a course offered by
18 a school district, or as defined by the department of licensing for a
19 course offered by a driver training school licensed under chapter 46.82

1 RCW. The course offered by a school district or an approved private
2 school must meet the standards established by the office of the state
3 superintendent of public instruction. The course offered by a driver
4 training school must meet the standards established by the department
5 of licensing with the advice of the driver instructors' advisory
6 committee, pursuant to RCW 46.82.300. The traffic safety education
7 course may be provided by:

8 (i) A recognized secondary school; or

9 (ii) A ~~((commercial driving enterprise))~~ driver training school
10 licensed under chapter 46.82 RCW that is annually approved by the
11 ~~((office of the superintendent of public instruction))~~ department of
12 licensing.

13 (b) To meet the traffic safety education requirement for a
14 motorcycle endorsement, the applicant must successfully complete a
15 motorcycle safety education course that meets the standards established
16 by the department of licensing.

17 (c) The department may waive the traffic safety education
18 requirement for a driver's license if the applicant demonstrates to the
19 department's satisfaction that:

20 (i) He or she was unable to take or complete a traffic safety
21 education course;

22 (ii) A need exists for the applicant to operate a motor vehicle;
23 and

24 (iii) He or she has the ability to operate a motor vehicle in such
25 a manner as not to jeopardize the safety of persons or property.

26 The department may adopt rules to implement this subsection (2)(c) in
27 concert with the supervisor of the traffic safety education section of
28 the office of the superintendent of public instruction.

29 (d) The department may waive the traffic safety education
30 requirement if the applicant was licensed to drive a motor vehicle or
31 motorcycle outside this state and provides proof that he or she has had
32 education equivalent to that required under this subsection.

33 **Sec. 2.** RCW 46.20.055 and 1999 c 274 s 13 are each amended to read
34 as follows:

35 (1) **Driver's instruction permit.** The department may issue a
36 driver's instruction permit with a photograph to an applicant who has
37 successfully passed all parts of the examination other than the driving

1 test, provided the information required by RCW 46.20.091, paid a five-
2 dollar fee, and meets the following requirements:

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

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

5 (i) Has submitted a proper application; and

6 (ii) Is enrolled in a traffic safety education program offered,
7 approved, and accredited by the superintendent of public instruction or
8 offered by a driving training school licensed and inspected by the
9 department of licensing under chapter 46.82 RCW, that includes practice
10 driving.

11 (2) **Nonphoto permit fee.** An applicant who meets the requirements
12 of subsection (1) of this section other than payment of the five-dollar
13 fee may obtain a driver's instruction permit without a photograph by
14 paying a fee of four dollars.

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

18 (a) A traffic safety education course as defined by RCW
19 28A.220.020(2); or

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

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

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

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

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

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

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

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

36 **Sec. 3.** RCW 46.20.070 and 1999 c 6 s 13 are each amended to read
37 as follows:

1 (1) **Agricultural driving permit authorized.** The director may issue
2 a juvenile agricultural driving permit to a person under the age of
3 eighteen years if:

4 (a) The application is signed by the applicant and the applicant's
5 father, mother, or legal guardian;

6 (b) The applicant has passed the driving examination required by
7 RCW 46.20.120;

8 (c) The department has investigated the applicant's need for the
9 permit and determined that the need justifies issuance;

10 (d) The department has determined the applicant is capable of
11 operating a motor vehicle without endangering himself or herself or
12 other persons and property; and

13 (e) The applicant has paid a fee of three dollars.

14 The permit must contain a photograph of the person.

15 (2) **Effect of agricultural driving permit.** (a) The permit
16 authorizes the holder to:

17 (i) Drive a motor vehicle on the public highways of this state in
18 connection with farm work. The holder may drive only within a
19 restricted farming locality described on the permit; and

20 (ii) Participate in the classroom portion of a traffic safety
21 education course authorized under RCW 28A.220.030 or the classroom
22 portion of a traffic safety education course offered by a driver
23 training school licensed and inspected by the department of licensing
24 under chapter 46.82 RCW offered in the community where the holder
25 resides.

26 (b) The director may transfer the permit from one farming locality
27 to another. A transfer is not a renewal of the permit.

28 (3) **Term and renewal of agricultural driving permit.** An
29 agricultural driving permit expires one year from the date of issue.

30 (a) A person under the age of eighteen who holds a permit may renew
31 the permit by paying a three-dollar fee.

32 (b) An agricultural driving permit is invalidated when a permittee
33 attains age eighteen. In order to drive a motor vehicle on a highway
34 he or she must obtain a motor vehicle driver's license under this
35 chapter.

36 (4) **Suspension, revocation, or cancellation.** The director has sole
37 discretion to suspend, revoke, or cancel a juvenile agricultural
38 driving permit if:

- 1 (a) The permittee has been found to have committed an offense that
2 requires mandatory suspension or revocation of a driver's license; or
3 (b) The director is satisfied that the permittee has violated the
4 permit's restrictions.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.82 RCW
6 to read as follows:

7 (1) Persons instructing students under eighteen years of age are
8 required to have a background check through the Washington state patrol
9 criminal identification system and through the federal bureau of
10 investigation. The background check shall also include a fingerprint
11 check using a fingerprint card.

12 (2) The cost of the background check shall be paid by the
13 instructor.

14 (3) The department may waive the background check for any applicant
15 who has had a background check within two years before applying to
16 become an instructor.

17 **Sec. 5.** RCW 46.82.300 and 1984 c 287 s 93 are each amended to read
18 as follows:

19 (1) The director shall be assisted in the duties and
20 responsibilities of this chapter by the driver instructors' advisory
21 committee, consisting of five members. Members of the advisory
22 committee shall be appointed by the director for two-year terms and
23 shall consist of a representative of the driver training schools, a
24 representative of the driving instructors (who shall not be from the
25 same school as the school member), a representative of the
26 superintendent of public instruction, a representative of the
27 department of licensing, and a representative from the Washington state
28 traffic safety commission. Members shall be reimbursed for travel
29 expenses in accordance with RCW 43.03.050 and 43.03.060. A member who
30 is receiving a salary from the state shall not receive compensation
31 other than travel expenses incurred in such service.

32 (2) The advisory committee shall meet at least semiannually and
33 shall have additional meetings as may be called by the director. The
34 director or the director's representative shall attend all meetings of
35 the advisory committee and shall serve as chairman.

36 (3) Duties of the advisory committee shall be to:

- 1 (a) Advise and confer with the director or the director's
2 representative on matters pertaining to the establishment of rules
3 necessary to carry out this chapter;
- 4 (b) Review violations of this chapter and to recommend to the
5 director appropriate enforcement or disciplinary action as provided in
6 this chapter;
- 7 (c) Review and update when necessary a curriculum consisting of a
8 list of items of knowledge and the processes of driving a motor vehicle
9 specifying the minimum requirements adjudged necessary in teaching a
10 proper and adequate course of driver education; (~~and~~)
- 11 (d) Review and update instructor certification standards to be
12 consistent with RCW 46.82.330 and take into consideration those
13 standards required to be met by traffic safety education teachers under
14 RCW 28A.220.020(3); and
- 15 (e) Prepare the examination for a driver instructor's certificate
16 and review examination results at least once each calendar year for the
17 purpose of updating and revising examination standards.

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