

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1267

Chapter 418, Laws of 2007

60th Legislature
2007 Regular Session

COMMERCIAL DRIVER'S LICENSES

EFFECTIVE DATE: 01/15/08

Passed by the House April 14, 2007
Yeas 78 Nays 16

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 5, 2007
Yeas 47 Nays 6

BRAD OWEN

President of the Senate

Approved May 11, 2007, 10:27 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1267** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 11, 2007

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1267

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Wallace, Upthegrove, Lovick, Hankins and Dickerson; by request of Department of Licensing)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to commercial driver's license requirements;
2 amending RCW 46.25.060; and providing an effective date.

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

4 **Sec. 1.** RCW 46.25.060 and 2004 c 187 s 3 are each amended to read
5 as follows:

6 (1)(a) No person may be issued a commercial driver's license unless
7 that person is a resident of this state, has successfully completed a
8 course of instruction in the operation of a commercial motor vehicle
9 that has been approved by the director or has been certified by an
10 employer as having the skills and training necessary to operate a
11 commercial motor vehicle safely, and has passed a knowledge and skills
12 test for driving a commercial motor vehicle that complies with minimum
13 federal standards established by federal regulation enumerated in 49
14 C.F.R. part 383, subparts G and H, and has satisfied all other
15 requirements of the CMVSA in addition to other requirements imposed by
16 state law or federal regulation. The tests must be prescribed and
17 conducted by the department. In addition to the fee charged for
18 issuance or renewal of any license, the applicant shall pay a fee of no
19 more than ten dollars for each classified knowledge examination,

1 classified endorsement knowledge examination, or any combination of
2 classified license and endorsement knowledge examinations. The
3 applicant shall pay a fee of no more than ((fifty)) one hundred dollars
4 for each classified skill examination or combination of classified
5 skill examinations conducted by the department.

6 (b) The department may authorize a person, including an agency of
7 this or another state, an employer, a private driver training facility,
8 or other private institution, or a department, agency, or
9 instrumentality of local government, to administer the skills test
10 specified by this section under the following conditions:

11 (i) The test is the same which would otherwise be administered by
12 the state;

13 (ii) The third party has entered into an agreement with the state
14 that complies with the requirements of 49 C.F.R. part 383.75; and

15 (iii) The director has adopted rules as to the third party testing
16 program and the development and justification for fees charged by any
17 third party.

18 (c) If the applicant's primary use of a commercial driver's license
19 is for any of the following, then the applicant shall pay a fee of no
20 more than seventy-five dollars for each classified skill examination or
21 combination of classified skill examinations whether conducted by the
22 department or a third-party tester:

23 (i) Public benefit not for profit corporations that are federally
24 supported head start programs; or

25 (ii) Public benefit not for profit corporations that support early
26 childhood education and assistance programs as described in RCW
27 43.215.405(4).

28 (2) The department shall work with the office of the superintendent
29 of public instruction to develop modified P1 and P2 skill examinations
30 that also include the skill examination components required to obtain
31 an "S" endorsement. In no event may a new applicant for an "S"
32 endorsement be required to take two separate examinations to obtain an
33 "S" endorsement and either a P1 or P2 endorsement, unless that
34 applicant is upgrading his or her existing commercial driver's license
35 to include an "S" endorsement. The combined P1/S or P2/S skill
36 examination must be offered to the applicant at the same cost as a
37 regular P1 or P2 skill examination.

1 (3) The department may waive the skills test and the requirement
2 for completion of a course of instruction in the operation of a
3 commercial motor vehicle specified in this section for a commercial
4 driver's license applicant who meets the requirements of 49 C.F.R. part
5 383.77.

6 (4) A commercial driver's license or commercial driver's
7 instruction permit may not be issued to a person while the person is
8 subject to a disqualification from driving a commercial motor vehicle,
9 or while the person's driver's license is suspended, revoked, or
10 canceled in any state, nor may a commercial driver's license be issued
11 to a person who has a commercial driver's license issued by any other
12 state unless the person first surrenders all such licenses, which must
13 be returned to the issuing state for cancellation.

14 (5)(a) The department may issue a commercial driver's instruction
15 permit to an applicant who is at least eighteen years of age and holds
16 a valid Washington state driver's license and who has submitted a
17 proper application, passed the general knowledge examination required
18 for issuance of a commercial driver's license under subsection (1) of
19 this section, and paid the appropriate fee for the knowledge
20 examination and an application fee of ten dollars.

21 (b) A commercial driver's instruction permit may not be issued for
22 a period to exceed six months. Only one renewal or reissuance may be
23 granted within a two-year period.

24 (c) The holder of a commercial driver's instruction permit may
25 drive a commercial motor vehicle on a highway only when accompanied by
26 the holder of a commercial driver's license valid for the type of
27 vehicle driven who occupies a seat beside the individual for the
28 purpose of giving instruction in driving the commercial motor vehicle.
29 The holder of a commercial driver's instruction permit is not
30 authorized to operate a commercial motor vehicle transporting hazardous
31 materials.

32 (d) The department shall transmit the fees collected for commercial
33 driver's instruction permits to the state treasurer.

34 NEW SECTION. Sec. 2. This act takes effect January 15, 2008.

Passed by the House April 14, 2007.

Passed by the Senate April 5, 2007.

Approved by the Governor May 11, 2007.

Filed in Office of Secretary of State May 11, 2007.