
SUBSTITUTE HOUSE BILL 1481

State of Washington 65th Legislature 2017 Regular Session

By House Transportation (originally sponsored by Representatives Hayes and Bergquist)

READ FIRST TIME 02/23/17.

1 AN ACT Relating to creating uniformity in driver training
2 education provided by school districts and commercial driver training
3 schools; amending RCW 28A.220.010, 28A.220.020, 28A.220.030,
4 46.20.055, 46.20.100, 46.82.320, 46.82.330, and 46.82.400; adding new
5 sections to chapter 28A.220 RCW; adding a new section to chapter
6 46.82 RCW; creating new sections; repealing RCW 28A.220.050,
7 28A.220.060, 28A.220.080, and 28A.220.085; providing an effective
8 date; and providing an expiration date.

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

10 NEW SECTION. **Sec. 1.** The legislature finds that there is a need
11 to establish consistency in the quality of driver training education
12 in this state to reduce the number of young driver accidents that are
13 prematurely killing our youth. The traffic safety commission reports
14 that out of two hundred forty-five fatalities in the first half of
15 2016, thirty-one involved young drivers aged sixteen to twenty-five.
16 The intent of this act is to require all driver training education
17 curriculum and instructors to be licensed and regulated by the
18 department of licensing, and to authorize the office of the
19 superintendent of public instruction to establish driver training
20 education courses offered by school districts that exceed the
21 curriculum and rules established by the department of licensing and

1 establish additional requirements for those who teach in school
2 districts. The legislature also finds that there is a need to audit
3 driver training education courses; therefore, the intent of this act
4 is also to provide the department of licensing with resources and
5 authority to provide such accountability.

6 **Sec. 2.** RCW 28A.220.010 and 1977 c 76 s 1 are each amended to
7 read as follows:

8 It is the purpose of this chapter (~~((76, Laws of 1977))~~) to provide
9 the students of the state with an improved quality traffic safety
10 education program and to develop in the youth of this state a
11 knowledge of the motor vehicle laws, an acceptance of personal
12 responsibility on the public highways, an understanding of the causes
13 and consequences of traffic accidents, and to provide training in the
14 skills necessary for the safe operation of motor vehicles(~~((; to
15 provide financial assistance to the various school districts while
16 permitting them to achieve economies through options in the choice of
17 course content and methods of instructions by adopting in whole or
18 with modifications, a program prepared by the office of the
19 superintendent of public instruction, and keeping to a minimum the
20 amount of estimating, bookkeeping and reporting required of said
21 school districts for financial reimbursement for such traffic safety
22 education programs))~~).

23 **Sec. 3.** RCW 28A.220.020 and 1990 c 33 s 218 are each amended to
24 read as follows:

25 (~~The following words and phrases whenever used in chapter
26 28A.220 RCW shall have the following meaning:~~) The definitions in
27 this section apply throughout this chapter unless the context clearly
28 requires otherwise.

29 (1) "Superintendent" or "state superintendent" (~~(shall)~~) means
30 the superintendent of public instruction.

31 (2) (~~(Traffic safety))~~ Driver training education course"
32 (~~(shall)~~) means (~~(an accredited))~~) a course of instruction in traffic
33 safety education (~~(which shall consist of two phases, classroom
34 instruction, and laboratory experience. "Laboratory experience" shall
35 include on-street, driving range, or simulator experience or some
36 combination thereof. Each phase shall meet basic course requirements
37 which shall be established by the superintendent of public
38 instruction and each part of said course shall be))~~) taught by a

1 qualified teacher of ((~~traffic safety~~)) ~~driver training~~ education
2 that consists of classroom and behind-the-wheel instruction using
3 curriculum that meets department of licensing standards and the
4 course requirements established by the superintendent of public
5 instruction under RCW 28A.220.030. Behind-the-wheel instruction is
6 characterized by driving experience. ((Any portions of the course may
7 be taught after regular school hours or on Saturdays as well as on
8 regular school days or as a summer school course, at the option of
9 the local school districts.))

10 (3) "Qualified teacher of ((~~traffic safety~~)) driver training
11 education" ((shall)) means an instructor ((~~certificated under the~~
12 provisions of chapter 28A.410 RCW and ~~certificated by the~~
13 superintendent of public instruction to teach either the classroom
14 phase or the laboratory phase of the traffic safety education course,
15 or both, under regulations promulgated by the superintendent:
16 PROVIDED, That the laboratory experience phase of the traffic safety
17 education course may be taught by instructors ~~certificated under~~
18 rules promulgated by the superintendent of public instruction,
19 exclusive of any requirement that the instructor be ~~certificated~~
20 under the provisions of chapter 28A.410 RCW. Professional instructors
21 ~~certificated under the provisions of chapter 46.82 RCW, and~~
22 participating in this program, shall be subject to reasonable
23 qualification requirements jointly adopted by the superintendent of
24 public instruction and the director of licensing)) who:

25 (a)(i) Is certificated under chapter 28A.410 RCW and has obtained
26 a traffic safety endorsement or a letter of approval to teach traffic
27 safety education from the superintendent of public instruction or is
28 certificated by the superintendent of public instruction to teach a
29 driver training education course; and

30 (ii) Is licensed by the department of licensing, in accordance
31 with the requirements of section 5(2)(a) of this act, to teach a
32 driver training education course; or

33 (b) Is an instructor provided by a driver training school that
34 has contracted with a school district's or districts' board of
35 directors under RCW 28A.220.030(3) to teach driver education for the
36 school district.

37 (4) "Realistic level of effort" means the classroom and
38 ((~~laboratory~~)) behind-the-wheel student learning experiences
39 considered acceptable to the superintendent of public instruction
40 under RCW 28A.220.030 that must be satisfactorily accomplished by the

1 student in order to successfully complete the (~~traffic safety~~)
2 driver training education course.

3 (5) "Director" means the director of the department of licensing.

4 (6) "Traffic safety education program" means the administration
5 and provision of driver training education courses offered by
6 secondary schools of a school district or vocational-technical
7 schools that are conducted by such schools in a like manner to their
8 other regular courses.

9 **Sec. 4.** RCW 28A.220.030 and 2011 c 370 s 2 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction is authorized to
12 establish a section of traffic safety education, and through such
13 section shall: Define a "realistic level of effort" required to
14 provide an effective (~~traffic safety~~) driver training education
15 course, establish a level of driving competency required of each
16 student to successfully complete the course, and ensure that an
17 effective statewide program is implemented and sustained(~~(7)~~);
18 administer, supervise, and develop the traffic safety education
19 program; and (~~shall~~) assist local school districts in the conduct
20 of their traffic safety education programs. The superintendent shall
21 verify that the realistic level of effort set for each driver
22 training education course meets or exceeds department of licensing
23 minimum required driver training education curriculum and course
24 delivery standards as described in RCW 46.82.420 and 46.82.430 and
25 associated rules adopted by the department of licensing. The
26 superintendent shall adopt necessary rules (~~and regulations~~)
27 governing the operation and scope of the traffic safety education
28 program; and each school district shall submit a report to the
29 superintendent on the condition of its traffic safety education
30 program: PROVIDED, That the superintendent shall monitor the quality
31 of the program and carry out the purposes of this chapter.

32 (2)(a) The board of directors of any school district maintaining
33 a secondary school which includes any of the grades 10 to 12,
34 inclusive, may establish and maintain a traffic safety education
35 (~~course~~) program.

36 (b) Any school district that offers a driver training education
37 course must certify to the department of licensing that it is
38 operating a traffic safety education program, that the driver
39 training education course complies with the curriculum and course

1 delivery standards promulgated by the department of licensing, and
2 that the school district has verified that all instructors are
3 licensed by the department of licensing to teach a driver training
4 education course.

5 (c) Any portion of a driver training education course offered by
6 a school district may be taught after regular school hours or on
7 Saturdays as well as on regular school days or as a summer school
8 course, at the option of the local school district. If a school
9 district elects to offer a (~~traffic safety~~) driver training
10 education course and has within its boundaries a private accredited
11 secondary school which includes any of the grades 10 to 12,
12 inclusive, at least one (~~class in traffic safety education shall~~)
13 driver training education course must be given at times other than
14 regular school hours if there is sufficient demand (~~therefor~~) for
15 it.

16 (3)(a) A qualified teacher of driver training education must be
17 certificated under chapter 28A.410 RCW and obtain a traffic safety
18 endorsement or a letter of approval to teach traffic safety education
19 from the superintendent of public instruction to teach either the
20 classroom instruction or the behind-the-wheel instruction portion of
21 the driver training education course, or both, under rules adopted by
22 the superintendent. The classroom or behind-the-wheel instruction
23 portion of the driver training education course may also be taught by
24 instructors certificated under rules adopted by the superintendent of
25 public instruction, exclusive of any requirement that the instructor
26 be certificated under chapter 28A.410 RCW.

27 (b) The superintendent shall establish a required minimum number
28 of hours of continuing traffic safety education for qualified
29 teachers of driver training education that must meet or exceed the
30 minimum number of hours required for a department of licensing issued
31 instructor license under RCW 46.82.320.

32 (4) The board of directors of a school district, or combination
33 of school districts, may contract with any (~~drivers~~) driver
34 training school licensed under (~~the provisions of~~) chapter 46.82
35 RCW to teach the (~~laboratory phase~~) behind-the-wheel instruction
36 portion of the (~~traffic safety~~) driver training education course.
37 Instructors provided by any such contracting (~~drivers~~) driver
38 training school must be properly (~~qualified~~) licensed teachers of
39 (~~traffic safety~~) driver training education under the joint
40 qualification requirements adopted by the superintendent of public

1 instruction and the director of licensing, which must meet or exceed
2 minimum teacher licensing requirements promulgated by the department
3 of licensing.

4 ~~((4) The superintendent shall establish a required minimum~~
5 ~~number of hours of continuing traffic safety education for traffic~~
6 ~~safety education instructors. The superintendent may phase in the~~
7 ~~requirement over not more than five years.))~~

8 (5) Each school district offering a traffic safety education
9 program must maintain: (a) Documentation of each instructor's name,
10 address, and instructor's license from the department of licensing;
11 and (b) student records that include the student's name, address, and
12 telephone number, the date of enrollment and all dates of
13 instruction, the student's driver's instruction permit or driver's
14 license number, the type of training received, the total number of
15 hours of instruction, and the name of the instructor or instructors.
16 These records must be maintained for three years following the
17 completion of the instruction and are subject to inspection upon
18 request of the department of licensing or the office of the
19 superintendent of public instruction. The superintendent may adopt
20 rules regarding the retention of additional documents that are
21 subject to inspection by the department of licensing or the office of
22 the superintendent of public instruction.

23 (6) A driver training education course may not be offered by a
24 school district to a student who is under the age of fifteen, and
25 behind-the-wheel instruction may not be given by an instructor to a
26 student in a motor vehicle unless the student possesses either a
27 current and valid driver's instruction permit issued under RCW
28 46.20.055 or a current and valid driver's license.

29 (7) School districts that offer a ((traffic safety)) driver
30 training education ((program)) course under this chapter may
31 administer the portions of the driver licensing examination that test
32 the applicant's knowledge of traffic laws and ability to safely
33 operate a motor vehicle as authorized under RCW 46.20.120(7). The
34 superintendent shall work with the department of licensing, in
35 consultation with school districts that offer a traffic safety
36 education program, to develop standards and requirements for
37 administering each portion of the driver licensing examination that
38 are comparable to the standards and requirements for driver training
39 schools under RCW 46.82.450.

1 (~~(6)~~) (8) Before a school district may provide a portion of the
2 driver licensing examination, the school district must, after
3 consultation with the superintendent, enter into an agreement with
4 the department of licensing that sets forth an accountability and
5 audit process that takes into account the unique nature of school
6 district facilities and school hours and, at a minimum, contains
7 provisions that:

8 (a) Allow the department of licensing to conduct random
9 examinations, inspections, and audits without prior notice;

10 (b) Allow the department of licensing to conduct on-site
11 inspections at least annually;

12 (c) Allow the department of licensing to test, at least annually,
13 a random sample of the drivers approved by the school district for
14 licensure and to cancel any driver's license that may have been
15 issued to any driver selected for testing who refuses to be tested;
16 and

17 (d) Reserve to the department of licensing the right to take
18 prompt and appropriate action against a school district that fails to
19 comply with state or federal standards for a driver licensing
20 examination or to comply with any terms of the agreement.

21 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.220
22 RCW to read as follows:

23 (1) The department of licensing shall develop and offer a license
24 for individuals to be qualified to teach the classroom instruction
25 and behind-the-wheel instruction portions of a driver training
26 education course for a traffic safety education program operated by a
27 school district.

28 (2)(a) Only a qualified teacher may provide instruction for a
29 driver training education course under this chapter. A qualified
30 teacher of driver training must hold a license issued by the director
31 for that purpose. However, an instructor who is licensed to teach in
32 a traffic safety education program before August 1, 2018, may
33 continue to teach without obtaining a department of licensing issued
34 license to provide instruction until the expiration of an
35 instructor's traffic safety endorsement, letter of approval to teach
36 traffic safety education, or conditional certificate, or until August
37 1, 2020, whichever occurs first.

38 (b) An application for an original or renewal instructor's
39 license must be filed with the director, containing such information

1 as prescribed under this section and by the director, accompanied by
2 an application fee set by rule of the department of licensing that is
3 equal to the fee set under RCW 46.82.320, which may not be refunded.
4 The application fee for an original instructor's license is waived
5 for any applicant who is certificated under chapter 28A.410 RCW and
6 who has obtained a traffic safety endorsement or a letter of approval
7 to teach traffic safety education from the superintendent of public
8 instruction; this waiver does not extend to renewal application fees.
9 An application for a renewal instructor's license must be accompanied
10 by proof of the applicant's continuing professional development that
11 meets the standards adopted by the director. If the applicant
12 satisfactorily meets the licensing qualification requirements in this
13 subsection (2)(b) and as prescribed in RCW 46.82.330, or any
14 alternate requirements established under RCW 46.82.440 or 46.82.441,
15 the applicant must be granted a license that is valid for a period of
16 two years from the date of issuance. A qualified teacher of driver
17 training education who is certificated under chapter 28A.410 RCW with
18 a regular certificate who has obtained a traffic safety endorsement
19 or a letter of approval to teach traffic safety education from the
20 superintendent of public instruction is exempt from the requirements
21 of RCW 46.82.330(2) (d) and (e).

22 (c) The director shall issue a license certificate to each
23 qualified applicant.

24 (d) The instructor's license must be available at the location
25 where the instructor provides instruction. Unless revoked, canceled,
26 or denied by the director, the license must remain the property of
27 the licensee.

28 (e) If the director has not received a renewal instructor's
29 license application on or before the date the license expires, the
30 license is void, requiring a new application as provided for in this
31 chapter, including payment of all fees. A renewal instructor's
32 license applicant is only required to retake an examination if his or
33 her license expired more than six months before submission of his or
34 her renewal application.

35 (f) If revoked, canceled, or denied by the director, the license
36 must be surrendered to the department of licensing within ten days
37 following the effective date of such action.

38 (3)(a) Each licensee must be provided with a wallet-size
39 identification card by the director at the time the license is

1 issued, which must be in the instructor's immediate possession at all
2 times while engaged in instructing.

3 (b) In case of the loss, mutilation, or destruction of an
4 instructor's license certificate, the director shall issue a
5 duplicate certificate upon proof of the facts and payment of a fee as
6 adopted by rule of the department of licensing under RCW 46.82.340.

7 (4) Each licensee shall notify the director in writing within ten
8 days of any change of employment or termination of employment and
9 provide the name and address of any new employer.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.220
11 RCW to read as follows:

12 (1) The department of licensing shall develop and maintain a
13 minimum required curriculum for school districts operating a traffic
14 safety education program and furnish to each qualifying applicant for
15 an instructor's license a copy of such curriculum. The curriculum
16 must be identical to or substantially similar to the curriculum
17 required under RCW 46.82.420.

18 (2) The department of licensing shall develop and administer a
19 certification process for a traffic safety education program as
20 required under RCW 28A.220.030 in consultation with the
21 superintendent.

22 (3) The department of licensing shall conduct audits of traffic
23 safety education programs to ensure that the instructors are licensed
24 and teaching the required curriculum material. Each school district
25 may be audited at least once every five years or more frequently. The
26 audit process must take into account the unique nature of school
27 district facilities, operations, and hours. As part of its audit
28 process, the department of licensing may examine all relevant
29 information, including driver training education course curriculum
30 materials and student records, and visit any course in progress that
31 is part of the traffic safety education program. The director shall
32 consult with the superintendent in developing and carrying out these
33 auditing practices.

34 (4) The department of licensing may suspend or revoke a school's
35 or school district's ability to issue certificates of driver training
36 education course completion if the school or school district fails to
37 comply with department of licensing standards or fails to certify its
38 traffic safety education program, or if the school or school district

1 refuses to comply with the department audit process authorized under
2 this chapter.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.220
4 RCW to read as follows:

5 (1) The director may suspend, revoke, deny, or refuse to renew an
6 instructor's license, or impose such other disciplinary action
7 authorized under RCW 18.235.110 (1) (a) through (g), (i), (j) and
8 (4), upon a determination that the applicant or licensee has engaged
9 in unprofessional conduct as described under RCW 18.235.130 (1), (2),
10 (4), (6) (a) through (c), (7), and (14), or for any of the following
11 causes:

12 (a) Upon a determination that the licensee has made a false
13 statement or concealed any material fact in connection with the
14 application or license renewal;

15 (b) Upon a determination that the applicant or licensee has been
16 convicted of a felony, or any crime involving violence, dishonesty,
17 deceit, indecency, degeneracy, or moral turpitude;

18 (c) Upon a determination that the applicant or licensee has
19 committed fraud, induced another to commit fraud, or engaged in
20 fraudulent practices in relation to a driver training education
21 course, or has induced another to resort to fraud in relation to
22 securing for himself, herself, or another a license to drive a motor
23 vehicle;

24 (d) Upon a determination that the applicant or licensee has
25 engaged in conduct that could endanger the educational welfare or
26 personal safety of students or others;

27 (e) Upon a determination that an instructor no longer possesses
28 and meets the qualifications and conditions set out in section 5 of
29 this act; or

30 (f) Upon a determination that the applicant or licensee has
31 failed to satisfy or fails to satisfy the other conditions stated in
32 this chapter or under rules adopted by the director or
33 superintendent.

34 (2) If revoked, canceled, or denied by the director, the license
35 must be surrendered to the department of licensing within ten days
36 following the effective date of such action.

37 (3) The appeal procedures under RCW 46.82.370 and 46.82.380 apply
38 to this section.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.220
2 RCW to read as follows:

3 All moneys collected from instructor licenses must be deposited
4 into the highway safety fund. Expenditures from such moneys in the
5 fund may be used only for expenses incurred in carrying out the
6 traffic safety education licensing activities of the department of
7 licensing, including audits and inspections.

8 **Sec. 9.** RCW 46.20.055 and 2012 c 80 s 5 are each amended to read
9 as follows:

10 (1) **Driver's instruction permit.** The department may issue a
11 driver's instruction permit with or without a photograph to an
12 applicant who has successfully passed all parts of the examination
13 other than the driving test, provided the information required by RCW
14 46.20.091, paid an application fee of twenty-five dollars, and meets
15 the following requirements:

- 16 (a) Is at least fifteen and one-half years of age; or
17 (b) Is at least fifteen years of age and:
18 (i) Has submitted a proper application; and
19 (ii) Is enrolled in a (~~traffic safety~~) driver training
20 education (~~program~~) course offered(~~(, approved, and accredited by~~
21 ~~the superintendent of public instruction)~~) in accordance with the
22 requirements under chapter 28A.220 RCW or offered by a driver
23 training school licensed and inspected by the department of licensing
24 under chapter 46.82 RCW, that includes practice driving.

25 (2) **Waiver of written examination for instruction permit.** The
26 department may waive the written examination, if, at the time of
27 application, an applicant is enrolled in(~~(+~~

- 28 ~~(a))~~ a (~~traffic safety~~) driver training education course as
29 defined (~~(by RCW 28A.220.020(2); or~~
30 ~~(b) A course of instruction offered by a licensed driver training~~
31 ~~school as defined by)~~) in RCW 46.82.280 or 28A.220.020.

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

34 (3) **Effect of instruction permit.** A person holding a driver's
35 instruction permit may drive a motor vehicle, other than a
36 motorcycle, upon the public highways if:

- 37 (a) The person has immediate possession of the permit;
38 (b) The person is not using a wireless communications device,
39 unless the person is using the device to report illegal activity,

1 summon medical or other emergency help, or prevent injury to a person
2 or property; and

3 (c) (~~An approved~~) A licensed driver training education course
4 instructor, or a licensed driver with at least five years of driving
5 experience, occupies the seat beside the driver.

6 (4) **Term of instruction permit.** A driver's instruction permit is
7 valid for one year from the date of issue.

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

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

12 (c) A person applying for an additional instruction permit must
13 submit the application to the department in person and pay an
14 application fee of twenty-five dollars for each issuance.

15 **Sec. 10.** RCW 46.20.100 and 2010 1st sp.s. c 7 s 18 are each
16 amended to read as follows:

17 (1) **Application.** The application of a person under the age of
18 eighteen years for a driver's license or a motorcycle endorsement
19 must be signed by a parent or guardian with custody of the minor. If
20 the person under the age of eighteen has no father, mother, or
21 guardian, then the application must be signed by the minor's
22 employer.

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

26 (a) To meet the traffic safety education requirement for a
27 driver's license, the applicant must satisfactorily complete a
28 (~~traffic safety~~) driver training education course as defined in RCW
29 28A.220.020 for a course offered by a school district, or as defined
30 by the department of licensing for a course offered by a driver
31 training school licensed under chapter 46.82 RCW. The course offered
32 by a school district (~~or an approved private school~~) must meet the
33 standards established by the office of the state superintendent of
34 public instruction and the department of licensing under chapter
35 28A.220 RCW. The course offered by a driver training school must meet
36 the standards established by the department of licensing under
37 chapter 46.82 RCW. The (~~traffic safety~~) driver training education
38 course may be provided by:

1 (i) A (~~recognized~~) secondary school within a school district
2 that establishes and maintains a traffic safety education program
3 under chapter 28A.220 RCW; or

4 (ii) A driver training school licensed under chapter 46.82 RCW
5 that is annually approved by the department of licensing.

6 (b) To meet the traffic safety education requirement for a
7 motorcycle endorsement, the applicant must successfully complete a
8 motorcycle safety education course that meets the standards
9 established by the department of licensing.

10 (c) The department may waive the (~~traffic safety~~) driver
11 training education course requirement for a driver's license if the
12 applicant demonstrates to the department's satisfaction that:

13 (i) He or she was unable to take or complete a (~~traffic safety~~)
14 driver training education course;

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

17 (iii) He or she has the ability to operate a motor vehicle in
18 such a manner as not to jeopardize the safety of persons or property.
19 The department may adopt rules to implement this subsection (2)(c) in
20 concert with the supervisor of the traffic safety education section
21 of the office of the superintendent of public instruction.

22 (d) The department may waive the (~~traffic safety~~) driver
23 training education course requirement if the applicant was licensed
24 to drive a motor vehicle or motorcycle outside this state and
25 provides proof that he or she has had education equivalent to that
26 required under this subsection.

27 **Sec. 11.** RCW 46.82.320 and 2009 c 101 s 4 are each amended to
28 read as follows:

29 (1) No person affiliated with a driver training school shall give
30 instruction in the operation of an automobile for a fee without a
31 license issued by the director for that purpose. An application for
32 an original or renewal instructor's license shall be filed with the
33 director, containing such information as prescribed by this chapter
34 and by the director, accompanied by an application fee set by rule of
35 the department, which shall in no event be refunded. An application
36 for a renewal instructor's license must be accompanied by proof of
37 the applicant's continuing professional development that meets the
38 standards adopted by the director. If the applicant satisfactorily
39 meets the application requirements (~~and the examination~~

1 requirements)) as prescribed in RCW 46.82.330, the applicant shall be
2 granted a license valid for a period of two years from the date of
3 issuance. An applicant for a renewal instructor's license is not
4 required to retake the examination specified in RCW 46.82.330 to
5 renew his or her instructor's license if his or her original
6 instructor's license is unexpired or has not been expired for longer
7 than six months before submission of his or her renewal application.

8 (2) The director shall issue a license certificate to each
9 qualified applicant.

10 (a) An employing driver training school must conspicuously
11 display an instructor's license at its established place of business
12 and display copies of the instructor's license at any branch office
13 where the instructor provides instruction.

14 (b) Unless revoked, canceled, or denied by the director, the
15 license shall remain the property of the licensee in the event of
16 termination of employment or employment by another driver training
17 school.

18 (c) If the director has not received a renewal application on or
19 before the date a license expires, the license (~~will be voided~~) is
20 void, requiring a new application as provided for in this chapter,
21 including (~~examination and~~) payment of all fees, as well as an
22 examination subject to the exception in subsection (1) of this
23 section.

24 (d) If revoked, canceled, or denied by the director, the license
25 must be surrendered to the department within ten days following the
26 effective date of such action.

27 (3) Each licensee shall be provided with a wallet-size
28 identification card by the director at the time the license is issued
29 which shall be in the instructor's immediate possession at all times
30 while engaged in instructing.

31 (4) The person to whom an instructor's license has been issued
32 shall notify the director in writing within ten days of any change of
33 employment or termination of employment, providing the name and
34 address of the new driver training school by whom the instructor will
35 be employed.

36 **Sec. 12.** RCW 46.82.330 and 2010 1st sp.s. c 7 s 21 are each
37 amended to read as follows:

38 (1) The application for an instructor's license shall document
39 the applicant's fitness, knowledge, skills, and abilities to teach

1 the classroom and behind-the-wheel (~~(phases)~~) instruction portions of
2 a driver training education program (~~(in a commercial driver training~~
3 ~~school)~~).

4 (2) An applicant shall be eligible to apply for an original
5 instructor's certificate if the applicant possesses and meets the
6 following qualifications and conditions:

7 (a) Has been licensed to drive for five or more years and
8 possesses a current and valid Washington driver's license or is a
9 resident of a jurisdiction immediately adjacent to Washington state
10 and possesses a current and valid license issued by such
11 jurisdiction, and does not have on his or her driving record any of
12 the violations or penalties set forth in (a)(i), (ii), or (iii) of
13 this subsection. The director shall have the right to examine the
14 driving record of the applicant from the department of licensing and
15 from other jurisdictions and from these records determine if the
16 applicant has had:

17 (i) Not more than one moving traffic violation within the
18 preceding twelve months or more than two moving traffic violations in
19 the preceding twenty-four months;

20 (ii) No drug or alcohol-related traffic violation or incident
21 within the preceding three years. If there are two or more drug or
22 alcohol-related traffic violations in the applicant's driving
23 history, the applicant is no longer eligible to be a driving
24 instructor; and

25 (iii) No driver's license suspension, cancellation, revocation,
26 or denial within the preceding two years, or no more than two of
27 these occurrences in the preceding five years, excluding driver's
28 license suspensions resulting from certification by the department of
29 social and health services that the applicant was not in compliance
30 with a child support order as provided in RCW 46.20.291;

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

33 (c) Has completed an acceptable application on a form prescribed
34 by the director;

35 (d) Has satisfactorily completed a course of instruction in the
36 training of drivers acceptable to the director that is no less than
37 sixty hours in length and includes instruction in classroom and
38 behind-the-wheel teaching methods and supervised practice behind-the-
39 wheel teaching of driving techniques; and

1 (e) Has paid an examination fee as set by rule of the department
2 and has successfully completed an instructor's examination.

3 **Sec. 13.** RCW 46.82.400 and 1979 ex.s. c 51 s 13 are each amended
4 to read as follows:

5 This chapter shall not apply to or affect in any manner courses
6 of instruction offered in high schools, vocational-technical schools,
7 colleges, or universities which are now or hereafter established(~~(~~
8 ~~nor shall it be applicable to instructors in any such high schools,~~
9 ~~vocational-technical schools, colleges, or universities:~~ PROVIDED,
10 That)) so long as such course or courses are conducted by such
11 schools in a like manner to their other regular courses. If such
12 course is conducted by any commercial school as herein identified on
13 a contractual basis, such school and instructors must qualify under
14 this chapter.

15 NEW SECTION. **Sec. 14.** A new section is added to chapter 46.82
16 RCW to read as follows:

17 By July 1, 2018, the department shall consult with one or more of
18 Central Washington University's traffic safety education instructors
19 or program content developers and update the curriculum required
20 under RCW 46.82.420.

21 This section expires April 1, 2020.

22 NEW SECTION. **Sec. 15.** The department of licensing and the
23 office of the superintendent of public instruction must work together
24 on the transfer and coordination of responsibilities to comply with
25 this act.

26 NEW SECTION. **Sec. 16.** The following acts or parts of acts are
27 each repealed:

28 (1) RCW 28A.220.050 (Information on proper use of left-hand lane)
29 and 1986 c 93 s 4;

30 (2) RCW 28A.220.060 (Information on effects of alcohol and drug
31 use) and 1991 c 217 s 2;

32 (3) RCW 28A.220.080 (Information on motorcycle awareness) and
33 2007 c 97 s 4 & 2004 c 126 s 1; and

34 (4) RCW 28A.220.085 (Information on driving safely among
35 bicyclists and pedestrians) and 2008 c 125 s 4.

1 NEW SECTION. **Sec. 17.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 18.** Except for section 15 of this act, this
6 act takes effect August 1, 2018.

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