
SENATE BILL 5818

State of Washington 58th Legislature 2003 Regular Session

By Senators Finkbeiner, Johnson and Schmidt

Read first time 02/13/2003. Referred to Committee on Education.

1 AN ACT Relating to traffic safety education; amending RCW
2 46.82.320, 28A.220.020, and 28A.220.030; and adding a new section to
3 chapter 46.82 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.82 RCW
6 to read as follows:

7 (1) When establishing the traffic safety education course standards
8 applicable to approved driver training schools under this chapter, the
9 department shall permit schools to offer a qualified traffic safety
10 education course available on-line or through other electronic media,
11 if the course meets the minimum curriculum standards as determined by
12 the department with the advice of the advisory committee. An on-line
13 course, approved under this section, may only satisfy the classroom
14 instruction phase of a traffic safety education course.

15 (2) When establishing the standards under this section, the
16 department must apply the requirements consistently to both on-line
17 courses and those courses offered through direct contact time in a
18 classroom setting with an instructor.

1 **Sec. 2.** RCW 46.82.320 and 2002 c 352 s 25 are each amended to read
2 as follows:

3 (1) No person, including the owner, operator, partner, officer, or
4 stockholder of a driver training school shall give instruction in the
5 operation of an automobile for a fee without a license issued by the
6 director for that purpose. An application for an instructor's license
7 shall be filed with the director, containing such information as
8 prescribed by the director, accompanied by an application fee of
9 seventy-five dollars, which shall in no event be refunded. If the
10 application is approved by the director and the applicant
11 satisfactorily meets the examination requirements as prescribed in RCW
12 46.82.330, the applicant shall be granted a license valid for a period
13 of one year from the date of issuance. An instructor shall take a
14 requalification examination every five years.

15 (2) The annual fee for renewal of an instructor's license shall be
16 twenty-five dollars. The director shall issue a license certificate to
17 each licensee which shall be conspicuously displayed in the place of
18 business of the employing driver training school. Unless revoked,
19 canceled, or denied by the director, the license shall remain the
20 property of the licensee in the event of termination of employment or
21 employment by another driver training school. If a renewal application
22 has not been received by the director within sixty days from the date
23 a notice of license expiration was mailed to the licensee, the license
24 will be voided requiring a new application as provided for in this
25 chapter, including examination and payment of all fees.

26 (3) Persons who (~~qualify under the rules jointly adopted by the~~
27 ~~superintendent of public instruction and the director of licensing to~~)
28 teach only the laboratory phase((~~7~~)) shall be subject to a ten dollar
29 examination fee.

30 (4) Each licensee shall be provided with a wallet-size
31 identification card by the director at the time the license is issued
32 which shall be carried on the instructor's person at all times while
33 engaged in instructing.

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

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

3 The following words and phrases whenever used in chapter 28A.220
4 RCW shall have the following meaning:

5 (1) "Superintendent" or "state superintendent" shall mean the
6 superintendent of public instruction.

7 (2) "Traffic safety education course" shall mean an accredited
8 course of instruction in traffic safety education which shall consist
9 of two phases, classroom instruction, and laboratory experience.
10 "Laboratory experience" shall include on-street, driving range, or
11 simulator experience or some combination thereof. Each phase shall
12 meet basic course requirements which shall be established by the
13 superintendent of public instruction and each part of said course shall
14 be taught by a qualified teacher of traffic safety education. Any
15 portions of the course may be taught after regular school hours or on
16 Saturdays as well as on regular school days or as a summer school
17 course, at the option of the local school districts.

18 (3) "Qualified teacher of traffic safety education" shall mean an
19 instructor certificated under the provisions of chapter 28A.410 RCW and
20 certificated by the superintendent of public instruction to teach
21 either the classroom phase or the laboratory phase of the traffic
22 safety education course, or both, under regulations promulgated by the
23 superintendent: PROVIDED, That the laboratory experience phase of the
24 traffic safety education course may be taught by instructors
25 certificated under rules promulgated by the superintendent of public
26 instruction, exclusive of any requirement that the instructor be
27 certificated under the provisions of chapter 28A.410 RCW.
28 (~~Professional instructors certificated under the provisions of chapter~~
29 ~~46.82 RCW, and participating in this program, shall be subject to~~
30 ~~reasonable qualification requirements jointly adopted by the~~
31 ~~superintendent of public instruction and the director of licensing.))~~

32 (4) "Realistic level of effort" means the classroom and laboratory
33 student learning experiences considered acceptable to the
34 superintendent of public instruction that must be satisfactorily
35 accomplished by the student in order to successfully complete the
36 traffic safety education course.

1 **Sec. 4.** RCW 28A.220.030 and 2000 c 115 s 9 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction is authorized to
4 establish a section of traffic safety education, and through such
5 section shall: Define a "realistic level of effort" required to
6 provide an effective traffic safety education course, establish a level
7 of driving competency required of each student to successfully complete
8 the course, and ensure that an effective statewide program is
9 implemented and sustained, administer, supervise, and develop the
10 traffic safety education program and shall assist local school
11 districts in the conduct of their traffic safety education programs.
12 The superintendent shall adopt necessary rules and regulations
13 governing the operation and scope of the traffic safety education
14 program; and each school district shall submit a report to the
15 superintendent on the condition of its traffic safety education
16 program: PROVIDED, That the superintendent shall monitor the quality
17 of the program and carry out the purposes of this chapter.

18 (2) The board of directors of any school district maintaining a
19 secondary school which includes any of the grades 10 to 12, inclusive,
20 may establish and maintain a traffic safety education course. If a
21 school district elects to offer a traffic safety education course and
22 has within its boundaries a private accredited secondary school which
23 includes any of the grades 10 to 12, inclusive, at least one class in
24 traffic safety education shall be given at times other than regular
25 school hours if there is sufficient demand therefor.

26 (3) The board of directors of a school district, or combination of
27 school districts, may contract with any drivers' school licensed under
28 the provisions of chapter 46.82 RCW to teach either the classroom phase
29 or the laboratory phase of the traffic safety education course(~~(-~~
30 ~~Instructors provided by any such contracting drivers' school must be~~
31 ~~properly qualified teachers of traffic safety education under the joint~~
32 ~~qualification requirements adopted by the superintendent of public~~
33 ~~instruction and the director of licensing)), or both.~~

34 (4) The superintendent shall establish a required minimum number of
35 hours of continuing traffic safety education for traffic safety
36 education instructors. The superintendent may phase in the requirement
37 over not more than five years.

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