

HOUSE BILL REPORT

HB 1153

As Reported by House Committee On: Transportation

Title: An act relating to the use of wireless communication devices by holders of instruction permits and intermediate licenses.

Brief Description: Providing restrictions for the use of wireless communication devices by holders of instruction permits and intermediate licenses.

Sponsors: Representatives Morrell, Campbell, Ericks, Green, Appleton, Wallace, Sells, Williams, Lantz, Kagi and Santos.

Brief History:

Committee Activity:

Transportation: 2/15/07, 2/26/07 [DP].

Brief Summary of Bill

- The holder of either an Intermediate Driver's License or an instruction permit may not operate a motor vehicle while using a wireless communication device except in the case of an emergency.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 22 members: Representatives Clibborn, Chair; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Armstrong, Campbell, Curtis, Dickerson, Eddy, Hailey, Hankins, Hudgins, Kristiansen, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Wallace and Wood.

Minority Report: Do not pass. Signed by 2 members: Representatives Appleton and Upthegrove.

Staff: David Munnecke (786-7315).

Background:

An individual who is at least 15 years of age, submits a proper application, and is enrolled in an approved traffic safety program may be issued a driver's instruction permit by the

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Department of Licensing (DOL) upon passage of the appropriate examination. An individual who is at least 15 and one-half years of age may also be issued a driver's instruction permit by the DOL upon passage of the appropriate examination.

A person holding an instruction permit may drive a motor vehicle, other than a motorcycle, if they have immediate possession of the permit and an approved instructor or a licensed driver with at least five years of driving experience occupies the seat beside the driver.

Washington's Intermediate Drivers' License (IDL) law prohibits drivers who hold an IDL from carrying passengers under 20 years of age in their car for the first six months after issuance of the license, unless the passenger is an immediate family member. During the remaining period of the IDL (up to the age of 18), the driver may not carry more than three non-family member passengers under the age of 20.

Drivers who hold an IDL are prohibited from driving between 1:00 a.m. and 5:00 a.m. unless a licensed driver 25 or older is also in the vehicle. Driving for agricultural purposes is an exception to the late night hours driving restriction.

Beginning with the issuance of the IDL and until the age of 18:

- If a driver commits a driving violation, or a violation of license restrictions, the driver is sent a warning letter by the DOL.
- If two driving violations are committed, a letter suspending the driver for six months (or until age 18, whichever is shorter) is sent to the driver.
- For a third driving violation the driver is suspended until age 18.
- The driver's parents also receive a copy of any warning or suspension letter sent to the driver.

After a year of driving safely without a driving violation, offense or collision, the driving restrictions expire and will not be reimposed. However, the driver is still subject to receiving the intermediate license warning letter and license suspension penalties until age 18. Driving with a suspended IDL is a misdemeanor.

Summary of Bill:

The holder of either an IDL or an instruction permit may not operate a motor vehicle while using a wireless communication device unless the holder is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property.

The violation of the IDL restriction on using a wireless communication device is a primary infraction.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2007.

Staff Summary of Public Testimony:

(In support) This bill was passed out of the House Transportation Committee last year.

We already prevent young drivers from driving with friends, so why do we let them drive and talk to their friends? The Washington Traffic Safety Commission has talked with teenagers about cell phones and intermediate driver's licenses (IDL). Three-quarters of the teenagers admitted to talking on a cell phone while driving, and one-quarter admitted to text messaging while driving. Two-thirds of the teenagers admitted to violating the IDL restrictions, and half the responsible drivers admitted to doing so. Parents should set an example for their children when it comes to not using a cell phone while driving.

New drivers get no training in multi-tasking while driving. New drivers need to learn how to handle a vehicle before they start doing other things at the same time. Police officers often investigate vehicular homicides that involve cell phones. It is an under-reported causal factor in collisions. Driving while using a cell phone is the equivalent of driving drunk. Cell phones affect executive function and reduce people's ability to function as a driver.

(Opposed) None.

Persons Testifying: Representative Morrell, prime sponsor; Steve Lind, Washington Traffic Safety Commission; Chief Fred Walser, Sultan Police Department; Kate Martin, Pedestrian InRoads; Lester Goldstein; Cindy Baker-Williams; Desiree Douglass, Headstrong, and Jeff DeVere, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.