

# HOUSE BILL REPORT

## ESSB 5583

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to improving young driver safety.

**Brief Description:** Improving young driver safety.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Liias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles).

**Brief History:**

**Committee Activity:**

Transportation: 3/16/23, 4/4/23 [DPA].

**Brief Summary of Engrossed Substitute Bill  
(As Amended By Committee)**

- Requires a person between 18 and 20 years of age, beginning July 1, 2025, to complete a driver training education course, a condensed traffic education course, or an online, self-paced condensed traffic safety education course with three hours of behind-the-wheel training, to obtain a driver's license.
- Requires a person between 21 and 24 years of age, beginning July 1, 2028, to complete a driver training education course, a condensed traffic education course, or an online, self-paced condensed traffic safety education course with three hours of behind-the-wheel training, to obtain a driver's license.
- Raises the additional fee for an original and renewal standard driver's license, standard identification (ID) card, enhanced driver's license, and enhanced ID card by \$7.50, and directs the revenue to the Driver's Education Safety Improvement Account.
- Mandates that the Department of Licensing (DOL) provide broad and accessible public outreach and education to communicate to state

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

residents the new driver training education requirements and provide tools to assist them in accessing courses that meet the new requirement, to begin no later than January 1, 2025.

- Requires the DOL to establish a voucher program to cover the average cost of driver training education courses for novice drivers who reside in low-income households, subject to the availability of funds appropriated in the transportation budget for this purpose.
- Requires the Office of Superintendent of Public Instruction to establish a grant program to facilitate schools providing traffic safety education programs as course offerings.
- Mandates that the DOL provide updates on the implementation of the new driver training requirements, including information on preparations and resource availability, to the Transportation Committees of the Legislature by January 2, 2024, and January 2, 2025.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 16 members: Representatives Fey, Chair; Donaghy, Vice Chair; Barkis, Ranking Minority Member; Berry, Bronoske, Chapman, Cortes, Doglio, Duerr, Entenman, Hackney, Mena, Ramel, Ramos, Taylor and Wylie.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Orcutt, Volz and Walsh.

**Minority Report:** Without recommendation. Signed by 9 members: Representatives Paul, Vice Chair; Timmons, Vice Chair; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Dent, Goehner, Griffey and Klicker.

**Staff:** Jennifer Harris (786-7143).

### **Background:**

#### Driver's Instruction Permit.

A driver's instruction permit may be issued to an applicant who has passed the written portion of the driving exam and:

- is at least 15-1/2 years of age; or
- is at least 15 years of age and is enrolled in a driver training education course authorized by the Office of Superintendent of Public Instruction (OSPI) or by a private driver training school licensed by the Department of Licensing (DOL).

The DOL may waive the written portion of the driving exam if a driver's instruction permit applicant is enrolled in a driver training education course at the time of application.

#### Intermediate License.

An intermediate license authorizes the license holder to drive a motor vehicle subject to certain restrictions. An applicant for an intermediate license must:

- be at least 16 years of age;
- have possessed a valid instruction permit for at least six months;
- have passed a driver's licensing exam;
- have passed an approved driver's education course; and
- present certification by a parent, guardian, or employer to the DOL stating that the applicant has had at least 50 hours of driving experience, 10 of which were at night.

For the first six months after the issuance of an intermediate license or until the holder reaches the age of 18, whichever occurs first, the holder of an intermediate license may not operate a motor vehicle carrying any passengers under the age of 21 who are not members of his or her immediate family. For the remaining period, the intermediate license holder may not operate a motor vehicle carrying more than three passengers who are under the age of 21 who are not members of his or her immediate family. The holder of an intermediate license may not operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m., except when he or she is accompanied by a parent, guardian, or a licensed driver who is at least 25 years of age.

An intermediate license holder may drive at any hour without restrictions on the number of passengers in the vehicle if necessary for agricultural purposes.

Twelve months after the issuance, the holder of an intermediate license may drive at any hour without restrictions on the number of passengers in the vehicle if the holder:

- has not been involved in a collision involving only one motor vehicle;
- has not been involved in a collision for which he or she was cited in connection with the collision or was found to have caused it;
- has not been involved in a collision for which no one was cited or was found to have caused it; and
- has not been convicted of or found to have committed a traffic offense, or violated restrictions placed on the intermediate license.

#### Driver's License and Motorcycle Endorsement.

To be eligible to obtain a driver's license, a person under the age of 18 must satisfactorily complete a driver training education course offered by a school district or by a driver training school licensed by the DOL. The DOL may waive the driver training education course requirement for a driver's license if the applicant demonstrates to the DOL's satisfaction that:

1. the applicant was unable to take or complete a driver training education course;

2. a need exists for the applicant to operate a motor vehicle; and
3. the applicant has the ability to operate a motor vehicle in a manner that would not jeopardize the safety of persons or property.

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 DOL.

The DOL may waive the driver training education course requirement if an applicant was licensed to drive a motor vehicle or motorcycle outside the state and provides proof that he or she completed driver education equivalent to Washington's education requirement.

An applicant 18 years of age or older must successfully pass a driver licensing exam, but is not required to complete a driver training education course to be eligible for a driver's license.

#### Driver Education Courses.

##### *Private Driver Training Schools.*

The Director of the DOL is responsible for the administration and enforcement of laws pertaining to driver training schools and may adopt rules related to these laws. A driver training school must obtain a license to operate from the DOL. A license may be suspended, revoked, denied, or refused renewal by the DOL for failure to comply with certain specified business practices.

Traffic safety education courses for individuals under the age of 18 must include:

1. at least 30 hours of classroom instruction;
2. at least six hours of behind-the-wheel instruction (or five or more hours of behind-the-wheel instruction and four or more hours of driving simulation); and
3. one or more hours of in-vehicle driver observation.

To be licensed as a driver training instructor for a private driver training school, a person must have been licensed to drive for five or more years, may not have specified traffic violations on his or her record, be a high school graduate or the equivalent, be at least 21 years of age, and must have satisfactorily completed a course of instruction approved by the DOL that is at least 60 hours in length and includes classroom and behind-the-wheel teaching methods and supervised practice.

##### *School Districts.*

The board of directors of a school district that maintains a secondary school that provides instruction for one or more of grades 10 through 12 may establish and maintain a traffic safety education course. The board of directors of a school district or of multiple school districts may contract with a driver training school to teach the behind-the-wheel portion of the traffic safety education course. Instructors of the contracting driver training school must

be qualified teachers of traffic safety education under joint qualification requirements adopted by the OSPI and the DOL.

The DOL administers a certification process for a school district's traffic safety education program or the traffic safety education program of a private school approved by the Board of Education (approved private school). Any school district or approved private school that offers a driver training education course must certify to the DOL that:

- it is operating a driver training education program;
- the driver training education course follows the curriculum set by the OSPI and the DOL;
- it meets the course delivery standards set by the OSPI;
- a record retention policy is in place that complies with retention requirements; and
- the school district has verified that all instructors are authorized by the OSPI to teach a driver training education course.

Traffic safety education courses must include:

1. at least 30 hours of classroom instruction;
2. at least six hours of driving experience; and
3. at least four hours of driving observation times.

Four hours of simulation instruction may be substituted for up to one hour of driving experience. Two hours of multiple car off-street driving range time may be substituted for up to one hour of driving experience.

#### *Curriculum.*

The OSPI and the DOL maintain a required curriculum for school districts and approved private schools operating a driver training education program. The required curriculum includes content to develop knowledge, skills, and awareness. It is required to cover: rules of the road; vehicle components; vehicle handling; driver behavior; sharing the road; attention and perception; hazard and risk management; vehicle maintenance, malfunctions, and technology; managing emergencies and adverse conditions; respect and responsibility; and vehicle technology systems.

The curriculum jointly developed and maintained by the OSPI and the DOL is required to be used in private driver training school courses.

#### Driver's License and Identification Card Fees.

The fee for a first standard driver's license is \$35 plus \$9 per year of the license's duration (\$80 for a five-year driver's license). The fee for a first enhanced driver's license (EDL) is \$35 plus \$16 per year of the license's duration (\$115 for a five-year driver's license). The fee for driver's license renewal is the same per year amounts noted above, without the \$35 flat fee included.

The fee for a new or renewal standard identification (ID) card is \$54 for six years or \$72 for

eight years. The fee for an enhanced ID (EID) card is \$96 for six years or \$128 for eight years.

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### **Summary of Amended Bill:**

#### Driver's License and Motorcycle Endorsement.

Beginning July 1, 2025, to be eligible to obtain a driver's license, a person between 18 and 20 years of age must satisfactorily complete:

- a driver training education course offered by a school district, approved private school, or a driver training school licensed by the DOL that satisfies current requirements for driver training education courses for those under 18 years of age;
- a condensed traffic safety education course offered by a school district, approved private school, or a driver training school licensed by the DOL (which includes at least eight hours of classroom instruction and at least three hours of behind-the-wheel instruction); or
- an online, self-paced condensed traffic safety education course offered by a driver training school licensed by the DOL, and at least three hours of behind-the-wheel instruction.

Beginning July 1, 2028, the driver training education requirement described above also applies to a person between 21 and 24 years of age.

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 DOL.

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

1. the applicant was unable to take or complete a driver training education course;
2. a need exists for the applicant to operate a motor vehicle; and
3. the applicant has the ability to operate a motor vehicle in a manner that would not jeopardize the safety of people or property.

The DOL may waive the driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle outside the state in a reciprocal jurisdiction, or provides proof that he or she received driver education equivalent to what is required in Washington in a reciprocal jurisdiction.

#### Driver's Instruction Permit.

The DOL may waive the written portion of the driving exam if a driver's instruction permit applicant is enrolled in a condensed traffic safety education course at the time of application.

### Intermediate License.

The holder of an intermediate license is exempt from the hours of operation restriction that prohibits him or her from operating a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. when the holder drives a vehicle for school, religious, or employment activities for himself or herself or for a member of the holder's immediate family.

### Driver Education Courses.

The definition of "classroom instruction" as it applies to all driver training education courses is expanded to include virtual classroom-based student instruction with a live instructor. It may include self-paced, online components as authorized and certified by the DOL.

Condensed traffic safety education courses must include at least eight hours of classroom instruction and at least three hours of behind-the-wheel instruction, and must follow curriculum approved by rule.

The DOL is required to publish on its website an interactive map of all driver training education course providers and providers of a traffic safety education program certified by the DOL. The interactive map must provide training and testing provider names, locations, contact information, course and program pricing, and services offered by language. Each driver training education course and traffic safety education program provider must report course and program pricing to the DOL on an annual basis.

The DOL may develop rules to establish alternative pathways to driver instructor licensure to substitute for requirements under current law, provided they enable the assessment of an applicant's fitness, knowledge, skills, and ability to teach the classroom and behind-the-wheel instruction portions of a driver training education program and provided that behind-the-wheel instructor certification include behind-the-wheel teaching methods and supervised practice.

### Driver Training Program Access.

The DOL must provide broad and accessible public outreach and education, to begin no later than January 1, 2025, to communicate to Washington residents the driver training education requirements that take effect beginning July 1, 2025, and to provide tools to assist them in accessing required driver training courses.

Subject to the availability of funds appropriated in the transportation budget, the Legislature encourages Educational Service Districts (ESDs) to facilitate the coordination between school districts or secondary schools of a school district and private driver training schools to increase access to driver training education courses by students who reside within the boundaries of the applicable school district.

Also subject to the availability of funds appropriated in the transportation budget, the Office of Equity is required to prepare an assessment of opportunities to improve access to driver

training education for young drivers to meet the new driver training requirement. The assessment must address potential obstacles to meeting this requirement, including for young drivers for whom the cost may pose a hardship, related to accessibility for young drivers who reside in rural areas, and for young drivers whose primary language is not English.

Subject to the availability of funds appropriated in the transportation budget, the Office of Minority and Women's Business Enterprises (OMWBE) must develop a program to foster the development of women, minority-owned, and veteran-owned licensed driver training schools in the state.

*Driver Training Voucher Program.*

Subject to the availability of funds appropriated in the transportation budget, beginning July 1, 2025, the DOL is required to establish a program to provide vouchers to cover the average cost of driver training education courses for novice drivers who reside in low-income households. In consultation with the Washington Traffic Safety Commission (WTSC), the DOL must adopt rules establishing eligibility criteria and application and award procedures, and any other necessary rules for implementing the voucher program.

By January 1, 2024, the DOL is required to provide the appropriate committees of the Legislature with an implementation plan for the voucher program. On a biennial basis beginning June 30, 2026, the DOL must report the following to the appropriate committees of the Legislature:

- the income criteria used to determine voucher awards annually by county;
- the number of applicants for vouchers annually by county;
- the number of vouchers awarded and redeemed annually by county;
- the dollar amount of vouchers redeemed annually by county; and
- the community average income of voucher recipients during the reporting period.

Income data of voucher program recipients is exempt from public disclosure.

*Driver Training Grant Program.*

Subject to the availability of funds appropriated in the transportation budget, including for program development and implementation activities, beginning July 1, 2025, the OSPI is required to establish a grant program to facilitate schools providing traffic safety education programs as course offerings. The OSPI must adopt rules to establish eligibility criteria and grant application and award procedures for implementing the grant program, and must include, as a condition of grant eligibility, agreement by a school district to provide the OSPI with the information required for the OSPI to comply with the grant program reporting requirements specified below. The eligibility criteria must prioritize school districts in overburdened communities and school districts with above average concentrations of students eligible for free or reduced-price lunches.

By January 1, 2024, the OSPI is required to provide the appropriate committees of the

Legislature with an implementation plan for the grant program. On a biennial basis, beginning June 30, 2026, the OSPI must report the following to the appropriate committees of the Legislature:

- the grant amounts provided to each school district or school;
- the number of school districts or schools offering traffic safety education programs;
- the number of students receiving traffic safety instruction in these programs;
- the number of students eligible for free or reduced-price lunch receiving traffic safety instruction in these programs; and
- an assessment of the equity impacts on overburdened communities of the driver training grant program.

#### Additional Driver's License and Identification Card Fee.

Beginning October 1, 2023, an additional \$7.50 fee is imposed on an application for an original or renewal standard driver's license or EDL, as well as on a standard ID card or EID card.

#### Driver's Education Safety Improvement Account.

The Driver's Education Safety Improvement Account (Driver's Education Account) is created in the State Treasury as an appropriated account. Beginning October 1, 2023, the additional \$7.50 for driver's licenses and IDs described above must be deposited into the Driver's Education Account.

Expenditures from the Driver's Education Account may only be used for the support of driver's education programs and activities that primarily serve people under 25 years of age, including for efforts to increase young driver access to driver education.

#### Driver Training Expansion Reporting Requirements.

The DOL is required to provide updates on the implementation of the new driver training requirements, including information on preparations and resource availability for the expansion of driver training. These updates must be provided to the Transportation Committees of the Legislature by January 2, 2024, and January 2, 2025.

In coordination with the WTSC, the DOL must provide an annual report to the Transportation Committees of the Legislature by July 1, 2027, and by July 1, 2028. The annual report must include updates on program implementation, traffic safety impacts, and feedback from the public.

#### **Amended Bill Compared to Engrossed Substitute Bill:**

The amended bill modifies the effective date for the new driver training education requirement, moving it back six months to July 1, 2025, for people 18 to 20 years of age, and moving it to July 1, 2028, for people 21 to 24 years of age. It includes completion of a condensed traffic safety course or an online, self-paced condensed traffic safety education course as options to meet the driver training education requirement for people 18 to 21

years of age. The amended bill also mandates that the DOL provide broad and accessible public outreach and education to communicate to state residents the new driver training education requirements and provide tools to assist them in accessing courses that meet the new requirement, to begin no later than January 1, 2025.

The amended bill requires the DOL to provide updates on implementation of the new requirements, including data on driver training schools and traffic safety education programs in the state by January 2, 2024, and January 2, 2025. It modifies the due date of the first annual report from January 1, 2026, to July 1, 2027, and requires that the report include updates on program implementation, traffic safety impacts, and public feedback. In addition, the amended bill authorizes the DOL to develop rules to establish alternative pathways to driver training instructor licensing.

The amended bill removes the authorization for school districts to offer condensed traffic safety education courses. It modifies the start date of the driver training education voucher and grant programs established in the bill to July 1, 2025, to correspond to the new date when the driver training education requirements in the bill take effect, and modifies the condition that the driver training education grant program created in the bill be subject to appropriations by also requiring that program development and implementation activities be funded.

The amended bill removes the requirement that the OSPI collaborate with the DOL in establishing the driver training education grant program, and clarifies that students of existing traffic safety education programs in schools are also eligible for the driver training education grant program. It requires the OSPI to include as a condition of grant eligibility agreement by the school district to provide the OSPI with the information needed by the OSPI to comply with grant program reporting requirements.

Additionally, the amended bill states that the Legislature encourages ESDs to facilitate the coordination between school districts or secondary schools and driver training schools to increase access to driver training education courses by students of a school district, subject to appropriations. It requires the Office of Equity to prepare an assessment of opportunities to improve young driver access to driver training education, subject to appropriations. It also mandates that the OMWBE develop a program to foster the development of women, minority-owned, and veteran-owned licensed driver training schools, subject to appropriations.

The amended bill raises the additional fee for an original and renewal standard driver's licenses, EDL, standard ID, and EID by \$7.50, and directs the revenue to the Driver's Education Account. It eliminates the additional \$12 in fees for a driver's instruction permit and the additional \$16 in fees for a new driver's license exam. Finally, it clarifies that expenditures from the Driver's Education Account may be used for the support of young driver education programs and activities, including for efforts to increase young driver access to driver training education, and removes legislative intent language regarding

splitting expenditures from the Driver's Education Account evenly between the driver training education voucher and grant programs.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on April 4, 2023.

**Effective Date of Amended Bill:** The bill contains multiple effective dates. Please see the bill.

**Staff Summary of Public Testimony:**

(In support) This legislation promotes efficiency and will save lives on the roadway. The bill addresses a significant gap in driver training and sets young people up for success as new drivers. The bill is overdue by 21 years and seeks to address the loss of funding for driver education in 2001 and 2002. Since that time, the state has relied on graduated licensing and not education as the primary means of influencing driver behavior. But experience can be an ineffective teacher, and over half of drivers now wait until after they turn 18 years of age to obtain a driver's license.

In 1999 Washington was seen as having some of the strongest traffic safety education experts in the nation at the OSPI. They were sought after as speakers nationwide. Now the state has gone from having driver training in over 200 school districts to having it in only 25 school districts (in only 39 schools). The bill envisions the return of traffic safety education in the schools. But for the bill to succeed, the structure for training instructors has to be rebuilt. Neither the DOL nor the OSPI has subject matter experts with the proper traffic safety education to fulfill the bill's requirements.

This bill promotes greater access to driver education for the highest risk drivers and it removes barriers for people who currently forego training. England and Germany require driver's licensing exams that are too difficult to pass without driver education. Washington's exam is so simple that most people can pass it without formal training.

Safety should not be restricted to the wealthy. Before driver education was cut from schools, around two-thirds of students took driver's education in high school. Driver education has become very expensive. Under this bill, fewer people will choose to defer completing a driver training education course, and the voucher program will address a need that has not been tackled before.

(Opposed) Passage of this bill will result in lengthy delays for obtaining a Washington driver's license. The driver education industry does not currently have sufficient capacity to conduct trainings. There are complaints that kids are not able to access training when they first become eligible because courses are full. People need a driver's license for their

educations and jobs. They will need to wait three to six months to complete a training course to get a driver's license.

(Other) Fatalities are at a 30-year high right now. Young drivers who have not received driver education are injured at a much higher rate than those who have. Thousands of crashes that result in serious injuries or fatalities could be avoided with increased driver training. Data supports that driver training for people 18 to 25 years of age will result in their reduced involvement in crashes that result in serious injuries and fatalities.

The cost of driver education can be a major barrier to taking a driver training education course, and some people do not complete one as a result. Creating a subsidy program is a good way to improve access to training.

**Persons Testifying:** (In support) Alex Hansen, David Slipp, and Gerald Apple, Washington Traffic Safety Education Association; Alex Alston, Washington Bikes; Lynn Rogers, Professional Driving School Association of Washington; and Julia Braun.

(Opposed) David-Henry Sedelmeier.

(Other) Mark McKechnie, Washington Traffic Safety Commission; and Beau Perschbacher, Washington State Department of Licensing.

**Persons Signed In To Testify But Not Testifying:** None.