
SENATE BILL 6263

State of Washington

58th Legislature

2004 Regular Session

By Senators Swecker, Oke, Stevens, Pflug, Winsley, Zarelli, Hewitt and Mulliken

Read first time 01/15/2004. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to home-based driver training instruction; and
2 amending RCW 28A.220.020, 46.82.280, 46.82.290, and 46.82.300.

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

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

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

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

10 (2) "Traffic safety education course" (~~shall~~) means (a) an
11 accredited course of instruction in traffic safety education (~~which~~
12 ~~shall~~) that consists of two phases, classroom instruction, and
13 laboratory experience, or (b) a course of instruction approved by the
14 department of licensing under RCW 46.82.280(1). "Laboratory
15 experience" (~~shall~~) must include on-street, driving range, or
16 simulator experience or some combination thereof. Each phase (~~shall~~)
17 must meet basic course requirements (~~which shall be~~) established by
18 the superintendent of public instruction, and each part of (~~said~~) the
19 course (~~shall~~) must be taught by a qualified teacher of traffic

1 safety education. Any portions of the course may be taught after
2 regular school hours or on Saturdays as well as on regular school days
3 or as a summer school course, at the option of the local school
4 districts.

5 (3) "Qualified teacher of traffic safety education" (~~shall~~) means
6 an instructor certificated under (~~the provisions of~~) chapter 28A.410
7 RCW and certificated by the superintendent of public instruction to
8 teach either the classroom phase or the laboratory phase of the traffic
9 safety education course, or both, under (~~regulations promulgated~~)
10 rules adopted by the superintendent(~~(PROVIDED, That)~~). However, the
11 laboratory experience phase of the traffic safety education course may
12 be taught by instructors certificated under rules (~~promulgated~~)
13 adopted by the superintendent of public instruction, exclusive of any
14 requirement that the instructor be certificated under (~~the provisions~~
15 ~~of~~) chapter 28A.410 RCW. Professional instructors certificated under
16 (~~the provisions of~~) chapter 46.82 RCW, and participating in this
17 program, (~~shall be~~) are subject to reasonable qualification
18 requirements jointly adopted by the superintendent of public
19 instruction and the director of licensing. "Qualified teacher of
20 traffic safety education" also means a person administering an approved
21 course under subsection (2)(b) of this section to his or her own child,
22 if the person is providing home-based instruction in compliance with
23 RCW 28A.225.010(4).

24 (4) "Realistic level of effort" means the classroom and laboratory
25 student learning experiences considered acceptable to the
26 superintendent of public instruction that must be satisfactorily
27 accomplished by the student in order to successfully complete the
28 traffic safety education course.

29 **Sec. 2.** RCW 46.82.280 and 1986 c 80 s 1 are each amended to read
30 as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section (~~shall~~) apply throughout this chapter.

33 (1) "Driver training school" means (a) a commercial driver training
34 school engaged in the business of giving instruction, for a fee, in the
35 operation of automobiles, or (b) a commercially available driver
36 training course developed for home-based education that has been
37 approved by the director.

1 (2) "Director" means the director of the department of licensing of
2 the state of Washington.

3 (3) "Advisory committee" means the driving instructors' advisory
4 committee as created in this chapter.

5 (4) "Fraudulent practices" means any conduct or representation on
6 the part of a licensee under this chapter tending to induce anyone to
7 believe, or to give the impression, that a license to operate a motor
8 vehicle or any other license granted by the director may be obtained by
9 any means other than those prescribed by law, or furnishing or
10 obtaining the same by illegal or improper means, or requesting,
11 accepting, or collecting money for such purposes.

12 (5) "Instructor" means any person employed by a driver training
13 school to instruct persons in the operation of automobiles or a person
14 meeting the qualifications of RCW 28A.220.020(3).

15 (6) "Place of business" means a designated location at which the
16 business of a driver training school is transacted and its records are
17 kept.

18 (7) "Person" means any individual, firm, corporation, partnership,
19 or association.

20 **Sec. 3.** RCW 46.82.290 and 1979 ex.s. c 51 s 2 are each amended to
21 read as follows:

22 (1) The director (~~((shall be))~~) is responsible for the administration
23 and enforcement of the law pertaining to driver training schools as set
24 forth in this chapter.

25 (2) The director (~~((is authorized to))~~) may adopt and enforce such
26 reasonable rules as may be consistent with and necessary to carry out
27 this chapter.

28 (3) The director may review and approve driver training courses
29 designed for use in home-based instruction under RCW 46.82.280.

30 **Sec. 4.** RCW 46.82.300 and 2002 c 195 s 5 are each amended to read
31 as follows:

32 (1) The director shall be assisted in the duties and
33 responsibilities of this chapter by the driver instructors' advisory
34 committee, consisting of five members. Members of the advisory
35 committee shall be appointed by the director for two-year terms and
36 shall consist of a representative of the driver training schools, a

1 representative of the driving instructors (who shall not be from the
2 same school as the school member), a representative of the
3 superintendent of public instruction, a representative of the
4 department of licensing, and a representative from the Washington state
5 traffic safety commission. Members shall be reimbursed for travel
6 expenses in accordance with RCW 43.03.050 and 43.03.060. A member who
7 is receiving a salary from the state shall not receive compensation
8 other than travel expenses incurred in such service.

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

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

14 (a) Advise and confer with the director or the director's
15 representative on matters pertaining to the establishment of rules
16 necessary to carry out this chapter;

17 (b) Review violations of this chapter and to recommend to the
18 director appropriate enforcement or disciplinary action as provided in
19 this chapter;

20 (c) Review and update when necessary a curriculum consisting of a
21 list of items of knowledge and the processes of driving a motor vehicle
22 specifying the minimum requirements adjudged necessary in teaching a
23 proper and adequate course of driver education;

24 (d) Review and update instructor certification standards to be
25 consistent with RCW 46.82.330 and take into consideration those
26 standards required to be met by traffic safety education teachers under
27 RCW 28A.220.020(3); (~~and~~)

28 (e) Prepare the examination for a driver instructor's certificate
29 and review examination results at least once each calendar year for the
30 purpose of updating and revising examination standards; and

31 (f) Review and recommended home-based programs of instruction for
32 driver training to be administered under RCW 28A.220.020.

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