
SENATE BILL 5975

State of Washington

64th Legislature

2015 Regular Session

By Senators Benton and Angel

Read first time 02/13/15. Referred to Committee on Transportation.

1 AN ACT Relating to parent taught driver training education
2 courses, including online courses; and amending RCW 28A.220.020,
3 46.82.280, and 46.82.290.

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

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

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

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

11 (2) "Traffic safety education course" (~~shall~~) means (a) an
12 accredited course of instruction in traffic safety education (~~which~~
13 ~~shall~~) that consists of two phases, classroom instruction (~~(,)~~) and
14 laboratory experience, or (b) a course of instruction approved by the
15 director of the department of licensing under RCW 46.82.290(3).

16 "Laboratory experience" (~~shall~~) must include on-street, driving
17 range, or simulator experience or some combination thereof. Each
18 phase (~~shall~~) must meet basic course requirements (~~which shall~~
19 ~~be~~) established by the superintendent of public instruction and each
20 part of (~~said~~) the course (~~shall~~) must be taught by a qualified
21 teacher of traffic safety education. Any portions of the course may

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

4 (3) "Qualified teacher of traffic safety education" (~~shall~~)
5 means an instructor certificated under (~~the provisions of~~) chapter
6 28A.410 RCW and certificated by the superintendent of public
7 instruction to teach either the classroom phase or the laboratory
8 phase of the traffic safety education course, or both, under
9 (~~regulations promulgated~~) rules adopted by the superintendent(~~+~~
10 ~~PROVIDED, That~~). However, the laboratory experience phase of the
11 traffic safety education course may be taught by instructors
12 certificated under rules (~~promulgated~~) adopted by the
13 superintendent of public instruction, exclusive of any requirement
14 that the instructor be certificated under (~~the provisions of~~)
15 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" includes a parent or guardian teaching a
21 traffic safety education course, as defined in subsection (2)(b) of
22 this section, to his or her own child.

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

28 **Sec. 2.** RCW 46.82.280 and 2010 1st sp.s. c 7 s 19 are each
29 amended to read as follows:

30 The definitions in this section apply throughout this chapter
31 unless the context clearly requires otherwise.

32 (1) "Behind-the-wheel instruction" means instruction in an
33 approved driver training school instruction vehicle according to and
34 inclusive of the minimum required curriculum. Behind-the-wheel
35 instruction is characterized by driving experience.

36 (2) "Classroom" means a space dedicated to and used exclusively
37 by a driver training instructor for the instruction of students. With
38 prior department approval, a branch office classroom may be located
39 within alternative facilities, such as a public or private library,

1 school, community college, college or university, or a business
2 training facility.

3 (3) "Classroom instruction" means that portion of a traffic
4 safety education course that is characterized by classroom-based
5 student instruction conducted by or under the direct supervision of a
6 licensed instructor or licensed instructors.

7 (4) "Director" means the director of the department of licensing
8 of the state of Washington.

9 (5) "Driver training education course" means (a) a course of
10 instruction in traffic safety education approved and licensed by the
11 department of licensing that consists of classroom and behind-the-
12 wheel instruction as documented by the minimum approved curriculum,
13 or (b) a commercially available, parent taught course of instruction
14 in traffic safety education that has been approved by the director
15 under RCW 46.82.290(3).

16 (6) "Driver training school" means a commercial driver training
17 school engaged in the business of giving instruction, for a fee, in
18 the operation of automobiles.

19 (7) "Enrollment" means the collecting of a fee or the signing of
20 a contract for a driver training education course. "Enrollment" does
21 not include the collecting of names and contact information for
22 enrolling students once a driver training school is licensed to
23 instruct.

24 (8) "Fraudulent practices" means any conduct or representation on
25 the part of a driver training school owner or instructor including:

26 (a) Inducing anyone to believe, or to give the impression, that a
27 license to operate a motor vehicle or any other license granted by
28 the director may be obtained by any means other than those prescribed
29 by law, or furnishing or obtaining the same by illegal or improper
30 means, or requesting, accepting, or collecting money for such
31 purposes;

32 (b) Operating a driver training school without a license,
33 providing instruction without an instructor's license, verifying
34 enrollment prior to being licensed, misleading or false statements on
35 applications for a commercial driver training school license or
36 instructor's license or on any required records or supporting
37 documentation;

38 (c) Failing to fully document and maintain all required driver
39 training school records of instruction, school operation, and
40 instructor training;

1 (d) Issuing a driver training course certificate without
2 requiring completion of the necessary behind-the-wheel and classroom
3 instruction.

4 (9) "Instructor" means (a) any person employed by or otherwise
5 associated with a driver training school to instruct persons in the
6 operation of an automobile or (b) a parent or guardian teaching his
7 or her own child.

8 (10) "Owner" means an individual, partnership, corporation,
9 association, or other person or group that holds a substantial
10 interest in a driver training school.

11 (11) "Person" means any individual, firm, corporation,
12 partnership, or association.

13 (12) "Place of business" means a designated location at which the
14 business of a driver training school is transacted or its records are
15 kept.

16 (13) "Student" means any person enrolled in an approved driver
17 training course.

18 (14) "Substantial interest holder" means a person who has actual
19 or potential influence over the management or operation of any driver
20 training school. Evidence of substantial interest includes, but is
21 not limited to, one or more of the following:

22 (a) Directly or indirectly owning, operating, managing, or
23 controlling a driver training school or any part of a driver training
24 school;

25 (b) Directly or indirectly profiting from or assuming liability
26 for debts of a driver training school;

27 (c) Is an officer or director of a driver training school;

28 (d) Owning ten percent or more of any class of stock in a
29 privately or closely held corporate driver training school, or five
30 percent or more of any class of stock in a publicly traded corporate
31 driver training school;

32 (e) Furnishing ten percent or more of the capital, whether in
33 cash, goods, or services, for the operation of a driver training
34 school during any calendar year; or

35 (f) Directly or indirectly receiving a salary, commission,
36 royalties, or other form of compensation from the activity in which a
37 driver training school is or seeks to be engaged.

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

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

4 (2) The director (~~is authorized to~~) may adopt and enforce
5 (~~such reasonable~~) rules (~~as may be~~) that are consistent with and
6 necessary to carry out this chapter.

7 (3) The director may review and approve parent taught driver
8 training education courses designed for use in the home, which may
9 include an online course used by the parent. The director may charge
10 a fee for enrollment in a parent taught driver training education
11 course that may not exceed the department's actual cost to implement
12 the course.

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