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**SENATE BILL 5583**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Liias, C. Wilson, Kauffman, Valdez, Lovelett, Lovick, Nguyen, and Nobles

AN ACT Relating to improving young driver safety; amending RCW 46.20.055, 46.20.075, 46.20.100, and 46.82.280; reenacting and amending RCW 28A.220.020; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.82 RCW; and adding a new section to chapter 42.56 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 46.20 RCW to read as follows:

(1) Beginning January 1, 2026, a person at least 18 years of age but under 25 years of age must meet the requirements of subsection (2) or (3) of this section to obtain a driver's license, in addition to other skills and examination requirements as prescribed by the department.

(2) To obtain a driver's license under this section, a person must:

(a)(i) Satisfactorily complete one of the following:

(A) A driver training education course as defined in RCW 28A.220.020; or

(B) A driver training education course as defined by the department and offered by a driver training school licensed under chapter 46.82 RCW.

(ii) The course offered by a school district or an approved private school must be part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school and the online driver training education course must meet the standards established by the department under chapter 46.82 RCW; and

(b) Complete a prescribed term of use of driver monitoring technology, as defined in section 8 of this act, as established by the department in rule.

(3) As an alternative to subsection (2) of this section, to obtain a driver's license under this section, a person must:

(a)(i) Satisfactorily complete one of the following:

(A) A condensed traffic safety education course as defined in RCW 28A.220.020 for a course offered by a school district or approved private school; or

(B) A condensed traffic safety education course as defined by the department and offered by a driver training school licensed under chapter 46.82 RCW.

(ii) The course offered by a school district or an approved private school must be part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school must meet the standards established by the department under chapter 46.82 RCW.

(b) Complete a prescribed term of use of driver monitoring technology, as defined in section 8 of this act, as established by the department in rule. The prescribed term required under this subsection (3)(b) must be of a longer duration than the prescribed term under subsection (2)(b) of this section.

(4)(a) To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the department.

(b)(i) The department may waive the driver training education course requirement for a driver's license under subsection (2) or (3) of this section if the applicant demonstrates to the department's satisfaction that:

(A) He or she was unable to take or complete a driver training education course;

(B) A need exists for the applicant to operate a motor vehicle; and

(C) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

(ii) The department may adopt rules to implement this subsection (4)(b) in concert with the supervisor of the traffic safety education section of the office of the superintendent of public instruction.

(5) The department may waive the driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle from a reciprocal jurisdiction outside this state or provides proof that they have had education, from a reciprocal jurisdiction, equivalent to that required under this section.

**Sec.**  RCW 46.20.055 and 2021 c 158 s 3 are each amended to read as follows:

(1) **Driver's instruction permit**. The department may issue a driver's instruction permit online or in person with or without a photograph to an applicant who has successfully passed all parts of the examination other than the driving test, provided the information required by RCW 46.20.091, paid an application fee of ((~~twenty-five dollars~~)) $25, and meets the following requirements:

(a) Is at least ((~~fifteen and one-half~~)) 15.5 years of age; or

(b) Is at least ((~~fifteen~~)) 15 years of age and:

(i) Has submitted a proper application; and

(ii) Is enrolled in a driver training education course offered as part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW or offered by a driver training school licensed and inspected by the department of licensing under chapter 46.82 RCW, that includes practice driving.

(2) **Waiver of written examination for instruction permit**. The department may waive the written examination, if, at the time of application, an applicant is enrolled in a driver training education course as defined in RCW 46.82.280 or 28A.220.020.

The department may require proof of registration in such a course as it deems necessary.

(3) **Effect of instruction permit**. A person holding a driver's instruction permit may drive a motor vehicle, other than a motorcycle, upon the public highways if:

(a) The person has immediate possession of the permit;

(b) The person is not using a wireless communications device, unless the person is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property; and

(c) A driver training education course instructor who meets the qualifications of chapter 46.82 or 28A.220 RCW, or a licensed driver with at least five years of driving experience, occupies the seat beside the driver.

(4) **Term of instruction permit**. A driver's instruction permit is valid for one year from the date of issue.

(a) The department may issue one additional one-year permit.

(b) The department may issue a third driver's permit if it finds after an investigation that the permittee is diligently seeking to improve driving proficiency.

(c) A person applying for an additional instruction permit must submit the application to the department and pay an application fee of ((~~twenty-five dollars~~)) $25 for each issuance.

(5) **Driver monitoring technology.** Beginning January 1, 2026, the department may require an applicant under this section to complete a prescribed term of use of driver monitoring technology pursuant to section 8 of this act.

**Sec.**  RCW 46.20.075 and 2011 c 60 s 44 are each amended to read as follows:

(1) An intermediate license authorizes the holder to drive a motor vehicle under the conditions specified in this section. An applicant for an intermediate license must be at least ((~~sixteen~~)) 16 years of age and:

(a) Have possessed a valid instruction permit for a period of not less than six months;

(b) Have passed a driver licensing examination administered by the department;

(c) Have passed a course of driver's education in accordance with the standards established in RCW 46.20.100;

(d) Present certification by his or her parent, guardian, or employer to the department stating (i) that the applicant has had at least ((~~fifty~~)) 50 hours of driving experience, ((~~ten~~)) 10 of which were at night, during which the driver was supervised by a person at least ((~~twenty-one~~)) 21 years of age who has had a valid driver's license for at least three years, and (ii) that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application for the intermediate license;

(e) Not have been convicted of or found to have committed a traffic violation within the last six months before the application for the intermediate license; and

(f) Not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.

(2) For the first six months after the issuance of an intermediate license or until the holder reaches ((~~eighteen~~)) 18 years of age, whichever occurs first, the holder of the license may not operate a motor vehicle that is carrying any passengers under the age of ((~~twenty~~)) 20 who are not members of the holder's immediate family as defined in RCW 42.17A.005. For the remaining period of the intermediate license, the holder may not operate a motor vehicle that is carrying more than three passengers who are under the age of ((~~twenty~~)) 20 who are not members of the holder's immediate family.

(3) The holder of an intermediate license may not operate a motor vehicle between the hours of 1 a.m. and 5 a.m. except (a) when the holder is accompanied by ((~~a parent, guardian, or~~)) a licensed driver who is at least ((~~twenty-five~~)) 25 years of age, or (b) for school, religious, or employment activities for the holder or a member of the holder's immediate family as defined in RCW 42.17A.005.

(4) The holder of an intermediate license may not operate a moving motor vehicle while using a wireless communications 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.

(5) It is a traffic infraction for the holder of an intermediate license to operate a motor vehicle in violation of the restrictions imposed under this section.

(6) Except for a violation of subsection (4) of this section, enforcement of this section by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

(7) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if necessary for agricultural purposes.

(8) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if, for the ((~~twelve-month~~)) 12-month period following the issuance of the intermediate license, he or she:

(a) Has not been involved in an accident involving only one motor vehicle;

(b) Has not been involved in an accident where he or she was cited in connection with the accident or was found to have caused the accident;

(c) Has not been involved in an accident where no one was cited or was found to have caused the accident; and

(d) Has not been convicted of or found to have committed a traffic offense described in chapter 46.61 RCW or violated restrictions placed on an intermediate licensee under this section.

(9) Beginning January 1, 2026, the department may require an applicant under this section to complete a prescribed term of use of driver monitoring technology pursuant to section 8 of this act.

**Sec.**  RCW 46.20.100 and 2017 c 197 s 7 are each amended to read as follows:

(1) **Application**. The application of a person under the age of ((~~eighteen~~)) 18 years for a driver's license or a motorcycle endorsement must be signed by a parent or guardian with custody of the minor. If the person under the age of ((~~eighteen~~)) 18 has no father, mother, or guardian, then the application must be signed by the minor's employer.

(2) **Traffic safety education requirement**. For a person under the age of ((~~eighteen~~)) 18 years to obtain a driver's license, he or she must meet the traffic safety education requirements of this subsection.

(a) To meet the traffic safety education requirement for a driver's license, the applicant must satisfactorily complete a driver training education course as defined in RCW 28A.220.020 for a course offered by a school district or approved private school, or as defined by the department of licensing for a course offered by a driver training school licensed under chapter 46.82 RCW. The course offered by a school district or an approved private school must be part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school must meet the standards established by the department of licensing under chapter 46.82 RCW. The driver training education course may be provided by:

(i) A secondary school within a school district or approved private school that establishes and maintains an approved and certified traffic safety education program under chapter 28A.220 RCW; or

(ii) A driver training school licensed under chapter 46.82 RCW that is annually approved by the department of licensing.

(b) To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the department of licensing.

(c) The department may waive the driver training education course requirement for a driver's license if the applicant demonstrates to the department's satisfaction that:

(i) He or she was unable to take or complete a driver training education course;

(ii) A need exists for the applicant to operate a motor vehicle; and

(iii) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

The department may adopt rules to implement this subsection (2)(c) in concert with the supervisor of the traffic safety education section of the office of the superintendent of public instruction.

(d) The department may waive the driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle from a reciprocal jurisdiction outside this state ((~~and~~)) or provides proof that he or she has had education equivalent, from a reciprocal jurisdiction, to that required under this subsection.

**Sec.**  RCW 46.82.280 and 2017 c 197 s 8 are each amended to read as follows:

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

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

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

(3) "Classroom instruction" means that portion of a traffic safety education course that is characterized by in-person classroom‑based student instruction or virtual classroom-based student instruction with a live instructor using the required curriculum conducted by or under the direct supervision of a licensed instructor or licensed instructors. Classroom instruction may include self-paced, online components as authorized and certified by the department of licensing.

(4) "Condensed traffic safety education course" means a course of instruction in traffic safety education, intended for novice drivers between 18 and 25 years of age, approved and licensed by the department of licensing that consists of at least eight hours of classroom instruction and one hour of behind-the-wheel instruction that follows the approved curriculum as determined in rule.

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

((~~(5)~~)) (6) "Driver training education course" means a course of instruction in traffic safety education approved and licensed by the department of licensing that consists of classroom and behind-the-wheel instruction that follows the approved curriculum.

((~~(6)~~)) (7) "Driver training school" means a commercial driver training school engaged in the business of giving instruction, for a fee, in the operation of automobiles.

((~~(7)~~)) (8) "Enrollment" means the collecting of a fee or the signing of a contract for a driver training education course. "Enrollment" does not include the collecting of names and contact information for enrolling students once a driver training school is licensed to instruct.

((~~(8)~~)) (9) "Fraudulent practices" means any conduct or representation on the part of a driver training school owner or instructor including:

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

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

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

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

((~~(9)~~)) (10) "Instructor" means any person employed by or otherwise associated with a driver training school to instruct persons in the operation of an automobile.

((~~(10)~~)) (11) "Owner" means an individual, partnership, corporation, association, or other person or group that holds a substantial interest in a driver training school.

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

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

((~~(13)~~)) (14) "Student" means any person enrolled in an approved driver training course.

((~~(14)~~)) (15) "Substantial interest holder" means a person who has actual or potential influence over the management or operation of any driver training school. Evidence of substantial interest includes, but is not limited to, one or more of the following:

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

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

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

(d) Owning ((~~ten~~)) 10 percent or more of any class of stock in a privately or closely held corporate driver training school, or five percent or more of any class of stock in a publicly traded corporate driver training school;

(e) Furnishing ((~~ten~~)) 10 percent or more of the capital, whether in cash, goods, or services, for the operation of a driver training school during any calendar year; or

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

**Sec.**  RCW 28A.220.020 and 2017 c 197 s 2 are each reenacted and amended to read as follows:

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

(1) "Appropriate course delivery standards" means the classroom and behind-the-wheel student learning experiences considered acceptable to the superintendent of public instruction under RCW 28A.220.030 that must be satisfactorily accomplished by the student in order to successfully complete the driver training education course.

(2) "Approved private school" means a private school approved by the board of education under chapter 28A.195 RCW.

(3) "Condensed traffic safety education course" means a course of instruction in traffic safety education, intended for novice drivers between 18 and 25 years of age, authorized by the superintendent of public instruction and licensed by the department of licensing that consists of at least eight hours of classroom instruction and one hour of behind-the-wheel instruction that follows the approved curriculum as determined in rule.

(4) "Director" means the director of the department of licensing.

((~~(4)~~)) (5) "Driver training education course" means a course of instruction in traffic safety education (a) offered as part of a traffic safety education program authorized by the superintendent of public instruction and certified by the department of licensing and (b) taught by a qualified teacher of driver training education that consists of classroom and behind-the-wheel instruction using curriculum that meets joint superintendent of public instruction and department of licensing standards and the course requirements established by the superintendent of public instruction under RCW 28A.220.030. Behind-the-wheel instruction is characterized by driving experience.

((~~(5)~~)) (6) "Qualified teacher of driver training education" means an instructor who:

(a) Is certificated under chapter 28A.410 RCW and has obtained a traffic safety endorsement or a letter of approval to teach traffic safety education from the superintendent of public instruction or is certificated by the superintendent of public instruction to teach a driver training education course; or

(b) Is an instructor provided by a driver training school that has contracted with a school district's or districts' board of directors under RCW 28A.220.030(3) to teach driver education for the school district.

((~~(6)~~)) (7) "Superintendent" or "state superintendent" means the superintendent of public instruction.

((~~(7)~~)) (8) "Traffic safety education program" means the administration and provision of driver training education courses offered by secondary schools of a school district or vocational-technical schools that are conducted by such schools in a like manner to their other regular courses.

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

(1) The department must publish on its website an interactive map of all driver training education course providers and providers of a traffic safety education program as defined in RCW 28A.220.020, including driver, motorcyclist, and commercial driver training and testing providers certified by the department. The interactive map, at a minimum, must provide training and testing provider names, locations, contact information, course and program pricing, and services offered by language.

(2) Each driving training education course and traffic safety education program provider must report course and program pricing to the department on an annual basis.

NEW SECTION. **Sec.**  A new section is added to chapter 46.20 RCW to read as follows:

(1) Beginning January 1, 2026, the department may require any driver's instruction permittee, intermediate licensee, or driver's licensee under the age of 25 to use driver monitoring technology in any vehicle the permittee, licensee, or driver operates.

(2) The department must adopt rules necessary to implement this section including, but not limited to, rules establishing: Under which circumstances such technology is required, duration of required use, restriction criteria, revocation and suspension procedures, and contingency procedures when such technology fails to provide timely or accurate data. When adopting such rules, the department must consider equity and environmental justice principles and impacts to overburdened communities. Any data provided to the department or the department's service provider is for the confidential and exclusive use of the department and its service provider and is exempt from public disclosure pursuant to section 9 of this act.

(3) For purposes of this section, "driver monitoring technology" means an in-vehicle telematics sensor linked to an application to track and record real-time driving data, with both immediate in-vehicle feedback and delayed retrospective feedback, and send such data to the department or the department's service provider, with the intent to modify driving behavior and improve road safety outcomes for young drivers and high-risk drivers, including reduced speeding, abrupt braking, harsh acceleration, hard cornering, and distracted driving.

NEW SECTION. **Sec.**  A new section is added to chapter 42.56 RCW to read as follows:

Any data submitted through the use of driver monitoring technology, as defined in section 8 of this act, to the department of licensing or the department's service provider is exempt from disclosure under this chapter.

**--- END ---**