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ENGROSSED HOUSE BILL 2573

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Schual-Berke, Wood, Doumit, Hunt, Murray, Haigh, Kagi, Berkey, Sullivan, Fisher, Lovick, Jackley, Cooper, Simpson and McDermott

Read first time 01/22/2002. Referred to Committee on Transportation.

1 AN ACT Relating to traffic safety education funding; amending RCW  
2 46.20.055 and 46.68.041; reenacting and amending RCW 46.20.120; and  
3 providing an effective date.

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

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

7 (1) **Driver's instruction permit.** The department may issue a  
8 driver's instruction permit with or without a photograph to an  
9 applicant who has successfully passed all parts of the examination  
10 other than the driving test, provided the information required by RCW  
11 46.20.091, paid a ~~((five-dollar))~~ fifteen-dollar fee, plus an  
12 additional fifteen-dollar fee to fund traffic safety education in the  
13 public schools, and meets the following requirements:

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

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

16 (i) Has submitted a proper application; and

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

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

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

8       (a) A traffic safety education course as defined by RCW  
9 28A.220.020(2); or

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

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

14       (~~(4))~~ **(3) Effect of instruction permit.** A person holding a  
15 driver's instruction permit may drive a motor vehicle, other than a  
16 motorcycle, upon the public highways if:

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

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

20       (~~(5))~~ **(4) Term of instruction permit.** A driver's instruction  
21 permit is valid for one year from the date of issue.

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

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

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

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

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

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

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

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

3 (ii) Is otherwise qualified to be licensed.

4 (2) **Fee.** Each applicant for a new license must pay an examination  
5 fee of (~~seven~~) ten dollars, plus an additional fee of fifteen dollars  
6 to fund traffic safety education in the public schools.

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

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

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

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

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

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

26 (b) Apply to the department to renew his or her license by mail.  
27 If the person establishes to the department's satisfaction that he or  
28 she is unable to return to Washington within twelve months of the date  
29 that his or her license expires, the department shall renew the  
30 person's license by mail. If a person qualifies for a mail-in renewal  
31 he or she is not required to pass an examination nor provide an updated  
32 photograph. He or she must, however, pay the fee required by RCW  
33 46.20.181 plus an additional five-dollar mail-in renewal fee. A  
34 license renewed by mail that does not include a photograph of the  
35 licensee must be labeled "not valid for identification purposes."

36 (4) If a person's driver's license is extended or renewed under  
37 subsection (3) of this section while he or she is outside the state, he  
38 or she must submit to the examination required under this section

1 within sixty days of returning to this state. The department will not  
2 assess a penalty or examination fee for the examination.

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

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

10 (2) The state treasurer shall deposit fifteen dollars of each  
11 driver's instruction permit fee collected under the provisions of RCW  
12 46.20.055(1) and fifteen dollars of each driver's license examination  
13 fee collected under the provisions of RCW 46.20.120(2) to the credit of  
14 the public safety and education account for use in traffic safety  
15 education in public schools.

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

20 (4) The state treasurer shall deposit the remainder of the funds  
21 collected under subsections (1), (2), and (3) of this section to the  
22 credit of the highway safety fund.

23 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2002.

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